

National Science Foundation 4201 Wilson Boulevard Arlington, Virginia 22230

VOLUME III of IV

FINAL ENVIRONMENTAL IMPACT STATEMENT

PUBLIC SCOPING MEETINGS COMMENTS AND REPONSES and MEETING TRANSCRIPTS (2005, 2006, 2008)

Advanced Technology Solar Telescope Haleakalā, Maui, Hawaiʻi

JULY 2009

VOLUME III

PUBLIC SCOPING MEETINGS COMMENTS AND REPONSES and MEETING TRANSCRIPTS (2005, 2006, 2008)

Volume III contains public comments and responses that were produced during the scoping process and meeting transcripts from Public Scoping Meetings, Section 106 Formal Consultation Meetings, and the DEIS Public Comment Meetings. Meeting Transcripts were requested by the public at various meetings and from comments received during the EIS process.

The Appendices in Volume III are as follows:

- Appendix A: Public Scoping Meetings Comments and Responses
- *Appendix B:* Transcripts Public Scoping Meetings:
 - (1) Cameron Center, July 12, 2005
 - (2) Kula Community Center, July 13, 2005
 - (3) Mayor Hannibal Tavares Community Center, July 14, 2005

Appendix C: Transcripts – Section 106 Consultation Meetings:

- (1) Mayor Hannibal Tavares Community Center, March 28, 2006
- (2) Paukūkalo Community Center, May 1, 2006,
- (3) University of Hawai'i Institute for Astronomy, Maikalani Facility, June 16, 2008
- (4) University of Hawai'i Institute for Astronomy, Maikalani Facility, June 17, 2008
- (5) University of Hawai'i Institute for Astronomy, Maikalani Facility, August 27, 2008, Afternoon session
- (6) University of Hawai'i Institute for Astronomy, Maikalani Facility, August 27, 2008, Evening session

Appendix D: Transcripts – DEIS Public Comment Meetings:

- (1) Cameron Center, September 27, 2006
- (2) Mayor Hannibal Tavares Community Center, September 28, 2006
- (3) Kula Community Center, September 29, 2006

APPENDIX A

Pre-DEIS PUBLIC COMMENTS

- The comments in this Appendix were received prior to publication of the DEIS, which was published in September 2006. All comments were carefully evaluated during the preparation of the Draft EIS and, where feasible, they were incorporated into the analysis of the affected environment, analysis of potential impacts that could result from the Proposed Action, and mitigations to those potential impacts. Full consideration was given to the concerns, suggestions, information, and documentation provided by the commenting individuals, groups, and agencies.
- Comments are listed in order of date received and grouped by commenter name or organization.
- Comments and responses to the DEIS and SDEIS will be included in the Final EIS.

List of Commenters

Last Name	First Name		
Adler	Martin E.		
Aeder	Erik		
Akaka	Senator Daniel		
Alday	Rene Christopher		
Alexander	Gerry		
Aller	Kimberly		
Amindson	Danielle		
Aquino	Princess Lehuanani		
Armstrong	James D.		
Atwell	Francine		
Bailey	Gordean		
Bal	Calyton H.		
Balinbin	Rudy		
Bantilan	Melissa		
Barclay	Claire		
Barona	Lolita		
Bear	Lynne		
Beatty	Jody		
Behan	Kevin		
Born	Terry		
Brayton	Chris		
Brayton	Thomas		
Breitbach	Brad		
Briner	Kenn		
Brinkman	Steve		
Bunny	Kirsten		
Cabradilla	Jolene		
Calhoun	John		
Capriola	Gary		
Carlos	Sumer		
Carlucci	Michael		
Cazimero	Kanoe		
Chacko	Sumita Mary		
Christensen	Robert		
Christensen	Daphne		
Cook	Jerry		
Cost	Jill		
Craig	Tad		
Cunanan	Romylynn		
Dailey	Roger		
Dale	Nicholas		
Davidge	Greg		
Davis	Janet		
	Neal L.		
DeRego			
Dixon			
Dizon			
Donner	Tammy		
Drood	Jeffrey		

Last Name First Name				
Eichart	John			
Eldridge	Carl			
Ellison	Jeffrey			
Evanson	Mary			
Fair	Deybra			
Fielding	Ann			
Foley	Mike			
Fukuda	Casey			
Garcia, Jr., Ku`auhau Nui	Ali`i Sir William			
Gebink	Cynthia			
George	Janet			
Gibson	Brooke			
Gilliland	Julie			
Glassen	Nicole			
Gottlieb	Steve			
Greenberg	Gary			
Groden	Randy			
Guinan	Stacey			
Habesreiter (Dr.)	Margit			
Hall	Dawn			
Hall	Issac			
Haraga	Rod			
Hartman	David A.			
Haslbede	Glenn			
Haupt	Prentiss Carl			
Hazen	Lorna			
Helm	Mikahala			
Helm				
Hodge	Rusty Curt			
Hoffman	Mark			
Hogan Holton	Vince			
	Doreen			
Hope	Douglas			
Hough	Jason			
Howard	Gardner			
Hughes	Kevin			
Hutchison	James			
lao	Maydeen			
Ingalls	Thomas E.			
lto	Blanche N.			
James	Gillian			
Janke	R. L.			
Jenkins	Brian			
Jensen	Susan			
Judson	Dan			
Kaeo	Donlyn			
Kahaleanu	Roselani			
Kahoohanohano, Ku`auhau	Ali`i George			

List of Commenters (cont.)

Last Name	First Name		
Kajihiro	Kyle		
Kalili	Dreana		
Kanamu	Walter		
Kane	Jen		
Kaohu	Kathy		
Karakawa	Shigeru		
Karakawa	Carol		
Kasprzycki	Lisa		
Kaupalolo	Cheryl		
Kaupalolo	Kristopher		
Keala	David		
Kiriaty	Avi		
Kleid	Cindi		
Korpi	John		
Krost	Todd		
Krumwiede	Jack		
Kuehler	Malia		
Kumasaka	Linda		
Kumasaka	Kenneth		
Kushi	Keith		
Lane	Edward		
Lao	Harold		
Lapp	Howard		
LeBron	M. Kehaulani		
Lee	Stanley		
Lemmo	Sam		
Lesteie	Ron		
Lester	Susan		
Lindsey	Ed and Puanani		
Lindsey	Clifford		
Liva	Angela		
Longaker	Jason		
Lowell	Rebecca		
Lucas	Richard and Michael		
Maberry	Michael		
Maki	Richard		
Makua	Janet		
Mancini	Judy		
Mann	Donna		
Martin	Martha		
Maux	Steve		
Maxwell, Sr.	Kahu Charles		
Mayer	Dick		
McCarty	Vicki		
McDuff	Kathleen		
McGinnis	Vicki		
McNulty	Patrick		
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PorterLisaPowellMadelinePowellPeterPrietoGlennQuintonLynneRaboldJeanneRasmusseKasperRatkowskiDianeRatkowskiRob					
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PowellPeterPrietoGlennQuintonLynneRaboldJeanneRasmusseKasperRatkowskiDianeRatkowskiRob					
PrietoGlennQuintonLynneRaboldJeanneRasmusseKasperRatkowskiDianeRatkowskiRob					
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RaboldJeanneRasmusseKasperRatkowskiDianeRatkowskiRob					
Rasmusse Kasper Ratkowski Diane Ratkowski Rob					
Ratkowski Diane Ratkowski Rob	Rabold				
Ratkowski Rob	Rasmusse				
	Ratkowski	Diane			
Raymond Kiope	Ratkowski				
	Raymond	Kiope			
Reeser Don	Reeser	Don			

List of Commenters (cont.)

Last Name	First Name		
Rizzo	Frank		
Roback	William		
Russell	Nikki		
Ryder	Leohu		
Sato	Charlotte		
Sawyer	Charlene		
Schwarz	Michael		
Shearman	Nancy		
Sherling	Alana		
Sherling	Dave		
Shibuya	Warren		
Shiozuki	Ryoji		
Shippee	George		
Shito	Georgina		
Skog	Jeanne		
Smith	Bill		
Smith	Gregory		
Smith	Rona		
Snipes	Heather		
Souza Sjholom	Ellen		
Staple	Susan		
Steele	Marjorie		
Stephens	Jennifer		
Stephens	Sam		
Stokesberry	Mele		
Stott	Linda		
Street	Spar		
Strini	Rick		
Summer	Silvia		
Tassill	Kalani		
Taylor	Chris		
Tempchin	Jen		
Thielen	Laura		
Thompson	Karen D.		
Tolman	Margit		
Torres	Stephan		
Truitt	Stan		
Tyler	Majorie		
Van Dorland	Carlos		
Vilahos	Alexander		
Viloria	Chris		
Vladyka	Penrod		
Wallholm	Tony		
Warren	Cole		
Watsuss	Chauncy		
Whittemore	Linda		
Wilson	Johanna		
Wilson	Geraldine		
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Last Name	First Name
Wineland	Rene
Wooten	Jason
Yamada	Daryl
Yu	Liu
Zaleski	Robert
1 illegible name	

Comment - Royal Order of Kamehameha I, June 29, 2005



Royal Order of Ramehameha I

Office of the Ku'auhau Nui PO Box 1072 Wailuku, Maui, HI 96793

June 29, 2005

Dr. Charlie Fein Vice-President KC Environmental, Inc PO Box 1208 Makawao, HI 96768

Dear Dr. Fein:

Thank you very much for your letter concerning the upcoming hearing on the solar telescope. I have notified our members on Maui as to the place, time, and date of said hearing and will again make mention of it at the Maui Chapter's meeting on July 10th.

As a matter of information no one is authorized to speak on behalf of the Royal Order of Kamehameha I with out the permission of our Ali'i Nui. I mention this because there has been and continues to be individuals who are not members claiming to be representatives of the Order.

We have what is called within the Order the Aha Kahu Po'o which is the Council of Trustees. The Kahu Po'o consists of the Kahu Po'o Nui, Kahu Po'o Iki, and Kahu Po'o, three members in all. These three members are charged with speaking for the Order concerning the solar telescope. Fortunately, the Kahu Po'o Iki resides on Maui and I am sure will be in attendance.

The members of the Aha Kahu Po'o are Mr. William Souza (Kahu Po'o Nui) of O'ahu, Mr Clarence Solomon (Kahu Po'o Iki) of Maui, and Mr. David Lovell (Kahu Po'o) of Hilo, Hawai'i. These are the only members authorized to conduct business on behalf of the Royal Order of Kamehameha I.

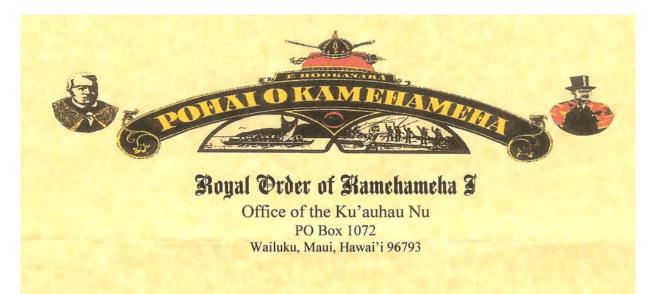
Again, thank you for the letter.



O a'u me ka ha'a ha'a Ali'i Sir William E Garcia Jr

i Sir William E Garcia Jr. C Ku'auhau Nui

Comment - Royal Order of Kamehameha I, March 14, 2006



March 14, 2006

Dr. Charlie Fien, Vice-President KC Environmental, Inc. PO Box 1208 Makawao, HI 96768

Dear Dr. Fien,

Thank you very much for mailing the final report of the Cultural Resource Evaluation and Traditional Practices of the Proposed Advanced Technology Solar Telescope (ATST) at Haleakala High Altitude Observatories, which I read with much interest.

I must, however, decline your invitation to submit written comment on this issue because as the Ku'auhau Nui, anything that I say may be misconstrued as having the official approval of the Royal Order of Kamehameha I. I do not want to interfere or become a distraction to the Office of the Aha Kahu Po'o who is entrusted with this issue.

Time permitting, I plan to attend the consultation on 28 March 2006 to listen to what is being said. Ali'i Clarence Solomon, who is a members of the Aha Kahu Po'o will also be there with one other member of the Royal Order of Kamehameha I.

Sincerely,

William E

Ku'auhau Nui

Response - Royal Order of Kamehameha I, April 3, 2006



P.O. Box 1208 Makawao HI 96768

> (808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

April 3, 2006

Ali'i William Garcia, Jr., KCK Royal Order of Kamehameha I Office of the Ku'auhau Nu

RE: Comments to Advanced Technology Solar Telescope (ATST) Cultural Report

Dear Ali'i Garcia,

Thank you for your letter regarding the Cultural Resource Evaluation and Traditional Practices Report for the ATST project. We understand that Haleakalā has significant cultural resources for the Native Hawaiian community. The comprehensive Environmental Impact Statement (EIS) is being prepared and will evaluate the potential impacts of the proposed project on the associated Hawaiian culture and spiritual resources, as well as other environmental conditions to Haleakalā.

We appreciate the participation of all members of the Royal Order of Kamehameha I. Your letter will become part of the EIS and the Administrative Record.

If you have not done so already, we invite you to visit the web site at: <u>http://atst.nso.edu/</u> and <u>http://atst.nso.edu/library/EIS.shtml</u>, which specifically addresses the Section 106 process of the National Historic Preservation Act (NHPA). Thank you for your participation.

Sincerely,

Dr. Charlie Fein Vice President

Comment - Royal Order of Kamehameha I, June 17, 2006



Royal Order of Kamehameha 1 Heiau 'O Kahekili 4

Hale Nanea, Kahului, Maui

June 17, 2006

Dr. Charlie Fein, Vice President KC Environmental, Inc. P.O. Box 1208 Makawao, Maui, Hawai'i 96768

Subject: Haleakala Cultural Resource Plan

To Whom It May Concern,

This letter is to inform you that I have been designated to communicate with you and your organization on behalf of the Royal Order of Kamehameha I, Heiau 'O Kahekili IV so that we will have a formal request for information about Haleakala and inquire if we could have a copy of this information in writing.

The information that we as an organization are requesting is a copy of the <u>Haleakala</u> <u>Cultural Resource Plan</u>. We would like to have this plan so that we can be better informed as what has been recommended and what has been done to amend this plan (if any). We would like to know from you what obstacles your organization encountered, in regards to the Haleakala Cultural Resource Plan, since the Telescope project came about and what have been noted to follow the plan. We are requesting all of this information in writing to help us better review the matters before us.

Should you have any questions please feel free to contact me at the following phone number: Cell (808) 357-7759, also there is an e-mail address of <u>Kahckili@wisperhawaii.com</u> Thank you very much for your time and consideration in this matter.

Ali'i George Kaho'ohanohano Ku'auhau Royal Order of Kamehameha I Heiau 'O Kahekili IV

Certified Mail: 700402510 0005 3733 5393

Address for the Ku'auhau for Heiau 'O Kahekili 4 Ali'i George Kaho'ohanohano 2723 Kamelani Loop, Pukalani, Maui, Hawaii 96768-8744

Response - Royal Order of Kamehameha I, June 27, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

June 27, 2006

Ali'i George Kaho'ohanohano Ku'auhau Royal Order of Kamehameha I Heiau 'O Kahekili IV

Dear George:

Thank you for your inquiry and interest in the proposed Advanced Technology Solar Telescope (ATST) project. While there is no overall Haleakalā Cultural Resource Plan, which would have to include all of the many properties on the mountain, I believe that you may be referring to either:

- a) the Cultural Resource Evaluation (*Kū I Ka Mauna, 2003*) prepared for the University of Hawai'i Institute for Astronomy Long Range Development Plan (LRDP, 2004); or,
- b) the Cultural Resource Evaluation and Traditional Practices Assessment for the Proposed Advanced Technology Solar Telescope (ATST), *E Mālama Mau Ka La'a*: Preserve the Sacredness at Haleakalā High Altitude Observatories; which was prepared in 2005 by Cultural Specialist's Charles Kauluwehi Maxwell and Adrian K. Kamali'i.

We have enclosed these documents and a CD. Both documents contain recommendations for preservation of the cultural resources and practice of spiritual protocols at Haleakalā High Altitude Observatory (HO), the 18.1-acre property managed by the University of Hawai'i Institute for Astronomy that occupies most of Pu'u Kolekole. The Institute for Astronomy has adopted the recommendations in these two documents and all those who work at HO must adhere to the cultural protocols described in them.

With respect to the proposed ATST project, the Draft Environmental Impact Statement (DEIS) will be released shortly. The Royal Order of Kamehameha I is included on the DEIS distribution list. This DEIS will discuss in detail potential impacts of the proposed ATST project on cultural and historic resources in the summit area. These potential impacts have already resulted in a declaration of "Adverse Effect" by the agency proposing the project (the National Science Foundation) and, as you know, public meetings to discuss Native Hawaiian interests arising from these potential impacts have already occurred on Maui.

The National Historic Preservation Act (NHPA) requires that agencies consider the impacts of proposed actions on historic and cultural resources. After assessing these potential impacts on the resources that had been identified through studies funded by UH and NSF, the NSF has published notification in Maui newspapers requesting resolution proposals to help mitigate any potential cultural or historic impacts that may result from the construction and operation of ATST at the 18.1-acre University of Hawai'i site on Haleakalā. Proposals have been received and more are anticipated as the process continues during the coming months. The ultimate objective is to develop a Memorandum of Agreement (MOA) between the NSF and cooperating groups and individuals in the Maui community to minimize and resolve any cultural impacts that may result from the proposed ATST project.

Response - Royal Order of Kamehameha I, June 27, 2006 (cont.)

Additional information regarding the NHPA process for this project can be found on the Internet at: <u>http://atst.nso.edu/library/EIS.shtml</u>. The LRDP can also be found on the Internet at: <u>http://www.ifa.hawaii.edu/haleakala/LRDP/</u>.

We hope your organization will choose to participate in the process. If there is any additional information you need or questions you have, please do not hesitate to write or call me. If you have any questions that you would like to address to the National Science Foundation regarding this matter, please do not hesitate to contact either of the following:

Dr. Craig Foltz, Program Officer Telephone: (703) 292-4909 Fax: (703) 292-9034 E-mail: <u>cfoltz@nsf.gov</u>

Bijan Gilanshah, Assistant General Counsel Telephone: (703) 292-5056 Fax: (703) 292-9041 E-mail: <u>bgilansh@nsf.gov</u>

National Science Foundation 4201 Wilson Boulevard, Room 1045 Arlington, VA 22230

Sincerely. hali fi

Dr. Charlie Fein Vice President

Enclosure

CC: Dr. Craig Foltz, Program Officer, National Science Foundation Bijan Gilanshah, Assistant General Counsel, National Science Foundation Melissa Kirkendall, Maui Archaeologist, State Historic Preservation Division Thelma Shimaoka, Maui Community Resource Coordinator, Office of Hawaiian Affairs

Comment - Royal Order of Kamehameha I, July 17, 2006



Royal Order of Kamehameha 1 Heiau 'O Kahekili 4 Hale Nanea, Kahului, Maui

July 17, 2006

Dr. Charlie Fein, Vice President KC Environmental, Inc. P.O. Box 1208 Makawao, Maui, Hawai'i 96768

Subject: Haleakala Cultural Resource Plan

Dear Dr. Fein,

This letter is being sent out to you to follow up on the response that was sent to this organization regarding the statement that there is no Haleakala Cultural Resource Management Plan at this time for Mount Haleakala. It is some what confusing when we read your letter stating that there are several different properties on the Mountain top and it would be difficult to have several different cultural plans for this area. There are several issues that we would like to review with you,

- A) Does the federal rules (under 106) mandate that Cultural Resource Management plans must be followed?
- B) Why would there be several different cultural Management plans for one Sacred Mountain? From your letter we find it very difficult to understand that there would be several different cultural plans for the Sacred Mount Haleakala. Where is this coming from? Is there a change in 106 that we have not been informed about?
- C) The plans that was submitted by you to this organization is not a cultural management plan for the Sacred Mountain, where is the plan that is mandated by the Federal Government?
- D) From what we have been informed about the lack of a Cultural Management Plan for Haleakala, does the Federal rules (under 106) mandate that a cultural plan be done and followed before any project can be started?
- E) The palapala (Paper work) that was supplied to this organization by your company is not a cultural management plan for Haleakala; these are consultation plans for proposed projects and do not qualify to be used in place of a Cultural Management Plan.
- F) With the lack of information from your company or from any other entity about a Cultural Management Resource Plan (that is in effect at this time) for Haleakala, this organization feels that your company are not following section 106 of the Federal Rules.
- G) If we are in error please show us where in the Federal rules, because of a lack of a cultural management plan, rule 106 can be disregarded. From the meetings that I have attended

Comment - Royal Order of Kamehameha I, July 17, 2006 (cont.)



Royal Order of Kamehameha 1 Heiau 'O Kahekili 4 Hale Panea, Kahului, Maui

your organization has been enforcing the fact that you must follow Section 106 and yet there is no compliance in the area of a Cultural Resource management plan.

We would like to have these questions addressed in order to secure, protect, perpetuate and preserve our Hawaiian Culture, natural and Cultural recourses and traditional practices for Haleakala. We believe that it is needed to make sound, long term decisions in matters of such great importance.

Should you have any questions please feel free to contact me at the following phone number: Cell (808) 357-7759. Also there is an e-mail address of <u>Kahekili@wisperhawaii.com</u>, we would like to have a response to this letter no later than ten (10) working days and if more time is needed please feel free to contact us. Thank you very much for your time and consideration in this matter.

Ali'i George Kaho'ohanohano Ku'auhau Royal Order of Kamehameha I Heiau 'O Kahekili IV

CC: Ali'i Nui, Kalaimoku, Ali'i Ai Moku – Heiau 'O Kahekili IV Kaka'olelo – Heiau 'O Kahekili IV Haleakala Nation Park , Superintendent Department of the Interior, Haleakala Kapuna Group

Certified Mail: 7004 2510 0005 3736 8339

Address for the Ku'auhau for Heiau 'O Kahekili 4 Ali'i George Kaho'ohanohano 2723 Kamelani Loop, Pukalani, Maui, Hawaii 96768-8744

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

2

Response - Royal Order of Kamehameha I, July 24, 2006



P.O. Box 1208 Makawao HI 96768

> (808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

> > July 24, 2006

Ali'i George Kaho'ohanohano, Ku'auhau Royal Order of Kamehameha I Heiau 'O Kahekili IV

Dear George:

Thank you for your additional request for information. Your questions suggest that perhaps there is some misunderstanding about the ATST project and about the University of Hawaii's Haleakalā High Altitude Observatory in general. Please allow me to further clarify.

The only property for which the University of Hawai'i has any responsibility is for the 18.1 acres of land that is managed by the University of Hawai'i Institute for Astronomy. At this time, that property does have a Protection of Historic and Cultural Resources plan that was referenced in our first letter, which may be found in the Long Range Development Plan (LRDP) <u>http://www.ifa.hawaii.edu/haleakala/LRDP/</u>. The plan may be found beginning on page 62 of the LRDP, Section 9.3.2-Protection of Historic and Cultural Resources. As far as we are aware, only the Institute for Astronomy out of all the agencies on Haleakalā operates under a Protection of Historic and Cultural Resources plan at this time.

It is accurate to state that the Section 106 process operates in parallel and somewhat independent from such existing cultural plans, although there may be considerable overlap in cultural resource protection measures. Under Section 106 for this proposed project, the parties are to consult on ways to avoid, minimize, or mitigate the adverse effects of ATST. If, following consultations, the State Historic Preservation Division and the agency can reach agreement as to how best to resolve the adverse effects, they will enter into a Memorandum of Agreement, which must be followed by the signatories. Native Hawaiian organizations such as the Royal Order of Kamehameha I would be invited to also sign as a concurring party to the Agreement.

Under Section 106, there would not be several plans or Memorandum of Agreements — only one. Therefore, if the "Cultural Resources Management Plan" to which you refer in your last letter is actually what Section 106 refers to as the "Memorandum of Agreement, you would be correct to say that no such Agreement exists as of this date.

The Section 106 process must be followed before the project is approved. However, that process may or may not result in a Memorandum of Agreement, although we are very hopeful we will come to such an Agreement. If the agency and State Historic Preservation Division cannot agree on how to resolve the adverse effects after consultations with each other and other concurring parties, Section 106 still allows a project to proceed following consultations, as long as certain other procedures are followed, such as affording the Advisory Council for Historic Preservation the opportunity to comment on the parties' consultative process. Again, we are hopeful that we can resolve the adverse effects of ATST by reaching an agreeable Memorandum of Agreement. In that regard, the National Science Foundation, which is the agency proposing the ATST project, invites the Royal Order of Kamehameha to submit proposals that would help resolve the adverse cultural effects of building ATST on Haleakalā. If NSF receives such a proposal from the Royal Order of Kamehameha, a one-on-one meeting with NSF would be welcome to further discuss such a proposal when the ATST Project Team comes to Maui for further consultations and public comment.

Sincerely

Dr. Charlie Fein Vice President

CC: Bijan Gilanshah, Assistant General Counsel, NSF Dr. Craig Foltz, Program Officer, NSF Melissa Kirkendall, Maui Archaeologist, SHPD Marilyn Parris, Haleakalā National Park Superintendent Thelma Shimaoka, Community Resource Coordinator, OHA

1

>Subject: Haleakala Hearings

>

>Aloha Jeremy,

>

>As a retired scientist from the AMOS / MOTIF observatory at >Haleakala's summit, and a lifelong astronomy enthusiast, I will be >attending at least two of the hearings regarding the newly proposed >solar telescope. It is usual for some environmental and cultural >organizations and individuals to resist any change of skyline or >appearance of our mountain. My intention is to mitigate some >objections and to defuse some of the anti-scientific attitude often >expressed at such hearings, as well as becoming better informed about >the scientific activities.

>

>If it is convenient, please send me related information currently
>available on the project, or provide URLs to specific sites where I
>may glean useful facts specific to the proposed telescope and data
>gathering facilities. Armed with these facts, my language can be
>more specific instead of diluted by sweeping generalities so common
>to the persons resisting change at these hearings. When rising to
>speak, my emphasis will not just be technical, but also peppered with
>familial and community considerations.

>Lastly, even though I expect that your people are in touch with the >Institute for Astronomy and other Hawaii troops, it would be a >pleasure to suggest not so touristy eating places and sights to see. >

> >Cordially,

>

>Stan Truitt

Response - Stan Truitt, July 5, 2005

>Dear Stan,

>

>Thank you for your interest in the Advanced Technology Solar Telescope >(ATST) project. We invite you to visit our web site at:

>http://atst.nso.edu/ for more information.

>

>If you would like further information, please feel free to contact me.

>

>Best regards,

>Jeremy Wagner

Comment - Kyle Kajihiro, July 7, 2005

Subject: solar telescope

Dear Mr. Wagner

I am writing regarding the upcoming public meetings on the Solar Telescope on Maui.

Please send me all of the relevant information about the proposed project so that I can formulate questions and comments.

Also, I urge you to hold meetings on other islands besides Maui. This project affects all the islands in Hawai'i. You would deny public participation for large numbers of people by only holding hearing on Maui.

Thank you.

Kyle Kajihiro

Dear Mr. Kajihiro:

Thank you for your interest in the Advanced Technology Solar Telescope (ATST) project. We invite you to visit our web site at: http://atst.nso.edu/ for more information. Please feel free to contact me with comments or to ask questions about the project as information is added to the web site.

With respect to meetings on other islands, we have consulted with our cultural specialist, who clearly indicated there is a strong "home rule" aspect to this project for the Native Hawaiians and the local community on Maui. Through past experience with other state or federal Maui-based projects, the indication was that the community is concerned about once again having only a minority voice when it comes to their own land-use cultural and environmental priorities. Therefore, we have focused public participation on Maui.

Best regards, Jeremy Wagner

Comment and Response - John Oliver, July 7, 2005

Date: Fri, 8 Jul 2005 10:33:15 -0700 X-Mailer: Microsoft Office Outlook, Build 11.0.6353 Thread-Index: AcWD4x8IjAz6RygJRXiAPW+5mDyvaA==

Charlie,

I received a voice mail message on my office telephone last night (Thursday, July 7, 2005 at 8:58 pm MST). The message ran as follows:

Hey Jerry Wagner. Just calling to let you know what the laws are here in the alleged state of Hawaii. You guys can not put a telescope up. UH does not have title over the land on Haleakala. They've never had title. And the state courts have already said they have no jurisdiction over title. The "Ava Nava Aah" [sp?] is a legitimate court. You're going to have to answer to them. You might as well answer to them now. Give me a call, my name is John Oliver Thanks.

Subject: contact by John Oliver Date: Fri, 8 Jul 2005 13:20:14 -0700 X-Mailer: Microsoft Office Outlook, Build 11.0.6353 Thread-Index: AcWD9gjIhg8a/oOITDCaqrBoyRK2mg==

Charlie,

I called Mr. John Oliver back at 12:30pm MST today, Friday, July 8, 2005. I stated that the issue of land title should be referred to the University of Hawaii and that therefore I had already forwarded his comments to the UofH. Mr. Oliver thanked me for this. Mr. Oliver stated that the UofH does not have title to the land on Haleakala. I suggested that Mr. Oliver consider submitting his thoughts in writing to the EIS process. I asked if he had the contact information. Mr. Oliver indicated that he had the contact information from the recent newspaper article. Mr. Olsen then asked if the NSO was part of NASA. I said that the NSO was not part of NASA and that we were working through the EIS process for the National Science Foundation. Mr. Oliver thanked me for calling and for the information. The conversation lasted approximately 33 minutes and was very cordial in nature.

Jeremy

Comment - Rod Haraga, Director, Dept. of Transportation, July 7, 2005

LINDA LINGLE GOVERNOR



STATE OF HAWAII DEPARTMENT OF TRANSPORTATION 869 PUNCHBOWL STREET HONOLULU, HAWAII 96813-5097

July 7, 2005

RODNEY K. HARAGA DIRECTOR

> Deputy Directors BRUCE Y. MATSUI BARRY FUKUNAGA BRENNON T. MORIOKA BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

STP 8.1815

Dr. Charlie Fein Vice President KC Environmental, Inc. P.O. Box 1208 Makawao, Hawaii 96768

Dear Dr. Fein:

Subject: National Science Foundation (NSF), Advanced Technology Solar Telescope (ATST) Project at Haleakala High Altitude Observatory site Environmental Impact Statement Preparation Notice

Thank you for your transmittal requesting our review of the subject project.

In reply to your request for our review of the proposed telescope project, this is to advise you that the facility will not have an impact on our transportation facilities.

We appreciate the opportunity to provide our comments.

Very truly yours,

olkees K. HAR RODNEY

Director of Transportation

Comment - Edmund Orszula, July 14, 2005

ADVANCED TECHNOLOGY SOLAR TELESCOPE PROJECT COMMENTS FORM

The National Science Foundation (NSF) and the National Solar Observatory (NSO) welcomes and encourages written public comments on environmental impacts and concerns — including historical, archaeological, and traditional cultural issues — and proposed mitigation associated with the proposed Advanced Technology Solar Telescope (ATST) project.

Your comments will be reproduced in the Final Environmental Impact Statement (EIS) for the ATST project. If you prefer that your name not be published with your comments, please express that desire in the comments section below. The NSF and NSO will not publish your address in the Final EIS.

Your comments may be written on this form or additional pages and returned to the registration desk; or, you may send your comments to:

Mr. Jeremy Wagner, ATST Project Manager National Solar Observatory 950 North Cherry Avenue, Tucson, Arizona 85726 email: <u>iwagner @nso edu</u> telephone: (520) 318-8249 fax: (520) 318-8500

Written comments must be received at NSO on or before 4:30 p.m. Mountain Standard Time, August 14, 2005.

Name: EPMUNN J DRSZULA

7/14/05 Date:

Place an X in this box if you wish to receive copies of future environmental planning documents on the proposed ATST project (including the Record of Decision) that NSF and NSO distributes to the public.

will visitors, racing event (ie. slower ATST.

Response - Edmund Orszula, July 25, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

July 25, 2005

Mr. Edmund James Orszula

Dear Mr. Orszula:

Thank you for attending the Advanced Technology Solar Telescope (ATST) public scoping meeting held at the Mayor Hannibal Tavares Community Center on Thursday, 14 July, 2005.

In response to your question, the traffic on the roads leading to the observatory will be studied as a part of the Environmental Impact Statement preparation. This study will include assessment of the current use of the roads by park visitors, bicycle riders, observatory personnel, and others, as well as the anticipated increase in traffic that would result from constructing and operating the ATST at Haleakala. Any mitigations to be implemented during ATST construction and/or operation in order to assure continued safe traffic volumes and minimum potential for dangerous situations will be included as part of the final EIS.

Again, thank you for your interest in the ATST project. We invite you to visit our web site at: http://atst.nso.edu/ for more information. Please feel free to contact me with comments or to ask questions about the project as information is added to the web site.

Best regards,

Jeremy Wagner Project Manager



Operated by the Association of Universities for Research in Astronomy, Inc. under a cooperative agreement to the National Science Foundation

Comment - Kanoe Cazimero, July 15, 2005

Mr. Wagner,

Attached and imbedded in this e-mail is my letter in opposition to your ASTA Project.

Kanoe Cazimero

July 15, 2005

Jeremy Wagner, ATST project manager

National Solar Observatory

950 N. Cherry Ave.

Tucson, AZ 85726

Via e-mail jwagner@nso.edu

Re: Advanced Technology Solar Telescope

ATST atop Haleakala, Island of Maui, Hawaii

Aloha Mr. Wagner,

I am writing because of great concern and in protest against the ATST Project.

Let me first say that I am a Native Hawaiian. I stand solidly upon my heritage while being fully educated by Western standards and live a balanced life with minimal forfeit of one for the other. History has demonstrated and confirmed that much wrongdoing has been committed against us. Yet I and many others stand as proof that although a race decimated we are increasing, although a people oppressed we are rising, although a culture disregarded we are growing in esteem, and although our values are subjugated we defiantly hold strong to our spirituality. Our sense of connectivity to the land is at the very fiber of our spirituality. We are a proficient people Sir. Our knowledge, skills, and resources are being stripped because although we share with Aloha, you of the Western culture are parasitic in nature and do not understand reciprocity nor do you have a symbionic relationship to the land.

You and your constituents have taken it upon yourselves to do years of research and development on this very worthy project. However, you have spent little time or effort to research and develop any kind of cultural sensitivity to the host culture and people of these islands. You forget that this is our Motherland. You show how your comparisons to other locations demonstrate that Hawaii provides YOU with the most optimum opportunity to further YOUR research.

Comment - Kanoe Cazimero, July 15, 2005 (cont.)

And just who are you? Your collaborators and partners are all very impressive ? Cal Institute of Technology, Cal State U, Colorado Research, Lockheed, and Michigan State. So why are they not stepping forward to have the ATST in their state? We the people of Hawaii concur with Mr. Lindsey. WE WOULD rather see the telescope in ??Colorado, Montana, New Mexico, California? or some other state.? http://www.mauinews.com/print_version.asp. Your approach is to convince the people of Hawaii through a small part of our community that the project is good for us. But have you truly considered US, the collective people of Hawaii.

Mr. Jeff Kuhn, Associate Director of the University of Hawaii Institute for Astronomy spoke to only a small portion of our community. You geographically failed to recognize that our State is comprised of 120 islands where 7 of them are inhabited and make up the vast greater community. Any invasive construction of this magnitude upon a sacred site is a direct attack on our intelligence, our culture and our land.

Mr. Kuhn said that the ASTA would be used for research, yet he states that ?the reason the \$161 million telescope should be built is ?for our children.?? http://www.mauinews.com/print_version.asp. For who?s children specifically are Mr. Kuhn and your constituents speaking? If you wish to speak about the needs of the children of Hawaii, then consider the needed dollars to help raise the standards of the local educational system, school conditions, transportation, teacher support, programs, supplies, materials, nutrition ? for starters.

I am appreciative of Mr. Edgar?s article in the Maui News for those like I who live on another island would not be aware of the project. However he uses a lot of ink to cover the persuasive points of UH Director Mr. Kuhn and seems to nonchalantly state that ?Although worries were expressed about the impact on Hawaiian dark-rumped petrels that nest nearby and about the fact that the site is on ceded - described by Lindsey as "stolen" - land, the most common objection was to the color of the 10-story building.? http://www.mauinews.com/print_Version.asp.

No Mr. Edgar, and no Mr. Wagner, it is not just a worry about impact, or about nesting petrels, let alone the color of the 10-story building. It is indeed a concern when people who are not able to eloquently express themselves are not asked to clarify what was simply stated. Your 10-story building, were it painted to blend into the landscape of Haleakala would still be unacceptable. It is a defacement of pristine and sacred ground that for our Hawaiian Culture holds historic value. Our history was being defined long before our shores were touched by Western explorers ? not at the

point of Western contact.

Put your technological wonder somewhere else Mr. Wagner. And Mr. Kuhn, you and your fellow Directors at the University of Hawaii need to put your energies into providing opportunities that will support and advance our youth, for they are the future of Hawaii. Provide more scholarship, more appropriate housing, on-the-job internship for credit to ensure that our graduating students become the future workforce we need.

"We are hoping for an invitation from the Hawaiian community to come into Haleakala to open a new window onto the sun," Kuhn said. <u>http://www.mauinews.com/print_version.asp</u>. And I say to you Mr. Kuhn and Mr. Wagner, were this true, then you would have invited the Hawaiian community, not the collaborators to come to the table from the onset of this project. The development on Haleakala is spreading like a cancer, much like the development on Mauna Kea. It needs to stop.

Kanoe Cazimero (Ms.)

Response - Kanoe Cazimero, July 15, 2005

Dear Ms. Cazimero:

Thank you for your comments and interest in the Advanced Technology Solar Telescope (ATST) project. We invite you to visit our web site at: http://atst.nso.edu/ for more information. Please feel free to contact me with comments or to ask questions about the project as information is added to the web site.

Best regards,

Jeremy Wagner

Comment - Jeanne Skog, President, Maui Economic Development Board, July 25, 2005

ADVANCED TECHNOLOGY SOLAR TELESCOPE PROJECT COMMENTS FORM

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Your comments will be reproduced in the Final Environmental Impact Statement (EIS) for the ATST project. If you prefer that your name not be published with your comments, please express that desire in the comments section below. The NSF and NSO will not publish your address in the Final EIS.

Your comments may be written on this form or additional pages and returned to the registration desk; or, you may send your comments to:

Mr. Jeremy Wagner, ATST Project Manager National Solar Observatory 950 North Cherry Avenue, Tucson, Arizona 85726 email: jwagner@nso.edu telephone: (520) 318-8249 fax: (520) 318-8500

Written comments must be received at NSO on or before 4:30 p.m. Mountain Standard Time, August 14, 2005.

Name: Full Addre Street: City: State: Zip Code: 6 2 Date: Place an X in this box if you wish to receive copies of future environmental planning documents on the proposed ATST project (including the Record of Decision) that NSF and NSO distributes to the public.

Response - Jeanne Skog, President, Maui Economic Development Board August 9, 2005



950 N. Cherry Ávenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

August 9, 2005

Ms. Jeanne Skog, President Maui Economic Development Board 590 Lipoa Parkway, #103 Kihei, HI 96753

Dear Ms. Skog,

Thank you for your interest in the Advanced Technology Solar Telescope (ATST) project and for attending one of the Public Scoping Meetings. We appreciate the comment form you have submitted and are writing to respond to your comments.

Please be assured that the issue of public outreach and education is a high priority for our project as well as our Funding Agency (the National Science Foundation). We will strive to include the local residents of Maui County as much as possible and would encourage their involvement in workforce opportunities with the ATST Project.

If you have not done so already, we invite you to visit our web site at: http://atst.nso.edu/.

Again, thank you for your participation and feedback and if you would like further information, please feel free to contact me.

Best regards,

Jeremy Wagner Project Manager



Operated by the Association of Universities for Research in Astronomy, Inc. under a cooperative agreement to the National Science Foundation

Comment - Senator Daniel Akaka, July 26, 2005

DANIEL K. AKAKA

WASHINGTON OFFICE: 141 HART SENATE OFFICE BUILDING WASHINGTON, DC 20510 TELEPHONE: (202) 224–6361

HONOLULU OFFICE: 3106 Prince Jonah Kuhio Kalanianaole Federal Building P.O. Box 50144 Honolulu, H 96850 Telephone: (808) 522-8970 United States Senate

WASHINGTON, DC 20510-1103

July 26, 2005

COMMITTEES: ARMED SERVICES ENERGY AND NATURAL RESOURCES HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS INDIAN AFFAIRS VETERANS' AFFAIRS SELECT COMMITTEE ON ETHICS

Dr. Charlie Fein Vice President KC Environmental, Inc. P.O. Box 1208 Makawao, HI 96768

Dear Dr. Fein:

Thank you for informing me of the National Science Foundation's preparation to conduct an Environmental Impact Statement (EIS) for the Advanced Technology Solar Telescope (ATST) project.

I appreciate receiving this information. It is my understanding that the ATST project will provide the United States with a premier observatory for exploring and understanding the physical processes on the sun that ultimately affect Earth.

Once again, mahalo for providing me with this update on the project.

Aloha pumehana,

aniel K. Fraka

DANIEL K. AKAKA U.S. Senator

Comment - Dick Mayer August 5, 2005

ADVANCED TECHNOLOGY SOLAR TELESCOPE PROJECT COMMENTS FORM

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Your comments may be written on this form or additional pages and returned to the registration desk; or, you may send your comments to:

Mr. Jeremy Wagner, ATST Project Manager National Solar Observatory 950 North Cherry Avenue, Tucson, Arizona 85726 email: jwagner@nso.edu telephone: (520) 318-8249 fax: (520) 318-8500

Written comments must be received at NSO on or before 4:30 p.m. Mountain Standard Time, August 14, 2005.

1AYER Name: Date: Place an X in this box if you wish to receive copies of future environmental planning documents on the proposed ATST project (including the Record of Decision) that NSF and NSO distributes to the public. ATST SCOPING MEETING GAVE THE PUBLIC MEDAN IN ADEQUATE AND DECENTIVE IMPRESSIDD OF THE SCALE. AND CONSEQUENT VISUAL IMPACT, OF THE ATST. -AU PHOTOS + SKETCHES WERE AFRIAL SHOTS MUKE TO THE TELESCOPE LOOK SMALLER. - PHOTOS FROM THE SOUTH MADE IT APPEAR THAT THE TOP OF THE TELESCOPE WAS BELOW THE ACT. SUMMIT. (IT IS ACTUALLY ABOUT 100" HIGHER.) THE SPOKES PEOPLE AT THE SCOPING MEETING MISLEADINGU STATED (OVER + OVER) THAT THE MEIGHT WAS 92; WHEN THE NEWSPAPR (MAUI NEWS) REPORTED "92" AND NO EFPORT WAS MADE TO CONTACT THE NEWSPAPER TO CORRECT THE FIGURE DASEQUENTLY, THE PUBLIC WAS UNABLE TO DIVE FULL INPUT.

Comment - Dick Mayer, October 7, 2005

From: Dick Mayer Sent: Friday, October 7, 2005 01:05 AM To: 'Dick Mayer', jwagner@nso.edu, charlie@kcenv.com, OEQC@mail.health.state.hi.us, 'Mike Maberry' Subject: Haleakala ATST - FEA, DEIS & FEIS RE: Request to be a consulted party for the Haleakala ATST - FEA, DEIS & FEIS Both Federal and Hawaii State processes.

Aloha,

This my formal request to be a consulted party in the ATST FEA, DEIS & FEIS permitting process. I am wish to be consulted for both the federal and Hawaii State portions. NOTE: This is a separate request from the one I sent

you earlier from the Board of the Kula Community Association.

Among my interests are the impact on the roads, the visual impact, the effect on auto and bike traffic through our community, and other physical and cultural issues that may arise or not be addressed during the preparation of the FEA, DEIS & EIS.

You should send correspondence to the following address:

Prof (Emeritus) Dick Mayer

Sincerely yours, Dick Mayer

Comment - Mele Stokesberry, Friends of Haleakalā, August 10, 2005

AUG-10-05 11:23 PM +MELESTOKESBERRY

Mr. Jeremy Wagner, ATST Project Manager National Solar Observatory 950 North Cherry Ave. Tucson, AZ 85726 fax: (520) 318-8500

Dear Mr. Wagner,

The Board of the Friends of Haleakala National Park, at our August 9th meeting, formulated and passed the following statement to be entered as a comment for the EIS on the ATST. We intend this email to take the place of a postal-mailed ATST PROJECT COMMENTS FORM. I will also fax this statement to you to make sure that you receive it by your deadline of 4:30 pm MST August 14.

Mele Stokesberry, Recording Secretary, Friends of Halekala National Park

X Yes, we would like to receive copies of future environmental planning documents on the proposed ATST project (including the Record of Decision) that NSF and NSO distribute to the public.

COMMENT OF FRIENDS OF HALEAKALA NATIONAL PARK

The Friends of Haleakala National Park strongly oppose locating the Advanced Technology Solar Telescope Project on Haleakala.

The entire mountain of Haleakala is a visual, cultural, biological and geological resource that must continue to be recognized as being of great significance and vital to our visitors, to our local residents and to our economy.

One of the missions of the Friends of Haleakala National Park is to preserve Haleakala's unique ecosystems, scenic character and associated Hawaiian culture and spiritual resources.

This project is so huge and intrusive it will adversely change Haleakala forever, causing irrevocable loss of natural resources.

P.01

Comment - Mele Stokesberry, Friends of Haleakalā August 13, 2005

AUG-13-05 05:09 PM +MELESTOKESBERRY

P.01

Mr. Jeremy Wagner, ATST Project Manager National Solar Observatory 950 North Cherry Ave. Tucson, AZ 85726 fax: (520) 318-8500 email: jwagner@nso.edu

Dear Mr. Wagner,

This is a correction to the ATST comment sheet sent to you by both email and fax on Aug. 10, pm, from the Friends of Haleakala National Park.

Please remove our paragraph beginning with the words "COMMENT OF FRIENDS OF HALEAKALA NATIONAL PARK for the Final Environmental Impact Statement.." above our official statement. There was confusion on my part as to what document these comments were intended for. The Friends of Haleakala National Park wish to retain the right to amend and/or add to our statement when the final EIS is published.

Our official statement, turned in as comments to you on Aug. 10, remains as sent:

"The Friends of Halcakala National Park strongly oppose locating the Advanced Technology Solar Telescope Project on Haleakala.

The entire mountain of Haleakala is a visual, cultural, biological and geological resource that must continue to be recognized as being of great significance and vital to our visitors, to our local residents and to our economy.

One of the missions of the Friends of Haleakala National Park is to preserve Haleakala's unique ecosystems, scenic character and associated Hawaiian culture and spiritual resources.

This project is so huge and intrusive it will adversely change Haleakala forever, causing irrevocable loss of natural resources."

Thank you.

Mele Stokesberry, Recording Secretary, Friends of Halekala National Park

Response - Mele Stokesberry, Friends of Haleakalā, August 17, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

August 17, 2005

Ms. Mele Stokesberry Friends of Haleakalā National Park P.O. Box 322 Makawao, HI 96768

Dear Ms. Stokesberry,

Thank you for the submission of comments on behalf of Friends of Haleakalā National Park. We agree that Haleakalā has significant visual, cultural, biological, and geological resources for visitors, local residents, and the Maui economy. As we explained in our presentation to the Friends Board in July, the ATST project is proposed for the 18.166 acres of conservation land that was specifically set aside on the mountain for scientific purposes by Executive Order by the Governor of Hawai'i.

Therefore, a comprehensive Environmental Impact Statement is being prepared to evaluate potential impacts of the proposed project on the ecosystems, scenic character, associated Hawaiian culture and spiritual resources, and other environmental conditions on those 18.166 acres, as well as any potential impacts to the surrounding Haleakalā environment that may be of concern to your organization.

The EIS process involves identifying environmental concerns (such as those your organization has expressed), obtaining the relevant data on environmental conditions through necessary studies and surveys, receiving public and agency input, evaluating alternatives, and proposing measures for avoiding, minimizing, rectifying or reducing adverse impacts. At various times that will be widely announced, there will be opportunities for your organization to provide input, additional data, comments, recommendations, etc., in keeping with the intent of the EIS process to fully and publicly evaluate a proposed action. We welcome your participation and look forward to further interaction with Friends of Haleakalā National Park.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards,

Jeremy Wagder Project Manager



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Comment - Mary Evanson, August 10, 2005

ADVANCED TECHNOLOGY SOLAR TELESCOPE PROJECT COMMENTS FORM

The National Science Foundation (NSF) and the National Solar Observatory (NSO) welcomes and encourages written public comments on environmental impacts and concerns — including historical, archaeological, and traditional cultural issues — and proposed mitigation associated with the proposed Advanced Technology Solar Telescope (ATST) project.

Your comments will be reproduced in the Final Environmental Impact Statement (EIS) for the ATST project. If you prefer that your name not be published with your comments, please express that desire in the comments section below. The NSF and NSO will not publish your address in the Final EIS.

Your comments may be written on this form or additional pages and returned to the registration desk; or, you may send your comments to:

Mr. Jeremy Wagner, ATST Project Manager
National Solar Observatory
950 North Cherry Avenue, Tucson, Arizona 85726
email: <u>iwagner (1950 cdu</u>
telephone: (520) 318-8249 fax: (520) 318-8500

Written comments must be received at NSO on or before 4:30 p.m. Mountain Standard Time, August 14, 2005.

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Response - Mary Evanson, August 17, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

August 17, 2005

Ms. Mary Evanson

Dear Ms. Evanson,

Thank you for your comments regarding the Advanced Technology Solar Telescope (ATST) Project following the Public Scoping Meetings.

The EIS will fully assess and document potential visual impacts from the proposed project, in order to evaluate whether the project will in fact constitute a significant impact to the summit of Haleakalā. We look forward to having you examine our studies and documentation, and we encourage you to provide your comment during the EIS process.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards,

Jeremy Wagner Project Manager



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Comment– Mary Evanson, March 20, 2006

CULTURAL RESOURCE EVALUATION AND TRADITIONAL PROCTICES OF THE PROPOSED ADVANCED TECHNOLOGY SOLAR TELESCOPE AT HALEAKALA HIGH ALTITUDE OBSERVATORIES

I have read this document and call attention to the following: Page i: Footnote: There is no Kaupo District. See attached maps. Page 1: Outline

> Throughout this document the author uses names of quadrangles in place of ahupua'a and districts. Kolekole is entirely within the ahupua'a of Papa'anui, Makawao District.

C. The tangent areas of research are all quadrangles and not ahupua'a.

Page 3: Last paragraph: the author writes that according to "Place Names of Hawai'i" Kolękole is located in Makena ahupua'a. This and the next sentence are erroneus. Neither Pukui or USGS use "ahupua'a as land designations. There is no Makena ahupua'a.

> Footnote 3: Again the author confuses Districts and Quadrangles. Haleakala peak is in the Kaupo quadrangle not Kaupo district. Haleakala peak is 8201' not 10,023 - Pu'u Ula'ula (Red Hill), the summit of Haleakala is 10,023'.

Page 4. Kilohana ahupua'a and in footnote, Kilohana District, neither is correct. Kilohana is a quadrangle.

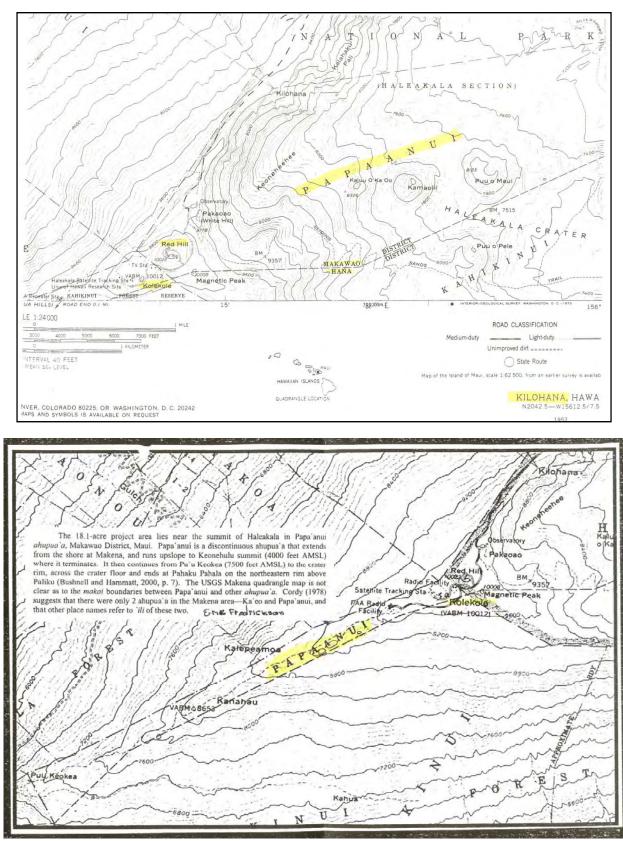
Page 5: All Tangent Areas of Research are quads not ahupua'a as stated.

- Page 19:Last paragraph. The variety of Sandalwood found near Park Headquarters and Hosmer Grove is Santalum haleakalae. The lanaiense named in this report is found in the Auwahi area of south Maui a long distance from Kolekole.
- Page 20:Ka'ape'ape or Ape'ape is not found in the Kolekole area or in ahupua'a of Papa'anui. It only grows in very wet areas miles away from the dry alpine area of Kolekole or Papa'anui.

It is unfortunate that these errors were not caught and corrected before being printed as fact and being posted on the Internet. Be accurate and true to the Hawaiian culture. These errors are so obvious they do raise doubts about the accuracy of other documents relating to this project. Respectfully submitted, March 13, 2006

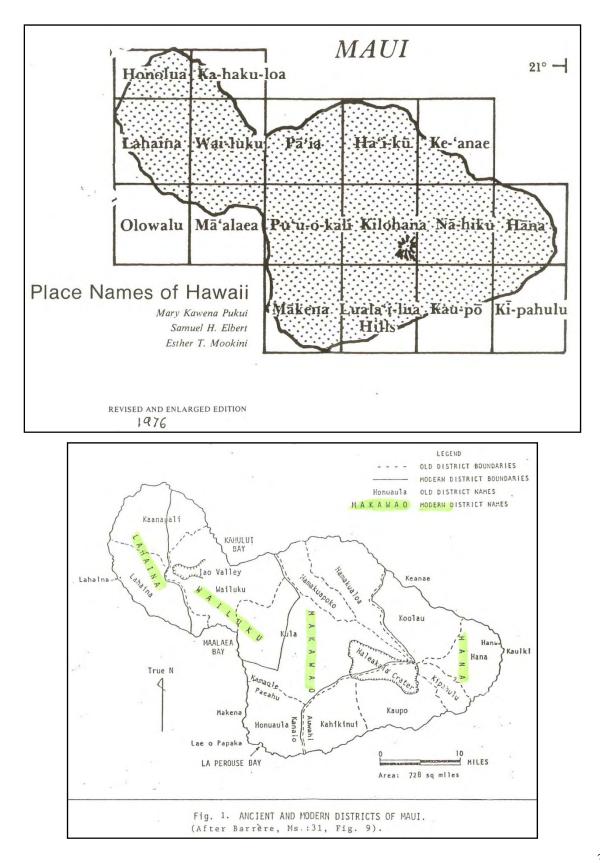
Mary M. Evanson

4 attachments



Comment- Mary Evanson, March 20, 2006 (cont.)





APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Response – Mary Evanson, April 3, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

April 3, 2006

Ms. Mary Evanson

RE: Comments to Advanced Technology Solar Telescope (ATST) Cultural Report

Dear Mary,

Thank you for your comments to the Cultural Resource Evaluation and Traditional Practices Report for the ATST project. We understand that Haleakalā has significant cultural resources for visitors, local residents, and the Maui community. The comprehensive Environmental Impact Statement (EIS) is being prepared and will evaluate the potential impacts of the proposed project on the associated Hawaiian culture and spiritual resources, as well as other environmental conditions to Haleakalā.

We appreciate your comments and concerns and will ensure they are addressed as part of the EIS process. Your comments will become part of the EIS and the Administrative Record.

If you have not done so already, we invite you to visit the web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Sincerely,

Oprale

Dr. Charlie Fein Vice President

Comment - Marv Evanson, March 20, 2006

5.8.3 SCHOOLS

The closest school is located in the Kula community (Haleakalā Waldorf School) and is approximately 27 miles from the summit of Haleakalā.

Potential Impacts and Mitigative Measures

Due to its proposed location, impacts to schools from the proposed ATST project are not anticipated to be significant.

5.8.4 RECREATIONAL FACILITIES

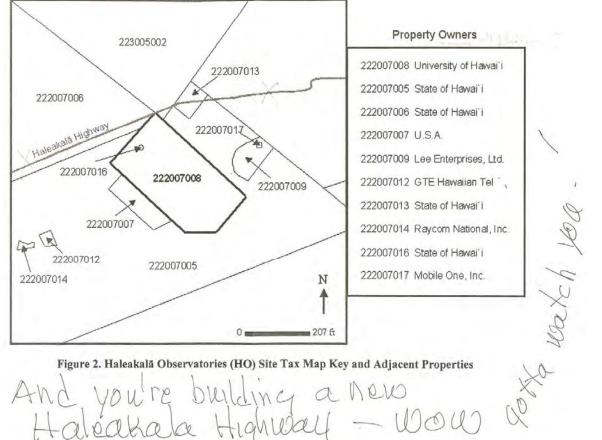
The Haleakalā Visitor Center of Haleakalā National Park is located approximately 0.5 miles east of HO and is one of the main points of attraction for visitors of the mountain. Besides boasting a magnificent view of the crater, the Visitor Center also details the geology, archaeology, and ecology of the area as well as the wilderness protection programs in exhibits posted throughout the area. Overlooks with orientation panels and descriptive displays are located at Leleiwi, Kalahaku, and Pu'u Ula'ula (Red Hill) along the park road between park headquarters and the summit. The rare silversword plant that can be seen at Kalahaku draws many nature enthusiasts.

Many visitors are attracted to the summit and crater area, because of the excellent walking and hiking opportunities available. Hikes can range from short self-guiding walks to rigorous backpacking for several days. Camping is permitted at designated areas inside the crater floor. Camp and picnic sites are available in the Park, while public cabins are available for campers in the crater. In addition, concessionaires sponsor their own trips through the crater on a one-day or overnight basis. Hikers have also been known to traverse the trails found near the <u>proposed site at Kalepeamoa</u>. The Skyline Trail begins at the 9,750-foot elevation at the lowest point of the paved access road near the Saddle Area and continues for about 6.5 miles, ending at the Polipoli Spring State Recreation Area. Trails through the area are open to the public for hiking and related recreational activities except during times of extreme fire danger.

Potential Impacts and Mitigative Measures

The proposed ATST project is not expected to have any impact on recreational facilities at Haleakalā. While visitors to the Visitor Center would be able to see ATST among the other HO facilities from the parking area of the visitor center and from the Pu'u Ula'ula overlook, the proposed project will not interfere with the view of the crater or other vistas in the summit area. The facility would not be visible from the crater, due to terrain between the proposed facility and the crater wall. The few vehicles traveling to the proposed ATST each day will not add significantly to the hundreds of vehicles entering Haleakalā National Park daily. Construction activities that may involve slow vehicular traffic will be described in the EIS, along with mitigation measures for potential interference with visitor and emergency véhicle traffic.

3-20-06 Recd From Mary Evanson 40



w

Figure 2. Haleakalā Observatories (HO) Site Tax Map Key and Adjacent Properties ala Highway - WOW pakal



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

March 21, 2006

Ms. Mary Evanson

Dear Mary,

Thank you for your comments on the ATST EIS Preparation Notice. In response to your handwritten comment in the margins of page 40, the sentence you underscored should have read, "Hikers have also been known to traverse the trails found near the proposed site, to Kalapeamoa and points beyond on the Skyline Trail, which begins at the 9,750-foot elevation..." The ATST project is not planning to do anything with Kalepeamoa.

In response to your handwritten comment on Figure 2, Haleakalā Observatories (HO) Site Tax Map Key and Adjacent Properties (page 3), we have shown the TMK information as it is on the Maui County Web Site for that graphic. Haleakalā Highway is shown on their map as traversing the area. The ATST project is not planning to build any roads.

Sincerely,

alu

Dr. Charlie Fein Vice President

March 27.2006

Re: ADVANCED TECHNOLOGY SOLAR TELESCOPE

The Friends of Haleakala National Park is a non-profit organization that was formed ten years ago, in 1996, to assist Haleakala National Park in various ways such as offering volunteer assistance, raising money for the Park's Endangered Species Parogram and to monitor actions that might impact the Park and its ecosystems.

In 1997 the University of Hawai'i/Institute for Astronomy published a draft Environmental Assessment for a Coordinated Broadcast Facility to be located about a mile down the southwest rift zone from the summit of Haleakala. The project was good but the location was bad. The public said no and the project did not materialize.

Last August the Friends of Haleakala National Park voted to strongly oppose locating the Advanced Technology Solar Telescope project on Haleakala. The project may be good but the location is bad.

The Friends of Haleakala National Park strongly oppose locating the Advanced Technology Solar Telescope Project on Haleakala

The entire mountain of Haleakala is a visual, cultural, biological and geological resource that must continue to be recognized as being of great significance and vital to our visitors, to our local residents and to our economy.

One of the missions of the Friends of Haleakala National Park is to preserve Haleakala's unique ecosystems, scenic character and associated Hawaiian culture and spiritual resources.

This project is so huge and intrusive it will adversely change Haleakala forever, causing irrevocable loss of natural, cultural and scenic resources.

This project may be worthwhile but the location is unacceptable. Haleakala may be the best spot in the whole wide world for this telescope but it can not be built on Haleakala. Go back to your maps and find another location. PLEASE!

Submitted by: Munto wer

Mary M. Evanson, Vice-president FRIENDS OF HALEAKALA NATIONAL PARK, INC.

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

ADVANCED TECHNOLOGY SOLAR TELESCOPE PROJECT COMMENTS FORM

The National Science Foundation (NSF) and the National Solar Observatory (NSO) welcomes and encourages written public comments on environmental impacts and concerns — including historical, archaeological, and traditional cultural issues — and proposed mitigation associated with the proposed Advanced Technology Solar Telescope (ATST) project.

Your comments will be reproduced in the Final Environmental Impact Statement (EIS) for the ATST project. If you prefer that your name not be published with your comments, please express that desire in the comments section below. The NSF and NSO will not publish your address in the Final EIS.

Your comments may be written on this form or additional pages and returned to the registration desk; or, you may send your comments to:

Mr. Jeremy Wagner, ATST Project Manager National Solar Observatory 950 North Cherry Avenue, Tucson, Arizona 85726 email: <u>iwagner and solar</u> telephone: (520) 318-8249 fax: (520) 318-8500

Written comments must be received at NSO on or before 4:30 p.m. Mountain Standard Time, August 14, 2005.

Name: Isaac Hall Full Address: Street:

City. I

____Date:__8/10/05__

X

Place an X in this box if you wish to receive copies of future environmental planning documents on the proposed ATST project (including the Record of Decision) that NSF and NSO distributes to the public.

Please send to me all NEPA documents and a copy of your CDUA

application.

The Advanced Technology Solar Telescope should be located

somewhere else and not on top of Haleakala. This project is so

hugh and intrusive that it will adversely change the summit of

Haleakala.

Response - Issac Hall, August 17, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

August 17, 2005

Mr. Isaac Hall

Dear Mr. Hall,

Thank you for your comments regarding the Advanced Technology Solar Telescope (ATST) Project following the Public Scoping Meetings.

As we indicated in our public meetings and in the forthcoming EIS Preparation Notice, we anticipate that the ATST will be visible at the summit from some locations on Maui under clear weather conditions. In the EIS, we fully intend to assess and document any potential for visible impact from the proposed project, in order to evaluate whether the project will be so "huge and intrusive" as to constitute a significant impact to the summit of Haleakalā. We look forward to having you examine our documentation as it becomes public.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards,

Jeremy Wagner

Project Manager



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APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment - Bill Smith, August 14, 2005

August 14, 2005

Dr. Craig B. Foltz, Program Officer National Science Foundation Division of Astronomical Sciences 4201 Wilson Blvd., Room 1045 Washington, DC 22230

Re: Advanced Technology Solar Telescope (ATST) Project

Aloha:

I am writing about my interest in a notice of intent to prepare an Environmental Impact Statement (EIS) for the Advanced Technology Solar Telescope (ATST) at the Haleakala High Altitude Observatory (HO) Site on Haleakala, Maui, Hawai`i and request that you include my name and address among the interested parties receiving material about the project. Unfortunately, I was unable to attend any of the scoping meetings, and so copies of any previously published materials would also be appreciated.

My interests include these potential impacts that should be analyzed in the EIS: (1) visual impacts upon the natural image of Haleakala both in the summit area and all locations on the Island of Maui where the summit is visible; (2) continuation of existing abuse of a remarkably unique natural area for purposes that are incompatible with the spiritual and esthetic nature of the place; (3) disrespect for the importance of keeping such unique places in their natural condition, to benefit future generations (as a result of scientists being primarily motivated by near term professional and economic interests in the project); (4) deterioration of the spiritual and cultural environment of Maui as a result of excessive development of all types – including this project as a cumulative impact – displacing unique natural, spiritual and cultural resources; (5) risk of further alien spices introduction with adverse impacts on the summit, Haleakala and Maui in general; (6) a malaise of bad karma (*i.e.*, adverse repercussions in the fate of those involved) from all of the above specified impacts – and resulting continued confusion in the appropriate balance that should be maintained between occupational technology and nature.

Thank you for considering these comments.

Aloha,

BillSmith

Response - Bill Smith, September 23, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

September 23, 2005

William D. Smith

Dear Mr. Smith,

Thank you for your comments regarding the Advanced Technology Solar Telescope (ATST) Project. We understand that Haleakalā has significant visual, cultural, biological, and geological resources for visitors, local residents, and the Maui economy. The comprehensive Environmental Impact Statement is being prepared and will evaluate the potential impacts of the proposed project on the ecosystems, scenic character, associated Hawallan culture and spiritual resources, and other environmental conditions to Haleakalā.

The EIS process involves identifying environmental concerns, obtaining the relevant data on environmental conditions through necessary studies and surveys, receiving public and agency input, evaluating alternatives, and proposing measures for avoiding, minimizing, rectifying or reducing adverse impacts.

We appreciate your comments and concerns and will ensure they are addressed as a part of the EIS process.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards.

Jeremy Wagner Project Manager



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Comment - Kula Community Association, September 19, 2005

From: Dick Mayer
Date: Mon, 19 Sep 2005 16:22:00 -1000
To: <jwagner@nso.edu>, <charlie@kcenv.com>, <OEQC@mail.health.state.hi.us>,
Mike Maberry <maberry@hawaii.edu>
Cc: Karolyn Mossman, Elliott Krash, "Flammer, Gina"
Subject: Haleakala ATST - FEA, DEIS & FEIS

KULA COMMUNITY ASSOCIATION

P.O. Box 417 - Kula, HI 96790

http://kulamaui.com < http://kulamaui.com >

The vision of the Kula Community Association is to preserve open space, support agriculture, maintain a rural residential atmosphere, and to work together as a community. The specific purpose of this association is to improve the quality of life for the residents of Kula, to promote civic welfare, and generally to benefit the community of Kula.

RE: Request to be a consulted party for the Haleakala ATST - FEA, DEIS & FEIS

Aloha,

This is a formal request by the Board of the Kula Community Association to be a consulted party in the ATST FEA, DEIS & FEIS permitting process.

Since the ATST is within our community, we obviously have a genuine interest in the ATST's impact on the Kula community. Among our interests are the impact on the roads, the visual impact, the effect on auto and bike traffic through our community, and other physical and cultural issues that may arise or not be addressed during the preparation of the FEA, DEIS & EIS.

You should send correspondance to BOTH of the following addresses:

Kula Community Association P.O. Box 417 Kula, Maui HI 96790 and Dick Mayer, KCA Vice-President

Sincerely yours, Dick Mayer Vice-President, Kula Community Association

Response - Kula Community Association, September 27, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

September 27, 2005

Mr. Dick Mayer, KCA Vice-President

Kula Community Association P.O. Box 417 Kula, HI 96790

Dear Mr. Mayer and the Kula Community Association Members,

Thank you for your comments regarding the Advanced Technology Solar Telescope (ATST) Project. We understand that Haleakalā has significant visual, cultural, biological, and geological resources for visitors, local residents, and the Maui economy. We are in the process of preparing a comprehensive Environmental Impact Statement in order to evaluate the potential impacts of the proposed project on the ecosystems, scenic character, associated Hawaiian culture and spiritual resources, and other environmental conditions to Haleakalā.

The EIS process involves identifying environmental concerns, obtaining the relevant data on environmental conditions through necessary studies and surveys, receiving public and agency input, evaluating alternatives, and proposing measures for avoiding, minimizing, rectifying or reducing adverse impacts.

In accordance with your request to be consulted on the ATST Project, your comments will be addressed in the EIS. Specifically, the EIS will address potential impact to the roads, visual impact, any potential effects on auto and bike traffic in the Kula community, and other physical and cultural issues that have already been identified elsewhere in the community.

We appreciate your comments and concerns and we will ensure they are addressed as a part of the EIS process. If requested by the KCA membership, we are more than willing to give a presentation to KCA at a future date to more fully inform the members about the ATST Project and to further consult with KCA members.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards, 10

Jeremy Wagner Project Manager



Operated by the Association of Universities for Research in Astronomy, Inc. under a cooperative agreement to the National Science Foundation

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment - Laura Thielen, Director, Dept. of Business, Economic Development & Tourism, September 16, 2005



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM LINDA LINGLE GOVERNOR THEODORE E. LIU DIRECTOR MARK K. ANDERSON DEPUTY DIRECTOR LAURA H. THIELEN DIRECTOR OFFICE OF FLANNING

Fax: (808) 587-2824

Telephone: (808) 587-2846

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813 Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Ref. No. P-11108

September 16, 2005

Dr. Charlie Fein Vice President KC Environmental, Inc. P.O. Box 1208 Makawao, Hawaii 96768

Dear Dr. Fein:

Subject: The Advanced Technology Solar Telescope (ATST) Environmental Impact Statement Preparation Notice (EISPN), Haleakala Summit, County of Maui

Thank you for the opportunity to review the EISPN for the Environmental Impact Statement (EIS) which will accompany the Conservation District Use Application (CDUA) for the development of the ATST within the 18.166-acre University of Hawaii Institute for Astronomy site at the summit of Haleakala.

The proposed ATST project would be located within the 18.166-acre Haleakala High Altitude Observatories (HO) site on approximately 0.60 acres (25,800 square feet) of undeveloped land east of the existing Mees Solar Observatory Facility or at an alternative site within HO at Reber Circle.

The Draft EIS should discuss the master plan and planning process for the summit of Haleakala and summarize past, existing and future projects for the area. The environmental impacts and mitigation measures for the proposed ATST should be documented relative to the cumulative impacts of the existing development at the summit.

Thank you for the opportunity to comment.

Sincerely,

Laura H. Thielen Director

c: Theodore E. Liu, DBEDT Peter T. Young, DLNR

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Response - Laura Thielen, Director, Dept. of Business, Economic Development & Tourism, September 22, 2005

UNIVERSITY OF HAWAI'I AT MĀNOA

Institute for Astronomy

September 22, 2005

Ms. Laura H. Thielen Director Department of Business, Economy Development & Tourism 235 Beretania Street, 6th Floor Honolulu, Hawaii 96804

SUBJECT: The Advanced Technology Solar Telescope (ATST) Environmental Impact Statement Preparation Notice (EISPN), Haleakala Summit, County of Maui

Dear Ms. Thielen,

The sites identified in the EISPN as being considered for the ATST are within the University of Hawaii (UH), Institute for Astronomy's (IfA) Haleakalā High Altitude Observatory Site (HO), which was set aside under Executive Order (EO) No. 1987 and placed under the control and management of the UH Board of Regents.

In your response to the above referenced EISPN, you state:

"The Draft EIS should discuss the master plan and planning process for the summit of Haleakalā and summarize past, existing and future projects for the area."

The Maui County Makawao-Pukalani-Kula Community Plan under: <u>Environment</u> Objectives and Policies

states:

4. Encourage Federal, State and County cooperation in the preparation of a comprehensive Haleakalā summit master plan to promote orderly and sensitive development, which is compatible with the natural and native Hawaiian cultural environment of Haleakalā National Park.

The "Haleakalā summit" actually includes HO, land EO-ed to the Federal Aviation Administration & Department of Energy, DLNR land leased to various broadcast entities including the County of Maui, Hawaiian Homelands, Haleakalā National Park as well as various private landowners.

Response - Laura Thielen, Director, Dept. of Business, Economic Development & Tourism, September 22, 2005

In January of 2005, the IfA published the Haleakalā High Altitude Observatory Site Long Range Development Plan (LRDP), which is available on the web at <<u>http://www.ifa.hawaii.edu/Haleakalā/LRDP/</u>>. The LRDP is a master plan for our 18-acre HO area and will serve as our contribution to any comprehensive Haleakalā summit master plan that may someday be developed.

Sections 6-9 of the LRDP detail the historical, cultural, and educational & research use of HO as well as physical and management planning. The ATST is identified as a potential new facility at HO under Section 8.2.2 of the IfA's LRDP.

Should you have any questions, please do not hesitate to contact me.

Sincerely

Mike Maberry Assistant Director

<u>Maberry@hawaii.edu</u> p-(808)8767600 X-107 c-(808)870-3344 f-(808)8767603

c. file Theodore E. Lie, DBEDT Peter T, Young, DLNR

2680 Woodlawn Drive, Honolulu, Hawai'i 96822 An Equal Opportunity/Affirmative Action Institution

2

Comment - Sam Lemmo, Dept. of Land and Natural Resources, September 23, 2005

LINDA LINGLE GOVERNOR OF HAWAIL





STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS POST OFFICE BOX 621 HONOLULU, HAWAII 96809

REF.:OCCL:TM

Dr. Charlie Fein, Vice President KC Environmental, Inc. P.O. Box 1208 Makawao, Hawaii 96768

Dear Dr. Fein,

SUBJECT: Environmental Impact Statement Preparation Notice (EISPN) for the Proposed Advance Technology Solar Telescope (ATST) Located at the Haleakala High Altitude Observatories, Papaanui, Island of Maui, TMK: (2) 2-2-7:008

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your correspondence requesting review of the EISPN for the Environmental Impact Statement for the development of the National Science Foundation's ATST proposal within the ≈ 18 acre University of Hawaii site.

According to your information, the proposed \$175,000,000 project is to be constructed on $\approx 25,800$ square feet of undeveloped land located either east of the existing Mees facility or at Reber Circle. The project is to build the next generation ground-based solar telescope that would be an indispensable tool for exploring and understanding physical processes on the Sun that ultimately affect Earth.

The OCCL notes the Haleakala High Altitude Observatory site was established in 1961 by Governor's Executive Order 1987. Departmental records indicate that the proposed project area lies within the General subzone of the Conservation District. The OCCL notes that the proposed project is an identified land use within the General subzone under the Hawaii Administrative Rules (HAR) §13-5-22, R-3 ASTRONOMY FACILITIES. As noted by you, the proposed action will require the filing of a Conservation District Use Application (CDUA) and a Management Plan. The CDUA will require a Public Hearing and a Board permit. Please include a copy of the Long Range Development Plan (LRDP) with your CDUA submittal.

The Draft EIS should include discussion of the LRDP, past monitoring strategies and an evaluation of past mitigative measures for the natural and cultural resources along with the cumulative impacts of development at the subject area. The OCCL looks forward to your future EIS and Conservation District Use Application. Should you have any questions, please feel free to contact Tiger Mills of our Office of Conservation and Coastal Lands at 587-0382.

Aloha, SAMUEL J. LEMMO, Administrator Office of Conservation and Coastal Lands

Chairperson MDLO County of Maui, Department of Planning

AND NATURAL RESOURCES

PETER T, YOUNG CHARPERSON IIOARUU OF JAND AND NATTRAL RESOURCES COMMISSION ON WATER RESOURCE MANAGEMENT

> ROBERT K. MASUDA DEPUTY DIRECTOR - LAND

DEAN NAKANO ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES BOATING AND GERAN REGISTATION BRATA DE CONVERVANCE COMBINISTORICA NOVEMANCE CONSERVATION AND RESOURCE MANAGRAPHYT CONSERVATION AND RESOURCE MANAGRAPHYT CONSERVATION AND RESOURCE MANAGRAPHYT CONSERVATION AND RESOURCE MANAGRAPHYT CONSERVATION AND RESOURCE CONSERVATION CONSERVATION AND RESOURCE CONSERVATION INSTOLIC PUBLIC AND RESOURCE ON A LAND STATE PAILS

Correspondence: MA 06-47

SEP 2 3 2005

c:

Comment - Brian Jenkins, President, Friends of Polipoli, September 28, 2005

FRIENDS OF POLIPOLI P.O. BOX 431 WAILUKU, HAWAI'I 96793

September 28, 2005

National Science Foundation Division of Astronomical Sciences c/o Mr. Jeremy Wagner National Solar Observatory P.O. Box 26732 Tucson, AZ 85726-6732

Re: <u>Request to Be a Consulted Party for Advanced Technology Solar Telescope at</u> <u>Haleakala</u>

Dear Mr. Wagner:

Friends of Polipoli, a Hawaii nonprofit corporation, requests that it be a consulted party with regard to the above-referenced project. Thank you.

Sincerely,

nn.n

Brian R. Jenkins, President

cc. UH, Institute for Astronomy KC Environmental, Inc. OEQC Directors, Friends of Polipoli

Comment - Brian Jenkins, President, Friends of Polipoli, September 28, 2005 (cont.)

FRIENDS OF POLIPOLI P.O. BOX 431 WAILUKU, HAWAI'I 96793

LETTER OF TRANSMITTAL

TO:	Office of Environm 235 South Beretani Suite 702 Honolulu, Hawaii	a Street			
	-KC Environmental, Inc. Post Office Box 1208 Makawao, Hawaii 96768				
RE:	Friends of Polipoli		FILE: 1857		
FRO	I: Brian R. Jenkins		DATE: September 28, 2005		
	COPIES	DATE	DESCRIPTION		
	Copy 09/28/05		CC. OF LETTER DATED SEPTEMBER 28, 2005 FROM BRIAN R. JENKINS TO NATIONAL SCIENCE FOUNDATION, DIVISION OF ASTRONOMICAL SCIENCES RE: REQUEST TO BE A CONSULTED PARTY FOR ADVANCED TECHNOLOGY SOLAR TELESCOPE AT HALEAKALA		
The a	above is/are transmitte	ed herewith:	ing in interview. Interview.		
() () () () ()	Per Our Conversation Per Your Request Approved Approved as Noted Disapproved For Corrections	n. () () () () () ()	For Translation For Review and Approval For Review and Payment For Your Information/Files For Signature and Return For Signature and Forwarding	 For Recordation For Filing For Certification Other See Remarks Below 	,

Remarks:

Mahalo,

Candace H. Y. Stahl, Assisting Brian R. Jenkins Enclosure

Response - Brian Jenkins, President, Friends of Polipoli, October 12, 2005



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

October 12, 2005

Mr. Brian R. Jenkins, President Friends of Polipoli P.O. Box 431 Wailuku, HI 96793

Dear Mr. Jenkins,

Thank you for your letter regarding the Advanced Technology Solar Telescope (ATST) Project.

In accordance with your request to be consulted on the ATST Project, we will ensure any comments submitted by Friends of Polipoli are addressed in the EIS. If requested by the Friends of Polipoli membership, we are more than willing to give a presentation at a future date to more fully inform the members about the ATST Project and to further consult with the Friends of Polipoli membership.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards,

Jereny Wagner Project Manager



Operated by the Association of Universities for Research in Astronomy, Inc. under a cooperative agreement to the National Science Foundation

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment – Brian Jenkins, Friends of Polipoli, April 27, 2006

FRIENDS OF POLIPOLI P.O. Box 431 Wailuku, Hawai'i 96793

April 27, 2006

KC ENVIRONMENTAL INC. Att'n. Dr. Charlie Fein, Vice President P.O. Box 1208 Makawao, Hawai'i 96768

Dr. Craig B. Foltz NSF ATST Program Director 4201 Wilson Blvd., Room 1045 Arlington, VA 22230

Re: Proposed Advanced Technology Solar Telescope on Haleakala Summit

Dear Doctors Fein and Foltz:

This letter is to advise you that the Friends of Polipoli, a Hawaii nonprofit corporation opposes the proposed "Advanced Technology Solar Telescope" on the following grounds:

1. The size of the proposed structure, at approximately 143 feet above ground level, is wholly inappropriate for the summit. It will be clearly visible from most of the Polipoli area especially from the Skyline Drive area. This towering structure will greatly detract from the experience of the last readily accessible wilderness area on Maui.

2. The color of the proposed structure will be a highly reflective bright white (to minimize cooling expenses). The blindingly reflective coating coupled with the gargantuan size of the building will create a glowing beacon that will detract from the wilderness experience enjoyed by hunters and hikers in the Polipoli area. When the public finally becomes aware that this glowing beacon will be taller than a twelve story building, I believe that any local support or disinterest will be quickly replaced with active opposition. The proposed 143 foot tall glowing tower has been described as being more fit for a memorial to the Chernobyl disaster of 1986 than a housing for a telescope on the summit of Haleakala.

3. The Final Report, dated January of 2006, on pages 49-54, contained deliberately deceptive and distorted pictures of how the proposed structure would appear from Pukalani and other sites on Maui. These "depictions" suggest that the tower would be barely visible from various points throughout the island. As the current small structures are clearly visible, how is it possibly that a twelve story glowing tower will be barely

Comment – Brian Jenkins, Friends of Polipoli, April 27, 2006 (cont.)

Dr. Charlie Fein Dr. Craig B. Foltz April 27, 2006 Page Two

visible? The use of this dishonest presentation has made it clear that the rest of the analysis in the Environmental Assessment cannot be trusted by decision makers.

4. The further development of the "Science City" area is adversely impacting the public's right of access to the top of the Skyline Drive trailhead from the national park. Already, there are posted signs declaring that people seeking access to the top of Skyline Drive from the National Park risk being prosecuted under federal law. There is currently a new gate being constructed that appears to be designed to allow the easy blockage of public access to this trailhead. The further development of "sensitive" projects like the proposed "Advanced Technology Solar Telescope" provides justification, for security purposes, to block this important access to the Polipoli trail system from the national park.

The Friends of Polipoli was incorporated on April 1, 2004 and its purpose is the preservation and restoration of natural areas including, particularly, Polipoli Spring State Recreation Area on the Island of Maui and educational activities with regard thereto. The proposed "Advanced Technology Solar Telescope" will clearly have an adverse impact on the Polipoli area. The Directors of The Friends of Polipoli have resolved to oppose this project. Thank you.

Sincerely, Friends of Polipoli

12 M. 1

By: Brian R. Jenkins Its: President

Comment – Brian Jenkins, Maui News Letters to the Editor, May 8, 2006

Letters

Solar telescope report used drawings disguised as photos

As a resident of Kula and someone who has hiked and hunted in the Polipoli area since the 1960s, I am opposed to the proposed Advanced Technology Solar Telescope that the National Science Foundation wants to build on the Haleakala Summit.

Rising 143 feet above ground level with a coating of highly reflective bright white - to minimize cooling expenses - will create a glowing beacon that will detract from the wilderness experience enjoyed by hunters and hikers in the Polipoli area.

The January 2006 Final Report on the project released by KC Environmental contained deliberately deceptive and distorted "pictures" of how the proposed observatory would appear from Pukalani and other sites on Maui. These renditions, designed to resemble photographs, depict the gargantuan building as being barely visible from the central valley when even the very small currently existing observatories are clearly visible.

When the proponents of a project use deliberately deceptive material in their public reports, then the remainder of the presented information, declaring that the impact of the structure would be minimal, should also be viewed with skepticism.

Further development of "Science City" is adversely impacting the public's right to access the top of the Skyline Drive trailhead. Already, there are posted signs declaring members of the public at risk of being prosecuted under federal law. A new gate has recently been constructed that appears to be designed to allow the easy blockage of public access to this trailhead.

> Brian R. Jenkins Kula

Response – Maui News, Letters to the Editor, May 14, 2006

C2 - Sunday, May 14, 2006 - THE MAUI NEWS

Telescope report only a preliminary EIS statement

I would like to clarify the inaccurate information in a May 8 letter. First, the "final report" referred to is actually the Environmental Impact Statement Preparation Notice, which describes the project, identifies the known issues, and notifies the public that a full federal and state environmental impact statement is forthcoming.

Second, there is no intent to deceive anyone about the appearance of the proposed Advanced Technology Solar Telescope. The visual materials used in the document were high-resolution digital photographs taken from various locations around Maui, with highly accurate computer renderings of the proposed project superimposed on the photographs.

The computer renderings were developed from architectural plans, actual on-site measurements and visual observations, topographic maps, and careful correlation between the proposed building dimensions and those of the existing facilities.

Third, under clear atmospheric conditions, the proposed ATST would be visible from various locations on Maui. However, its proposed primary siting is on ground that is lower and behind most of the other existing facilities. More of these renderings are in preparation for the EIS to show how the proposed project may appear at different times of the year.

Finally, The new gate/animal guard at the head of Skyline Drive leading to Skyline Trail only restricts vehicular traffic and is under the control of the state Department of Land and Natural Resources. It is neither on nor has anything to do with the property for which the University of Hawaii is the steward.

Mike Maberry, Assistant Director UH Institute for Astronomy Kula

Response - Brian Jenkins, President, Friends of Polipoli, May 10, 2006

UNIVERSITY OF HAWAI'I AT MĀNOA

Institute for Astronomy

May 10, 2006

Mr. Brian Jenkins P. O. Box 431 Wailuku, HI 96793

Dear Mr. Jenkins,

I would like to clarify the inaccurate information in your Maui News Letter to the Editor (May 8) and your letter (April 27, 2006) to Dr. Charlie Fein of KC Environmental, Inc., and Dr. Craig Foltz of the National Science Foundation.

First, the "Final Report" you refer to is actually the Environmental Impact Statement Preparation Notice (EISPN), which describes the project, identifies the known issues, and notifies the public that a full Federal and State EIS is forthcoming.

Secondly, it is completely false to state that the project team used "deliberately deceptive material" in the EISPN to depict the proposed ATST as it would appear on Haleakalā. There is no intent to deceive anyone. The visual materials used in the document were not drawings. They were high-resolution digital photographs taken from various locations around Maui, with highly accurate computer renderings of the proposed project superimposed on the photographs. The computer renderings were developed from architectural plans, actual on-site measurements and visual observations, topographic maps, and careful correlation between the proposed building dimensions and those of the existing facilities.

Third, it is misleading to imply that since even the "very small currently existing observatories are clearly visible", a "gargantuan" ATST must be much more visible. Under clear atmospheric conditions, the proposed ATST would be visible from various locations on Maui; however at its proposed primary siting on ground that is lower and behind most of the other existing facilities, it would enjoy considerable shielding from the terrain and from those existing facilities. Given the relative positions of the existing facilities, the proposed ATST and the topography, the computer renderings in the EISPN accurately displayed both the current facilities and the proposed ATST at various locations around Maui. In truth, it would be barely visible in some locations and more visible in others—there's nothing deceptive about that. More of these renderings are in preparation for the EIS to show how the proposed project may appear at different times of the year.

Finally, contrary to the accusation that "Science City" is adversely affecting the public's right of access to Skyline Drive, it should be noted that the new gate/animal guard at the head of Skyline Drive leading to Skyline Trail only restricts vehicular traffic and is under the control of the Department of Land and Natural Resources. It is neither on, nor has anything to do with the property for which the University of Hawai'i is the steward.

134711 Mike Maberry

Assistant Director

Cc: Dr. Charlie Fein, KC Environmental, Inc. Dr. Craig Foltz, National Science Foundation

2680 Woodlawn Drive, Honolulu, Hawai'i 96822 An Equal Opportunity/Affirmative Action Institution

Comment - Dept. of Health, Environmental Planning Office, October 3, 2005

LINDA LINGLE GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D. DIRECTOR OF HEALTH

STATE OF HAWAII DEPARTMENT OF HEALTH P.O. Box 3378 HONOLULU, HAWAII 96801-3378

October 3, 2005

In reply, please refer to: EPO-05-077

Dr. Charlie Fein, Vice-President KC Environmental Inc. P. O. Box 1208 Makawao, Hawaii 96768

Dear Dr. Fein:

SUBJECT: Environmental Impact Statement Preparation Notice (EISPN) for the Advanced Technology Solar Telescope (ATST) on Haleakala, Waiakoa, Papaanui, Makawao, Maui, Hawaii. TMK: (2) 2-2-07:008

Thank you for allowing us to review and comment on the subject document. The document was routed to the various branches of the Environmental Health Administration. We have the following Wastewater Branch and Environmental Planning Office comments.

Wastewater Branch

We have reviewed the subject document which proposes the Advanced Technology Solar Telescope (ATST) project which would be the largest and most capable solar telescope in the world with its unprecedented 4-meter aperture, integrated adaptive optics, low scattered light, infrared coverage and state-of the-art post-focus instrumentation.

Plans for a treatment individual wastewater system (IWS) such as a septic tank and seepage pit serving the proposed facility were submitted to our office on November 10, 1997. The IWS was constructed and approved for use on April 29, 1999. Thus, we have no objections to the proposed project as domestic wastewater generation, treatment and disposal were previously addressed. However, we request that the project's consultant evaluate wastewater flows from the new facilities and insure that domestic wastewater generation can be handled by the current system. If wastewater flows are significantly increased with the new project, we would require that the wastewater system be modified or expanded.

All wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, Chapter 11-62, "Wastewater System." We do reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please contact the Planning & Design Section of the Wastewater Branch at telephone 586-4294.

Comment - Dept. of Health, Environmental Planning Office, October 3, 2005 (cont.)

Dr. Fein October 3, 2005 Page 2

Environmental Planning Office

To facilitate TMDL development and implementation, and to assist with our assessment of the potential impact of proposed actions upon water quality, pollutant loading, and biological resources in receiving waters, we suggest that environmental review documents, permit applications, and related submittals include the following standard information and analyses. Please note that these comments are also listed on our website:

www.state.hi.us/hcalth/environmental/env-planning/landuse/landuse.html. We suggest that you may review other Standard Comments on this website.

Waterbody type and class

1. Identify the waterbody type and class, as defined in Hawaii Administrative Rules Chapter 11-54 (http://www.state.hi.us/health/about/rules/11-54.pdf), of all potentially affected water bodies. Potentially affected water bodies means those in which proposed project activity would take place and any others that could receive water discharged by the proposed project activity or water flowing down from the proposed site. These waterbodies can be presented as a chain of receiving waters whose top link is the project site upslope and whose bottom link is in Pacific Ocean "oceanic waters," with all receiving waters named according to conventions established by Chapter 11-54 and the *List of Impaired Waters in Hawaii Prepared under Clean Water Act § 303(d)*. For example, a recent project proposed for Nuhelewai Stream, Oahu (a tributary of Kapalama Canal) might potentially affect Nuhelewai Stream, Kapalama Canal, Honolulu Harbor and Shore Areas, and the Pacific Ocean.

Existing water quality management actions

- 2. Identify any existing National Pollutant Discharge Elimination System (NPDES) permits and related connection permits (issued by permittees) that will govern the management of water that runs off or is discharged from the proposed project site or facility. Please include NPDES and other permit numbers; names of permittees, permitted facilities, and receiving waters (including waterbody type and class as in 1. above); diagrams showing drainage/discharge pathways and outfall locations; and note any permit conditions that may specifically apply to the proposed project.
- 3. Identify any planning documents, groups, and projects that include specific prescriptions for water quality management at the proposed project site and in the potentially affected waterbodies. Please note those prescriptions that may specifically apply to the proposed project.

Comment - Dept. of Health, Environmental Planning Office, October 3, 2005 (cont.)

Dr. Fein October 3, 2005 Page 3

Pending water quality management actions

- 4. Identify all potentially affected water bodies that appear on the current List of Impaired Waters in Hawaii Prepared under Clean Water Act §303(d) including the listed waterbody, geographic scope of listing, and pollutant(s) (See Table 5 at http://www.hawaii.gov/hcalth/environmental/env-planning/wqm/303dpcfinal.pdf).
- 5. If the proposed project involves potentially affected water bodies that appear on the current *List of Impaired Waters in Hawaii Prepared under Clean Water Act §303(d)*, identify and quantify expected changes in the following site and watershed conditions and characteristics
 - surface permeability
 - hydrologic response of surface (timing, magnitude, and pathways)
 - receiving water hydrology
 - runoff and discharge constituents
 - pollutant concentrations and loads in receiving waters
 - aquatic habitat quality and the integrity of aquatic biota

Where TMDLs are already established they include pollutant load allocations for the surrounding lands and point source discharges. In these cases, we suggest that the submittal specify how the proposed project would contribute to achieving the applicable load reductions.

Where TMDLs are yet to be established and implemented, a first step in achieving TMDL objectives is to prevent any project-related increases in pollutant loads. This is generally accomplished through the proper application of suitable best management practices in all phases of the project and adherence to any applicable ordinances, standards, and permit conditions. In these cases we suggest that the submittal specify how the proposed project would contribute to reducing the polluted discharge and runoff entering the receiving waters, including plans for additional pollutant load reduction practices in future management of the surrounding lands and drainage/discharge systems.

Proposed Action and Alternatives Considered

We suggest that each submittal identify and analyze potential project impacts at a watershed scale by considering the potential contribution of the proposed project to cumulative, multi-project watershed effects on hydrology, water quality, and aquatic and riparian ecosystems.

We also suggest that each submittal broadly evaluate project alternatives by identifying more than one engineering solution for proposed projects. In particular, we suggest the consideration of "alternative," "soft," and "green" engineering solutions for channel modifications that would

Comment - Dept. of Health, Environmental Planning Office, October 3, 2005 (cont.)

Dr. Fein October 3, 2005 Page 4

provide a more environmentally friendly and aesthetically pleasing channel environment and minimize the destruction of natural landscapes.

If there are any questions about these comments please contact Jiacai Liu with the Environmental Planning Office at 586-4346.

Sincerely,

HAROLD LAO, ACTING MANAGER Environmental Planning Office

c: DDEH EH-Maui WWB SDWB EPO

Response - Dept. of Health, Environmental Planning Office, October 11, 2005



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

October 11, 2005

Mr. Harold Lao Acting Manager Department of Health Environmental Planning Office P. O. Box 3378 Honolulu, HI 96801-3378

Dear Mr. Lao:

Thank you for your comments in response to the Environmental Impact Statement Preparation Notice (EISPN) for the Advanced Technology Solar Telescope (ATST) project. As a local Maui organization, we understand that Haleakalā has significant visual, cultural, biological, and geological resources for local residents, visitors, and the Maui economy. We fully intend to address each comment and concern you have listed in your letter in our comprehensive Environmental Impact Statement (EIS).

We appreciate your helpful comments and concerns, and we look forward to your future involvement in the environmental process for ATST. Again, thank you for your participation and feedback.

Regards,

Dr. Charlie Fein Vice President

ALAN M. ARAKAWA Mayor MICHAEL W. FOLEY Director WAYNE A. BOTEILHO Deputy Director



COUNTY OF MAUL DEPARTMENT OF PLANNING

October 5, 2005

Dr. Charlie Fein KC Environmental, Inc. P. O. Box 1208 Makawao, Hawaii 96768

Dear Mr. Fein:

RE: Environmental Impact Statement Preparation Notice for the Advanced Technology Solar Telescope, Located at TMK 2-2-007:008, Summit of Haleakala, Island of Maui, Hawaii (LTR 2005/2444)

The Maui Planning Department (Department) is in receipt of the Environmental Impact Statement Preparation Notice dated August 2005, requesting comments on the above referenced project.

The Department provides the following comments:

- 1. The Makawao-Pukulani-Kula Community Plan includes a policy that states: "Encourage Federal, State and County cooperation in the preparation of a comprehensive Haleakala summit master plan to promote orderly and sensitive development which is compatible with the natural and native Hawaiian cultural environment of Haleakala National Park." Discuss how the proposal is consistent with this policy.
- 2. Provide an analysis of the proposal's impact on view planes of Haleakala from common viewing points on Maui, including Haleakala summit and population centers, using computer generated images.
- 3. Elaborate on the six potential candidate sites and the feasibility of their use as alternative sites.
- 4. Explain why other alterative sites do not meet the necessary criteria, including sites:
 - a. Within the Haleakala Observatory (HO) area.

250 SOUTH HIGH STREET. WAILUKU, MAUI, HAWAII 96793 PLANNING DIVISION (808) 270-7735; ZONING DIVISION (808) 270-7253; FACSIMILE (808) 270-7634

Comment - Dept. of Planning, County of Maui, October 5, 2005 (cont.)

Dr. Charlie Fein October 5, 2005 Page 2

- b. On land that is adjacent to the HO area that could be leased or exchanged.
- c. On Mauna Kea, on the Big Island, Hawai'i.
- d. Already containing telescopes on the mainland.
- e. In space, i.e. the Hubble space telescope.
- 5. Discuss the use of technological solutions that could allow measures which would mitigate the visibility of the building, including:
 - a. Reducing the height of the building.
 - b. Using earth-tone colors for the building.
 - c. Sinking the building into the ground.
- Discuss traffic volumes that will be generated from construction and from operation of the telescope, and measures that will mitigate the impacts.
- Discuss on-site staff support facilities that will be generated by the proposal for use during operational and non-operational periods, including offices, laboratories, conference rooms, beds, kitchens, bathrooms, parking, etc.
- Specify construction mitigation measures regarding air and water quality and soil conservation.
- 9. Discuss in terminology that the public can understand, how the information that will be generated from the operation of the telescope will be used, and the importance of its use.
- 10. Discuss the economic impact of the telescope including:
 - a. The total number of jobs that will be generated by the construction and operation of the telescope.
 - b. The resultant amount of money that will be infused into the local economy.
- 11. Discuss the non-economic advantages of having the largest solar telescope and the attractions and benefits it will bring to Maui and the State.
- Although the site is outside of the Special Management Area, it is within the Coastal Zone Management Area (CZMA). Discuss compliance with the regulations of the CZMA.

Comment - Dept. of Planning, County of Maui, October 5, 2005 (cont.)

Dr. Charlie Fein October 5, 2005 Page 3

> 13. The Department recommends consultation with the Department of Land and Natural Resources regarding impacts to environmental resources and with the Department of Hawaiian Homelands, Office of Hawaiian Affairs, and Na Kapuna O Maui, regarding cultural and archaeological concerns.

Thank you for the opportunity to comment. Please include the Department on the distribution list for the Draft EIS. Should you require further clarification, please contact Mr. Jeff Hunt, AICP, Staff Pianner, at 270-6271.

Sincerely,

Mili F.

MICHAEL W. FOLEY Planning Director

MWF:JH:lar

c: Clayton Yoshida, AICP, Planning Program Administrator Kivette Caigoy, Environmental Planner Jeff Hunt, AICP, Staff Planner OEQC DPWEM General File K:WP_DOCS/PLANNING\EA\PreConComments\2005\2444_AdvancedTechnologySolarTelescope.wpd

Response - Dept. of Planning, County of Maui, October 11, 2005



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

October 11, 2005

Mr. Michael W. Foley Planning Director County of Maui - Department of Planning 250 South High Street Wailuku, HI 96793

Dear Mr. Foley:

Thank you for your comments in response to the Environmental Impact Statement Preparation Notice (EISPN) for the Advanced Technology Solar Telescope (ATST) project. As a local Maui organization, we understand that Haleakalā has significant visual, cultural, biological, and geological resources for local residents, visitors, and the Maui economy. We fully intend to address each comment and concern you have listed in your letter in our comprehensive Environmental Impact Statement (EIS).

We appreciate your helpful comments and concerns, and we look forward to your future involvement in the environmental process for ATST. Again, thank you for your participation and feedback.

Regards,

Dr. Charlie Fein Vice President

Comment - Mikahala Helm, October 8, 2005

Oct. 8, 2005 To whom and all that it may concern -I am a thewaii an, bom and reised on Maui. I am against the proposed telescope proposed for thaleakela. Please include me re EIS status. Mikahale Helm

Response - Mikahala Helm, October 12, 2005



P.O. Box 1208 Makawao HI 96768

> (808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

October 12, 2005

Mikahala Helm

Dear Mikahala:

Thank you for your comments in response to the Advanced Technology Solar Telescope (ATST) project. As a local Maui organization, we understand that Haleakalā has significant cultural, visual, biological, and geological resources for local residents, visitors, and the Maui economy. We fully intend to address these concerns in our comprehensive Environmental Impact Statement (EIS).

We will include you on our distribution list for the EIS. If you have not done so already, we invite you to visit the ATST web site at <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback

Regards, thu

Dr. Charlie Fein Vice President

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Mikahala Helm

March 20, 2006

Aloha kākou,

The following is my written comment on the Cultural Resource Evaluation and addresses my concerns as a Native Hawaiian. I was born and raised here on Maui. I am opposed to the proposed Advanced Technology Solar Telescope (ATST) Project. It negates the needs of the Hawaiian culture for the needs of everyone else. Once again, the needs of science are seen as more important than the needs of the Hawaiian people.

Haleakalā is important because it has continually been an important feature maintained in story and mele from pre-contact Hawai'i till today. Since Haleakalā was prominent in many of the stories and mele, it shows us that Haleakalā was important to our kupuna. This aloha, appreciation, awe and reverence for Haleakalā comes from all of my experiences in going to Haleakalā. Our cultural practitioners to this very day continue to use Haleakalā as a way to communicate with the greater beings in ceremonies and rituals.

I believe that we should not have any more telescopes on Haleakalā because they will continue to damage physically and spiritually the specialness of our majestic Haleakalā.

Sincerely,

MekahalaHelm

Mikahala Helm

Response – Mikahala Helm, April 3, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

April 3, 2006

Ms. Mikahala Helm

RE: Comments to Advanced Technology Solar Telescope (ATST) Cultural Report

Dear Mikahala,

Thank you for your comments to the Cultural Resource Evaluation and Traditional Practices Report for the ATST project. We understand that Haleakalā has significant cultural resources for the Native Hawaiian community. The comprehensive Environmental Impact Statement (EIS) is being prepared and will evaluate the potential impacts of the proposed project on the associated Hawaiian culture and spiritual resources, as well as other environmental conditions to Haleakalā.

We appreciate your comments and concerns and will ensure they are addressed as part of the EIS and Section 106 process. Your comments will become part of the EIS and the Administrative Record.

If you have not done so already, we invite you to visit the web site at: <u>http://atst.nso.edu/</u> and <u>http://atst.nso.edu/library/EIS.shtml</u>, which specifically addresses the Section 106 process of the National Historic Preservation Act (NHPA). Thank you for your participation.

Sincerely,

Ohnli

Dr. Charlie Fein Vice President

HONE (808) 594-1888



STATE OF HAWAI'I OFFICE OF HAWAIIAN AFFAIRS 711 KAPI'OLANI BOULEVARD, SUITE 500 HONOLULU, HAWAI'I 96813

HRD05/2048

FAX (808) 594-1865

October 17, 2005

Dr. Charlie Fein Vice-President KC Environmental, Inc. P.O. Box 1208 Makawao, HI 96768

RE: Environmental Impact Statement Preparation Notice (EISPN) for the proposed Advanced Technology Solar Telescope (ATST), Haleakalā, Maui; TMK: 2-2-007:008

Dear Dr. Charlie Fein,

The Office of Hawaiian Affairs (OHA) is in receipt of your August 22, 2005, request for comments on the above project, which would include construction of at the 18.166-acre University of Hawai'i Institute of Astronomy, Haleakalä High Altitude Observatories site. OHA apologizes for the delayed response.

We request that you also consult, if you have not already, with our Maui Community Resource Coordinator (address below), the Maui Island Burial Council, Na Kapuna O Maui, the Central Maui Hawaiian Civic Club, and the Royal Order of Kamehameha (William Roback). Haleakalā is a sacred site that holds strong cultural, traditional and religious significance to the Hawaiian people, and the Hawaiian people should therefore be consulted and their feelings for the land should be respected. Until all of the above organizations have been fully consulted, and we have had a chance to review the cultural resource evaluation and traditional practices assessment that will be provided for the Long Range Development Plan (EISPN, p. 29, § 5.1.3), we cannot concur with the statement on page 29 of the EISPN that "The proposed ATST project is not expected to have an impact on cultural resources at Kolekole."

Please note that while the University of Hawai'i may be listed as the fee owner of the parcel in question (EISPN, p. 7, § 1.3), these are ceded lands, and should be afforded the respect that deserves. Ceded lands are public lands, held in trust, and OHA has a fiduciary duty to our beneficiaries – all Hawaiians, to assure that these lands are used and treated properly.

Page 2 Dr. Charlie Fein October 17, 2005

Ceded lands, and the State's responsibilities for and to them, are defined in the Hawai'i Admission Act (Act of March 18, 1959, Pub. L. 86-3, 73 Stat. 4), and further explained in the State Constitution and statutes. The State has a Constitutional responsibility to "conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources . . . All public natural resources are held in trust by the State for the benefit of the people." (Hawai'i State Constitution, Art. XI, Section 1). The State also has a Constitutional responsibility to "protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes" possessed by Hawaiians. (Hawai'i State Constitution, Art. XII, Section 2).

The subject lands are Section 5(b) lands of the Hawaii Admission Act (Act of March 18, 1959, Pub. L. 86-3, 73 Stat. 4). As such, these are ceded lands, and, per §5(f) of the Admission Act, the public trust lands of §5(b), and the income derived therefrom, "shall be managed and disposed of for one or more" of the five listed purposes. The Act lists the five purposes as:

for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, . . . for the development of farm and home ownership on as widespread a basis as possible, for the making of public improvements, and for the provision of lands for public use.

The Admission Act explains that §5(b) lands "shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust...." The Hawai'i State Constitution, Art. XII, Sec. 4, explains: "The lands granted to the State of Hawaii by Section 5(b) of the Admission Act and pursuant to Article XVI, Section 7, of the State Constitution, excluding therefrom lands defined as 'available' lands by Section 203 of the Hawaiian Homes Commission Act, 1920, as amended, shall be held by the State as a public trust for native Hawaiians and the general public."

Thus, these Public Trust lands may be used for educational purposes and for the betterment of Hawaiians. OHA therefore requests that should the proposed project go forward, part of the project include a guarantee of training and education for Hawaiians, perhaps through the Maui Community College/University of Hawai'i Institute of Astronomy, to allow them the opportunity to gain jobs at the Haleakalā High Altitude Observatories site.

We look forward to the opportunity to review, and comment upon, the forthcoming Draft Environmental Assessment, and the supplemental traditional practices assessment and cultural resource evaluation.

Comment - Office of Hawaiian Affairs, October 17, 2005 (cont.)

Page 3 Dr. Charlie Fein October 17, 2005

Thank you for the opportunity to comment at this time. If you have any further questions or concerns please contact Heidi Guth at (808) 594-1962 or e-mail her at <u>heidig@oha.org</u>.

Sincerely,

Clyde W. Nāmu'o Administrator

 CC: National Science Foundation Division of Astronomical Sciences Jeremy Wagner, ATST Project Manager National Solar Observatory P.O. Box 26732 Tucson, AZ 85726-6732

> Governor Linda Lingle Office of the Governor, State of Hawai'i Executive Chambers, State Capitol Building Honolulu, HI 96813

Genevieve Salmonson, Director Office of Environmental Quality Control 235 South Beretania Street, Suite 702 Honolulu, HI 96813

Thelma Shimaoka Community Resource Coordinator OHA – Maui Office 140 Hoohana St., Suite 206 Kahului, HI 96732

Response - Office of Hawaiian Affairs, October 24, 2005



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

October 24, 2005

Mr. Clyde W. Nāmu'o Administrator State of Hawai'i Office of Hawaiian Affairs 711 Kapi'olani Blvd., Suite 500 Honolulu, HI 96813

Dear Mr. Nāmu'o:

Thank you for your comments in response to the proposed Advanced Technology Solar Telescope (ATST) project. As local Maui environmental consultants, we understand that Haleakalā is considered by Native Hawaiians to be a sacred site, with strong cultural, traditional, and religious significance. We fully intend to consult with and respect the feelings of all individuals within the native Hawaiian community and those groups that you have specifically suggested. We have already begun the process of completely addressing all cultural, traditional, and religious concerns in our comprehensive Environmental Impact Statement (EIS).

We will include you on our distribution list for the EIS. If you have not done so already, we invite you to visit the ATST web site at <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Sincerely,

Dr. Charlie Fein Vice-President

Comment and Response - Richard Mealey, March 11, 2006

From:"Dr. Charlie Fein" <charlie@kcenv.com>To:"Richard Mealey"Sent:Saturday, March 11, 2006 3:21 PMSubject:Re: Solar Telescope

Richard:

Thank you for your encouraging comments. We will add them to the administrative record for the ATST project. Please consider attending the public information meeting at the Haiku Community Center on March 27th @ 6:00PM. There will be an opportunity to express your views.

>----Original Message----->From: Richard Mealey >Sent: Saturday, March 11, 2006 03:08 PM >To: charlie@kcenv.com >Subject: Solar Telescope > >Dear Dr. Fein: > >I applaud the installation of the Solar Observatory Telescope on Haleakala. >Faced as we are with uncontrolled population growth, global warming, waning >oil reserves and a host of other ills, there is an accelerating need for >every bit of research which might lead to answers for these problems. >I do not subscribe at all to the religious imputation of sacredness to >inanimate matter like rocks or mountains. To me, these are illogical >superstitions unworthy of even the slightest notice and I would encourage >anyone prone to such beliefs to collect the objects of their veneration at >some central spot and worship them to their hearts' content while others >concentrate upon the serious work that will hopefully keep the earth >habitable for us all. Obviously there are positive features of most >religions such as treading lightly on the earth avoiding waste and extending >help to others. But to hobble the process of scientific inquiry for >superstition based reasons is by definition, unreasonable. No one should >drag an anchor behind the boat in which we all find ourselves. >It was my privilege years ago to tour the tri opto electrical telescope >installation after the Air Force faxed a request for a tour along with my >clearance information and that of a fellow ABM (B.M.E.W.S.) tech. to the >installation here. After the rigors of Alaskan winters at our radar site, >some of us were delighted to travel to Maui and spend a month or two thawing >out. I subsequently traded my sailboat for a condo (read: "tiny cement >cubicle") here and since retirement after a shivering 36 years, have lived >here for the past 5.

>

>As it is easily appended, I am adding the resignation I submitted upon >retiring as you may get a chuckle out of it as did my employer (we were all >very informal there). After nearly 40 years, I could' not write a one-liner >like "take this job and......" so I wrote the following, had it published >in an anthology and presented the book to my boss. It read as follows: >Goodbye Alaska

>Oh give me a home, where these moose never roam

>Where icicles won't form on my nose

>Where my knees won't freeze tight

>During the long Arctic night

>And I won't frostbite fingers and toes.

>

>Home home neath the snow

>Where in Springtime it's fifty below,

>And the trapdoor down there

>In my long underwear

>Fills with snow when the cold tailwinds blow.

>

>

>I've tarried too long where man doesn't belong.

>I'll fly South with the migrating geese

>To where girls just wear traces

>Of cottons and laces

>Not mukluks, huge parkas and fleece.

>

>I'm going to retire where a man can perspire

>And cavort neath that sun from above

>And I hope there's no doubt

>If I ever thaw out

>I'll be able again to make love.

>

>

>© 1999 R. Mealey

>

>Again, please accept my encouragement and support for the installation.

> >Richard Mealey

>Kihei

Comment – Kiope Raymond, March 20, 2006

20 March 2006

Dr. Charlie Fein, Vice-President KC Environmental P.O. Box 1208 Makawao, HI 96768 Fax: (808) 573-7837

Aloha Charlie,

This is to respectfully request a thirty (30) day extension to submit my written comments and questions on the Cultural Resource Evaluation of the proposed undertaking of the Advanced Technology Solar Telescope.

Mahalo,

i qu Ki'ope Raymond

cc: Charisse A. Carney-Nunes, NSF @ fax: (703) 292-9041

Response – Kiope Raymond, March 20, 2006

 From:
 "Kiope Raymond"

 To:
 <kcesharon@hawaii.rr.com>

 Cc:
 "Carney-Nunes, Charisse A." <ccarney@nsf.gov>; "Charlie Fein-kce" <charlie@kcenv.com>

 Sent:
 Tuesday, March 21, 2006 2:57 PM

 Subject:
 Re: Cultural Resource comments/questions submittal

Aloha Sharon, Mahalo! I will try to get my comments and questions to you or Charlie as soon as possible. Ki'ope

On 3/21/06 7:24 AM, "kcesharon@hawaii.rr.com" <kcesharon@hawaii.rr.com> wrote:

Hi Ki`ope,

Thank you for your request to submit written comments and questions on the Cultural Resource Evaluation after the March 20, 2006 deadline. Public comment periods are determined by the guidelines outlined in the Federal regulations for the Section 106 process; however, we will respectfully honor your request to submit after the deadline. Please make every effort to submit your comments or questions to Dr. Fein or myself as soon as possible.

Take care.

Sharon Loando-Monro KC Environmental, Inc. Planning Projects Manager

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment – Kiope Raymond, June 28, 2006

-----Original Message-----From: Kiope Raymond [email address] Sent: Wednesday, June 28, 2006 4:14 PM To: Gilanshah, Bijan Cc: Lui K Hokoana; Mikahala Helm; Kaleikoa Subject: ATST Haleakala

Aloha Bijan Gilanshah,

I just heard from Charisse Carney-Nunes that you will be the new assistant general counsel for the proposed advanced technology solar telescope.

Here is what I sent Charisse this morning. Though I know you may need to get up to speed with this project, I hope you can answer the questions as soon as possible.

"Aloha Charisse,

I hope this finds you well. I left a voice-mail for you, but a response from you via e-mail would be great. I hope you can help me with some questions I have regarding the proposed ATST.

When will you be coming back to Maui?

Who will you be meeting with?

Am I correct that the Section 106 proposals from native Hawaiians are not the same as public comments in response to the Draft EIS?

When do the proposals have to be received?

How complete should the proposals be; and is there a template one follows?

Are the three areas for the proposals still Mitigation, Minimization, and Avoidance? Can Hawaiians still respond to the Draft EIS even though they have submitted a proposal?

Has the start date for construction been pushed back to 2009, as Mr.

Keil indicates in the issue 86 NOAO/NSO newsletter for June 2006?

http://www.nso.edu/press/newsletter/86news.pdf

If so, why does the EIS have to be completed - as I understand it now is - by the end of this year, 2006?

Mahalo,

Ki'ope Raymond"

Response – Kiope Raymond, June 28, 2006 (page 1)

----- Original Message -----From: "Gilanshah, Bijan" <email address> To: "Kiope Raymond" < <u>email address</u> > Cc: "Lui K Hokoana" < <u>email address</u> >; "Mikahala Helm" < <u>email address</u> >; "Kaleikoa" < <u>email address</u> > Sent: Monday, July 10, 2006 11:09 AM Subject: RE: ATST Haleakala

Dear Mr. Raymond:

Thank you very much for your patience and interest in ATST. Following please find responses to your questions.

Thanks,

Bijan Gilanshah

When will you be coming back to Maui?

After publication of the Draft EIS (DEIS), a notice will be widely circulated inviting interested persons to a number of public meetings where comments to the DEIS will be received. You are on our distribution list and will certainly receive that notice and invitation. Currently, the expectation is to hold these public meetings at different venues on Maui sometime this summer, following issuance of the DEIS.

Who will you be meeting with?

We anticipate three general public meetings for all interested persons to attend and give comments on the DEIS. Those comments can also include section 106 proposals or other comments on cultural, historic and environmental issues. While on Maui, we also plan to have pre-scheduled meetings with interested persons and groups who submit National Historical Preservation Act Section 106 resolution proposals.

Am I correct that the Section 106 proposals from native Hawaiians are not the same as public comments in response to the Draft EIS?

The National Environmental Policy Act and Section 106 of the National Historic Preservation Act prescribe parallel consultative processes; however, they are designed to work together to achieve the goal of consultation and public participation. For instance, comments to the

DEIS can include Section 106 resolution proposals from native Hawaiians (or the general public for that matter). Section 106 meetings are more narrow, however, since the focus in those meetings is how to avoid, minimize or mitigate adverse effects to historic or cultural properties.

Native Hawaiians may comment in response to the DEIS and also may provide Section 106 resolution proposals. The public may also submit Section 106 resolution proposals along with responses to the DEIS.

Response – Kiope Raymond, June 28, 2006 (page 2)

When do the proposals have to be received?

We will widely publish a final deadline by which Section 106 proposals will have to be submitted. We do not yet know the deadline. Currently, as the consultative process remains ongoing, proposals can be submitted at any time.

How complete should the proposals be; and is there a template one follows?

As much feedback as possible as to ways in which the adverse effects can be avoided, minimized or mitigated is most helpful to the consultations. However, we would encourage any proposals, however complete or incomplete. There is no set template to follow. The proposal would be

used as the basis for further discussion. As a concrete example, one resolution proposal that we have received was approximately two pages of free text that laid out the outline of a possible educational program.

<u>Are the three areas for the proposals still Mitigation, Minimization, and Avoidance?</u> While all resolution proposals will be considered in the public meetings concerning the Draft EIS, the smaller Section 106 pre-scheduled meetings will only involve those resolution proposals from interested groups and individuals who seek to minimize or mitigate adverse affects by virtue of a Memorandum of Agreement as contemplated by the National Historic Preservation Act. Note that proposals seeking complete avoidance of the project (as already articulated by some at the first two consultative meetings) may still be submitted to KC Environmental, Inc. per the June 5, 2006 correspondence.

Can Hawaiians still respond to the Draft EIS even though they have submitted a proposal? Absolutely, yes.

Has the start date for construction been pushed back to 2009, as Mr. Keil indicates in the issue 86 NOAO/NSO newsletter for June 2006?

The NSF has not yet approved construction funds for the ATST. There are several steps remaining in the process which culminates in decisions by the NSF Director and the US Congress to include the funds in a future budget. Given the remaining steps and the complex nature of the Federal budget process, the earliest start date for the proposed construction would be fiscal year 2009, which begins on October 1, 2008.

If so, why does the EIS have to be completed - as I understand it now is - by the end of this year, 2006?

The National Environmental Policy Act requires consideration of environmental impact issues at the earliest possible time "to insure that planning and decisions reflect environmental values."

March 20, 2006

Dr. Charlie Fein, Vice President KC Environmental, Inc. P. O. Box 1208 Makawao, HI 96768

Dear Dr. Fein:

Thank you for asking me to comment on Cultural Resource Evaluation and Traditional Practices Report, January, the Proposed Advanced Technology Solar Telescope (ATST) at Haleakalā High Altitude Observatories, January 2006. The following opinions are my own and not expressed on behalf of any organization.

I have reviewed subject document and am left feeling highly unsatisfied with the authors' attempt to explain and document the cultural significance of the proposed Advanced Technology Solar Telescope site at Kolekole, on Haleakalā. Although I don't claim to be competent to evaluate Hawaiian cultural values, it seems to me the report doesn't clearly answer two important questions:

--What is the cultural significance of the Kolekole area to Hawaiian Kanaka Maoli?

--Is the area's Hawaiian cultural significance diminished by the presence of astronomical observatories and why?

The authors state that Haleakalā is considered one of the most sacred sites on Maui to Kanaka Maoli, and endeavor to substantiate this through a disjointed collection of references, Hawaiian chants and interviews with selected informants. Little if any evidence is presented indicating the area's cultural significance is compatible with observatories. Yet in the conclusion, the authors seemingly ignore their own arguments and sanction more observatories providing that developers follow certain modest protocols before and during construction. Limits for location, size, purpose, etc. are not addressed.

I would be very surprised if the conclusion presented represents the majority opinion of native Hawaiian Kanaka Maoli. I believe a diverse and independent group of Hawaiian scholars and practitioners, not under contract with the observatory proponents, would conclude that new astronomical observatories atop Haleakalā are culturally not supportable, with or without the proposed protocols.

Also, I note that an Archaeological Report by Eric Frederickson of Xamanek Researchers is cited on page 22, but this report is not referred to in the bibliography. Where can a copy be obtained?

Sincerely,

Donald W. Reeser

cc: Charlie Maxwell Mary Evanson, Friends of Haleakalā National Park Superintendent, Haleakalā National Park

Response – Donald Reeser, April 3, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

April 3, 2006

Mr. Don Reeser

RE: Comments to Advanced Technology Solar Telescope (ATST) Cultural Report

Dear Don,

Thank you for your comments to the Cultural Resource Evaluation and Traditional Practices Report for the ATST project. We understand that Haleakalā has significant cultural resources for visitors, local residents, and the Maui community. The comprehensive Environmental Impact Statement (EIS) is being prepared and will evaluate the potential impacts of the proposed project on the associated Hawaiian culture and spiritual resources, as well as other environmental conditions to Haleakalā.

We appreciate your comments and concerns and will ensure they are addressed as part of the EIS process. Your comments will become part of the EIS and the Administrative Record.

If you have not done so already, we invite you to visit the web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Sincerely,

Ola ali

Dr. Charlie Fein Vice President

Comment letter

>From: Nancy >Subject: ATST >Date: Sun, 19 Mar 2006 21:00:17 -1000 >To: <u>charlie@kcenv.com</u>

>

>Aloha, Dr. Charlie Fein,

>

>I am writing to express my opposition to the solar telescope being
>planned for Haleakala's summit. The "house of the Sun" is holy.
>Would you build a 16 foot telescope on the top of Notre Dame?
>Haleakala warrants our reverence. We have a responsibility to
>protect this beautiful, sacred aina. Some places on our precious
>planet must be singled out, where the long arms of man and their
>toys cannot go. A place of integrity, a place that cannot be bought.
>Haleakala is one of these places. Please do not allow it to be dishonored.
> Your help is sincerely appreciated.
>Mahalo and aloha,

>

>Nancy Shearman

Follow-up comment from previous e-mail

>From: Nancy >Subject: Re:ATST >Date: Mon, 20 Mar 2006 07:38:14 -1000 >To: <u>charlie@kcenv.com</u>

>Aloha, Dr. Fein,

>

>I awoke in the night when I realized the typo in my correspondence >to you last evening. The proposed telescope would stand nearly 12 >stories high, not 16 feet.

> >Mahalo and aloha,

>

>Nancy Shearman

April 21, 2006

Charlie Fein KC Environmental PO Box 1208 Makawao, HI 96768

Aloha, Mr. Fein,

There are so many reasons not to build the 143 foot high telescope on top of Haleakala that I hardly know where to begin. Appropriately named the "house of the Sun," as stewards we are responsible for protecting everything in its shadow. I don't buy the arguments that the telescope will provide jobs for our people or encourage students to pursue careers in science. We set a much better example by respecting the land and providing for its people. How can we seriously consider studying the Sun while devastating this planet?

Haleakala is one of those special places too holy to desecrate. The visual impact alone will be obscene, but the thought of stakes driven 40 feet into the summit is vile beyond comprehension. Please, as Mary Evanson writes, find another place for this telescope. Symbolically, if built, it will be a testament to man's greed rather than honor.

I had the pleasure of hearing Barry Flanagan, Nathan Aweau, and Charles Ka'upu sing the patriotic oli "Kaulana Na Pua and "Mo'i O Lili'u" to the tune of Bob Marley's "Redemption Song" recently at the MACC. Heartfelt words revitalized. Show respect for the Native Hawaiians and their sacred places. Sing out for Haleakala's freedom so that it will continue to bless and keep us safe.

Your help to do the right thing is appreciated.

Mahalo and alo

Nance thearmon

Comment – Warren Shibuya, March 27, 2006

Testimony on Advance Technology Solar Telescope proposed to be housed on UH Institute of Astromony, Haleakala High Altitude Observatories, Haleakala, Maui.

Good evening members of this panel and audience. I am Warren Shibuya. I am a returning Maui resident after retiring from the Space & Missile Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony.

I support basic and applied research and proposed housing of Advanced Technology Solar Telescope (ATST) systems, a project within the 18.166-acre University of Hawaii Institute for Astronomy (IfA), Haleakala High Altitude Observatories (HO) site at the summit of Mt. Haleakala, Maui, Hawaii.

I ask you and all project members to behave respectfully and malama mau ka lá a, preserve the sacredness of Haleakala, specifically the summit area. Proper cultural respect should be demonstrated by ATST project and other projects housed at Haleakala High Altitude Observatories site, especially while sharing very sacred summit grounds.

As you well know, Haleakala is home to all 40,000 Hawaiian gods and goddesses. Haleakala is spiritual power and home of inspired Hawaiian beliefs, besides being physically inspiring. Haleakala's summit, or Kolekole, is near wao akua, a level of earth stratosphere where gods and goddesses are believed to reside and culturally guide everyday living. Ala Hea Ka La, "the path to calling the sun," presents basic rhythms of night and day and establishes the sun being source of life for Kanaka Maoli, Hawaiians, and citizens of Maui and Hawaii.

In ancient days, Kolekole was site where Kahuna Pó o, High Priests, consulted with gods and goddesses to answer difficult questions and delve tough issues. Astronomy, aerospace and solar study efforts at Kolekole should be respectful of wao akua, sacred area above the summit and lava, the essence of Goddess Pele, despite her current home at Kilauea caldera. Special care should be exercised in digging, saving lava and restoring earlier pù u, hills and wahi pana, and minimizing invading airspace, all Sacred places.

To demonstrate proper respect, let us all do it right, as kapó e kahiko, or ancient people respected and admired Kolekole. Recommend Institute for Astronomy immediately remove intrusive, unused or excess facilities, poles, antenna, lines, signs and roads; immediately begin respectfully restoring Kolekole to it's ancient topology and it's historic

 $\ \ ATST-HI/3/27/2006//$ Page 1 of 2.

Comment – Warren Shibuya, March 27, 2006 (cont.)

Testimony on Advance Technology Solar Telescope proposed to be housed on UH Institute of Astromony, Haleakala High Altitude Observatories, Haleakala, Maui.

and highly sacred configuration. Further, rename summit roadways to more appropriate kapó e kahiko names, thus demonstrating sacred wahi pana, respect of Kolekole.

Today, ATST nobly seeks to observe and carefully study turbulent forces of our Sun, which affects life on Earth from a sacred site. As mentioned, Kolekole wahi pana was used by Kahuna Pó o, High Priests, who consulted with gods and goddesses to answer difficult questions, delve and resolve tough issues. Today, inaddition to consulting gods and goddesses and accommodating visitors, the scientific community is permitted to seek answers to heavenly questions through use of high technology telescopes and systems, computerized instruments, all housed in large structures. As Kahuna Pó o shared gained insights with Maui residents, I ask ATST technology and other Haleakala IfA investigations and gained knowledge be regularly shared with host Maui and Hawaii State's people, to include keiki, kapuna, Kamaaina and malama aina groups.

Shared knowledge and expressions of appreciation be given to Mauians, such as support for Hawaiian education, culture, arts, soveign rights and law, language programs and scholarships to pursue learning at higher institutes, centers and universities. Of course, Mauians should be employed with all projects on Haleakala.

I remind you and other agencies operating in sacred wahi pana of Demi God Maui and other gods and goddesses, that your viewing or looking through Wao Akua, where gods reside, is invasive and not polite etiquette or behavior of a guest. Peeping through a neighbor's home is privacy-invasive and by our laws could be a misdemeanor crime.

Western culture dictates, "It is most proper for a guest visiting a home, to express appreciation to the host with fists filled with gifts." In no case should guests visit with closed fists, especially when visiting the sacred "House of the Sun." I am embarrassed to remind you of proper etiquette. I truly trust you know and will do the right things to demonstrate your most honored respect of the host's customs and beliefs. Maui kanaka maoli and kamaaina should not need to tell terms to you more succinctly and emphatically.

I am no expert on Hawaii's culture, but simple analogies mentioned should be more than adequate for respectful understanding and behavior of Hawaiian and visiting non-Hawaiian members. Hawaiian culture is founded on love and respect for each other,

 $\ \ ATST-HI/3/27/2006//$ Page 2 of 2.

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment – Warren Shibuya, March 27, 2006 (cont.)

Testimony on Advance Technology Solar Telescope proposed to be housed on UH Institute of Astromony, Haleakala High Altitude Observatories, Haleakala, Maui.

family ohana, the aina which provides life sustenance, the importance of the sun and the deep felt reverence for wao akua.

Mahalo for allowing me to express my support for scientific pursuits for knowledge, expressing my thoughts and trust you and other visiting agencies will demonstrate your appreciation to Maui's citizens.

 $\ \ ATST-HI/3/27/2006//$ Page 3 of 2.

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Response – Warren Shibuya, April 3, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

April 3, 2006

Mr. Warren Shibuya

RE: Comments to Advanced Technology Solar Telescope (ATST)

Dear Warren,

Thank you for your comments to the Advanced Technology Solar Telescope (ATST) project. We understand that Haleakalā has significant resources for visitors, local residents, and the Native Hawaiian community. The comprehensive Environmental Impact Statement (EIS) is being prepared and will evaluate the potential impacts of the proposed project on the associated Hawaiian culture and spiritual resources, as well as other environmental conditions to Haleakalā.

We appreciate your comments and concerns and will ensure they are addressed as part of the EIS and Section 106 process. Your comments will become part of the EIS and the Administrative Record.

If you have not done so already, we invite you to visit the web site at: <u>http://atst.nso.edu/</u> and <u>http://atst.nso.edu/library/EIS.shtml</u>, which specifically addresses the Section 106 process of the National Historic Preservation Act (NHPA). Thank you for your participation.

Sincerely,

Dr. Charlie Fein Vice President

Hālau 'Imi 'Ike Hōkū

Center for Traditional Hawaiian Navigation and Astronomy

Proposal for creation:

Hālau 'Imi 'Ike Hōkū: Center for Traditional Hawaiian Navigation and Astronomy will be a collaboration of community and cultural resources to provide a venue to, e '*imi* '*ike no nā hōkū* or to search or gather knowledge about the bright stars above. The Center's purposes will be to:

- 1. To create, produce, collaborate and administer curriculum for students from Kindergarten through Secondary and post secondary collaborations, which focus on traditional and modern astronomy and traditional Hawaiian navigation. This product would be for public and private school uses.
- 2. Promote edification of traditional Hawaiian techniques in astronomy and navigation and to integrate these concepts with scientific knowledge and produce traditional interpretations of the universe and the understanding of the native Hawaiian relationship to the surrounding areas and World.
- 3. Prepare students of all ages with traditional knowledge and modern scientific techniques that would cause future interest in astronomy and establish native Hawaiian expertise in the subject.
- 4. Create and manage a scholarship fund for individuals seeking a post high education on the island of Maui.
- 5. Create a planetarium with celestial bodies of the solar system that duplicate "traditional methods" used by Hawaiians to travel thousands of miles throughout the Pacific in double hulled canoes, using the knowledge of their natural elements and the traditional and native instincts as their guide.

6. Finally, this center for Traditional Hawaiian Navigation and Astronomy should be built at the time funding is approved for ATST by Congrass. Ideas like this tend to get "lost" in the shuffle of progress. The completion date could be worked on by the parties involved at that time.

In presenting this idea to Master Navigator Nainoa Thompson of the Polynesian voyaging canoe Hōkūle'a, who sailed thousands of miles throughout the pacific using traditional navigational methods, he felt that this method is the missing component in teaching the youth of Hawai'i about the brilliance and resilience of their ancestors and the enormous feats they accomplished thousands of years ago. He has committed his support and that of the Polynesian Voyaging Society to make this happen.

Resolution Proposal – Kahu Charles Maxwell, March 28, 2006 (cont.)

The potential outreach of this Center could be enormous, but the more compelling reason is because it is right. A center of this magnitude possibly will produce world class Hawai'i/Maui-based scientists in this subject matter. Because of the training in these two worlds (Polynesian discovery and modern science), these future scientists and astronomers could bridge the past to the present and beyond. E 'imi 'ike hōkū!

Submitted by:

KAHU CHARLES KAULUWEHI MAXWELL SR.

Comment – Kathy Kaohu, March 28, 2006

March 28, 2006

Re: Section 106 Consultation for proposed ATST

My have is Kathy Kachu. I'm a Native Hawaiian and a resident of Maui. I write today to express my strong disappointment and Opposition TO using Maui's sacred Haleakala to site the Advanced Technology Solar Telescope (ATST).

Hawai'i continues to be bombarded with western Influence and every day we as Hawaiians loose more and more of our precious cultural heritoge, that include our special places.

Ehough is enough already! No MORE TELESCOPES ATOP

That mountain represents many aspects of our culture -Spiritual and religious. It's rich in our stories of many many hundreds of years.

Take your solar studies to one of the other 70 or So a Hernative sites, that don't corry the same significance that Haleakala holds, Please,

We as native Hawaiians already hold dear our cultural celestial studies, we should be embracing that from the outside, rather than having q group of Screentists impose this big money research project on our island, our culture and our people. Again — 70 other optional Sites to look at _____ Don't be a continued, part of the desecration of our historical cultural sites. Haleakala is was akua - where our Gods dwell - This proposal is an insult 1

Comment – Kathy Kaohu, March 28, 2006 (cont.)

There is no benefit that will justify this desecration - plain and simple. This is Hawai's beloved 'aina, it's beloved mountain, please take the project elsewhere _ That's my mitigation Priposal: go to site selection 2, 5, 7, or 170 but not Hateakala! That's the win-win solution. Mahalo for allowing me to submit my manalo. Plense keep me notified of any Subsequent Meetings regarding this matter, Kathy Kachu

Response – Kathy Kaohu, April 3, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

April 3, 2006

Ms. Kathy Kaohu

RE: Comments to Advanced Technology Solar Telescope (ATST)

Dear Kathy,

Thank you for your comments to the Cultural Resource Evaluation and Traditional Practices Report for the ATST project. We understand that Haleakalā has significant cultural resources for the Native Hawaiian community. The comprehensive Environmental Impact Statement (EIS) is being prepared and will evaluate the potential impacts of the proposed project on the associated Hawaiian culture and spiritual resources, as well as other environmental conditions to Haleakalā.

We appreciate your comments and concerns and will ensure they are addressed as part of the EIS and Section 106 process. Your comments will become part of the EIS and the Administrative Record.

If you have not done so already, we invite you to visit the web site at: <u>http://atst.nso.edu/</u> and <u>http://atst.nso.edu/library/EIS.shtml</u>, which specifically addresses the Section 106 process of the National Historic Preservation Act (NHPA). Thank you for your participation.

Sincerely,

apuli

Dr. Charlie Fein Vice President

THE MAUI NEWS - Wednesday, April 5, 2006 - A11

Color of proposed telescope housing a major objection

Why does the proposed new telescope for Haleakala have to be bright white? Why not make it shades of brown, black, and red, to blend in with the natural rock, camouflage style, so it is a lot less of an eyesore when viewed from afar? Chauncey Watsuss

Haiku

Response – Chauncey Watsuss, Maui News, April 11, 2006

Heat determined color of the proposed housing of telescope

The reddish-brown cinder and lava on Haleakala absorbs significant heat from the sun. The proposed Advanced Technology Solar Telescope would be painted in a low-reflective white color (not "gleaming white," Letters, April 5) to ensure that the telescope will be able to perform the very clear imaging for which it was designed.

Thermal modeling was conducted to test the effects of using different colors for ATST and unfortunately, painting the enclosure to match the natural volcanic rock would result in the telescope enclosure (dome) absorbing about four times as much heat from sunlight on its surface. That layer of turbulent heated air would rise up into the path of the telescope and ruin the imaging.

Jeremy Wagner, Project Manager Advanced Technology Solar Telescope Tucson, Ariz.

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment – Michael Carlucci, April 6, 2006

April 6, 2006

Fein at KC Environmental Inc. P.O. Box 1208 Makawao, HI 96768

To Whom It May Concern:

The purpose of this letter is to protest in the strongest terms the proposed new observatory at the summit of Haleakala.

The construction of this observatory would serve to add insult to injury at the summit of this sacred Hawaiian site. Even if it were to be less obtrusive it would be an affront to continue the desceration that already exists at the summit. To construct a fourteen story building is obscene! Even for a visitor it would despoil the beauty of this summit. Imagine, looking up at the summit from sea level and instead of seeing the unspoiled summit of a dormant volcano we would be treated to the highest building on Maui sticking up from the top. Maybe you could put a big, blinking, neon sign on top to dress it up at night.

If the summit of Haleakala is your first choice for the observatory I urge you to try for the second, or third choice.

Go away! Leave the Hawaiian culture and people alone. Build your observatory

someplace else Michael Carlucci Michael Carlucci

c. Foltz at National Science Foundation 4201 Wilson Blvd. Room 1045 Arlington, VA 22230

Comment – Vicki McCarty, April 7, 2006

Date: Fri, 07 Apr 2006 21:02:45 -0400 From: Vicki McCarty (via email)

Subject: Testimony and Comments on proposed telescope at Haleakala - please forward to the appropriate parties

To: charlie@kcenv.com

Aloha, I am a member of the Mayor's West Maui Advisory Committee but I am writing this as an individual. Please forward these comments to the appropriate parties.

I am opposed to this proposal for another telescope at Haleakala. This is a sacred place and another telescope will only add to the desceration.

Mr. Folts stated that "...positive impacts of the knowledge gained from the telescope would grow in the future..." This completely ignores the Native Hawaiian's who have honored their culture in this sacred place and it destroys any opportunity for future generations of Hawaiian's to learn by engaging in their own cultural practices as their ancestors have .

In addition, Mr Foltz said "...think of the possibilities of what mysteries the telescope might eventually unlock..." This implies that the mysteries of science are somehow more valuable that the spiritual and cultural aspects of this place whose sacredness is of great importance to all Native Hawaiians-past, present, and future and whose "mysteries" will be destroyed forever.

There are 70 other possible sites for this telescope...there is only one sacred Haleakala... there can be no compromise...this site is sacred to the Native people of Hawaii - it must be preserved.

Do not dismiss what you cannot see or feel...Do not destroy what you do not understand...Do not put your "mysteries of science" above the sacredness and the natural spiritual mysteries of this revered place. You do not have the right to destroy this hallowed ground.

Yours truly, Vicki McCarty Lahaina Maui

Response – Vicki McCarty, April 28, 2006

----- Original Message ----- **From:** Foltz, Craig B. **To:** Vmcarty@ (via email) **Sent:** Friday, April 28, 2006 2:04 AM **Subject:** Re: Testimony and Comments on proposed telescope at Haleakala - please forward to the appropriate parties

Ms. Vicki McCartyLahaina, Maui

Dear Ms. McCarty:

Thank you for your opinions regarding the construction of the Advanced Technology Solar Telescope on Maui. I want to address several of your points.

With respect to the selection of Haleakala as the site for the telescope, I note that, indeed, over 70 *possible* sites were identified worldwide. From this extensive list, six sites were identified as candidates for further study. The atmospheric conditions at the sites on this list were then studied intensively for many months and Haleakala was found to be the only site that would support the scientific goals of the project. While I understand that this may not mitigate your concerns, I want to stress that the site selection was not arbitrary.

You ask that we "do not dismiss what we cannot see or feel." I assure you that most of modern science and astrophysics in particular deals with phenomena that we cannot observe with our unaided senses. We build instruments to help us understand some of the things that we cannot see or feel. This in no way implies that we dismiss the spiritual; we accept that there are things that we cannot study. There is never the intention that scientific endeavors should supplant spiritual mysteries. It is my opinion that many, if not most, scientists, including those of Native Hawaiian heritage, have deeply-held spiritual feelings and do not feel that they are mutually exclusive from the pursuit of scientific knowledge.

The process that we are undertaking on Maui at this time is being done with every effort to allow the spiritual and the scientific to co-exist on Haleakala. With respect and best wishes, Craig Foltz

Craig B. Foltz, Ph.D. Program Manager NOAO/NSO Division of Astronomical Sciences National Science Foundation, Room 1045 4201 Wilson Blvd, Arlington, VA, 22230 Office: 703-292-4909 Fax: 703-292-9034 Email: cfoltz@nsf.gov

Comment – Vicki McCarty, April 28, 2006

From: vmcarty – via email
Sent: Friday, April 28, 2006 10:06 PM
To: Foltz, Craig B.
Cc: Vmcarty (via email)
Subject: Re: Testimony and Comments on proposed telescope at Haleakala - please forward to the appropriate parties

Dear Mr. Foltz, Thank you for taking the time to email me. I truly appreciate that you have read my testimony and have given me your thoughts on it. Please forward this to any other appropriate parties.

I am hopeful that by listening to all of the thoughts and opinions of those who are concerned about this issue that it will result in your choosing an alternate site.

Before my testimony, I was, in fact, aware that there were other sites that were under consideration and that the site selection was not arbitrary. You have indicated in your email to me that "Haleakala was found to be the only site that would support the scientific goals of the project." I would like to respectfully ask you to consider that Native Hawaiians also believe that this is the only site that would support specific cultural practices that have been observed by their ancestors...for centuries. These practices have already been interfered with by the presence of the equipment that is there. There should be no further desecration so Native Hawaiians and their future generations can continue their cultural practices.

"We build instruments to help us understand some of the things that we cannot see or feel." ... Sacred sites are preserved and respected by honoring what they are and caring for them - not by cluttering them with foreign objects or by expecting that the spiritual and the scientific must co-exist.

The sacredness of this place should not have to "co-exist". It should instead be respected and honored. It should not be sacrificed.

Please choose another site.

Yours very truly, Vicki McCarty Lahaina Maui HI

Comment – Dan Judson, April 13, 2006

April 13, 2006

KC Environmental, Inc. PO Box 1208 Makawao, HI 96768

Dear Reader;

The following are suggestions to mitigate the impact on the summit of Haleakala National Park by the proposed solar telescope.

- Place the telescope below the ridge line out of view of central and south Maui.
- Colorize the outside a neutral brown-tan color so that it will blend in more with the adjoining natural landscape.
- Bury the majority of the telescope below ground.
- Leave only the necessary observation part exposed above the surface.
- The foundation is 40 feet below the grade line, so just dig deeper.
- Place all non-observatory parts of the structure below the grade level.

I believe that this telescope will be a good addition to our scientific research community on Maui, and it will further an important study of the sun. The legend of Maui said that the sun slowed its passage across the sky. By studying the sun, we honor the Hawaiian legend of Maui, and are perpetuating it in a scientific way.

Thank you for considering these suggestions.

Aloha,

Dan Judson

Response – Dan Judson, April 19, 2006



950 N. Cherry Avenue Tucson, Arizona 85719 Telephone 520/318-8249 Fax 520/318-8500 Email: jwagner@nso.edu

April 19, 2006

Dan Judson

Dear Mr. Judson,

Thank you for your interest in the Advanced Technology Solar Telescope. The issues addressed in your letter placement, height, and color of the observatory structures, were thoughtful and deserve a direct response. The facility design has dictated where we would place the telescope, how high it would be, and what color it would have to be painted. Much investigation of these issues was done and I would like to briefly share with you some information about the range of solutions. Taking them one-by-one:

- Placing the telescope at a lower elevation, below the ridge line, would adversely impact the telescope's
 delivered image quality. The steady laminar flow of wind over the summit is one of the unique beneficial
 conditions that make Haleakalā the best site for ATST.
- The color of the telescope enclosure (dome), the tallest and most visible part of the observatory, has been
 explored in depth. Being aware of a preference within the community to make the dome blend in with the
 mountain, we investigated the possibility of painting it to match the brown color of the native volcanic rock.
 This was shown in thermal modeling to result in roughly four times as much absorbed heat as a white
 enclosure under the same conditions. That heat would rise into the telescope path and degrade the image
 quality significantly.
- Your last four points all address the possibility of placing significant portions of the observatory below ground. The height of 28m (~92 ft.) to the center of the telescope (primary mirror) was established to place it above the thermal turbulence near the ground during the daytime. The telescope enclosure height (~143 ft.) is in turn set by providing minimum clearance and working space around the telescope. The height of the main instrument platform and the adjacent control room, about 60 ft. below the telescope (32 ft. above ground) is set by the focal lengths of the optics required to achieve the necessary imaging at the instruments. None of these elements could be located closer to the ground (or underground) without destroying the scientific capabilities of the telescope. The observatory, primarily service and utility spaces, as currently designed, are already low enough to not be visible from valley or upcountry communities. Also, if we required additional excavation, it would be undesirable both culturally and biologically, as it would entail the displacement of more native soil and would increase the potential disruption to nearby petrel burrows.

Thank you again for your interest and for the supportive comments in your letter. We certainly hope, as you say, to honor and perpetuate in a scientific way what has been an enduring Hawaiian tradition of venerating the Sun.

If you have not done so already, we invite you to visit our web site at: <u>http://atst.nso.edu/</u>. Thank you for your participation and feedback.

Best regards,

Fereny Wagner

Project Manager



Operated by the Association of Universities for Research in Astronomy, Inc. under a cooperative agreement to the National Science Foundation

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

19 'Apelila 2006 Please do not diserspect Haleakala with another telescope. Once again you are dis Respecting Hawaiian Culture Rights. You Pilan for even thinking of dat.

Comment – Art Medeiros, Maui News, April 22, 2006

Seeker of knowledge suggests moving solar telescope

Maui News, April 22, 2006

I cannot help but respond to Mal Johnson's April 16 letter concerning the value of knowledge and in favor of the Haleakala proposed astronomy facility.

I am one who has spent all of my adult life in the beautiful quest for that which is yet unknown and agree that this pursuit borders on the sacred. I am also painfully aware of the trend of conversion of the once rounded and most assuredly sacred pu'u of uppermost Haleakala into a jumble of white blocky buildings.

The rocky summit of Haleakala, one of the highest mountains in Oceania, may seem like a lifeless land of stone, but is actually alive with unique Hawaiian plants and animals.

The proposed Advanced Technology Solar Telescope would easily be the largest of its type. I am told the facility would be over 140 feet tall, taller than the county building in Wailuku. The mark this monolith would make on Maui would be significant and irrevocable.

Though Haleakala was the preferred site for this facility, other sites were identified as acceptable. I suggest that these options be pursued.

The quest for knowledge is beautiful but its demands must be weighed against the other sacred and beautiful things of the limited area of Maui, aspects of our Hawaiian culture,

the lives of unique native plants and animals and the grace of the clean lines of Haleakala's ethereal high Pacific mountain viewscapes.

Art Medeiros

Makawao

Haleakala is the only place for advanced solar study

We agree with Art Medeiros (Letters, April 22) that the rocky summit of Haleakala is alive with unique Hawaiian plants and animals. However, the 18acre "Science City" site represents only about 1 percent of similar habitat on or near the summit of Haleakala.

To seriously undertake a quest for knowledge, we must often find the very best place to undertake research in order to maximize the potential for success.

For the Advanced Technology Solar Telescope, a group of scientists was given the task of finding the very best site in the world for studying the sun and its corona. The group also developed instrumentation that would be used to measure daytime solar seeing, sky brightness, clear time fraction, dust levels, and water vapor content at the most promising sites.

An evaluation of more than 72 sites around the world yielded six potential locations. After the first phase of testing, the list of six sites was reduced to three. After two years of the most extensive daytime site testing ever conducted, the site group produced its final report in October 2004.

Two of the sites tested in the final phase did not provide the excellent seeing conditions and/or had a much brighter sky in the daytime when compared to Haleakala.

Only Haleakala fully meets all three of the most critical criteria to meet the science objectives of the proposed ATST. Haleakala is truly the best site in the world from which to undertake a quest for knowledge of the sun.

> Jeremy Wagner ATST project manager National Solar Observatory Tucson, Ariz.

4/22/06 Dr Craig S foltz Aloha. It is an obsolutely unspeakable sin to consider a 14 Story, whatever color, "astronomica !" observatory on top of our sacred and precious centerpiece of Maai Have you ever walked the Incredibly difficult west Rift trail whereby 414 (breadfruit) was brought from Hana to what is now kikei past the undisturbed buriar cairns of those died during their journey? This would be a crime to ancestors, descendents get to come a deservations to out Isiland and it's archeological historic and religions sites - not to mention The a'aina- the land Sincerely, Silkie Mannes P.S. I will Fight this until my dying breath. Gillian M James D

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Comment – Gillian Mallory James, April 24, 2006

Gillian Mallory James 4/23/06 KC Ensironmental It is absolutely unspeakable to consider a 14 story, white or any other color, "astronomical" observator, building on top of our precions and sacred Haleakala, the centerpiece of our mani. Has any of you ever walked that sacred west Rift trail, over which here brought from Hang to what is now Kihei, and passed by those intact burial coirns where the ancestors were interred if they died This would be a crime against the people of Mani, and the state of Hawaii, nd our ancestors and descendents. Sincerely) With mallory James

Comment – Kathleen McDuff, Richard Lucas, Michael Lucas, April 20, 2006

April 20, 2006

KC Environmental P.O. Box 1208 Makawao HI 96768

Dr. Craig S. Foltz 1201 Wilson Blvd. No. 1045 Arlington VA 22230

Re: Haleakala Solar Telescope

Dear Sir or Madam:

We are residents of Maui, and we respectfully request that you choose another location for the new telescope facility you are planning for Haleakala. Although this is a worthy project, it would be much more appropriate in one of the other 70 locations you have considered. Most of those locations welcome the telescope, and that way you could have the facility, as well as the good will of the community.

As we are sure you are aware, Haleakala is a sacred site for Native Hawaiian people, and, as such, should not be desecrated. You stated that "the acquired science would probably result in 'very little' measurable impact on Maui folks or even on 'civilization at large,' but that the positive impacts of the knowledge gained from the telescope would grow in the future." What you did not address, is that this facility will have a very real negative impact on Maui immediately. You cannot show Haleakala "proper cultural respect" (which you claim you are addressing) by building a 140 foot white tower on her summit. This is not possible, because the two terms (proper cultural respect and building the tower on her summit) cannot co-exist. It is actually that simple.

"Proper cultural respect" for Haleakala would prohibit placing any structure on the peak of a mountain considered hallowed ground by Native Hawaiians. The structures that are already there have desecrated the 'aina already – placing this monstrous white facility which will forever alter the splendor of this most sacred site is not necessary. It's not like there is no where else it can be built. Maui and the rest of Hawaii have been pillaged and prostituted for economic gain – please do continue this

unnecessary practice for the sake of this project. Please allow Maui, and the Hawaiians who live on her, to keep one the few remaining sacred sites left. The lives of Mauians will not be improved by this facility, and science could benefit just as well at another site. In fact it is my understanding that there are other sites that would actually be more effective scientifically.

Respectfully,

Kathleen S. McDuff Richard M. Lucas Michael A. Lucas

Comment – Judy Mancini, April 23, 2006

April 23, 2006

KC Environmental P.O. Box 1208 Makawao HI. 96768

RE: Solar Telescope

To Whom it May Concern:

And this does concern each and every one of us who live on this gorgeous Island! One cannot look at this mountain, Haleakala, where heaven meets earth in an unobstructed sky and not wonder about the majesty of the universe. For thousands of years, Hawaiians have taken care of this sacred place and we malihini are privileged to have the opportunity to experience an unspoiled wilderness area where only the sounds of nature can be heard beneath the blackness and solitude of the night sky. We have the same obligation to preserve this special place for generations to come.

I am writing this letter for my grandchildren because I want them to experience that same sense of awe. The telescope can probably provide much information about outer space to the military planning to build it, but I for one am opposed to this site. Science is only one way to know things. It cannot measure soul or peace or respect. All of these things can be found right here on earth, on this mountain. Please reconsider this location.

Respectfully.

Judy Mancini

Comment – Martha Martin, April 24, 2006

Date: Mon, 24 Apr 2006 17:18:52 -0900 To: <u>charlie@kcenv.com</u> From: "Martha E. Martin" (via email) Subject: No to ATST on Haleakala

KC Environmental Inc. P.O.Box 1208, Makawao, HI 96768

I oppose building a massive Advanced Technology Solar Telescope on Haleakala. The mountain is part of a small island, formed only after thousands of years. It cannot be replaced in Hawaii within the next thousands of years. The loss of it cannot be put into dollars, or traded for current purposes.

Hawaiian people don't need a high-tech telescope. They do need to protect their fragile lands and preserve their limited natural wonders. The known, and unknown plants and animals living on the summit will be seriously threatened by the ATST.

The ATST will intrude visibly and audibly on this wildeness treasure. Noise from construction, traffic, the use of air conditioners, generators, and the disruptions caused by building maintenance are things which should be excluded from wilderness environs.

The operation of the ATST will probably produce poisonous wastes. The public has not been informed about the details of materials and of their waste disposal.

For instance, will ATST use transformers, coolants, insulators and hydoraulic fluids which use PCB's? PCBS are toxic compounds which can evaporate, drift off, and poison the earth. The large amount of electricity needed for the ATST ought to have been produced by its own solar design, not planned to draw from Maui power.

Many of the operations of the ATST many contribute to global warming. Global warming seems to be threatening to change the weather on earth and bring higher ocean levels, more hurricanes and tornadoes, and both droughts and floods.All of these effects are infinitely more life-threatening to Mauians than the study of solar flares.

Maui does need to encourage scientific advances in learning about our environment, and find ways to make life on earth better. But building the ATST is not good for Maui, and it is certainly not the only way to inspire minds.

In conclusion, I ask that the ATST not be located on Haleakala, because it is not an overall benefit to Maui. Perhaps in 50 years science will find a way to study the sun without needing such a huge telescope at all.

Martha E. Martin

Comment – Ann Fielding, April 27, 2006

Ann Fielding

April 24, 2006

To Whom It May Concern:

No, not on Haleakala!!

Aloha,

a free of

Ann Fielding

Comment – Association of Hawaiian Civic Clubs, May 1, 2006

Date: Mon, 1 May 2006 21:40:19 -0700 (PDT)

From: Dreana Kalili <VIA EMAIL>

Subject: AHCC Comments in Opposition to ATST Project

To: charlie@kcenv.com, cfoltz@nsf.gov

Cc: Antoinette Lee <email>, Ihokoana (email)

Dear Mr. Fein and Mr. Foltz,

Please accept the following comments from Antoinette L. Lee on behalf of the Association of Hawaiian Civic Clubs.

If you have any questions, please reply to this e-mail address, or you may contact Ms. Lee directly at 808-xxx-xxxx.

Sincerely,

Dreana Kalili, Chair Government Relations Committee Association of Hawaiian Civic Clubs

Comment – Association of Hawaiian Civic Clubs, May 1, 2006 (cont.)



ASSOCIATION OF HAWAIIAN CIVIC CLUBS

P.O. Box 1135 Honolulu, Hawaii 96807

TESTIMONY OF ANTOINETTE L. LEE, PRESIDENT ASSOCIATION OF HAWAIIAN CIVIC CLUBS TO THE NATIONAL HISTORIC PRESERVATION ACT 106 CONSULTATION MEETING AT PAUKŪKALO COMMUNITY CENTER

May 1, 2006

Aloha:

The Association of Hawaiian Civic Clubs firmly opposes the development of an Advanced Technology Solar Telescope project on Haleakalā.

The Association of Hawaiian Civic Clubs is a confederation of fifty-one Hawaiian Civic Clubs located throughout Hawai'i and across the United States. We are the oldest communitybased grassroots Hawaiian organization in the state and we work to support initiatives that benefit the native Hawaiian community. One important issue we support is the preservation of sacred and culturally significant sites. On Saturday, April 29, 2006, our board voted unanimously to support our Maui District Council and its member clubs to oppose this project.

Haleakalā, visible from almost every part of Maui, is a sacred cultural site and the beauty of its unblemished slopes has been recorded for centuries in Hawaiian legends, chants and songs. Native Hawaiians revere this site as a place of great mana (spiritual power). The construction of a telescope the size of a 14-story building will destroy this pristine landscape of our sacred site. This project is not only unwelcome, but will set a very dangerous precedent.

On the Big Island, where similar observatory and telescope structures line the mountain range, it is impossible to appreciate natural beauty when unnatural structures obscure the view. These slopes, too, were once described in chant and song as beautiful, awe-inspiring, and brilliant, but future generations of will never be able to fully appreciate this beauty. We must ensure that Haleakalā and the people of Maui do not share this fate.

Also, please consider the potential negative impacts to the Maui and state economies. In a survey conducted by the Hawai'i Tourism Authority, 58% of Maui residents sighted "loss of Nature and open space" as a big problem. The Haleakalā National Park, one of the most popular tourist destinations on Maui, has adopted policies to control the overcrowding of visitors at the summit during the sunrise. There may be no crowds to control if this telescope facility is errected.

"Haleakalā the beautiful Mountain it stands all alone so Peacefully". Please preserve Haleakalā.

Comment – David Keala – June 4, 2006

4 June 2006

KC Environmental, Inc. P.O. Box 1208 Makawao, HI 96768

TO WHOM IT MAY CONCERN

Aloha:

I would like to thank you in behalf of the Native Hawaiian Educational Council for this opportunity to participate in the National Historic Preservation Act, Section 106, 36 CFR, PART 800, Protection of Historic and Cultural Properties.

Yes, we do have some concerns that we would like comments on.

- 1. The color of the structure. Would it blend in with the area without being unduly noticeable?
- 2. Will the height of the structure make a significant impact to the visibility from surrounding areas, especially from low lying areas?
- 3. Will the design of the building offer any cultural significance?
- 4. Will a college program be offered, through Maui Community College or another university, to students of Maui?
- 5. Will it be open for tours and how often?

Your response will be greatly appreciated.

Mahalo.

David Keala, President



P.O. Box 1208 Makawao HI 96768

> (808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

June 7, 2006

Mr. David Keala, President Native Hawaiian Educational Council 240 Elilani Street Pukalani, HI 96768-8332

Dear Mr. Keala,

On behalf of the National Science Foundation, I would like to thank you for your participation in the National Historic Preservation Act, Section 106 process for the proposed Advanced Technology Solar Telescope (ATST). We have forwarded your letter to the National Science Foundation ATST Program Officer, so that he can respond to your items of concern. You will be hearing from NSF in the very near future.

If you have not done so already, we encourage you to visit the ATST web site for more information about this project and the information we have provided regarding the Section 106 process to date:

ATST Web site: <u>http://atst.nso.edu/</u> Protection of Historic Properties: <u>http://atst.nso.edu/library/EIS.shtml</u>

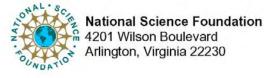
Again, thank you for your participation and please do not hesitate to call me if you should have further questions.

Sincerely,

muli

Dr. Charlie Fein Vice President

Response – David Keala – June 7, 2006



June 7, 2006

Mr. David Keala, President Native Hawaiian Educational Council 240 Elilani Street Pukalani, HI 96768-8332

Dear Mr. Keala:

On behalf of the National Science Foundation, I would like to thank you for your letter regarding the proposed Advanced Technology Solar Telescope (ATST). I am the NSF Program Officer for the project. Since the project, if it is funded, will be a Federal undertaking, the NSF is the lead Federal agency and, therefore, has the responsibility for compliance with the applicable environmental and cultural preservation statutes.

I understand that our environmental consultant, Dr. Charlie Fein of KC Environmental, has been in touch with you in regard to the NHPA Section 106 consultation. The purpose of this letter is to respond to the specific concerns enumerated in your letter of June 4, 2006. Many of the details of the project will be thoroughly described in the Draft Environmental Impact Statement (DEIS) that is nearly complete. However, in anticipation of the release of that document, my understanding of the issues you raised follows:

- A. Color of the Structure The color of the solar telescope enclosure and support building would be white. Unfortunately, if they were to be painted to blend in with the mountain, they would absorb about four times more heat from sunlight during the day. The heated air rising from the building surfaces would pass through the observing path of the telescope and unacceptably blur the images.
- B. Visibility of the Building As described in the DEIS, the height of the ATST building would be as much as 143 feet. This height is required to place the telescope above the turbulence in the atmosphere directly above the ground level at the site. Since it would be quite high, the visibility of the structure has been a major concern expressed in our public meetings to date. As part of the environmental impact analysis process, detailed model simulations and renderings of the view planes have been prepared for many locations in low lying areas, including upcountry, Kahului, Wailuku, Kihei, and other locations. While these show that the building would be clearly visible from the visitors overlook in the National Park, the visibility from low-lying areas of Maui would be variable, depending upon which of the two potential sites at Haleakala High Altitude Observatory (HO) is considered and the exact location of the viewer. In many cases, the ATST will be hardly visible or not visible at all; its view being blocked by other buildings at HO or the terrain of the summit area. A detailed discussion and the view plane renderings will be included in the DEIS.
- C. Cultural Significance of the Building's Design At the present time, the design of the building, as described in the DEIS, is purely utilitarian. The basic structure must enclose and

Response – David Keala – June , 2006 (cont.)

protect the delicate equipment that it houses and there are some constraints on the design, for example, the color and the details of the rotating dome, that are imposed by solar heating, the need to control dust, etc. However, there is still opportunity for discussion of the incorporation of design features that would have cultural significance. This could be a subject for future discussion.

- D. Education/Workforce Development Programs The National Science Foundation Act of 1950 (Public Law 81-507) established the NSF and authorized and directed it to initiate and support (among other things) "science and engineering education programs at all levels and in all the various fields of science and engineering." Therefore, there is a clear mandate to all NSFsupported facilities to develop and run programs to promote science, technology, engineering, and mathematics education at all levels from K-12 through college and universities as well as through informal science education for the broader public. Programs that are supported at the National Solar Observatory and the National Optical Astronomy Observatory (to name just two of our major facilities) include direct educational outreach, educator support programs such as teacher training and curriculum development. For more information on ongoing programs, see http://eo.nso.edu and the education and public outreach links at http://www.noao.edu. The ATST team understands that it bears the responsibility to develop education, outreach and workforce development programs specific to the needs of the Maui community. The team has already met with MCC President, Clyde Sakamoto, Maui Economic Development Board, and officials from Kamehameha Schools to discuss potential partnerships. In addition, the team has already received a proposal from Mr. Charles K. Maxwell describing his vision for a long term, comprehensive educational program that integrates modern astronomy with traditional Hawaiian astronomy. The spectrum of possibilities is very broad and we hope that we can work with NHEC in crystallizing the education and outreach efforts.
- E. Tours More than a million visitors visit the Haleakala National Park each year, which is adjacent to the Haleakala High Altitude Observatory, where the proposed two potential sites for the ATST are located. Due in part to the limited space for parking and for vehicular turnaround within the Observatory as well as the limited number of employees working at the summit, the facilities are not open to the general public. However, all astronomical facilities within the observatory will accommodate tours by educational and civic groups by appointment. It has been my experience that NSF-supported facilities take the mandate of communicating science to a broad audience very seriously and all requests for tours are honored within the constraints imposed by unusual activity in the building (construction, delicate operational procedures, etc.).

I look forward to consulting further with you on your concerns. Thank you for your participation and please do not hesitate to call me if you have any further questions. My phone number is (703) 292-4909 and my email is cfoltz@nsf.gov.

Sincerely,

Craig B. Foltz Program Manager, Division of Astronomical Sciences

June 25, 2006/Keddea

Dear mike,

Thank you so much for the TOUR, which was way beyond my expectations! In a very important way, the TOUR <u>awakened</u> a part of me that laid dormant in dreams, hopes and wishes.

I sumle someone has to write textbooks for the home - schooled students, and their teacherparents. Today, there are more alternative. education schools, like Charter Schools, Montessori Schools, and "Home - 5 chools". These schools are more accepting of what's true and real, so there's a market for text books for ages 12 to 12, actually. and not just text books, but BOOKS ... picture books, etc. 9+'s the only way to counteract the "dumbing-down" of america. I want to start. Joday, J bought the CIG (complete Idiots' quide) to Physics, opering: Oan idiot - proof in troduction to high school and first-year college - level pluprices, @ Down to Earth explanations of complex concepts, 3 Simple solutions to algebra - based problems. It's twilling! I can see myself taking a child from blocks and cups of water, to learning the systems of measurement used to measure physical quantities; to learning the units of measurement in each of the CGS, MKS, and FPS supstems; to learning the fun damental quantities of physics (being mars, space, and Time). 9 can do this with candies 3

gum, miniature candies, etc., along with scales, etc. Inditaking them from 1 - 10, to original numbers written in Scientific Notation (250,000 mi,= 2.5 × 10 mi). They'll have fin with all mose zeros, and the shorthand method as well. measurements and writing of lellers and numbers ... are forst grade curriculum any way; well just step it up in first grade Physics; and have number rods etc. to express quantities, for example. anyway, three-year-olds would get this, no I would sait want to limit anything in learning accelerated learning can be the most naturally understood if there is excitement, freedom & dignity present. San you repeat two things you mentioned on the tour? The bene fits for racial groups, The distance -learning" university study (correspondence (?). Jovernor Lingle and I used to write. When I wrote to her about the biology of transcendance and how it relaters to teaching children on a higher level of understanding, she asked me to start a Charter school. Unfortunately, she answered six months after 9 wrote, and 9 was already molved in another project. But, 9 tuinle 9'd like to teach the very young again ... accelerated comprehension

is a reality. The human brain is not completely developed intit 3 years after birth, and then grows. Zers to three Thanks you for my whole awaleening about the time. importance of physics for the very young, AND the pointle interoduction of solar technology for all grades. Parents HAVE to be in on it somehow, they can't be left in the dark.

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

(3)I wonder if I can experience the telescope when the operator is there? Can we have another four and cover the parts we missed ? when everything comes together in an easy and comfortable way for you ... even if its a few, months down the road (or the mountain). actually, I'm just aching to do a first grade interoduction to a study of the sur! I had to wait until I was To to learn that the sun had gravity, and rotated from Reft To right? Preposterous! where can I get information on the study of the sun in detail ? I want to set Hawaiian's on fire with new knowledge of the sun, and consequently, why we need the Solar Telescope. New careers will come from the Solar Telescope's location here. 9, personally, and grateful that a small group of people made something incredible happen, when people were too far in the past to think of something real that was beyond their inaquation : and plans made w/you, after a little more research, and with some real visuals and knock-out information, 9'll be ready to meet with Hawaiian groups on manie, with Power Yourt presentations, hands - on models, printouts, etc. If there are no models of the sun, I could make one from the poster you have (3x the sine): [Hum, a good starting point !] my first project, a 3-P model (with accurate of the sun (with accuracy). aloha, Vern

APPENDIX A: Pre-DEIS PUBLIC COMMENTS

Response - Verna Nahulu - July 7, 2006



P.O. Box 1208 Makawao HI 96768

(808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

July 7, 2006

Ms. Verna Nahulu

Dear Verna,

Mike Maberry has given us your letter dated June 25, 2006 for inclusion into the Environmental Impact Statement for the Advanced Technology Solar Telescope (ATST). We have also forwarded your letter to the National Science Foundation.

Enclosed please find a few copies of booklets, tri-folds, and Fact Sheets regarding the proposed ATST project. Thank you for your continued interest in this project.

Singerely, hali fin

Dr. Charlie Fein Vice President

Enclosures

CC: Craig Foltz, National Science Foundation Bijan Gilanshah, National Science Foundation Thelma Shimaoka, Office of Hawaiian Affairs Melissa Kirkendall, Maui Office, State Historic Preservation Division

Comment – Verna Nahulu - July 11, 2006

Copy: To wike Waberry

July 11, 2006 Keokea, man

Dear Dr. Fein,

Thank you so much for a very appreciated letter, and "extremely-timely" printed information that I received just yesterday. Joday, the Kula Board met at 5:30 PM, and 9 had 11 Fact Sheets, 11 ATST Pamphlets and 3 beautifully covered booklets. Ten KCA members were present, and everyone went home your Fact sheets and pamphets. I was delighted that you were on the agenda for discussion. I give an impromtu presentation for ATST, reading aloud the section subtitled, "education and public ontreach; I spoke about the tour that mike Maberry hosted, and what I experienced to be a boon for education in Marie; I asked, " did you know that the sun rotates in 27 day completions, and the sun has a powerful gravitational pull ?" (No one knew). all of your information was in front of the numbers just before my presentation. I revealed to them that the down uspired me to create books and educational materials, and andio books to teach Physics to The Very Young (1- 6 years). I will follow that with Physics text books for grades one to six, based on the introductory foundation of information learned from one to six years ded. I'm planning to create a model of the sun with internal mechanisms to replicate a 27 day rotation.

The Kula Board members present at the meeting tought were: President Karolyn Mossman, Kalama School feacher,

Comment – Verna Nahulu - July 11, 2006 (cont.)

" gina Hammer, Secretary and Home maker; John Welson, Treasurer and retired businessman; Buzz Stluka, CED and President of Haleakala Ranch; Mitch Silver, Business man, Photographer, ex - Peace Corps (India); Elliott Krash, retired teacher; Faul Kochler, monstanto Exec.; alan Kaufman, Veterinarian (Kula), and myself, Verna, former becretary (4 yrs), retired elementary school teacher, writer, artist, and native Hawaiian Kahuna, quite an averag of Kula people, who now hold the information you sent me. I suggested they go on the town before writing any resolutions or finalizing decisions about the ATST. The Kula Board decided to invite mike Maberry and two or three ATST associates, after the EIS is ont, to speak to the members and make a presentation. 9 am committed to the ATST project, and would like to work with and assist your team in any capacity recessary to accomplish your goal. my goal is to substantially counter- act the dumbing-down of america" in schools , video games, etc. by presenting the real world to the very young, starting with our number system and moving into algebra, geometry and physics by six years ded. (I hope to have my Vector and Scalar "talking - swifboard dolls" ready before Christmas). Pleases send more info, I'm out. Joodinght and good luck, cc mike maberry Potential KCA member Jim aarona (Kula

Response – Verna Nahulu - July 24, 2006



P.O. Box 1208 Makawao HI 96768

> (808) 573-1903 fax: (808) 573-7837 charlie@kcenv.com

July 24, 2006

Verna K. Nahulu

Dear Verna:

Thank you so much for your letter of July 11th. I will pass on your comments to the National Science Foundation (NSF), which is the agency responsible for the proposed ATST project

I understand your commitment to the ATST project and as a former UH faculty member, I appreciate your goal to counter-act the "dumbing down of America". However, please keep in mind that KC Environmental, Inc. is the environmental consultant for this project and as such we have no authority concerning the decision whether to proceed with this project or whether it will or will not be funded for construction. We have transmitted your comments and action requests to NSF, and as we are authorized to act on their behalf, enclosed are a few more materials to distribute in the community.

You have my warmest Aloha,

Chalin feir

Dr. Charlie Fein Vice President

Enclosures

CC: Dr. Craig Foltz, Program Officer, NSF Bijan Gillanshah, Assistant General Counsel, NSF Thelma Shimaoka, Office f Hawaiian Affairs Melissa Kirkendall, Maui Office, State Historic Preservation Division

Comment – Mark Hoffman – July 21, 2006

 From:
 "Dr. Charlie Fein" <charlie@kcenv.com>

 To:
 "Mark G Hoffman"

 Cc:
 <kcesharon@hawaii.rr.com>

 Sent:
 Friday, July 21, 2006 1:15 PM

 Subject:
 Re: ATST section 106

Mark:

Thank you for your inquiry. Those individuals and groups submitting proposals for Section 106 will be invited to meet with NSF representatives during the same week that meetings are held for public comment on the Draft EIS. As of this date, we anticipate that the EIS public comment meetings will be held during the last week of September. That said, the NSF would like to have all Section 106 related proposals in hand as soon as possible, in order to initiate contact with the proposers before meeting with them on Maui. These proposals may indeed be submitted to us at KC Environmental at any time.

>

>Dear Dr. Fein,

>I am the program coordinator for the electronics and computer engineering technology AS degree program at Maui Community College. You and I have spoken briefly at an ATST community meeting and at the Panstarrs dedication.

>I am working with a team or educators that would like to submit a Section 106 proposal for the proposed Advanced Technology Solar Telescope (ATST). Our understanding is that this proposal should be submitted to K.C. Environmental.

>We would like to know what the deadline for submission is. Thank you for your consideration.

>Sincerely,

>Mark Hoffman

>

"I SUPPORT..." Petition Forms

An "I Support..." form, as shown below, was also signed and submitted by the individuals listed on the following pages.

Date: 24 MAY ,2006 Dr. Craig B. Foltz National Science Foundation 4201 Wilson Boulevard, Room 1045 Arlington, VA 22230 RE: Advanced Technology Solar Telescope on Haleakala", Maui Dear Dr. Foltz: I SUPPORT the proposed construction of the ATST on Haleakala. I believe the proposed project will result in major advances in solar research toward understanding space weather and how it affects life on Earth. It will be beneficial for educational outreach and will be a source of continued employment in the hi-tech field already on Maui. In summary, ATST is a worthy project for Maui. PTANLEY E. TRUIT Print Name: Sincerely, huit ŀ (Signature)

"I SUPPORT..." Petition Forms

An "I Support..." form, was also signed and submitted by the individuals listed.

Last Name	First Name	Last Name	First Name	Last Name
Adler	Martin E.	Ellison	Jeffrey	Kumasaka
Aeder	Erik	Fair	Deybra	Kumasaka
Alday	Rene	Fukuda	Casey	Lane
	Christopher			
Alexander	Gerry	Gebink	Cynthia	Lapp
Aller	Kimberly	George	Janet	LeBron
Amindson	Danielle	Gibson	Brooke	Lee
Armstrong	James D.	Gilliland	Julie	Lesteie
Atwell	Francine	Glassen	Nicole	Lester
Bal	Calyton H.	Gottlieb	Steve	Lindsey
Balinbin	Rudy	Greenberg	Gary	Liva
Bantilan	Melissa	Groden	Randy	Longaker
Barona	Lolita	Guinan	Stacey	Lowell
Bear	Lynne	Habesreiter (Dr.)	Margit	Maberry
Beatty	Jody	Hall	Dawn	Maki
Behan	Kevin	Hartman	David A.	Makua
Born	Terry	Haslbede	Glenn	Mann
Briner	Kenn	Haupt	Prentiss Carl	Maux
Brinkman	Steve	Hodge	Curt	McGinnis
Bunny	Kirsten	Hogan	Vince	McNulty
Cabradilla	Jolene	Holton	Doreen	Meeder
Calhoun	John	Норе	Douglas	Mertens
Capriola	Gary	Hough	Jason	Messersmith
Carlos	Sumer	Howard	Gardner	Michaud
Chacko	Sumita Mary	Hughes	Kevin	Minnella
Christensen	Robert	Hutchison	James	Miyajima
Christensen	Daphne	Ingalls	Thomas E.	Moore
Cook	Jerry	lto	Blanche N.	Moore
Cost	Jill	Janke	R. L.	Morul
Craig	Tad	Jensen	Susan	Moran
Cunanan	Romylynn	Kaeo	Donlyn	Morizono
Dailey	Roger	Karakawa	Shigeru	Morrison
Dale	Nicholas	Karakawa	Carol	Mueller-Fitch
Davidge	Greg	Kaupalolo	Kristopher	Mussou
Davis	Janet	Kiriaty	Avi	Nahulu
DeRego	Neal L.	Kishi	Keith	Nakai
Dixon	Ann	Kleid	Cindi	Nakakura
Donner	Tammy	Korpi	John	Narrowe
Drood	Jeffrey	Krost	Todd	Neizman
Eichart	John	Krumwiede	Jack	O'Brien

"I SUPPORT..." Petition Forms

An "I Support..." form, was also signed and submitted by the individuals listed.

First Name	Last Name	First Name	Last Name	First Name
Linda	O'Connell	Daniel	Truitt	Stan
Kenneth	O'Gara	Daniel	Tyler	Majorie
Edward	Olson	Elaine	Van Dorland	Carlos
Howard	Orwig	Steve	Viloria	Chris
M. Kehaulani	Pell	Sherri	Vladyka	Penrod
Stanley	Pequegnat	В.	Wallholm	Tony
Ron	Pestana	Lisa	Warren	Cole
Susan	Petrie	Barb	Whittemore	Linda
Clifford	Pico	Montez	Wilson	Johanna
Angela	Porter	Lisa	Wilson	Geraldine
Jason	Powell	Madeline	Wineland	Rene
Rebecca	Powell	Peter	Wooten	Jason
Michael	Prieto	Glenn	Yamada	Daryl
Richard	Quinton	Lynne	Yu	Liu
Janet	Rasmusse	Kasper	Zaleski	Robert
Donna	Ratkowski	Diane	1 illegible name	
Steve	Ratkowski	Rob		
Vicki	Rizzo	Frank		
Patrick	Russell	Nikki		
Susan	Sato	Charlotte		
Judy	Sawyer	Charlene		
E. John	Schwarz	Michael		
Gerry	Sherling	Alana		
Patrick	Sherling	Dave		
Melissa	Shiozuki	Ryoji		
Gary	Shippee	George		
Kelly	Smith	Gregory		
Jose	Smith	Rona		
Martha	Staple	Susan		
Justin P.	Steele	Marjorie		
Shauna	Stephens	Jennifer		
Heather	Stephens	Sam		
Jake	Stott	Linda		
Verna	Street	Spar		
Kan	Strini	Rick		
Jayson	Summer	Silvia		
Patt	Tempchin	Jen		
Karen	Thompson	Karen D.		
Cristin	Torres	Stephan		

"I OPPOSE..." Petition Forms

An "I Oppose..." form, as shown below, was also signed and submitted by the individuals listed.

Date: May 12 2006 Dr. Craig B. Foltz 4201 Wilson Blvd., Rm. 1045 Arilington, VA 22230 Re: Advanced Technology Solar Telescope on Haleakala; Maui Dear Dr. Foltz: I oppose the proposed ATST on Haleakala. I believe the proposed project will have significant adverse effects on the environment and the cultural and spiritual essence of Haleakala. I request a copy of the draft EIS so that I may review it and see if I wish to submit further comments. icki McCarty Name: Sincerely, Address: larty (Signature)

Last Name	First Name	Last Name	First Name
Aquino	Princess Lehuanani	Lindsey	Ed and Puanani
Bailey	Gordean	Martin	Martha
Barclay	Claire	McCarty	Vicki
Brayton	Chris	Medeiros	Bill
Brayton	Thomas	Pofford	April
Breitbach	Brad	Rabold	Jeanne
Dizon	Toni	Roback	William
Eldridge	Carl	Ryder	Leohu
Hazen	Lorna	Shearman	Nancy
Helm	Mikahala	Shito	Georgina
Helm	Rusty	Snipes	Heather
lao	Maydeen	Souza Sjholom	Ellen
Kahaleanu	Roselani	Tassill	Kalani
Kanamu	Walter	Taylor	Chris
Kane	Jen	Tolman	Margit
Kasprzycki	Lisa	Vilahos	Alexander
Kaupalolo	Cheryl		

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APPENDIX B

TRANSCRIPTS – PUBLIC SCOPING MEETINGS

- (1) Cameron Center, Kahului, HI, July 12, 2005
- (2) Kula Community Center, Kula, HI, July 13, 2005
- (3) Pukalani Community Center, Pukalani, HI, July 14, 2005

Appendix B(1): Transcripts, Public Scoping Meeting, Cameron Center, July 12, 2005

			1	TRANSCRIPT OF PROCEEDINGS
	1	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)	2	* * *
	2	PUBLIC SCOPE MEETINGS	3	MS. WAHL: Aloha. Good evening and welcome. My
1	3		4	name is Claudia Wahl. I, along with David Brass, will be
1-	4		5	the host moderators this evening. We're representatives of
	5		6	Mediations Services of Maui, and we're here as neutrals.
	6		7	Meaning, that we have no vested interest in the outcome of
	8		8	tonight's meeting or in the proposed project. Our role is
	9		9	to make sure that everyone has an opportunity to contribute
	10		10	to the meeting by providing information to the public and to
	11		10	invite public comment about the proposed project.
	12	PROCEEDINGS	12	Before we get started this evening, I would like
	13	Held at the Cameron Center conference room, 95 Mahalani	13	
	15	Street, Wailuku, Maui, Hawaii, commencing at 7:00 p.m. on		to introduce Leslie Kuloloio. He will offer the pule this
	16	Tuesday, July 12, 2005.	14	evening.
	17		15	MR. KULOLOIO: (Hawaiian language was spoken)
	18		16	Leslie Kuloloio. I just kind of feel hewa. I don't why I
	19 20		17	would give pule for this project when my spirit is not
	21		18	(Hawaiian language was spoken) with this meeting, especially
	22	REPORTED BY: GLORIA T. BEDIAMOL, CSR/RMR #262	19	(Hawaiian language was spoken) Haleakala. (Hawaiian
	23		20	language was spoken). So let somebody else pule, because my
	24		21	spirit is not in harmony. Thank you.
	25		22	MR. MAXWELL: I was supposed to pule originally
			23	because I did the first archeological and cultural study of
			24	Haleakala. And my role is to protect it culturally and
-			25	spiritually. (Hawaiian prayer) Heavenly father, as we sit
~			2	4
			1	in this room, we ask and pray that you look down upon us so
	1	ATTENDANCE	2	we can exchange and get all our answers answered in a good
	2	MEETING FACILITATORS:	3	way; that we can relate to the people that is here, so that
	3	Claudia Wahl and David Brass from Mediation	4	they might continuously protect and know that Haleakala is a
	4	Services of Maui	5	sacred place. We ask in your name (Hawaiian language
	5	HAWAIIAN LANGUAGE TRANSLATOR: Kiope Raymond	6	spoken).
	7		7	MS. WAHL: Mahalo, Charles K. Maxwell. Tonight is
	8	PANEL MEMBERS PRESENT: Jeff Kuhn - Associate Director of the University	8	the first of three public scoping meetings sponsored by the
	9	of Hawaii, Institute for Astronomy (Oahu)	9	National Science Foundation. The meetings are part of the
	10	Craig Foltz - Program Officer with the National Science Foundation, Washington D.C.	10	environmental planning process for the Advanced Technology
	11	Dr. Charlie Fein - KC Environmental (Maui)	11	Solar Telescope, or ATST, proposed for the Haleakala high
	13	Jeremy Wagner - ATST Project Manager with National Solar Observatory, Tucson, Arizona	12	altitude observatory site. This meeting will be recorded so
	14	Jeff Barr - ATST Project Architect	13	that your contributions will become a part of the
	15	Mike Maberry - Assistant Director, University of Hawaii, Institute for Astronomy (Maui)	14	administrative record and will be used as a part of the
	16	inducti, inscredes for inscrement (induc)	15	scoping process for the environmental impact statement.
	17		16	If you would prefer not to get up and speak this
	18		17	evening but would like to submit written questions or
	20		18	comments, there are comment sheets available outside at the
	21		10	
	22		1	sign-in table with information where you can send them. The
ļ	23		20	deadline for submission is August 14th.
	24 25		21	If you would like David or I to read your
	25		22	comments, please give one of us your sheet. If you would
			23	prefer not to have your sheet read, please place them in the
			24	box provided on the sign-in table. Also at the sign-in
L			25	table, you'll find brochures and information describing the
1 of 27	shee	PTS	Page 1 to 4 of 71	07/24/2005 08:06:19 P

PUBLIC SCOPE MEETINS

2 of 27 sheets

		5		7	
	1	proposed project.	1	scheduled: one tomorrow evening July 13th from 6:30 to 9	
	2	Just a bit of housekeeping, the bathrooms are	2	p.m. at the Kula Community Center and another on July 14th	
	3	located outside to your left around the corner, and they are	3	at the Tavares Community Center in Pukalani also from 6:30	
			4	to 9:00. Again, you may also submit your comments in	
	4	open.	5		
	5	This evening's agenda will consist of brief	6	writing.	
	6	presentations by the panel, and then there will be a period		Thank you all for coming. We will begin the	
	7	for questions and comments from the public. Post-it notes	7	meeting with our presenters.	
	8	and pens have been provided for you to jot down your	8	MR. KUHN: Can you hear me if I speak can you	
	9	questions or comments while the panel is speaking.	9	hear me? That's much better. Thanks.	
	10	I'll now introduce the panel. If you'll please	10	My name is Jeff Kuhn and I'm a scientist. I'm not	
	11	raise your hands when I call your name. Mr. Jeff Kuhn,	11	exactly a nonpartisan to this project. I started worrying	
	12	Associate Director of the University of Hawaii, Institute of	12	about telescopes like this 12 years ago when ideas were	
	13	Astronomy, who will present the science behind the need for	13	circulated back at the National Solar Observatory. I'm one	
	14	this project; Mr. Craig Foltz, Program Officer with the	14	of the people who would use this telescope, if it were	
	15	National Science Foundation, Washington D.C., who will	15	built. And my job, I think, is to give you a sense of why	
	16	discuss the role of the National Science Foundation	16	the scientists are very excited about what it could do if it	
	17	proponent in sponsoring the ATST; Dr. Charlie Fein, KC	17	was built.	
	18	Environmental, who will explain the environmental planning	18	The telescope itself, as you probably know, is	
	19	process; Mr. Jeremy Wagner, ATST Project Manager with the	19	designed to study the sun. And the fact is that the sun is	
	20	National Solar Observatory, Tucson, Arizona, who will offer	20	more than just a gas ball up in space.	
	21	an overview of the project schedule; and finally Mr. Jeff	21	About a year and a half ago, as we were studying	
	22	Barr, ATST Project Architect, who will talk about the	22	the sun, this is what we saw. This is a picture of the sun	
	23	facility design and features of the ATST.	23	seen in white light. This picture was taken from space, but	
	24	I would also like to introduce our court reporter	24	it could also be taken from a telescope on the ground like	
	25	this evening, Gloria Bediamol, and also Mr. Kiope Raymond	25	the ATST.	
					_
-		6		8	-
and i	1	6 who is our Hawaiian interpreter for this evening.	1	What it shows is a period of time this was	-
	1 2		1 2		
		who is our Hawaiian interpreter for this evening.		What it shows is a period of time this was	
	2	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some	2	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the	
	2 3	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some meeting guidelines that I'm going to ask you to follow, so	2 3	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the sun in its rotation and the development of something right	
	2 3 4	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some meeting guidelines that I'm going to ask you to follow, so that everyone who has made an effort to be here this evening	2 3 4	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the sun in its rotation and the development of something right here, which the sun has never done before, at least in the	
	2 3 4 5	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some meeting guidelines that I'm going to ask you to follow, so that everyone who has made an effort to be here this evening will have an opportunity to contribute within the time	2 3 4 5	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the sun in its rotation and the development of something right here, which the sun has never done before, at least in the time that we have seen, is the development of a sun spot	
	2 3 4 5 6	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some meeting guidelines that I'm going to ask you to follow, so that everyone who has made an effort to be here this evening will have an opportunity to contribute within the time allotted for the meeting. As you can see, we've had a	2 3 4 5 6	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the sun in its rotation and the development of something right here, which the sun has never done before, at least in the time that we have seen, is the development of a sun spot group.	
	2 3 4 5 6 7	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some meeting guidelines that I'm going to ask you to follow, so that everyone who has made an effort to be here this evening will have an opportunity to contribute within the time allotted for the meeting. As you can see, we've had a couple of change-ups.	2 3 4 5 6 7	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the sun in its rotation and the development of something right here, which the sun has never done before, at least in the time that we have seen, is the development of a sun spot group. That sun spot group is a dark spot that appeared	
	2 3 4 5 6 7 8	who is our Hawaiian interpreter for this evening. Before we begin, I would like to set out some meeting guidelines that I'm going to ask you to follow, so that everyone who has made an effort to be here this evening will have an opportunity to contribute within the time allotted for the meeting. As you can see, we've had a couple of change-ups. What we're going to ask you to do is hold your	2 3 4 5 6 7 8	What it shows is a period of time this was right around Halloween, a year and a half ago. It shows the sun in its rotation and the development of something right here, which the sun has never done before, at least in the time that we have seen, is the development of a sun spot group. That sun spot group is a dark spot that appeared on the sun, and the rapid development of that spot was	
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	TECHNOLOGY SOLAR TELESCOPE (ATST) PUBLIC SCO 9		TUESDAY, JULY 12, 2005 7:00 P 11
1	scale the size of the earth is about this big on that	1	the record in western literature goes back to the 1600s with
2	image.	2	Galileo. The record in the Chinese literature goes back
3	As we look out into space, what we see from that	3	2000 years, before there were even telescopes.
4	burst of energy, if we could block the sun, and this is the	4	The numbers that I show here are from the western
5	magic of what the ATST will do, it will block the sun and	5	record. And what they show is there are periods of time
6	allow us to see the region further out into space. And I	6	when the sun spots went away. And then there were periods
7		7	of time when there were lots of sun spots.
8	The picture I want to show you is this picture of	8	We think, if we extended this record back 2000
9	energy being ejected out into space. We call that a coronal	9	years, there was a period of time, around the 1300s or
10	mass ejection. It's billions of tons of mass and energy	10	1400s, when there were lots of sun spots. We know that from
11	that travels out to space. If it's directed towards us,	11	the Chinese record, not from the western records.
12		12	What we're beginning to understand, and we only
13	display of the aurora that we seldom see in Hawaii; but it	13	know this recently, is that the sun gets brighter this
14		14	is another graph but these peaks in this graph show the
15		15	brightness of the sun. The sun is hotter when there are
		16	more of these dark spots every 11 years. We don't
16	computer. And what it shows is the earth and the		
17	interaction of that energy as it streams by the earth. It's	17	understand why. If you put dark spots on the sun, you'd
18		18	think the sun would be cooler; we have less energy. It's
19	energy channels into the earth, and here's a picture of what	19	not the case. The sun has more energy. The sun is
20	that energy looks like. It's like the fluorescent lights in	20	brighter.
21	this room. The atmosphere lights up.	21	As far as we can tell, this change in the
22		22	brightness of the sun affects the climate of the earth. And
23		23	there are very pervasive hints that the effect of the sun,
24	communications satellites. There was a power grid in Sweden	24	not just this 11-year cycle of effect but the larger cycle
25	that was brought down because of that interaction, that	25	where the sun spots went away, or where there were lots of
-	10		12
1	energy. Planes in the northern polar regions were rerouted	1	sun spots like there were going from the late 1800s to the
2	because of interruptions of radio communications. And	2	present.
3		3	We know there's an economic influence. If you go
4	altitude, we're protected by the earth's atmosphere on	4	back and look at the cost of wheat adjusted for inflation,
5	average.	5	go back all the way to 1200 to 1900, there's an economic
6	The picture that we have of the sun is that it	6	impact of what the sun was doing, which was measurable in
7	produces energy. We're protected by this shield around the	7	the cost of wheat. When there weren't any sun spots here
8	earth. We call it the magnetic field. It's the same shield	8	and in this period, the cost of wheat was higher. We think
9	that makes your compass work. That shield is variable. And	9	it was an effect on the climate. The same kind of effect
10	the variability of that shield sometimes lets that energy	10	that we can see from satellites that says that when there
11	into the earth and into the surface of the earth. And	11	are lots of sun spots, the sun is bright. But there's
12	that's one of the problems that we're trying to understand,	12	probably more than just that simple economic effect.
13	is the connection between the sun's energy and the sun's	13	If you go back in time, the sun affects that
14	magnetic field and the earth and the protections that the	14	magnetic bottle that shields us from energy from those
15	earth gives us to that energy.	15	coronal mass objections, and it's almost certainly true that
16	-	16	the temperature of the surface of the earth has fluctuated
17	time from the sun which are more profound, we think, than	17	by much more than what we call global warming over the las
18	the short-term effects, which admittedly are mostly to	18	fifty to a hundred years. We know that from the record of
19	technology. Those storms that I showed you affects cell	. 19	carbon 14 in the atmosphere, and we know that's connected
20	phone communication, radio communication. For us lying on	20	what the sun is doing.
	the beach over here on Maui, the direct effect is not	21	It's a complicated connection, and it's not
		22	important right here, except to notice that there was a
21	significant except through our technology		in persone right nere, encept to notes that the tract a
21 22	significant except through our technology.	23	period of time, back around 1300 AD, when the temperature
21 22 23	On a longer time scale, what we know happens when	23	period of time, back around 1300 AD, when the temperature
21 22	On a longer time scale, what we know happens when the sun shows the cycle of these dark spots is that every 11	23 24 25	period of time, back around 1300 AD, when the temperature the surface of the earth was almost certainly warmer than it is now. That's a time when there were lots of sun spots on

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	1	the sun. More sun spots, a brighter sun. There was a	1	the world: La Palma, a lake up in Montana, the coast of
	2	period of time around 1600, 1700 AD, when there were few sun	2	California region. We put towers at each of these sites,
	3	spots on the sun. That's a time when the surface of the	3	and we measured the weather, we measured the clarity of the
	4	earth was cooler.	4	atmosphere, how much the twinkling of the atmosphere would
	5	Why is that important? It's important because	5	distort the ability to see fine detail and the brightness of
	6	those changes are larger than any of the changes that we	6	the atmosphere. How well we can see the outer layers of the
	7	measure now, when scientists tell you there's global	7	sun, the corona, that part of the sun that connects to the
	8	warming. The changes in the sun that I'm talking about,	8	earth.
	9	this warm period of time, corresponds to the time when	9	The sites that we ended up with the study, the
	10		10	ones that came out of the 70 were Big Bear, Haleakala, La
	11	native people in North America were in decline in the 1300s.	11	
		They were vanishing, the Hohokam, the Anasazi, the Mogollon,		Palma, Panguitch Lake which is in Montana, Sac Peak which is
	12	and the four corners of the region vanished at the time the	12	in New Mexico, and San Pedro which is a site in Mexico. At
	13	temperature of the earth was rising.	13	each one of these sites, we collected data for at least a
	14	Similarly, during this time when the temperature	14	year; in some cases almost two years.
	15	was cooling, the cultures from Sweden and Norway, the	15	What we got out of that was the ability to what
	16	Vikings, the Vikings had settled I remember from my	16	we were after was the ability our prime goal was to be
	17	elementary school classes they had settled on the eastern	17	able to see this is a sun spot like you'd never seen before
	18	coast of Greenland at a time when it was very warm, this	18	and like scientists have never seen before, because we never
	19	time. And as the surface of the earth got cooler,	19	had sufficient detail. That's a dark region blown up like
	20	agriculture was suppressed; they could not live.	20	you would see it from a microscope. And this movie is now
	21	The decline of these cultures in Greenland almost	21	several hours long. But what we learned from this is that a
	22	certainly coincides with the cooling period. That was the	22	sun spot evolves in time. Material flows in and material
	23	change due to the sun. Those changes in the sun there's	23	flows out. Somehow the evolution, the birth and death of
	24	no reason to believe that this should not happen again. We	24	the sun spot, is connected to that whole cycle of how the
	25	can't predict whether the next solar cycle in 11 years will	25	sun changes over 11 years and in longer time frames.
_		14		16
	1	be a tenth, two-tenths, one percent brighter or cooler than	1	The ATST is designed its essential feature is
	2	the current solar cycle is. That's the primary aim of the	2	to get above the earth's atmosphere that prevents us from
	3	ATST: to understand the science and the connection between	3	seeing this kind of detail. This is what it's after: to
	4	what the sun does and what the earth is doing.	4	see the fine detail that you see in that picture.
	5	So in our lifetime, the probability of a major	5	In order to see that fine detail, on these towers
	6	solar storm or a brightness change affecting commerce with	6	we measured how much the atmosphere degraded or blurred t
	7	billions of dollars of impact is a virtual certainty,	7	image.
	8	because it's already happened. We've lost satellites that	8	I apologize, it's another graph, but it shows an
	9	are worth a billion dollars.	9	important feature, and it will be a question that comes
	10	Over the next thousand years, the probability of a	10	later. Why is the ATST designed to be above the ground?
	11	climate change, larger than the climate change that we're	11	This is a graph that shows all of those sites, and it shows
	12	seeing now, due to greenhouse gases, is almost a certainty.	12	as a function of how high you are above the ground, how
	13	It's at least 50 percent, if you look back at the current	13	little the blurring is. The bigger the line up, the smaller
	14	record that goes back a thousand years.	14	the blurring.
	15	We would be silly not to spend some money to try	15	And guess which of these lines corresponds to
	16		16	Haleakala? It's the red line. The red line surpasses all
		to understand what is coming and trying to understand what	17	of the other sites, as we get above the ground and if we
	17	is coming and how the sun is changing is what this telescope	18	
	18	is all about.		reach this level of 10 meters in particular. The closest
	19	Why Haleakala? We started over two years ago	19	site that reaches that is this black line, which is from a
	20	looking at 70 different places in the world to put a	20	site in California in the middle of a lake. But it doesn't
	21	telescope like this. We started with a spread sheet that had	21	compete at all if we get above here. That was one of the
	22	all kinds of data like the weather, like the number of	22	criteria for why Haleakala and why above the ground.
	23	airplanes that passed over head, the likely climate at the	23	It's a terrible table, you can't read it; but in
		the and have meaningless dave we should get. That was	24	this table were some of the other data that we used that
	24 25	site and how many clear days we should get. That was	25	shows that Haleakala is the best place to be able to observe

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1	the sun. And the numbers here that are import	ant are how	1	education for the entire nation. And we do this by an
2	bright the sky is. You know, if you have been to	Haleakala,	2	interesting process, which is somewhat different than the
3	that it's one of the few places where you can ho	ld your	3	way other agencies work. I should say that the NSF supports
4	thumb up to the sun and the sky is dark all the	way to the	4	all types of sciences. We support biological sciences,
5	edge of your thumb. It's absolutely it's almo		5	earth sciences, oceanography, atmospheric science, physics,
6	being on the moon because there's no dust in th		6	math, chemistry, materials research, all sorts of things,
7	sky brightness is darker, we think, than even Ma		7	and astronomy.
8	because Maunakea has more dust and ash.		8	So astronomy within the NSF is a relatively small
9	The sky brightness at Haleakala was 5.	8 compared	9	piece of the agency. In fact, the agency has about an
10	to 96 to 500 for the other two leading sites and		10	annual budget of about 5.2 billion dollars, most of which we
11	That smaller number here is good. The smaller		11	give away. That's our job. And of that 5.2 billion
12	very low sky brightness. That means we can se		12	dollars, astronomy has about two hundred million. As you
13	the sun that connects with the earth, the corona		13	can see, we are a relatively small part of the agency.
14	numbers right here, this is the number of hours		14	How does the NSF work? NSF is interesting in the
15	use that dark sky condition, a thousand hours of		15	sense that the way the NSF works is by a process that is two
16	between 2 and 196 or 384 to 861. Again, Halea		16	part: unsolicited proposals and peer reviews.
17			17	
	surpasses any of the other places where you could			What does that mean? It means that we don't tell
18	the sun.	71	18	the scientists what to do. We don't tell them what is
19	Finally, the amount of dust in the area.		19	important. We don't tell them how they should do their job.
20	amount of dust in the area is ten to a hundred t		20	We don't go to the scientific community and say we want
21	Less dust in the air than Haleakala, which is why	the other	21	proposals for, for example, a satellite that will go in
22	numbers are so good.		22	space and measure x-rays.
23	So Haleakala, is as far we can tell, is by		23	What we do is allow the scientific community
24	best place in the world to be able to observe the		24	across the country, and in fact internationally in some
25	what we're after is the ability to understand this	solar	25	cases, to come together and decide what are the important
- A.		18		20
1	connection of these magnetic fields and their co		1	problems to attack, how do you attack them, and what
2	the earth. That's the science we're after. It's no	-	2	resources do you need to do that.
3	for us, but it's for the long-term picture of how t		3	So in that sense it is an unsolicited proposal.
4	connected to the earth and how it's affecting clin		_	We don't ask them for a proposal. A proposal comes to us,
5	Frankly, what we're here for today, we	hope, is	5	and then we don't evaluate that proposal ourselves. We go
6	for an invitation from the Hawaiian community t	o bring this	6	out again to the scientific community and assemble panels of
7	new window onto the sun, onto the summit of H	aleakala. And	7	experts, and they may be experts in science, they may be
8	this picture that I've given you is what the scien	tists are	8	experts in management any many things, and those proposa
9	trying to achieve with that telescope. That's all	I have.	9	are reviewed.
10	MR. FOLTZ: I don't have any slides, an	d I will be	10	So if a proposal, after great scrutiny a
11	brief.		11	proposal like this gets enormous scrutiny. We look at it
12	My name is Craig Foltz, and I'm an astr	onomer.	12	over and over again because this is a sizeable project. If
13	I'm not a solar astronomer. I work on objects t	nat are only	13	it is well reviewed, if the funds are available, then
14	observed at night; but in my current job, I am a	program	14	perhaps we will be able to provide funding to support the
15	manager for the National Science Foundation. I	live and	15	research. And I should say that we never have enough mon
16	work in Arlington, Virginia, which is across the r	ver from	16	On average across the agency, only about one quarter of the
17	Washington D.C.		17	proposals that come to us are funded. So that's the way it
	What I'd like to do tonight is briefly tall	about	18	works.
18	what the NCC is what it does and how it relate	s to this	19	How did it work in this case? And I wanted to
18 19	what the NSF is, what it does, and how it relates		20	give you that preface because I wanted to point out that
	project. Because one hears the Natural Science	Foundation		
19	project. Because one hears the Natural Science		21	this project, although the NSF is the so-called lead agency,
19 20 21				this project, although the NSF is the so-called lead agency, this is not the NSF's project. This is the solar physics,
19 20 21 22	project. Because one hears the Natural Science and you think federal agency. I want to explain of a federal agency we are.	what sort	21	this is not the NSF's project. This is the solar physics,
19 20 21	project. Because one hears the Natural Science and you think federal agency. I want to explain	what sort	21 22	

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	1	about 12 million dollars in order that these designs that	1	this process to move forward with great respect. And so
	2	you see here, and you'll hear more about it, can be carried	2	with that, I'm going to turn it over to my next presenter
	3	out.	3	who will talk about the process.
	4	We have now received we've received, actually	4	MR. FEIN: Thank you, Craig.
	5	over a year ago, a proposal to us to fund the construction	5	Aloha, my name is Charlie Fein. I'm the
	6	of this telescope. That proposal is still being reviewed.	6	environmental consultant for this project. I am locally
	7	It has been looked at by panel after panel. We've	7	based here on Maui, and I am doing what needs to be done
	8	scrutinized the cost, we've scrutinized the project	8	comply with federal and state regulations concerning a
	9	management, we've looked very hard at the science case. We	9	project of this size.
	10	have looked at other options. Are there ways that we can	10	But as a resident of Maui, as somebody who lives
	11	make this telescope less expensive?	11	here and has lived here for many years, I'm also concerned
	12	So I'm not going to talk much about that because,	12	about preserving, protecting, and paying attention to the
	13	in fact, until the reviews are done, that is somewhat	13	necessary protocols for building anything on this island.
			14	
	14	confidential. But we're here today, and that should imply		The process itself, the EIS process, is laid out in this
	15	to you perhaps that we are continuing the process of coming	15	slide. It will be a joint federal and state environmental
	16	to a decision as to whether this project should be funded.	16	impact statement. The impact statement itself comes later
	17	I want to reiterate this project is not yet funded.	17	in the process. We will not be preparing the draft
	18	So what does the NSF need? What security, what	18	environmental impact statement for some time yet.
	19	comfort level does the NSF need to have in order to fund a	19	If you look at this slide, you see that the first
	20	project like this? Well, this project is more expensive.	20	part of the process involves public comment. The scoping
	21	The cost of this project is comparable to the division of	21	process for this project is the phase that we're in now.
	22	astronomical sciences, astronomy annual budget.	22	We're soliciting your comments, your input, what it is that
	23	So, basically, the funding for a project like	23	you would like to see as part of the environmental impact
	24	this, which is not the biggest project that the NSF has ever	24	assessment process.
_	25	done, but it's certainly not the smallest one, it comes from	25	Once we complete these informational meetings an
- And		22		24
	1	a different pot of money. And in order to get that pot of	1	prepare our final scoping document, we'll begin to do the
	2	money, in order to get that money, we need to have congress	2	impact assessment surveys and consultations.
	3	say, Yes, this is a good project.	3	Some of you are familiar with the long-range
	4	In order for congress to consider it, it has to be	4	development plan that the University of Hawaii, Institute
	5	ready for construction. And in order to be ready for	5	for Astronomy prepared last year. It was prepared in draft
	6	construction, we need to understand how it will be built and	6	and put on the internet. It was also widely publicized in
	7	where it will be built. Because where it will be built will	7	the media. We received many comments. The final version
	8	determine how it is built. If you are building on granite,	8	of the long-range development plan was published in Januar
	9	then you build a foundation that's different than if you	9	of this year.
	10	were building on cinders or if you were building on lava.	10	The long-range development plan includes the
	11	So this EIS, this environmental impact study and	11	potential for the Advanced Technology Solar Telescope. The
	12	cultural study, is necessary for us to come to the point	12	potential for building that facility on the primary
	13	where we can make the decision as to whether this proposal	13	alternative sites that were selected, the discussion of
	14	will be funded.	14	those sites was rather complete in the long-range
	15	So I want to reiterate that this is a project that	15	development plan.
	16	grew out of the grass roots, the scientific grass roots.	16	We will do the surveys and consultations all over
	17	There are many institutions that are represented here, 22 or	17	again for those sites. We will look at the archeological
	18	so, they range all over the country. Astronomy is one of	18	resources, we will look at the biological arthropod
	19	the major players, the National Solar Observatory is the	. 19	resources, we will look at the following floral resources
	20	lead player in this. That is the way these projects grow.	20	very carefully and particularly paying attention to
		They do not grow from the NSF saying we want a proposal for	21	endangered species such as the petrel, the Hawaiian bat,
	21	they do not grow nom the Nor saying we want a proposal for	22	which occasionally flies through the site and so on.
	21	comebody to build a big telescope. I just wanted you to		
	22	somebody to build a big telescope. I just wanted you to		
		somebody to build a big telescope. I just wanted you to understand that distinction. I also wanted to make it clear to you, from the	23	Once we receive those reports, we'll prepare the draft environmental impact statement. Again, the public

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1	environmental impact statement, and we will hold public	1	works through the review process, that would be about the
2	hearings in various venues to solicit comments about that	2	earliest.
3	document.	3	When I wrote this slide, I assumed that would be
4	Once we receive the comments and corrections,	4	in early 2007, but it may be late 2007. That's where we are
5	whatever needs to be done, we will then prepare the final	5	now. So you can slide construction over a little bit, move
6	document and issue that document with a record of decision	6	this part out.
7	as to whether this is an appropriate site to build on or	7	So what we want to do is work through the EIS
8	not; that is the Haleakala High Altitude Observatory site.	8	process, work through our design effort, work through the
9	Simultaneously, we'll be preparing a conservation	9	review with the NSF, understand whether construction is
10	district use application. The Haleakala High Altitude	10	going to be funded, and then that's more or less when it
11	Observatory, the 18 acres of the University of Hawaii, is in	11	would occur.
12	a conservation district. Therefore, conservation district	12	So the major work up on Haleakala, if it were to
13	use application must be prepared and a permit issued by the	13	occur, the major construction you would think of as major
14	Department of Land and Natural Resources in order to	14	construction work, would occur right in here, essentially,
15	legitimately use that site, conservation land for this	15	these first two years.
16		16	After that period, we're inside the building and
17	purpose. So we'll be preparing that as well. That will	17	the exterior, the large construction, is completed. We wor
18	also involve public hearings. And those public hearings	18	then to assemble the optics, test systems, bring on the
19		19	instrumentation, first light then occurs out here, the first
20	will take place sometime during the 180-day process that the	20	time we get sunlight into the telescope. And after we have
	conservation district use application is in progress. So	20	worked through proving that the telescope can deliver the
21	there will be a number of opportunities for the public to	21	
22	comment on this project and to provide input. We strongly	and the second	kind of performance that we're after, that we're trying to
23	encourage you to do so. We encourage you to provide your	23	reach, then we would begin the initial operations.
24	comments. We would like to know what it is that you want to	24	I'll introduce Jeff Barr who is the project
25	see protected, what you want to see preserved, and how you	25	architect. Jeff will walk you through what the facility
1 .	26	1	28
1	would like to see this project unfold.	1	looks like and a little bit about why it looks that way.
2	We certainly can't make promises about individual	2	MR. BARR: Hello. As Jeremy said, I'm the project
3	requests for some modifications to the building or something	3	architect. I work on a design team based in Tucson, Arizo
4	like that. But there are principles and significant	4	that he leads. We are two years, or something like that,
5	criteria that we'll adhere to. And if there is some	5	down the road in the development of this observatory. An
6	significant impact that we're overlooking or have not	6	my part of it, as an architect, is sort of the outside part
7	considered, we will do so.	7	that you see. That is sort of why I am here representing
8	With that, I would like to turn this over to the	8	the design team.
9	next speaker, Jeremy Wagner, who will talk about the overall	9	Essentially, what I'm going to look at is where
10	schedule of the project.	10	Jeff Kuhn talked about why Haleakala is important, but I'll
11	MR. WAGNER: My name is Jeremy Wagner. I'm a	11	be talking about where specifically on Haleakala we're
12	project manager for the ATST project based in Tucson,	12	proposing to put it, how big it will be, what it will look
13	Arizona. I'm with the with the National Solar Observatory.	13	like, why does it look like that.
14	What I would like to do is give you a quick	14	The pictures on the left-hand side there are the
15	overview of the project schedule, answer a couple of	15	two sites that are identified the way they look right now.
16	questions that you might have. Like, where are we in the	16	The top one is the primary proposed site, and this is the
17	project design effort? When might construction start? When	17	ATST, the test tower that's there right now, and has been
40	could the operations begin?	18	for some number of years taking data, that Jeff Kuhn
18	This is a high level overview of the project	19	referred to.
18 19		20	The other site is in this one he referred to
	schedule. We are currently in the design effort, in the	21	generally as the Mees site. Next to the existing Mees
19	preliminary design phase. We're starting the environmental	21	J
19 20		21	facility some of you are familiar with. The other site, the
19 20 21	preliminary design phase. We're starting the environmental		
19 20 21 22	preliminary design phase. We're starting the environmental impact statement process, so we're right about here.	22	facility some of you are familiar with. The other site, the

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1	as the Reber Circle site. These two sites were identified	1	structure out here and other remote buildings that also
2	in the Haleakala High Altitude Observatory long-range	2	serve to provide space for equipment and other kinds of
3	development plan. There's a leak there. You can look at	3	needs that have to do with maintaining the telescope.
4	that. I think it's a useful document. It's been useful to	4	It's important to note that all of this really, I
5	us. It's a great starting point for understanding what some	5	won't go through the list here because we'll talk about it
6	of the issues are here. These issues this is a short	6	anyway, but all of these buildings, the idea is to keep them
7	list that represents some of the things that we think we	7	no bigger than necessary and minimize any impact on the
8	need to understand and the things that went into identifying	8	environment and any impact on the observing conditions for
9	within that plan that these were two likely and feasible	9	the telescope.
10	sites for a project as big as ATST.	10	With that, we're going to get into what it looks
11	Both of these sites are big enough without a lot	11	like, how big it is, and why it is as big as it is and the
12	more leveling or major earthwork for a building the size of	12	dimensions that it has.
13	one that you see here. I know you've seen these pictures,	13	Again, to get you oriented, this would be the
14	and I know you've seen some in the papers. So we're going	14	enclosure, which I'm sure you are getting familiar with at
		15	this point, the support building which looks like that
15	to talk about why it does look that way. It's a large	16	rendering over there, and this is the Mees building and a
16	facility, and it takes a large site. There are only two	17	remote facility building for ATST.
17	locations on Haleakala where it can really go. Both of	18	, ,
18	those sites have been tested, and they have good observing		The first thing, in terms of dimensions on the
19	conditions.	19	telescope, is the height. And that's something that Jeff
20	Looking down from the top of these sites, this is	20	Kuhn referred to, this 92-foot height was determined, and
21	a topographical map, just to get you oriented. This is how	21	you saw it in his graph, that would be something like
22	big things are. That's one hundred feet, two hundred feet,	22	halfway across, and it gets the line high enough that the
23	so it gives you an idea. This is the overall boundary of	23	seeing is as good as they need to have. Honestly, it's what
24	the observatory. There's a topographical map where the	24	we can afford.
25	lines get closer together, it gets very steep, and so the	25	There's a limitation. As you go higher, obviously
1	30		32
1	part in the middle here, where there's more space between	1	there's extra costs involved. So in a sense it was a
2	these wiggly lines in the middle, that's where the flat	2	compromise, but it was the height we found was acceptal
3	places are. These are the sites. This is the primary site.	3	in terms of meeting the scientific goals of the project. So
4	This is Mees here that you saw in the picture. And,	4	that's where you start.
5	essentially, we're planning to locate or proposing to locate	5	This structure in here, I should probably also
6	ATST next to the existing Mees facility.	6	mention, this is the telescope itself, this framework
7	The alternate site is up here, and this is where	7	structure. This is the primary mirror, and it swings inside
8	that Reber Circle area is that I referred to. Again, to get	8	of this dome, requires space for maintenance and space for
9	you oriented, the road in from the park is here. So the Air	9	crane to remove parts and others the kinds of things that
10	Force facility is up here, the Faulkes telescope down here,	10	you need to be able to do around it. So that dictates the
	and then welve also identified preliminarily come of the	11	overall circumference or overall size of the circular
11	and then we've also identified preliminarily some of the		
11 12	restrictions that we know that these sites would have. The	12	feature at the top of the dome.
		12 13	Beyond that, the pier down here also has to be big
12	restrictions that we know that these sites would have. The		Beyond that, the pier down here also has to be big
12 13	restrictions that we know that these sites would have. The archeological in blue here, the Petrel burrows.	13	Beyond that, the pier down here also has to be big
12 13 14	restrictions that we know that these sites would have. The archeological in blue here, the Petrel burrows. The building requirements, as an architect for an	13 14	Beyond that, the pier down here also has to be big enough to be stable and provide a very vibration-free moun
12 13 14 15	restrictions that we know that these sites would have. The archeological in blue here, the Petrel burrows. The building requirements, as an architect for an observatory, I have a short leash as far as design is	13 14 15	Beyond that, the pier down here also has to be big enough to be stable and provide a very vibration-free moun for the telescope. And it also has to be big enough for
12 13 14 15 16	restrictions that we know that these sites would have. The archeological in blue here, the Petrel burrows. The building requirements, as an architect for an observatory, I have a short leash as far as design is concerned. You work around in the second line here, what	13 14 15 16	Beyond that, the pier down here also has to be big enough to be stable and provide a very vibration-free moun for the telescope. And it also has to be big enough for this rotating platform on the inside, which is where most of
12 13 14 15 16 17	restrictions that we know that these sites would have. The archeological in blue here, the Petrel burrows. The building requirements, as an architect for an observatory, I have a short leash as far as design is concerned. You work around in the second line here, what it takes to support, protect, operate and maintain the	13 14 15 16 17	Beyond that, the pier down here also has to be big enough to be stable and provide a very vibration-free moun for the telescope. And it also has to be big enough for this rotating platform on the inside, which is where most of the instrumentation that will do the science will be
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1	instrument prep area here, there's a space do	wn inside of	1	looked at other alternatives, sky blue or other kinds of
2	this area that's big enough for a coding facility	to recoat	2	colors, and it's a dramatic difference in the amount of heat
3	the mirror on a periodic basis.		3	that comes off of the building surface. So that's the first
4	And then the higher features here, th	ere's a lift	4	thing to understand that everything that's close to the
5	in the center that allows you to get the mirror	and other	5	telescope will be white.
6	big instruments off and down where you need	them to go. And	6	And then the areas that you see up in here that
7	so that is essentially what I've gone through h	ere. Those	7	looks odd with the line work, that's a kind of metal panel
8	are the things that are dictated, these dimens	ons which are	8	that is liquid cooled. So even though the surfaces are
9	outlined here, and the overall size of the build	ng.	9	white, they still heat up some, and you still have to
10	Let me go back for a second. If you	ut through	10	extract that heat away. That's why it has an irregular look
11	at this level, all the way through these three b	uildings	11	to the top part here.
12	here, that gives you a base level floor plan or	building	12	The rest of the building here will be a fairly
13	plan of what we propose on this site.		13	normal kind of commercial building that you would be
14	Again, this is shown at the Mees site.	This is	14	familiar with, metal panels and steel structure and pretty
15	the existing Mees building which we proposed	to leave for	15	normal kinds of things. There's also, and I did not point
16	several reasons, one of which it's an IFA build	ng. It's	16	it out on some of the other plans, but there's also what
17	not an NSF facility. They have useful space the	ere that they	17	we're calling an apron around especially on the east sid
18	are using to support other projects on Haleaka	la. And so in	18	of the telescope, east and south side, to prevent the area
19	taking that space, if we were to take that space	e, we'd have	19	around the telescope because the volcanic cinders also ha
20	to make a larger footprint and a larger building	g here new	20	tendency, because of the dark color, to heat up. So that
21	building to compensate for what we'll be takin	g away.	21	protects that that's a heat shield in a sense that keeps
22	Also, we see it as a way to reduce so	me of our own	22	that area from contributing to bad observing conditions.
23	needs and bring down the dimension of this bu	uilding by	23	This, again, is the remote utility building which
24	taking advantage of the things like the shop the	nat's	24	is far enough away that we can get back to the idea of
25	incorporated. It's in there, an existing shop the	at we can	25	making the building blend in with the mountain a little
)		34		36
1	use and expand and continue. So it's a good	unctional	1	more. It also has equipment we know that will have to be
2	building that we can get good utility out of and	l help	2	sound insulated to keep the sense of the Haleakala
3	minimize how much we have to build new.		3	environment disturbed as little as possible.
4	This other building here, that's a rem	ote utility	4	That's essentially it. I'm not going to go
5	had area that will have big pieces of equipmer	t in it that	5	through this. This is a summary of everything I just said.
6	needs to be separated for reasons of vibration	and heat from	6	But I will go on to these are pictures that you have seen
7	the telescope itself. The size of this building is	s, again,	7	now and are on either side here. This one, in case you
8	you can see this is the mirror coating area tha	t I talked	8	haven't had a chance to look at the posters a little closer,
9	about, these big spaces are just big enough re	ally to	9	this is at the Mees site and looking out to the south. So
10	accommodate all of those activities, and then	there's a	10	from the road or from a little farther back from the road,
11	smaller equipment area here.		11	that's what you would see. The Mees facility is off on the
12	Again, the main observatory roof con	ning in here,	12	ride there.
13	the north you get a picture of how much	this area in	13	This is at the alternate site at the Reber Circle
14	between where the truck is coming in with the	mirror, this	14	site. This is looking at it from the south side looking
15	would be about a 40 to 50-foot long flatbed tr		15	north back at it. And those in the foreground are other
16	area in here would be a paved service yard th		16	telescopes that are currently there.
17	it's really already paved here, so we would		17	So that's the this one, again, there's a poster
18	extend the area that much farther, and you ca		18	of this one up here, but this is the one you've probably
19	order to bring a big truck into the new building		19	seen in the other literature. That's what we have, and I
20	To talk a little bit about what it looks		20	think at this point, since I'm the last speaker, that we can
21	why it looks that way. The first thing is that it		21	open it up for comments. And that's what we're here for,
22	to have to be white. For reasons of heat. The		22	to get as much information from you about what the issue
dies dies	to contribute no more to the thermal disturba		23	are here that we can.
23	to solidibate no more to the thermal disturba			
23 24	heat in the area around the building than nece		24	MS. WAHL: Thank you. We'll open the floor now
23 24 25	heat in the area around the building than nece the only way to do that is to make the building	essary. And	24 25	MS. WAHL: Thank you. We'll open the floor now questions and comments. I just want to remind you to pl

	TECHNOLOGY SOLAR TELESCOPE (ATST) PUBLIC SCC 37		39
1	state your name for the record and also keep your comments	1	we're going to make sure
2	and questions brief. We have just a little over an hour for	2	MR. BARR: some further study. We're not done
3	those comments and questions.	3	studying the cooling of the
4	MR. KULOLOIO: I have a question on the follow-up	4	MR. KULOLOIO: If we can put men on the moon a
5	question. Number one, will this finished building be	5	brought them back, it's going to cost, nothing is free. So
6	visible from here, if we look up from the central Maui area?	6	being that the cost has not yet been determined, why not g
7	If you do right now, we can look to see building up there	7	for it. If you can have an alternate, okay, fall-back plan
8	right now?	8	B, paint it white, cost less. That's when I'm trying to
9	MR. BARR: Yes. I understand the question. The	9	figure. If you can take the extra step to consider that.
10	answer is, there will be some visibility from the	10	MR. BARR: Okay. Thank you.
11	communities around Maui. And we are in the process of	11	MR. KULOLOIO: If you use the Reber Circle site,
12	identifying that. That's part of what the EIS will	12	what happens to the Reber Circle? Does that get preserved
13	identify. There will be some visibility of that building	13	MR. KUHN: I missed what you said at the end.
14	from some of the communities. How much of that is yet to be	14	MR. KULOLOIO: If you used the Reber Circle site,
15	determined.	15	what happens to the Reber Circle? Does that get preserved
16	MR. KULOLOIO: I think it was 143 feet from the	16	MR. KUHN: That's an interesting question. The
17	top of the building. So from wherever you site it, there	17	telescope footprint is probably too large, so that that
18	will be some visibility?	18	little concrete ring, which might have some historical
19	MR. BARR: That's right.	19	significance, is probably still there but it's underneath
20	MR. KULOLOIO: The second question is or comment	20	another building would be my guess. I don't think that you
21	is, I notice on your presentation the building will be	21	could go ahead and preserve that it may have only mino
22	painted white.	22	historical difference. I would point out parts of it have
23	MR. BARR: Yes.	23	been obliterated already by some of the other one of the
24	MR. KULOLOIO: Right now we're looking up at the	24	observatories that's up there. So I think the answer is, it
25	building, they are all painted white. I always ask myself	25	would probably be gone if that site were to become the
1	38		40
1	how come they did not make the building brown or blend it	1	primary site.
2	in? I say that because I retired from Maui Electric Company	2	MR. KULOLOIO: If you put this telescope on the
3	Maalaea power plant, and when we had the plant, we had to	3	Mees location where it shows us right there, will it still
4	paint it green. The people in the Maalaea Community	4	be seen from down here?
5	Association wanted it that way. Why can't you do the same?	5	
6			MR. BARR: Will it still be visible from where?
~	I know that you want to minimize the heat. Have you	6	MR. BARR: Will it still be visible from where? MR. KULOLOIO: From down our way.
7	I know that you want to minimize the heat. Have you conducted studies to say, Well, we have to paint it white?	6	
			MR. KULOLOIO: From down our way.
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1	Mees site. It would not be visible from Kihei, for example,	1	MR. KULOLOIO: Who is the partnership of the
2	but it would be potentially visible from Pukalani and	2	acreage where these facilities are on in combination of UH,
3	perhaps Kahului. A piece of it. A piece of the white upper	3	Air Force? Is it State, private, or is it the Department of
4	structure. If it were built at Reber Circle, more of it	4	Interior, instead of joint use or the military just hides
5	would be visible from those communities, perhaps another 20	5	itself
6	or 30 feet of the upper part of the structure.	6	MR. MABERRY: Mike Maberry, assistant director for
7	Here at the Mees site, where we did our studies	7	the Institute for Astronomy. There was a better shot
8	for the long-range development plan, there's a great deal of	8	earlier. About 18 acres within Kolekolepuu (phonetic), that
9	terrain blocking here from the valley, and the other	9	is the Haleakala High Altitude Observatory site, there is 18
10	facilities also block the view. So that if it were built	10	acres that is in under the stewardship of the University of
11	back here at Mees, it would not be visible from certain	11	Hawaii.
12	locations in the valley at all.	12	MR. KULOLOIO: Wait. Wait. Stewardship?
13	MR. KULOLOIO: I just have two questions, and I'm	13	Stewardship is one thing.
14	done. How deep does it go? Can that go deeper so it would	14	MR. MABERRY: Yes, sir.
15	not be seen from downtown? And isn't it true that whatever	15	MR. KULOLOIO: Who gives the exemption under t
16	would that site would probably be the last site that	16	federal guidelines?
17	ever would be built in Haleakala? Excuse me, that's the	17	MR. MABERRY: It is seeded land, and the
18	only available site, that two sites right?	18	University of Hawaii has the stewardship of the land under
19	MR. BARR: Those are the two sites that were	19	executive order.
20		20	MR. KULOLOIO: Okay. Let me ask the question.
20	identified in the long-range plan that's large enough for	20	this is the stewardship of a state entity, which is the
22	the ATST to be built on. And in our own kind of study following that, they do appear to be the only two viable	22	University of Hawaii, and could you point where the UH is o
23		23	that facility, the UH facility?
	areas there within the observatory boundaries that would	23	MR. MABERRY: Yes, sir. There's a UH facility
24	allow for, as you saw on the topographical map, it falls off	24	right here, solar observatory, the Mees solar observatory,
25	very fast in most other directions. There's a lot of slope.	20	44
1	42 MR. KULOLOIO: My question is, if you could answer	1	we have a couple of small observatories down here, this is
2	it, can that I mean, are you going down underground,	2	the Faulkes observatory which you may remember was the
3	which I think you are? Can you go deeper so it would not	3	observatory.
4	have a visual impact from down in the valley?	4	MR. KULOLOIO: It's still under UH?
5	MR. BARR: Well, the idea of the height is how	5	MR. MABERRY: We're a partnership.
6	high above the ground. There will be some foundations under	6	MR. KULOLOIO: Yeah, I'm getting the picture.
7	the ground, but the telescope itself, the critical	7	MR. MABERRY: There's four and a half acres here
8	dimensions is how high it is above the ground. So pushing	8	that is with the Army Corps. of Engineers that is leased to
		9	the Army Corps. of Engineers.
9	it down into the ground doesn't give you any height really	10	MR. KULOLOIO: The Army Corps. of Engineers lea
10	that matters to the observing conditions. In other words,	11	it, but actually the Air Force facility uses it?
11	pushing the enclosure down into the ground would serve no	12	MR. MABERRY: Yes, sir.
12	benefit to the telescope itself, other than making it less	13	MR. KULOLOIO: In other words, the Air Force is
13	visible.		
14	MR. KULOLOIO: I have a number of questions, but	14	the stewardship under the Army Corps. of Engineers? MR. MABERRY: They are still responsible to the
15	I'll probably ask more in the next nights when you go	16	University of Hawaii.
16	upcountry. I think one of the questions is about paint and	17	MR. KULOLOIO: So the Air Force is in connection
47	color was one of the most interesting and cultural I	18	
17	would say cultural concern about color. And that white	10	with the University of Hawaii?
18	color to an interacting color that has never been colord	19	MR. MABERRY: The University of Hawaii acts as a
18 19	color is an interesting color that has never been asked	20	
18 19 20	before. But I think one other question to add to the limits	20	landlord capacity to insure the stewardship of the land.
18 19 20 21	before. But I think one other question to add to the limits and the technology of modern science, especially in the	21	MR. KULOLOIO: So this facility, don't mind me I
18 19 20 21 22	before. But I think one other question to add to the limits and the technology of modern science, especially in the military, I wanted to ask the question, these facilities	21 22	MR. KULOLOIO: So this facility, don't mind me I want to ask the bottomline questions so that the grass root
18 19 20 21 22 23	before. But I think one other question to add to the limits and the technology of modern science, especially in the military, I wanted to ask the question, these facilities they are placed on the are they owned by the Department	21 22 23	MR. KULOLOIO: So this facility, don't mind me I want to ask the bottomline questions so that the grass roo can see where is where. So these acreage is the long-range
18 19 20 21 22	before. But I think one other question to add to the limits and the technology of modern science, especially in the military, I wanted to ask the question, these facilities	21 22	

ADVAN	VCED	TECHNOLOGY SOLAR TELESCOPE (ATST) PUBLIC SCC	PE MEETINS	TUESDAY, JULY 12, 2005 7:00 P.M
		45		47
	1	next hundred years it won't, whoever has the federal	1	what I'm asking.
	2	exemption would ask for more acreage to increase more white	2	MR. FEIN: I understand your question.
	3	stuff up there.	3	MR. KULOLOIO: It could be an impact already as
Į.	4	MR. MABERRY: I think I understand your question,	4	you're planning your design.
-	5	but there is something I should point out. The University	5	MR. FEIN: Yes.
	6	of Hawaii is not the only entity within Kolekolepuu. There	6	MR. KULOLOIO: It's just like blinding the eyes of
	7	is another little piece right here that I want you to know	7	our Maui nature. It's just like taking away the visibility
	8	that is originally under the Department of Energy and is now	8	and the site of birds that get confused during the day or
	9	under the control of the FAA.	9	the night. The night birds and day birds that fly in from
	10	MR. KULOLOIO: Okay. Okay.	10	the ocean. These kinds of stuff is a hopeless part of your
	11	MR. MABERRY: That's not us.	11	EIS.
	12	MR. KULOLOIO: No. Yeah, but it looks like they	12	And I mention that there's a boo-boo already from
	13	are all in the same funding district. So we have the	13	day one, that you folks did not put height. Because you
	14	Department of Energy, the Air Force is the Department of	14	could have come in with five hundred feet eye observation,
	15	Defense, the University is the institution educational, and	15	and that's why I asked my question. Why you folks did not
	16	now we have this A	16	cover that? Was there any reason? I think your reason is
	17	MR. MABERRY: ATST.	17	not sufficient or adequate enough, and it's not about cost.
	18	MR. KULOLOIO: ATST. Which you say the funding	18	If you say this is the best white dome telescope
	19	will happen or not.	19	that's going to be picked on Maui, and to be the best in the
	20	MR. MABERRY: NSF.	20	world, then cost is not the problem because this is already
	21	MR. KULOLOIO: Guarantee it's been approved by the	21	saying going to be the best site in the world.
	22	top echelons. I just wanted to ask, how come nothing was	22	So, anyway, I another question is I got
	23	planned or discussed about height limits? I mean, you know,	23	plenty, but I just wanted to ask I was asking in this
	24	we get county rules on Maui, and we have rules that say in	24	joint venture, this partnership, the University of Hawaii
	25	certain districts there is height limits. Waikiki is	25	has been studying the sun with that you know that laser,
		46		48
-	1	Waikiki. But how come height limits wasn't mentioned in	1	that go koo, koo, koo (sic) like that, the laser that shoots
	2	your long-range plan with the University of Hawaii? It's	2	up into the sky and how it affected the air path of the
	3	not the shoving or hiding the buildings or bringing them	3	airplanes passing over Maui and there was an impact. Is
	4	down. I'm against that. Height is height. Yeah. So why	4	this proposed is this proposed project or site, is it
	5	wasn't any height limits mentioned in your plan, Charlie,	5	eventually going to be used by the Department of Energy or
	6	when you did the environmental studies long-range or	6	defense in partnership, yes or no?
	7	short-range? Could you answer that?	7	MR. FOLTZ: Sir, to the best of my knowledge, the
	8	MR. MABERRY: Uncle Leslie	8	answer to your question is no.
	9	MR. KULOLOIO: I'm talking to Charlie, he's the	9	MR. KULOLOIO: Turn on your mic.
	10	EPA.	10	MR. FOLTZ: The answer to your question is no.
	11	MR. FEIN: Yes, the long-range development plan	11	This is a National Science Foundation facility. We are a
	12	did not discuss height limits for facilities for two	12	distinct organization from DOE or from DOD. It's not to say
	13	reasons: First of all, it was not it's not been an	13	that on occasion we do not collaborate with them if our
	14	issue at the site; but more importantly, there's a	14	interests are common. But I can assure you that in this
	15	self-limiting factor there. You cannot build telescope	15	case there are no plans to use this as a laser projector.
	16	facilities that are 30 stories high. That's cost	16	This is purely a benign activity.
	17	ineffective to do that. So unlike facilities elsewhere on	17	MR. KULOLOIO: One of the question I ask then,
	18	this island, which are that high, you simply cannot do that	18	sir, I don't know if it's my last one, but you have a
	19	with this technology on the mountain. So we did not address	- 19	projection of 2014 when this project will be somewhat almost
	20	it.	20	completed. When 2014 comes around, would there be an
	21	MR. KULOLOIO: But you understand the critical	21	opportunity for public input again to see any changes or
	22	question?	22	the question I'm asking is here we have a shell, and your
me	23	MR. FEIN: Yes, I understand.	23	brochure is so clear. It talks about dimension shells, but
	23 24	MR. KULOLOIO: It's a cultural question too.	23	it doesn't specify the kind of equipment.
	24 25	Paint and height is a cultural resource question. That's	25	MR. FOLTZ: That's inside
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	4	49		51
	1	MR. KULOLOIO: Yeah. The equipment is the one I	1	MR. BARR: I just want to make one comment beca
	2	am interested in. The topnotch equipment for national	2	you brought up the subject of the petrel burrows and the
	3	defense or what you call that kind stuff what is the	3	protection of those is certainly going to be part of the
	4	Iraqi war talking about, you know, when Bush went over where	4	construction practices and how that affects them during
	5	they could not find	5	their nesting season and what work we're allowed to do. All
	6	MR. FOLTZ: The tapes.	6	of that is addressed.
	7	MR. KULOLOIO: There you go. I don't have enough	7	MR. KULOLOIO: Finally I forgot my last
	8	information yet of what is going inside the buildings. You	8	question because already mentioned this is seeded lands,
	9	folks got dimensions but not the kind of technology that is	9	it kind of strikes me how come as native Hawaiians we have
	10	going to be open to native Hawaiians to ask questions.	10	to struggle every day seeking representation from the state
	11	MR. FOLTZ: I appreciate that. That's a very good	11	and federal government, and we have billions and billions of
	12	question.	12	bucks from that mountain. Just a small acre. And talk
	13	MR. KULOLOIO: That's another cultural resource.	13	about economics. This is where we should get our money
	14	MR. FOLTZ: I appreciate your concern. What I can	14	from.
	15	say is that certainly there is a lot of information that is	15	So the seeded lands issue is another culturally
	16	available, publicly available, as to what the inside of the	16	wow, I did not know that. Perhaps there should be some ki
	17	structure looks like, what the telescope looks like. I can	17	of facility with the governor, Inouye, Akaka, President Bush
	18	also say, as an NSF officer, I'm not at the highest level of	18	time for all of them to start focusing on this project. If
	19	NSF management, but it is my understanding, and I'm trying	19	not, we can write to them come to visit this means of
	20	to do this in my head as I talk to you, but certainly of the	20	revenues to support our Hawaiian community.
	21	astronomical facilities that we run, and that includes	21	Finally, I tell you why, you know in the back you
	22	telescopes in Chile, telescopes in Arizona, if you as a	22	said Hawaiian community? How come you folks targeted th
	23	private citizen came in and said, I'm concerned about what's	23	Hawaiian community? Why not the public? You know the o
	24	going on inside that facility, it would be open to you. It	24	site one of you was showing, you wanted to do the outreach
	25	could be toured. You could go in, you could ask questions,	25	for the Hawaiian community. Why wasn't this targeted for the
~		50		52
	1	and this is paid for with taxpayer money. We understand	1	general public? That's the question I'm asking. Somebody
	2	that's	2	was afraid of the Hawaiian community? You got it on your
	3	MR. KULOLOIO: I'm clear about international law.	3	visual, but why you folks use the Hawaiian community? Us
	4	People of Chile and United States is run by different laws.	4	Hawaiians every time we're used like that.
	5	Okay. So I'm not worried about Chile. I'm worried about	5	MR. BARR: I understand. I think the reason we
	6	native laws in Hawaii. What I wanted to ask finally is	6	made reference to the Hawaiian community, and \ensuremath{I} can only
	7	this: The paint, height, and those birds for now, the	7	speak for myself, is because we consider you to be very
	8	birds.	8	prominent, interested stakeholders in what we do here.
	9	I have a hard time trying to put something right	9	MR. KULOLOIO: Stakeholders.
	10	next to where those birds are nesting. If it was my choice,	10	MR. BARR: Certainly.
	11	already that's another cultural resource that I would really	11	MR. KULOLOIO: Thank you. We need a lot to talk
	12	fight hard to have the natural nesting of our birds of	12	about. Thank you.
	13	Haleakala have priority before anything else. Because the	13	MR. LINDSEY: Ed Lindsey. This question is for
	14	bird is a symbolic figure culturally. That represents old	14	Jeff the scientist. I appreciate your passion and your
	15	Hawaii. And I feel so bad about having them disturbed. You	15	delivery for the importance of the study of the sunspots, as
	16	see over there? I don't care what expertise you bring down,	16	far as the scientific community is concerned. And for Jeff
	4 -	that's a concern.	17	the architect, how many stories is your building?
	17		18	MR. BARR: If you identify it, you refer to it as
	17 18	MR. BARR: We understand that it is a concern.	40	something like a 10-story building.
		MR. BARR: we understand that it is a concern. MR. KULOLOIO: That's all I got.	- 19	-
	18		20	MR. LINDSEY: In other words, the building will be
	18 19	MR. KULOLOIO: That's all I got.	1	
	18 19 20	MR. KULOLOIO: That's all I got. MR. BARR: We have talked a little bit about the height certainly and the color. I'm not sure we have a lot	20	
	18 19 20 21 22	MR. KULOLOIO: That's all I got. MR. BARR: We have talked a little bit about the height certainly and the color. I'm not sure we have a lot more to say about that.	20 21	MR. LINDSEY: In other words, the building will be higher than the county building up on Haleakala, and that's going to be pointed white; is that correct? MR. BARR: Correct.
	18 19 20 21	MR. KULOLOIO: That's all I got. MR. BARR: We have talked a little bit about the height certainly and the color. I'm not sure we have a lot	20 21 22	higher than the county building up on Haleakala, and that's going to be pointed white; is that correct?

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53 54 1 copp asking the chickess when they want to be deta, because 1 propose for these archeological tabilizations? 2 I would rather have this project built in Colorado, Montana, MR. FEN: The first thing we need to do are the 3 New Mexico, or California, rather than here on Naulo heigh the best for possible impacts might here, we know what it is that the 5 And so we have here on Naulo heigh the best for possible impacts might here, we don't have the information 6 And so we have here on Naulo heigh the best for possible impacts might here, we don't have the information 7 not being able to even get housing, leave alone the lands. for possible impacts might be. We don't have the in public forum 10 rest possible impacts might be. We don't have whether the information 11 The impact on traffic is going to continue, the degradation mitigations miligation that needs to be completed in this 12 For otherwords, and there and possible impacts might be at this point. for a provide in the public to have an opportunity to avert here as onthis degradation in both the Havalian 13 hore onreadiation and private ownership and private ownership rights. for the public to have an opportunity to avert here as onthis degradation 14	A٨	ICED 1	ECHNOLOGY SOLAR TELESCOPE (ATST) PUBL	IC SCOPE MEE	ETINS	TUESDAY, JULY 12, 2005 7:00 P	٥.N
2 I would rather have this project built in Colorado, Montan, New Mexico, or California, rather than have on Naul. That's one of the problems that we have have nealing the best place for everything. 2 MR_FEN: The first thing we neal to do arit the survey studies and inventories for those sites. Miligations for possible impacts might be: We don't have that that the possible impacts might be: We don't have that information protection and protect school in a pickt, in the being approximation to accurate a protect school in the federal government supporting the neads of the the federal government supporting the neads the form the fight the support the follows the follows the name of private ownership rights. MR_FEN: No. The environment intigation that needs the consultants the give to the support. The fully consent the mutigations that project. The follow the fight the follow the project the follows the fight the support the neads of the follows the support the support the neads of the support the max support the project the support the neads of the support the support the pr			53			55	
 New Mexico, or California, rather than here on Maul. That's on of the problems that we have here on Maul. Being the best being abort or complexed methanism. So right now we find our local people in a pickla, not being abort on we find our local people in a pickla. And so we have homeless Hawaiians here, and we have the fideral government supporting a project such as this. And is we have homeless havaiians here, and we have the fideral government for supporting the needs of the lawaiian people and including the rest of the community over the federal government for supporting the needs of the lawaiian people and including the rest of the community over the record. The impact on traffic is going to continue, the default government for supporting the needs of the lawaiis more contractions is going to continue, the default contrast is said being and private ownership inghts. In other words, another word for seeded lands is is the correct? The need forvice ownership inghts. In other words, another word for seeded lands is is the correct? Mumber one for Charlie is, what is the carrying capacity records or groosase also acts on the Hawaiian people. And is the lawaiian people. And is the lowaed capaciton in both the Hawaiian people. And is the corrying capacity records or groosase also acts on the totage and privat. Mumber one for Charlie is, what is the carrying capacity records or groosase also acts on the proper. The solution in the public form the quality is a served with the quality is available continue, the laware and spreeding with. Mumber one for Charlie is, what is the carrying capacity records or groosase at far as wellable for the proper. The solution is the public form the serve and so on, to urit the public form the serve and so on, to urit the indication the cultural inspect. It is available for the propers. The solutis and much sonality to the serve and so on, to urit the indi		1	coop asking the chickens when they want to be eaten, be	cause	1	proposed for these archeological stabilizations?	
4 one of the problems that we have here on Maul being the best for potential impact come after we know what it is that the possible impacts might be we have have that information 6 So fight now we find our local people in a pickle, for potential impact come after we know what it is that the possible impacts might be we have have that information 7 And so we have home ones that we have how the for potential impact come after we know what it is that the possible impacts might be at the we not incess the support ing the problem, and so son. I can the ly our well foroms 10 as worthy as it may be, there's a completed diregard from in the impact or construction is going to continue, the degradation of our cultural sites will continue. Just returned from a finger torg in the construction is going to continue, the degradation in of the public bave an opportunity over somethis rights. 11 The impact of transfilled diregard from a finger torg in an integration is only to construction. Just returned from a finger torg in another word, another word for seeded lands is stot correct? MR. FEIN: The home word for seeded lands is stop or returned in the public direct we have and aprenibility to exceed the mitigations to the proponent, to the folks or a continuus degradation in both the favailan students, our Hawaiian culture, our Hawaiian edders, and the savailable on the exact we have subaled on the word in the savailable on the exact we have the second or you have the intigation, the upublic being during with. 26 for for mitigation direct were strain were of the savailable on the exact yhe were port the the wave portange. The popole, the the yo		2	I would rather have this project built in Colorado, Montan	a,	2	MR. FEIN: The first thing we need to do are the	
5 place for everything. 5 possible impacts might be. We don't have that information 6 So right now we find our local people in a pickle, in to being able to ever get thousing, leave along the lands. And so we have home we find our local people in a pickle, in and so we have home home yet. 8 And so we have homeless Hawalians here, and we have the federal governments a project such as this. And as worthy as it may be, there's a complete diverse is a complete diverse is a complete diverse is a complete diverse is a complete diverse in the federal government for supporting the needs of the inducting the rest of the community over the prodex. The public to have an apportunity to say whether those in this diverse in the federal government is going to continue. If yet returned from a hearing where more cultural sites are being diverse of our cultural sites will continue. If yet returned from a hearing where more cultural sites are being diverse of our cultural sites will continue. If yet returned from a hearing where more cultural sites are being diverse more cultural sites are being diverse more cultural sites are being diverse of the second struction is going to continue. If yet returned from a site and the optice in this for our needs to be completed in this for our cultural sites, and to continue is yet and the expectation in both the Hamalian states are being more more cultural sites will continue. The hearing more more diverse and provide will be accommutify diverse for function is both the Hamalian states. 7 In other words, another word for seeded lands is tote for four second lands. and the diverse and the expection with the public second mitigation, changes to the second returne. The analytic hear shease andithe for this project. The cultural returned or what exac		3	New Mexico, or California, rather than here on Maui. Tha	t's	3	survey studies and inventories for those sites. Mitigations	
6 So right now we find our local people in a pickle, not being able to even get housing, leave alone the lands. And so were there houses have how the federal government for supporting a project such as this. And as worthy as it may be, there's a complete disregard from the federal government for supporting the needed of the there on Naul. 6 yet, because the survey studies and inventories have not the federal government for supporting the needed of the there on Naul. 1 The impact on traffic is going to continue, the impact of construction is going to continue. Just etterunt. 1 The impact on traffic is going to continue, the impact of construction is going to continue. Just etterunt of ma the energy where more cultural sites will contrue. The degradation of law, its blac correct? 1 MR. FEIN: No. The environmental consultants 20 the name of private ownership and private ownership rights. Now whe have seeded lands, and the ideas, and the students, our Heaviain culture, our Heaviain durine, our Heaviain culture, our Heaviain the training the being fully states event Heavies and the event meeting fully durine, with a protein this carrying capacity? You said there was a plan set out for by the going to be keeping up with all these assaults on us. So it would be good at your next enting you have there solution, but it's already been done, it's already been done, it's already been done are the ony one soft it'm avers of for the next decade, and this and a much smaller potential on are the ony one soft it'm avers of for the		4	one of the problems that we have here on Maui being the	best	4	for potential impact come after we know what it is that the	
7 not being able to even get housing, leave alone the lands. 7 been done yet. 8 And so we have homeless Hawalians here, and we have the federal government supporting paryots toxib to his. Mile as worthy as it may be, there's a complete disregard from the public forum. 1 1 The impact on traffic is going to continue, the impact of construction is going to continue, the degradation of our cultural sites will continue. It just returned from a hearing where more cultural sites are being distroyed under in hearing where more cultural sites are being distroyed under in the anne of private ownership and private ownership rights, is that correct? Mile the name of private ownership inghts, is that correct? 1 In other words, and the being explex. Mile the same distribution is boil the Hawalian explex. 2 In other words, and the being explex. Mile the same adjust is the correct? 2 In other words, and the being explex. Mile the same adjust is approximate to the follow is store of the site arrying is experimental or subtrates. 3 Number one for Charlie Is, what is the carrying capacity? You said there was a plan set out for by the university that was available online and yadah,		5	place for everything.		5	possible impacts might be. We don't have that information	
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		24	are being proposed as far as we talked about birds, bats,		24	MR. FEIN: Well, to the native Hawaiian it is	

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APPENDIX B(1): TRANSCRIPTS - PUBLIC SCOPING MEETING, CAMERON CENTER, JULY 12, 2005

	57		59
1	MR. LINDSEY: What other culture. If you don't	1	A VOICE: 1960.
2	know, that's okay.	2	MR. MAXWELL: In 1960, sorry. From 1960 up until
3	MR. FEIN: Polynesians	3	when this I don't want to cal it what I have been calling
4	MR. LINDSEY: Maoris. Anytime the Maori people	4	it because I promised everybody that AEOS, I fought that
5	come here, they come to Maui, and they go to Haleakala to	5	AEOS they took out 150 tons of rock. It came out in the
6	visit the effects that Maui has had on the au te aroa	6	paper. Myself, Dana Hall, and I think Leslie Kuloloio
7	(phonetic). Au te aroa (phonetic) was also brought up by	7	MR. KULOLOIO: No was me.
8	the demi God Maui. So when we talk about building something	8	MR. MAXWELL: Wasn't you, Leslie. Was me and Da
9	on Haleakala, we're not just talking about something that's	9	had to fight for them to return the 150 tons. Come along
10	a dead entity. It is a spiritual entity that crisscrosses	10	the Faulkes observatory, nobody fought for it. The county
11	and has deep spiritual meaning to cultures not only here,	11	council approved it. They don't like me in England because
12	it's not only here in Hawaii but throughout the and you	12	I walked out on Prince Albert. When they were going to sign
13	are right, throughout Polynesia, specifically the Maoris.	13	away.
14	Would it be appropriate in your vision to build	14	I did the cultural study before this came up.
15	something like this in on a sacred place.	15	There's burials, possible burials, there's archeological
16	MR. FEIN: My personal feeling about that?	16	sites on that 18.6 acres, there's shelter sites, there's a
17	MR. LINDSEY: Yes.	17	cultural practice that occurred up in Haleakala, and we did
18	MR. FEIN: Is that with the appropriate protocol,	18	that. This was a very sacred place. And from way back,
19	protections, and respect, it can be done. That's my	19	where were the people that should have grumbled about
20		20	building on this site? Only the kahuna po'o (phonetic) used
20	personal opinion.	20	
	MR. LINDSEY: You can't build it in a church or	21	to go up there. Nobody else. Papakealakea (phonetic)
22	some other places like that as a traditional religious		called this place not Haleakala. What is her name?
23	practitioner and that would be okay; is that correct?	23	Kealaheiakala (phonetic) the calling of the sun.
24	MR. FEIN: That is an issue, yes. If those who	24	I'm going to contact everybody that's talking
25	consider Haleakala to be a church, I understandably am not	25	against this because I'm doing the cultural study for this
1	58		60
1	willing to see other structures that are not spiritual in		new observatory here. And if you are against the height,
2	nature.	2	this is when to do it. Not only talk at the meetings but
3	MR. LINDSEY: Excuse me for my tone because we	3	let me put it down in my cultural study that you wanted no
4	have been assaulted many, many times in every way possible	4	I don't give a darn if height makes the difference.
5	because we, being the best in the world, all of a sudden		It's what is acceptable. I don't want to see it
-		5	
6	everybody wants a piece of us. If you were the best person	5	
	everybody wants a piece of us. If you were the best person in the world, everybody wants to come in and park on your		
6		6	from downtown, from down the rest of Maui. It's going to b
6 7	in the world, everybody wants to come in and park on your	6 7	from downtown, from down the rest of Maui. It's going to b in my report. I got to tell you, if they want a different
6 7 8	in the world, everybody wants to come in and park on your body, I don't think you would appreciate it. And this is	6 7 8	from downtown, from down the rest of Maui. It's going to b in my report. I got to tell you, if they want a different color, we're in modern technology now. Find a different
6 7 8 9	in the world, everybody wants to come in and park on your body, I don't think you would appreciate it. And this is the position that we are coming from.	6 7 8 9	from downtown, from down the rest of Maui. It's going to b in my report. I got to tell you, if they want a different color, we're in modern technology now. Find a different color to change that, where it's not such an insult on our
6 7 8 9 10	in the world, everybody wants to come in and park on your body, I don't think you would appreciate it. And this is the position that we are coming from. One last thing. This is for Jeff the scientist.	6 7 8 9 10	from downtown, from down the rest of Maui. It's going to b in my report. I got to tell you, if they want a different color, we're in modern technology now. Find a different color to change that, where it's not such an insult on our cultural site.
6 7 8 9 10 11	in the world, everybody wants to come in and park on your body, I don't think you would appreciate it. And this is the position that we are coming from. One last thing. This is for Jeff the scientist. When you talked about the sunspots and its economic impact,	6 7 8 9 10 11	from downtown, from down the rest of Maui. It's going to be in my report. I got to tell you, if they want a different color, we're in modern technology now. Find a different color to change that, where it's not such an insult on our cultural site. This is going to be in my report. This is going
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	in the world, everybody wants to come in and park on your body, I don't think you would appreciate it. And this is the position that we are coming from. One last thing. This is for Jeff the scientist. When you talked about the sunspots and its economic impact, how is it going to impact us over here on Maui? MR. KUHN: I don't think it is. It's not going to affect the price of the land that you have to live in or the cost directly of what you pay for milk. What it impacts is future generations. It affects fact your children and my children. MR. LINDSEY: Thank you. Any of the Hawaiian people asked to have this place built up there? Thank you. MR. BRASS: If you have written comments you would like read into the record, give them to Claudia or me by a quarter of.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	from downtown, from down the rest of Maui. It's going to be in my report. I got to tell you, if they want a different color, we're in modern technology now. Find a different color to change that, where it's not such an insult on our cultural site. This is going to be in my report. This is going to be my recommendation. Go on the internet, look in the IFA site, and I did, the cultural practices and the religious practices of Haleakala. So we did. We did care all these years, and we have to come together. Let's fight for it. Let them know what we want up there. Don't just come to meetings and sit down and no say nothing. Let's all do it together. MR. BRASS: Is there anyone here who has not had chance to speak who would like to speak. MR. BAILEY: Aloha, my name is Tim Bailey, and I just have a few questions. I understand the process of all

	TECHNOLOGY SOLAR TELESCOPE (ATST) PUBLIC SCO 61		63
1	So a couple of questions I had was, any time we do	1	A VOICE: I understand. I'm just curious if that
2	this type of planning, you have your alternatives, and I see	2	was not a consideration, because I don't see that in the
3	alternatives sites and primary sites. But to back up a	3	planning for the public.
4	step, the alternatives that we usually work with are	4	MR. BARR: When you refer to the mirrored
5	obviously no telescope as one, your third alternative is new	5	building, you are talking about the Air Force building, the
6	telescope, and the second alternative is. Have you guys	6	one that's shiny?
7	ever considered just upgrading an existing site that's up	7	A VOICE: The mirrored one that's not supposed to
8	there with technology, like say, that big mirror building?	8	be visible.
9	It's just a question I had. Was that ever in the output?	9	MR. KUHN: The deal with the Mees building and wh
10	Is there an existing observatory that could be used instead	10	we don't just put this on top of the Mees building is that
11	of erecting a brand new one?	11	right now NASA and the NSF paid us, I don't know, a few
12	The second question is more on the information	12	hundred thousand dollars a year to support the science that
13	there on the petrel burrows. I think when you guys do your	13	we do there.
14	funding speeches to benefit a lot of people that are not	14	So we have 10 years of data that we have on the
15	aware of the Hawaiian bat, the 'ope'ape'a; the petrel, the	15	sun. That's how we have this record that goes back. This
16	'ua'u. You need to explain more of the bird or find	16	record that goes back is what we now use to understand how
17	somebody that knows some people know, and I know about	17	the sun changes over 10 years. If you make us take the Mee
18	these birds and the bat but I want to know where that	. 18	building and put this on top of the Mees building, then for
19	information on those plots who gave you guys the	19	about 10 years we do nothing. There's no data, we have nor
20	information about where those petrel burrows are?	20	of this record, and so we can't make the linkage between the
21	MR. FEIN: I can answer that, Tim. The	21	new place and the old place.
22	information about the petrel burrows that's shown on this	22	So the compromise that the architect that Jeff
23	map was provided by the Haleakala National Park resource	23	described was to use the space in the old building as we
24	biologist Kathleen Bailey. She monitors those burrows on a	24	could to shrink the extra space we needed for the ATST. So
25	regular annual basis. She files the report with U.S. Fish	25	we thought that was the best way to go from the old to the
20	62		64
1	and Wildlife every year. She has a team monitoring the	1	new but still have something that we can run for the 10
2	burrows right now. That's where that comes from. That map	2	years it takes to make this other telescope work. That was
3	gets upgraded every year, depending on whether they find new	3	the idea.
4	burrows, whether the old burrows were ever used or not. The	4	MR. BRASS: If we could check make sure there
5	burrows are frequently numbered and her staff goes in and	5	are other people who have not had a chance to talk.
6	checks on the fledglings on a weekly basis, during the	6	MR. KULOLOIO: I have last question for you. Who
7	fledgling season; so that's where that came from.	7	is the lead agency? Who is going to be the signees or the
8	MR. BAILEY: When was that map do you know when	8	sign-offs? Is it going to be a partnership when this is
		9	complete? Is UH standing by themselves? Are you going to
9 10	was the last what is the date of that update?	10	be signing for everything else in regards to damage control?
	MR. FEIN: That's a good question. That map was	11	Who is going to be responsible for this in case there's
11	done at the end of the last fledgling season 2004. So this	12	feedback?
12	map will be upgraded at the end of this year when Kathleen	13	MR. FOLTZ: The principal investigator on the
13	publishes her next report.	14	proposal is the director of the National Solar Observatory.
14	MR. BRASS: The other question was, have other	15	The National Solar Observatory, along with the National
15	sites been considered for upgrading rather than building	16	Optical Astronomy Observatory, comprise a federally funded
16	something new?	17	research and development center which is funded by NSF. W
17	MR. KUHN: Yes, basically the alternatives, site	18	
18	alternatives. You mean alternatives not on Haleakala?		provide the money to them to run the facilities to make the
19	A VOICE: No, upgrading of other existing	19	data and the facilities available to the public. The
20	MR. KUHN: So you are talking about the Mees	20	scientific public and the general public.
21	observatory site, have we thought about that?	21	In the end, that responsibility for the funding
22	A VOICE: Yeah, the amount of money to erect the	22	for the maintaining of the operation falls on the NSF, but
23	new building and then you have the one there already.	23	it will be administered through the federally funded
24	MR. KUHN: Remember the picture what the Mees	24	research and development center.
25	building looks like compared to the ATST?	25	MR. KULOLOIO: Here on Maui, right?

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APPENDIX B(1): TRANSCRIPTS - PUBLIC SCOPING MEETING, CAMERON CENTER, JULY 12, 2005

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1	MR. FOLTZ: The National Solar Observatory is not	1	study about light pollution, although the bulk of the
2	on Maui.	2	operation is during the day, if you choose to use it at
3	MR. KULOLOIO: They are not on Maui?	3	night, will they complain about the lights down here? If
4	MR. KULOLOIO: Okay.	4	they are making the county and Maui Electric change the
5	MR. FOLTZ: I'll pass this to the project manager	5	lighting, some of the lights, they are very terrible the
6	for comment.	6	lights. You can't see at night, so there's a safety factor
7	MR. KULOLOIO: I just like know where they are at.	7	that I I'm only one guy. People up there complain abo
8	Sometime they ghosts all over the place in Washington.	8	light pollution. They have to start thinking about people
9	MR. WAGNER: The National Solar Observatory is	9	down here. We're federal taxpayers. Hey, don't turn off
10	based in two locations: one is in Sacramento Peak in New	10	the lights on us, please.
11	Mexico, the other is in Tucson, Arizona currently. We	11	MR. BRASS: Any other comments? Do we have
12	operate the facilities in Arizona and New Mexico. We have a	12	written comments to be read?
13	number of small solar telescopes like these that are placed	13	A VOICE: Just a quick question. Has there
14	around the world. And that's what we do.	14	probably not because we're in the early process is then
15	MR. KULOLOIO: Are they on Maui?	15	an intent to just have a Hawaiian consultation as is
16	MR. WAGNER: The National Solar Observatory does	16	supposed to be under federal law for any projects; and if
17		17	so, who, what, when and where?
18	not run facilities on Maui at this point. MR. KULOLOIO: That's all I wanted to know. Thank	18	MR. FEIN: The Federal law requires a Section 10
		19	consultation with native Hawaiian interests. Yes, there
19	you.	20	
20	MR. BRASS: Any other questions or comments?		will be, of course. That will be rather extensive and occur
21	A VOICE: Your proposed observatory would be a	21	over a fairly long period of time during the EIS process.
22	daytime operation for both of your operations? Would it be	22	Then it will begin shortly within the next 30 to 60 days.
23	during the day, nothing at night or anything at night?	23	Part of that process will be handled by our
24	MR. KUHN: So you are asking if this telescope can	24	environmental partners. We have a firm that we retained
25	only be used during the day? The answer is, the only people	25	do the actual regulatory scripting for that. But we're also
1	66		68
1	that are talking about using now are during the day.	1	going to involve our cultural specialists and the native
2	Could I say that it would never be used at night?	2	Hawaiian groups and individuals on this island to
3	I don't know. The telescope up there could look at stars.	3	participate in that.
4	One of the things that the scientists talk about we don't	4	So we intend to meet all of the regulatory
5	have money to do it, we don't have any of the facilities to	5	requirements and do as much as we can to involve the na
6	do it yet is the scientists talk about looking for	6	Hawaiian people in the Section 106 process. We have do
7	planets around other stars.	7	this before in other projects. Of course, this is not the
8	It turns out that this telescope has some	8	first time that that would have been done. But certainly i
9	capability that would allow to possibly work at night, but	9	you wish to participate in that, you will be involved.
		10	Okay.
10	there's no money to do it, and it's only talk. Ask that		
10 11	there's no money to do it, and it's only talk. Ask that question formally and you'll get a formal response. My sense	11	MR. LINDSEY: Charlie, just a follow up. Do you
			MR. LINDSEY: Charlie, just a follow up. Do you
11	question formally and you'll get a formal response. My sense	11	MR. LINDSEY: Charlie, just a follow up. Do you have a list of all the different Hawaiian organizations that are represented here on Maui.
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Appendix B(2): Transcripts Public Scoping Meeting, Kula Community Center, July 13, 2005

1	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)
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12	PROCEEDINGS
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14	Held at the Kula Community Center, Kula, Maui, Hawaii,
	Held at the Kula Community Center, Kula, Maui, Hawaii, commencing at 7:00 p.m. on July 13, 2005.
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1 ATTENDANCE 2 3 MEETING FACILITATORS: 4 David Brass and Kim Lompoc, Mediation Services of Maui 5 6 HAWAIIAN LANGUAGE TRANSLATOR: 7 Kiope Raymond 8 PANEL MEMBERS PRESENT: 9 Dr. Jeff Kuhn - Associate Director of the University of Hawaii, Institute for Astronomy (Oahu) 10 Dr. Craig Foltz - Program Officer with the National 11 Science Foundation, Washington, D.C. Dr. Charlie Fein - KC Environmental (Maui) 12 13 Jeremy Wagner - ATST Project Manager with National Solar Observatory, Tucson, Arizona 14 Jeff Barr - ATST Project Architect 15 Mike Maberry - Assistant Director, University 16 of Hawaii, Institute for Astronomy (Maui) 17 18 19 20 21 22 23 24 25

1 PROCEEDINGS * 2 * 3 MS. COMPOC: Good evening. Aloha. 4 AUDIENCE: Aloha. 5 MS. COMPOC: Thank you for being here. My name is б Kim Compoc. I'm with Mediation Services of Maui. 7 MR. BRASS: And I'm David Brass from Mediation Services. 8 9 MS. COMPOC: And we're a community organization 10 that was founded in 1982 to find creative and appropriate ways of resolving disputes. We've been here for 23 years. 11 12 David and I are here tonight to help with this process 13 tonight and make sure that everyone has a chance to speak 14 that would like to make a comment about the proposal. Before we get into all of that, I'm going to introduce 15 Dr. Charlie Fein, and he's going to start the pule and then 16 17 introduce the presenters and then we'll talk more about the 18 evening and the agenda. Thank you. MR. FEIN: Thank you, Kim. My name is Dr. Charlie 19 20 Fein. I am the environmental planner for KC Environmental, Incorporated, which is the company that is doing the 21 22 Environmental Impact Statement and Conservation District Use 23 permit for this project, for the Advanced Technology Solar 24 Telescope. Before I begin, I would like to briefly 25 introduce our environmental team, and then I'm going to ask

1 Kahu Maxwell to offer the pule.

2 Our team consists of those individuals here, 3 Leslie Garlinghouse, who is with Tetra Tech, Incorporated. 4 They are providing us with logistic and environmental survey 5 support. My project manager, Sharon Loando-Monro, who is -б who will be handling the day-to-day operations for this 7 environmental impact assessment and our cultural specialist Kahu Charles K. Maxwell. So before we begin, I would like 8 to ask Kahu Maxwell for the pule. 9 10 KAHU MAXWELL: Could you stand, please? 11 (Hawaiian language spoken.) 12 Our heavenly father with your precious child, we 13 ask and pray that you bring forth knowledge about our sacred

place of Haleakala and bring the wisdom of all of us gathered here together so we might continue as we keep our place sacred even though there's buildings and all, but the aina is the most sacred thing for the Hawaiian people. We ask this in your name.

19 (Hawaiian language spoken.)

20 MR. FEIN: Mahalo, and aloha to everyone this 21 evening. Thank you for coming. I know there are a lot of 22 other things you could be doing on a Wednesday evening and 23 we appreciate you coming out this evening to hear about this 24 project. Before I bring the folks from Mediation Services 25 back up here to lay out the ground rules for the evening, I would like to introduce the individuals who are going to briefly present information about this project to you. But I want to say at this point that the prime purpose for us being here is to receive your comments and to get your ideas up front about this project. This is a scoping meeting. We don't have all the answers, and we won't have all the answers. We probably may never have all the answers.

8 This meeting is principally designed to get your input so we can develop a scoping document to know what to 9 10 include in the Environmental Impact Statement and the 11 Conservation District Use permit. So this evening I would 12 like to introduce the people who are going to present the 13 information to you so that you'll have an opportunity to 14 comment and ask a few questions. First of all, from the University of Hawai`i, Dr. Jeff Kuhn, Associate Director of 15 the University of Hawai`i Institute for Astronomy. He's 16 17 going to present the science behind the need for this 18 project. Dr. Craig Foltz is program officer with the National Science Foundation in Washington, D.C., and Craig 19 20 is going to discuss the role as a proponent in sponsoring the ATST. I'll be speaking about the environmental process 21 22 a little bit later on and what it is that we're going to do 23 in terms of public and internal steps.

Jeremy Wagner, ATST project manager with the
National Solar Observatory in Tucson, Arizona, is going to

1 offer a brief overview of the project schedule. Mr. Jeff 2 Barr is the ATST project architect. He's going to talk 3 about the facility design and the features of the ATST with various figures. Also tonight I would like to acknowledge 4 5 our court reporter Rachelle Primeaux, who will be the б recording stenographer. And if anyone chooses to speak in 7 Hawaiian, we have Kiope Raymond available for Hawaiian interpretation if necessary. 8

9 So once again, I'll bring back our meeting
10 facilitator Kim Compoc to lay out the ground rules for this
11 evening. Kim.

12 MS. COMPOC: So we want to make sure that 13 everybody has a chance to say what they would like to say. 14 This is actually the second of three scoping meetings that's been funded by the National Science Foundation. Last night 15 16 we were in Wailuku at the Cameron Center. Tonight we're 17 here in Kula, and tomorrow will be Pukalani Community 18 Center. And as Dr. Charles Fein was talking just now, these are scoping meetings, and the idea really is the public 19 20 comment. So we'll be in charge of that portion making sure everybody gets a chance at the mic. I'm wondering if all 21 22 these empty chairs are going to get filled because it seems 23 like we're probably going to have an easy time of that, but I just wanted to make it clear that there's a feedback 24 25 problem. So if anybody tries to take the mic, wants to come

б

1 up to the mic, please line up on the end one there so there's not "eek, eek" kind of sound. We don't want to have 2 3 that. The other thing that's important is come right up to 4 the mic like that, say your name so that Rachelle can have 5 it for the official record because that's really important. б We want to make sure that nobody's remarks get 7 lost. And David, tell us a couple of other ground rules, please. 8

9 MR. BRASS: We have a few ground rules that we 10 would like to ask that you observe so that everyone gets an 11 opportunity to voice their concerns and ask their questions. 12 First we would like to ask that until the presenters finish 13 that you hold your questions. You could jot down any 14 questions that you have. There will be ample opportunity to ask those questions of the presenters. Then we're changing 15 16 this a little bit with the different mics tonight. If you 17 have a comment or a question, if you could line up behind 18 the microphone in the center aisle here. When you get to 19 the mic, if you could state your name, then make your 20 comment or ask your question. In order to ensure that everyone gets a chance to speak and in the event that there 21 22 are more people arriving later, if you could keep your remarks to about five minutes, that would be helpful. 23 24 And then after everyone has had a chance to voice 25 their concerns, if you have more to ask, you would be

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1 welcome to go back up to the mic. There are comment sheets 2 on the back table and on the sign-in table. If you would 3 prefer not to speak at the microphone, you can put your 4 questions on a comment sheet, give them to Kim or I, and we 5 will read them at the end of the meeting so that they are б responded to and they become part of the record of this 7 meeting. You can also fill out a comment sheet and put it in the box for it to be incorporated into the scoping 8 9 process, or you can mail those comment sheets and they need 10 to be mailed in by August 14th if you do that.

11 We ask that you not interrupt or make comments 12 while someone else is speaking just out of respect for all 13 of the people who are present. And just a reminder that the 14 whole meeting process is being recorded by the court reporter. She can only record one person at a time. So we 15 16 ask that you not talk while somebody else is talking because 17 it will not be -- end up being part of the record if you do 18 that. So those are the guidelines that we would like to request that you follow. And we will be the ones that will 19 20 kind of remind you if you veer off.

MS. COMPOC: So just a little logistical thing as well. The restroom, if anyone hasn't been here, is through these doors and outside that part there. Are there any questions before we get to the panel? Okay. Without further adieu, Dr. Charles Fein.

1 MR. FEIN: Thank you again, Kim. Okay. Our first 2 presenter is Dr. Jeff Kuhn from the University of Hawai`i 3 and Jeff is going to present the science behind the need for 4 the Advanced Technology Solar Telescope. I invite you to 5 watch his slides. He has great slides.

б MR. KUHN: My name is Jeff Kuhn, and I'm a 7 scientist. I'm one of the people that will use this hopefully if I'm not dead by the time it finally gets built 8 9 somewhere. My background is in physics and solar physics, 10 and I've got to tell you this project has a long history in the past. We started talking about telescopes like this. I 11 12 got involved in it about 12 years ago when we were talking 13 about the telescopes of a similar design. I think my job 14 for you and what the organizers have asked me to do is try to give a flavor of the science, the answer to the question 15 why do we need the ATST, so I'll try to go fast. There's a 16 17 lot of stuff there, and if you have a quick question, I 18 invite you to raise your hand and I'll answer it real quickly if it's not something that bears directly on a lot 19 20 of the logistics. I think it helps to keep material flowing if we do it in tempo. 21

And finally, the other question is why Haleakala from a perspective of the science, not from a prospective of some of the other issues. The sun itself is an object that we usually see as a big orange ball, but the truth is it

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1 changes. And it changes a lot. About a year and eight 2 months ago right around Halloween, the sun did something 3 that we haven't ever seen it do before. And what you're 4 looking at is a picture of the sun, and you're seeing the 5 rotation. And there's been a month of time or a few weeks б of time compressed into this movie. And the really amazing 7 thing in this picture is if you watch right around here, you'll see the appearance of a -- there it is -- in a matter 8 of a few hours, a region grew on the sun. It's size was 9 10 about three times the diameter of the earth. And it's what 11 we call a sun spot.

12 And when that region got to the edge of the sun, 13 something really remarkable happened. It produced a burst 14 of energy that we call a coronal mass ejection, which lucky for us was a projection off to the side and not directly to 15 16 the earth. These are images that were taken from space. 17 They're images not in light like the previous one, but 18 they're images taken in x-rays. And again, the size of the 19 earth would be a ball about like that. Energy you can see 20 is projected out into space. It's connected to the earth. And if you were to step back from the sun and look at an 21 22 image like this, again, this is from space, so the sun is 23 underneath that white circle.

This is now further out into space. You can see a comet that goes through the picture. It actually doesn't

survive against the sun. This burst of energy and light I think -- there it goes. It goes out into space is that coronal mass ejection, and it connects with the earth. That energy, it's energy and particles, interacts with our environment.

б For the most part, it interacts with the 7 technology of our environment, so you may remember two Halloweens ago, there was -- there were news reports of 8 planes that were rerouted because of the threat of radiation 9 10 in the Polar regions, also because of communication. 11 Communication was interrupted. In fact, what happened is 12 planes were rerouted. We lost a couple of satellites, 13 Japanese communication satellites because of this energy up 14 above the earth's atmosphere. There was a power grid shut down in Sweden again up in the northern environment. There 15 were cell phone interruptions and communication 16 17 interruptions. There were some GPS problems. So most of 18 the effect on the sun on this sort of scale has to do with 19 our technology.

20 We're largely protected. Here is a picture of the 21 earth. This structure around it is a computer estimate of 22 what we call the magnetosphere of the earth. That's just a 23 fancy word for a shield, a magnetic shield that protects us 24 from the radiation from the sun. That radiation is -- or 25 that shield is a variable thing. And, in fact, from that

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movie that I just showed you, it blows like the wind. And it's part of this problem that we're now beginning to appreciate, which we call space weather, the environment between the sun and the earth that effects the earth. And it's related in large measure to things like that magnetic field right there around the earth.

7 Sort of an idealized picture of that is here is the sun. The sun produces energy, and the magnetic field of 8 9 the earth and the sun are connected in ways that affect how 10 that energy makes its way into the earth's atmosphere. In fact, that's not the only manifestation of the sun's 11 12 interaction with the earth. The other is probably more 13 profound. And that's an interaction that we're only 14 beginning to understand based on current records and historical records. If you look at the sun, that sun spot 15 that we saw in that first movie, sun spots vary and they 16 17 fluctuate. Here is a record that goes back to the 1600's, 18 goes back to the time of Galileo. It shows that sun spots 19 come and go, and the theme here is the sun is variable and 20 the sun changes.

21 Roughly every 11 years, there's a bunch of sun 22 spots. Only very recently since we've had satellite 23 measurements in space that we've noticed the brightness of 24 the sun is also changing, okay. This plot up here at the 25 top shows the brightness of the sun measured from satellites

and where there's a peak in the brightness, it turns out
 there's a large number of sun spots on the sun. Lots of sun
 spots make for a brighter sun. Paradoxical.

4 Nobody really knows why it is when we put dark 5 spots on the sun, the sun actually produces more energy, but б it's true. The other feature of this historical record is 7 that sun spots are not a regular phenomena. It's not a cycle like the lunar cycle or the tide cycle. Sometimes it 8 9 completely vanishes. In the late 1600's, it was gone. 10 Sometimes it's diminished. Right around the 1800's, it was very weak. And then in the 1900's, we've been in a phase of 11 12 growing solar activity. Why is that interesting? Well, 13 it's interesting because we have records, economic records 14 that extend back to this period of time. And it's pretty clear that there were climate effects, which were, for 15 16 example, affected agriculture.

17 This is a graph that shows from 1200 to 1900 the 18 cost of wheat in Dutch guilders per 100 kilograms adjusted for inflation. What it shows that the peak in the cost of 19 20 wheat went up right here. This is the period of the Maunder 21 Minimum, and right here, this is a period of where there 22 were hardly any sun spots. We expect when there weren't 23 very many sun spots, the sun was what? UNIDENTIFIED SPEAKER: Dim. 24

25 MR. KUHN: Dimmer, right. The weather was colder

1 somehow on average and probably the growing season was 2 shorter and the cost of wheat was higher. So there's 3 indirect evidence of climate variability. In fact, there's 4 even direct evidence back here. This period of time was 5 known in Europe to be a very cold period of time. The River б Thames froze in the winter and growth patterns were --7 agricultural cycles were certainly disrupted. So there's no question that there's some influence, some connection on the 8 climate of the earth and what the sun is doing. 9

10 In fact, we think that there's a connection 11 between in some cases the evolution of civilizations. If we 12 go back a little bit further in this case to 1000 A.D. and 13 we look at those climate records, by looking at records of 14 what the sun is doing, it certainly looks like according to the solar record, there should have been a warming phase 15 starting around 1000 A.D. reaching a peak in perhaps 1300 16 17 and then a cold phase culminating in the Ice Age, that 1700 18 period right down here, that dip.

Well, this warm rise in the early part of this Millenia corresponds to the decline of southwestern cultures, the Mogollon, the Hohokam, the Anasazi. It's almost certainly true that a warming trend in a climate in North America was responsible for the decline in those early civilizations. Similarly the cooling phase right here in towards the Maunder Minimum corresponds to what we know

1 about what happened to the Greenland cultures. The 2 Greenland colonization that started back here in 1100 A.D. 3 was gone by 1500 A.D. And their records that show that 4 the -- for example, the food that the Viking colonizers of 5 this eastern coast of Greenland changed dramatically because б they couldn't grow the cops. The cooling phase right here, 7 which is in synchrony with the sun corresponds with the decline of that colonization. 8

9 So it seems clear that the sun is important not 10 just to -- to our technology, but also to what happens to 11 cultures over time scales that are much longer than human 12 time scales. How bad is it? Well, over our lifetime, the 13 probability of a major solar storm or brightness change 14 affecting commerce with the multibillion-dollar impact is a virtual certainty, because it's already happened. We've 15 lost satellites, communication satellites that are of value, 16 billions of dollars. The effect on agriculture is something 17 18 we can't yet gauge, but it's almost certainly on the same 19 scale and probably much more important.

20 Over the next 1,000 years, the probability of 21 major climate affecting agriculture or global commerce is 22 probably also likely. And again, the evidence for that is 23 go back 1,000 years and look at what's happened. So the 24 truth is that an investment of some millions of dollars is a 25 very valid and important investment, and we need it. We

1 need it to understand in the future what's going on with the 2 sun, because right now we can't tell you as physicists 3 whether or not the next solar cycle will be a few tenths of 4 a percent warmer. If it will be, that has dramatic 5 consequences on things as simple as the sea level, the sea б level heat, which is important to us here. So why 7 Haleakala? We need the ATST. Haleakala is important from a scientific perspective because we started -- a bunch of 8 scientists started with over 70 different sites we looked 9 10 at. We looked at things as diverse as the number of 11 airplane contrails flying overhead.

12 We looked at the weather patterns. We looked at 13 the growth patterns. We took that spread sheet and we narrowed the possible sites down to six sites, and the six 14 sites were Big Bear Lake in California, Haleakala, LaPalma 15 off the coast of Spain -- off the coast of Africa, 16 17 Panguitch, which is a lake in Utah, Sacramento Peak, which 18 is an observatory site in New Mexico, San Pedro, which is a site off Baja in Mexico. We built a tower on each one of 19 20 these sites and measured the atmospheric characteristics and the weather characteristics. 21

And one of the most dramatic things we learned, and it was a surprise to some of us, it wasn't a surprise to those of us that know the mountain, but I think the rest of the scientific community, they did not realize how unique

Haleakala was. This is a plot which is a little
 complicated, but what it shows is a function of height, so
 as you go to the right here in the scale, you're looking
 higher up in the atmosphere.

5 Up on this scale shows how clear -- not how clear, б how pristine the atmosphere is. You know, the atmosphere 7 blurs our images. We're after the ability to see the small detail of those spots like that spot you saw on that first 8 9 movie. In order to see that detail, we want a number which 10 is high on that scale. Which of these curves do you think corresponds to Haleakala? It's the red one, of course. 11 12 What this shows is how fine the detail is we can see through 13 the atmosphere versus how high we are above the ground.

14 The black curve which doesn't vary very much is Big Bear in California. This curve right here is Haleakala. 15 16 The green curve, the next closest competitor for this 17 performance measure is LaPalma in the Canary Islands. So 18 what's happening here is the ground produces turbulence, and 19 as you get a little bit above that turbulence, the clarity 20 in which you can see fine objects in the sky improves enormously. And the best place in the world we think for 21 22 these observations at this height is from Haleakala. Yes. 23 MR. WILSON: Southern hemisphere, no sites? 24 MR. KUHN: In the southern hemisphere, we did not 25 survey any of the sites in part because many of the

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performance measures we needed to get started we didn't really have. And also we didn't feel that we could ever afford to go to the southern hemisphere with this facility. We had some initially, but it didn't look like it produced at least from the initial data anything that was unique or added to the performance.

7 This is daytime. Nighttime performance is different. And part of the reason why this curve is 8 increasing as you go upwards has to do with how the ground 9 10 is heating and the effect the turbulence versus height and 11 solar heating, and of course, at night, you don't have solar 12 heating. Finally, the other characteristics have to do with 13 what the sky looks like in Haleakala. And if you've been to 14 the summit and you take your thumb and you hold it over the sun, it's a remarkable thing. Hold your thumb over the sun 15 and the sky is a dark blue, almost a black all the way up to 16 17 the edge of your thumb. And you don't know the sun is under 18 your thumb because that sky is so dark. There isn't any 19 other place we looked at that the dark sky, which is what we 20 need to see those energy events propagate out into space. A big part of what the ATST does that no other instrument does 21 22 is measure the environment between the sun and the earth. 23 So these numbers don't necessarily mean much to 24 anybody but scientists, but the sky brightness was 5.8 on a 25 scale where it was between 100 and 800 at the second best

sites. It's just there's no comparison. The amount of dust
 in the sky, which is related to how bright the sky is, is
 down by a factor of 10 to 100 compared to the other sites.

4 So the conclusion to the scientists was that 5 before we were to understand the solar magnetic fields which б causes all these changes in the sun, we need a site like 7 Haleakala with a telescope like the ATST. It's the world's best location for a solar observatory, and it sure seemed to 8 us that we couldn't get what we could get out of this 9 10 facility anywhere else. And why are we here? We're here 11 really because we're hoping for an invitation from your 12 community to bring this new window onto the sun onto the 13 summit of Haleakala. That's all I had.

14 MR. FOLTZ: Thank you, Jeff. My name is Craig 15 Foltz. I'm an astronomer and physicist by training. I'm a nighttime astronomer. I study extragalactic astronomy and 16 17 observational cosmology, which is pretty far afield from the 18 study of the sun. In my current job, I'm the program manager for the National Science Foundation. I live inside 19 20 the Beltway. I work and live in Arlington, Virginia. I'm going to say a few words about what the NSF, how it works 21 22 and how it relates to this project and what the status of 23 this project from the point of view of the NSF. The 24 National Science Foundation was founded about 55 years ago 25 to provide support, and when I say support, I mean money, to

provide funding to support basic research and applied research in science, engineering, and also very importantly, to support science education and the public knowledge of science. We fund almost all fields of science, biology, math, physics, atmospheric science, oceanography, astronomy. We don't spend too much money in support of life sciences. The National Institutes of Health does that.

8 And we don't spend too much of our money in 9 support of space science because NASA does that. We are a 10 federal agency, and I think most people have a feeling about 11 federal agencies that federal agencies are powerful and move 12 forward at their own pace in an autonomous way. And this 13 may apply to many federal agencies. It does not apply to 14 the NSF. The NSF is interesting because it's not proactive. That is we don't decide what science should do. We respond 15 to scientists. We expect the scientists to tell us what's 16 17 important, what problems they need to solve, how they would 18 solve them, how much money they would need to solve them. And then, if possible if the project is judged to be good 19 20 enough and if we have sufficient funding, then we provide funding. 21

22 So, in fact, we take direction from the people 23 that we serve, which makes us -- I mean not a unique federal 24 agency, but a somewhat unusual federal agency. And actually 25 it's an agency that I like to work for, and there are many

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agencies I wouldn't like to work for. Just if you get a chance later, you can look at basically how this is laid out. This is a very small part of the NSF's organization chart, and basically this box is me right here. And I'll talk about how that -- how the funding and the support flows down to the project, which is down here.

7 Now, as I said, our ideas come from the community. And as Jeff said, and Jeff was instrumental in this project, 8 over a decade ago, planning started which did not involve 9 10 us. It involved astronomers, solar physicists and 11 astronomers from around the country, including international 12 scientists, who got together to build the science case for a 13 new telescope because there was nothing that we had on the 14 ground and there was nothing we had in space and nothing that we were planning that could actually -- would be 15 capable of making the observations that are necessary to 16 17 answer the questions that Jeff laid out. And so they built 18 a science case for a large and very capable solar telescope 19 and they got the community support and they came to us with 20 a proposal, which we funded.

And over the last five years, we've spent about \$12 million in support of the design of this telescope. About a year and a half ago, the project had proceeded to the point where it felt that it was ready to request money for construction. And a proposal was submitted to us, which

1 involved a number of institutions who were in collaboration and the lead agency on that was the National Solar 2 3 Observatory of which these two gentlemen are employees, and 4 they asked us for money to construct it. We have been 5 scrutinizing, scrubbing, evaluating over and over again the б proposal, the management structure, the budget, the schedule 7 and in trying to come to a decision as to whether this project will be funded. This is a big project. It's a big 8 project by NSF's standards. It's not the biggest one that 9 10 the NSF has ever done, but it's certainly not the smallest. 11 It is a small project, very small project compared to 12 telescopes that go into space, I'm talking about in terms of 13 cost, and so we treat it very carefully.

14 And, in fact, in the end, whether this project is funded or not, or actually let me put it a different way. 15 The funding for this project must be specifically approved 16 17 by Congress. So when you have to go to Congress to ask for 18 money, you have to be careful. You have to make sure all your ducks are in a line. And, in fact, you need to make 19 20 sure that the project, that these guys have done their job and they have a design that is construction ready, and it 21 22 cannot be construction ready until you know where you're 23 going to put it. Because you don't know how to build it. 24 If you build it on cinders, it's different than if you build 25 it on granite, which is different than if you build it on

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1 lava.

2 So, in fact, a very important part of the planning 3 for this telescope, which its planning needs to be done 4 before we can actually make the decision to fund or not is 5 the evaluation of the environment on cultural impact. So б that's why we're here today, and I want to stress we have 7 not funded the construction of this telescope. There are people in the room, including myself, who hope that decision 8 is positive, but that decision has not yet been made. And I 9 10 want to say secondly that this is not premature. It is the 11 right time to do this.

12 We should not have started this process two years 13 ago. We should not start it a year from now. So we're 14 right on time, and with that, I'm going to turn this over to Jeremy who is going to talk briefly about the schedule, 15 except to say that I'm -- you know, we will be -- we are 16 very concerned about your questions, and we will take your 17 18 comments and questions very seriously. Charlie. Back to 19 Charlie.

20 MR. FEIN: Thank you, Craig. Once again, I'm 21 Dr. Charlie Fein, and I am the environmental planner for KC 22 Environmental. Our job is to prepare the environmental 23 impact assessment documentation for this project. As Craig 24 said, this is the time to do it. In order to reach a 25 decision about this project with respect to the

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1 environmental efficacy, the environmental correctness of 2 this project, we need to go through a rather lengthy 3 process, and we're going through a lengthy process right 4 now. I see it on the screen, okay. 5 And once again, now this process will end with -б okay, shall I sing for a while? 7 (Laughter.) Stand by. We are experiencing technical 8 difficulties. Ah, it's a chart. This time line shows the 9 10 Environmental Impact Statement and Conservation District Use 11 permitting extent or scope beginning the process last year. 12 We are at the point now of obtaining public comments for our 13 final scoping. So we're in the informational phase, 14 community information meetings and final scoping. We are here to attain your comments. We are here to determine 15 those things which need to go into the final scoping for 16 17 this document. What we're planning to do is to complete the 18 final scoping this summer and begin the impact assessment 19 surveys and consultations at both our primary and 20 alternative sites on the mountain. I'm not going to get into detail in that. Jeff 21 22 Barr, the architect, is going to talk about the primary and 23 alternate sites. There are two sites, primary and alternate 24 site. We're going to examine those very carefully. Now, 25 some of you are aware of the fact that in 2004 we prepared a

1 very complete long-range development plan for the University 2 of Hawai`i Institute for Astronomy High Altitude Observatory 3 site. The 18.16-acre site was studied very closely and in 4 great detail to look at various environmental parameters, 5 archeological, biological, avifaunal parameters. We looked б at all the environmental resources, the archeological 7 resources. We looked at the cultural resources and the traditional practices that were conducted at the site 8 historically and back in prehistory, and that is the basis 9 10 for our planning for this facility for the ATST.

The ATST was one of a few facilities, potential 11 12 facilities at Haleakala observatories. It is first to --13 actually, it's not the first, it's the second to come under 14 our review. Our Environmental Impact Statement will be a joint federal and state document, so we'll be following both 15 NEPA and Chapter 343 requirements of the State of Hawai`i. 16 17 When we complete the impact assessments, we will prepare a 18 draft Environmental Impact Statement. Once again, the 19 public will have an opportunity to comment on the draft 20 Environmental Impact Statement. We will hold public hearings as well. And we will, according to law, be 21 22 responsible for responding to those community and agency 23 comments. We'll hopefully distribute a Final Environmental 24 Impact Statement in late 2006 and obtain a record decision 25 on this project. Simultaneously, we'll be doing a

Conservation District Use application, going through that
 application process. The 180-day process also involves
 public hearings. So there are several steps along the way
 here that involve public input. And we welcome that public
 input, and we are hoping to receive the thoughts and
 feelings of the community.

7 When the process is completed in late 2006 and a recorded decision has been published and by law this project 8 9 is then permissible, we then will reach the point of being 10 construction ready. And then the process after that, 11 funding and so on is the next phase. The overall time line 12 then is much longer, and I would like to bring up Jeremy 13 Wagner, the ATST project manager, to talk momentarily about 14 that.

MR. WAGNER: Thanks, Charlie. Okay, I'm Jeremy 15 Wagner. I'm the project manager for the ATST project. I'm 16 17 based in Tucson, Arizona. I work for the National Solar 18 Observatory. What I want to do is give you a quick overview of the project schedule, where we are currently in the 19 20 schedule for the design phase, when construction could start, the earliest possible start and then when operations 21 22 might start. Another chart here. We're currently in the 23 design phase right in the middle of 2005. We're working 24 through our design of the telescope and the facility. 25 We've gone through a number of reviews, as Craig

1 indicated. We're starting the site EIS process. Tonight's 2 meeting is part of that. We're looking at many more design 3 reviews coming up. And if the proposal is approved at the 4 NSF, if the site EIS process were approved, the earliest 5 that site construction then could begin, the earliest that б the construction could be funded would be essentially in 7 early 2007. However, I understand now that that's likely not to happen, that the earliest date would probably be late 8 2007, so this chart is already a little bit out of date. So 9 10 just move this over slightly, but the site construction 11 would last about four years. The major construction, you 12 think of digging foundations and things like that, erecting 13 the structures, would consist of the first two years. At 14 the end of that, we would essentially be inside the 15 buildings working on assembling the telescopes, bringing the optics in, putting things together. 16

17 Once we get that done, then we have to test them. 18 We have to see that they work, understand that they're 19 delivering the kind of performance that we're after. We 20 bring along the instrumentation, integrate the optics, the control systems, put the telescope facility together and 21 22 start using it as a telescope looking at the sun and then we 23 begin operations out here. Once we understand that things 24 are working the way we expect, then we would begin to 25 observe the sun, produce the data that folks like Jeff Kuhn

are after. So that gives you an idea of the time line that
 we're talking about. And since the NSF is still considering
 the proposal, we're working through the site EIS process.
 We're working through our design effort. It's likely that
 the earliest start possible if everything came together
 would be in late 2007.

Okay, now, I'll turn the mic over to Jeff Barr.
He's our project architect, and he'll walk through a
description of the facility and why it looks the way it
looks now.

11 MR. BARR: Thanks. I am, as Jeremy said, the 12 project architect, and I'm working as part of a design team 13 in Tucson, Arizona, that's larger than myself and has put 14 together the proposed design that we're presenting here 15 tonight. Most of you have had a chance to see the posters around the room here and probably pictures in the paper and 16 17 so a lot of what I'm going to talk about is sort of 18 explaining why it looks the way it does. And as Charlie 19 promised, I'm going to talk about the site and where 20 specifically -- where specifically on Haleakala it will be. The pictures on the right here are of the two 21 22 proposed sites on Haleakala, the way they look right now. 23 This is the primary site and just in terms of the 24 terminology, we refer to this as the Mees site. It's right 25 next to, east and a little bit north of the existing Mees

1 building, which is over here. This is the tower that Jeff 2 Kuhn referred to was on six sites around the world. This is 3 the one that's on Haleakala, and that is, as I say, our 4 primary proposed site. An alternate site, we're calling it 5 the Reber Circle site. There was an experiment done on a б different -- I have a plan following this so you'll be able 7 to get these a little better oriented, but there was an experiment done in a different area on the observatory 8 compound there, a radio experiment, and the person's name 9 10 was Reber. And there's a big concrete circle here, so this 11 is by nomenclature the Reber Circle site.

12 Both of these sites were identified as potential 13 locations for ATST specifically. In the Haleakala High Altitude Observatory long-range development plan, this 14 15 Web site link here gives you the full plan, so you can take a look at it for yourself and see what it says about that 16 issue and a lot of other issues. The issues or some of the 17 18 concerns that were taken into account in identifying those 19 sites and then the other planning aspects for the 20 observatory were some of these. The biological obviously, the endangered species were a major issue. Cultural 21 22 resources and traditional practices. Kahu Maxwell served as 23 a cultural consultant on that and is serving as our cultural 24 consultant for the continuing EIS or more or less to Charlie 25 Fein in that capacity. And we're very pleased to have his

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1 input on that

2 And very much in line with that also, the 3 archeological inventory was of concern and was taken into 4 account. Clear line of sight, in this case, that's not 5 talking about the line of sight of the telescope. That's б talking about the line of sight you see the telescope from 7 areas around Maui. Taking that and a lot of other things into consideration, design and construction guidelines were 8 put together for any project in the future that's to be 9 10 built on Haleakala.

Both of these sites were identified as being big 11 12 enough for ATST and both were tested and have excellent 13 seeing conditions. The potential sites, this is looking 14 down from the top. Just to get you oriented, the road in from the park is over on this side. North is up. Things 15 are about this big, 100 feet, 200 feet. The Air Force 16 17 facility is here to the north of us, or this just by way of 18 immediate identification is up. Showing the telescope at both sites. Obviously one, it won't be two telescopes. It 19 20 will be at one or the other of those sites. The Faulkes telescope, if you're familiar, and again, the Mees telescope 21 22 is down here, this being our primary site and being east 23 essentially and a little bit north of the existing Mees facility. This smaller kind of orangeish-brown structure is 24 25 a remote utility building would be built for the ATST. And

1 the same, essentially the same composition of buildings 2 would be necessary at the Reber Circle site, which is this 3 one here a little farther to the north. This one, again, 4 this is a topographical map, so as you look down at it where 5 the lines get close together, that means that the terrain б gets very steep. So the area that's really buildable is up 7 here on the top within the observatory boundaries, which is this red line here. And so you can see that a site like 8 this is constricted by some things, not least of which is 9 10 the slope around it that we are limited in space. And the 11 same thing can be said up here.

12 But that's not the only thing. We also have the 13 existence of the petrel burrows, which have been identified as part of the long-range plan and will be relocated and 14 identified. And there's a continuing program, as I 15 understand it, to maintain the location accurately of those. 16 And also there are known archeological sites. These blue 17 18 circles around here, that also restricts us, and we know in 19 any planning we have to do to put the buildings there, we have to respect those things and more. Go ahead. 20

The building requirements essentially, as the architect for this project or any observatory project, really it's a pretty straightforward mission. You support, you provide structures to support, protect, operate and maintain the telescope period. And those buildings have to

1 -- I'll just cut to the chase here. There's essentially two kinds of those buildings, the enclosure, what you think of 2 3 as a dome. It's right around the telescope and protects it 4 directly, provides immediate maintenance space and support 5 building, which can be attached to the telescope or the б enclosure and sometimes are a little bit more remote. But 7 the main thing about, the cardinal rule for all of those buildings is that they shall have minimal impact on the 8 seeing, which is the way the astronomers describe the 9 10 clearness of the observing conditions and the environment as 11 well.

12 So those are essentially the driving influences on 13 what will -- how the building is designed. Dimensionally 14 speaking, how big this facility is is dictated by those very things. This structure that you see on the inside of this, 15 the framework structure, this is the telescope that we're 16 all talking about. The primary, the largest mirror about 14 17 18 feet across is right here. And you can see that to swing that telescope inside of the dome and have a little bit of 19 20 room for maintaining and equipment around it and clearance for safety reasons, it requires a dome about this big, which 21 22 gets to be about 86 feet across and the other dimensions you 23 can read for yourself on here.

The one thing that, as Jeff showed you on his graph of the seeing height is a critical factor. And about

halfway across where it gets to be to the level they need for the scientific objectives, that's right at about 92 feet, so the telescope has to start out about this high. It has to have about this much space, so you end up with a building about that high and about that large.

б The pier to support that is -- also has to have certain size requirements. It has to be large enough to be 7 stable to provide a very good vibration-free mount for the 8 telescope, and it has to be big enough inside here. On the 9 10 bottom here is a large observing platform that rotates with 11 the telescope and is where most of the instrumentation that 12 -- where most of the science is really done is there. The 13 support building out here is exactly that. It supports that 14 operation. It provides a place for the operation console for the telescope. It also provides an instrument lab for 15 direct use with the instrument lab that's in active rotating 16 17 with the telescope. And then it has space down below for 18 bigger things, notably a coating chamber for recoating the mirror and other large mechanical equipment that has to be 19 20 close to the telescope.

One other thing here that's maybe notable in this picture here is this shaft way up in the middle, which is necessary because we have to be able to take the mirror off from the telescope and down for the recoating process and also large instruments have to be brought up onto this

1 platform.

2 So essentially, that's what this building is, and 3 that's why it has the dimensions it does. The other things 4 that you can see in this are the existing Mees Observatory, 5 so you can see that we are on the scale larger than that. б And it -- the plan is to even use the Mees building and then 7 the utility building, the remote utility building, which you can see is a much smaller structure off to the side here. 8 I'm going to move sort of fast through this. If I went into 9 a lot of technical detail, I'm sort of technically oriented, 10 11 it probably wouldn't be what you would be interested in 12 anyway.

13 So in the interest of getting to your questions 14 quickly, I'm going to move through stuff, and we can come back to this if there's anything special you see that 15 concerns you. Again, the enclosure, the support building, 16 the things inside it that require it to be the size that it 17 18 is. This is probably the best indication of scale. This is a big 40-foot flatbed truck that gives you an idea of how 19 20 big the whole thing is. There's a service yard in between the service building and the remote utility building that's 21 22 associated with the operation here. And then it's worth 23 mentioning here this is the existing Mees Observatory, and 24 one thing that has come up already and may come up again is 25 why don't we get rid of the Mees building and put our new

1 ATST facility where that is. And there are good reasons for 2 that which are worth mentioning. The Mees building, it's 3 not an NSF building, and it's not directly associated with 4 ATST. It has missions. IfA, as Jeff Kuhn may know, they 5 use it for their support for programs on the mountain. And б so, in essence, if we were to remove that, we would have to 7 incorporate more space in here to compensate for it because there's legitimate uses for that space. 8

9 So in other words, our building would become a 10 little larger if we did that. Also, the operation of the 11 telescope, in order to get a correlation between the 12 observing that's going on now and the new observing that 13 would be done with ATST, the observing has to be more or 14 less continuous, so the telescope dome for Mees, which is right here, will be in operation until ATST is up and 15 16 operational, so there's kind of a continuum that's necessary 17 there. Also -- sorry, Jennifer wants me to move ahead here. 18 The Mees building is in an area that, as you saw in that first plan, is kind of close to the edge of where it begins 19 20 to fall off and there's petrel nests and other concerns over 21 there.

It's unlikely that if we were to remove the Mees building that we would be able to put the kind of foundations and kind of building structure we would need for ATST on that spot anyway, so there would be, in essence,

1 more disturbed footprint of building area.

2 Okay, go ahead. As to what it looks like, the 3 first thing to mention is that anything close to the 4 telescope because it's a solar telescope and is observing 5 during the day when the sun is beating down on not just the б telescope, but everything around it, including the soil and 7 the buildings and everything, has to be white. Everything that's close to the telescope and exposed to the sun really 8 has to be white. We've looked at that, and again, I'm going 9 10 to go into a little bit of technical detail here.

Our thermal modeling shows that if we -- the main 11 12 object and the main thing, the closest thing to the 13 telescope is this area right here I guess you call the dome. If we paint it -- if we have it be something other than 14 white and even a special kind of white, the -- if we did, 15 16 for instance, sky blue kind of like in the color of the 17 background here so it blended in a little better, 18 immediately the heating we have to remove from that so as not to degrade the observing conditions that comes down 19 20 through this aperture tube right here. The amount of heat we have to remove goes up to a factor of four even with sort 21 22 of a light blue color. If we go to something like a darker color, it would be probably, you know, as I say, I don't 23 24 remember all the exact thermal modeling, but it would 25 probably double beyond that. And it's also worth mentioning

1 from a technical standpoint that all of the electricity that 2 this entire new facility is going to utilize, half of that, 3 a full half of it is going to be dedicated to only just 4 cooling this dome. So if you take that half of our entire 5 power budget and multiply it times four or eight or some б other number, it really does become economically unviable to 7 operate this telescope for the period of time that we anticipate. And the capital expenditure to put that much 8 more cooling into it is also a huge factor. 9

10 And so for that reason I've gone into a little 11 detail here to kind of explain to you why it really does 12 have to be white and the obvious feature being it makes it 13 more visible from distant locations, so it really kind of 14 does have to be white. Also on the dome here, the areas even though it's white still heats up some, so the line you 15 see in here, some of this other stuff is material called 16 plate coil that has kind of a liquid cooling that goes 17 18 between two sheets of metal and extracts away heat, so this is a very active and a very heavily thought out issue here. 19 20 And we have really looked into it in some depth.

The other thing that is probably worth mentioning here is there's a white apron. You can actually see it better if you've had a chance to look at this poster over here. Outside on the east and to the south of the telescope, there's something like 30 feet wide white

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concrete apron that would go around the building and shield the telescope from heat that would be generated otherwise by the volcanic cinders that are out there. The utility building is out here, and it's painted brown. It's far enough away, and in any way that we can, we do intend to minimize the visibility of our structures. I think that's getting close to the end here.

8 I've got kind of a review slide here. We have two potential sites. Both of them have good seeing and enough 9 10 area for ATST. The dome is the primary visual element that 11 we have to deal with and you'll have to deal with, and it's 12 high enough to allow for good seeing. It's high because it 13 has to allow for good seeing for the telescope at that 14 height. It's large because the telescope has to rotate inside. And it's white because of the heat. The support 15 and operations building is a little simpler kind of 16 17 structure, and we do intend to minimize that in any way we 18 can. And part of that strategy is to keep the existing Mees 19 building. That was the support building. The utility 20 building is even less of an issue. It's just a way of 21 getting the heat and vibration away from the telescope, and 22 it will be sound insulated because we understand that's an 23 issue as well and will be painted brown. I've got a couple 24 of pictures here, which are really the posters. This is 25 looking, as it says, at the -- with the telescope at the

Mees site looking at it from the north, and it gives you an idea of the rendering of what that would look like in its eventual construction. This one is at the Reber Circle site and looking at it from the opposite direction, looking from the south to the north, and these are other telescope in the foreground here, so again, you can sort of see for yourselves the scale of it. And that's it.

8 I think as I'm the last speaker, I'm not sure if 9 we need any formal introduction to the process of asking 10 questions, but that's it for the presentations.

11 MS. COMPOC: I just want to acknowledge that they 12 were exactly on time, 45 minutes, which is better than what 13 happened last night. Thank you all for that presentation. 14 See we're at 8:05. We have an hour. But do people need a quick bathroom break before we begin the second portion? 15 16 Would that be helpful? Keep going, okay. So a reminder, 17 please use the mic. Introduce yourself. Speak right into 18 it so Rachelle can capture it all. If you're not comfortable with that, we have comment cards. If you're not 19 20 comfortable with that, take it home and mail it back by August 14th. 21

22 MR. BRASS: One thing to add. Go ahead, make your 23 comments, ask your questions, and then whomever among the 24 presenters is appropriate to respond to it will come forward 25 to this mic and respond to your question.

1 MR. RIZZO: My name is Frank Rizzo, and I've got a 2 couple of questions. There's a dome, the AEOS facility is 3 coated in silver. Is there a reason why you couldn't use 4 silver as opposed to the white?

5 MR. BARR: We did look at silver as a possible б color. In the first place, we thought you weren't going to 7 be crazy about that anyway. The experience with the AEOS telescope, in my understanding of it, was that it's bright 8 in the sort of the specular reflection, that sort of diamond 9 10 that you see in mornings and afternoons is not a good thing 11 either, so we understood that going in from an environmental 12 standpoint, it wasn't necessarily preferable. But we looked 13 at it anyway because we wanted to know what the best coating 14 for us would be. It's not as good. As I think Jeff mentioned, this is a daytime telescope, not a nighttime 15 telescope. Essentially, you can think of anything that's 16 17 dark. And a silver surface, in essence, is darker. It's 18 darker because it's absorbing some of that light. It's also absorbing some heat, so it will absorb heat in virtually 19 20 direct proportion to how light or how dark the color is. MR. RIZZO: So white will reflect more than the 21 22 silver? 23 MR. BARR: White reflects more heat than silver. 24 MR. RIZZO: And I know there have been issues with 25 the silver dome up there, like you said, in the morning and

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1 the evening when the sun is at a low angle. But it's been 2 my experience during the daytime hours, it does sort of 3 blend in. It reflects the sky. 4 MR. BARR: Yeah, it would. It reflects the sky 5 color. It's a different problem, in essence. б MR. RIZZO: Thank you. Do you know, are you 7 planning on using any solar panels, solar panels to supplement your power and cooling up there? 8 9 MR. BARR: We're just in the early stages of 10 figuring out how to economize, and that's certainly a 11 possibility. We haven't actually incorporated that. We've 12 been in touch with MECO to find out what the power up there 13 is, and we're looking at some of our -- as I'm sure you're 14 all well aware, power is expensive here. We're finding that 15 out. 16 MR. RIZZO: Take advantage of the sun. 17 MR. BARR: Something like 18 cents a kilowatt hour 18 or more than that. So we are going to have to find ways to minimize our power consumption. We're looking at, again I 19 20 don't want to go into a lot of technical detail, but one of the things we're looking at is ice storage, which you 21 22 generate power cooling that you need during the night so you can use it during the day, and that way you're using power 23 24 at a time when it's cheaper. And the grid isn't maximized 25 anyway. Solar panels are possible as well.

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1 MR. RIZZO: And then just the height, that's a 2 pretty enormous building that's going to go up there. Do 3 you know how that -- I'm not familiar with the sites on the 4 Big Island but how does that compare height-wise to the Keck 5 and the other observatories? б MR. BARR: It's on the order of the same type. 7 MR. RIZZO: Over 100 feet? 8 MR. BARR: Over 100 feet, yeah. Those buildings are over 100 feet. 9 10 MR. RIZZO: It's ribbed on the top. Are there 11 catwalks on the exterior? 12 MR. BARR: There was a catwalk. No, they're 13 awnings essentially that you see there. This is a -- these are because I guess I kind of blitzed over this, because we 14 15 have ventilation openings in the dome. And because we have 16 openings, we have to shield those openings so the sun 17 doesn't come directly in and heat up the surface including 18 the telescope inside. So these are awnings. That really is 19 the only description for them, and they're made out of that 20 same plate coil material I talked about before. This is a catwalk, and that is necessary and it does effect the 21 22 overall profile of the building. It's worth mentioning its 23 justification. In order to maintain the wheels that the 24 dome rolls on, essentially from here on up, this thing 25 turns, and from here on down, it doesn't turn. And there

are big wheels in there. To maintain those, we have to have
 the catwalk, which is the widest element in terms of the
 circular plan of the building.

4 MR. RIZZO: And just one last comment. They've 5 been sending satellites, SOHO and such, to study the sun. 6 Why would this be better than using satellites that could 7 actually get closer to the sun?

8 MR. FOLTZ: Certainly if you get to the point where you get out of the atmosphere, you lose the 9 10 turbulence. There's a couple of problems going into space. 11 The first one is it's hard to have and very, very, very 12 expensive to have a long-lived space mission. You know, 13 Hubble is running up costs of 4-plus, 6-plus billion dollars 14 for the total cost of the mission. But the real issue here is that in order to see the detail that we need to see, Jeff 15 needs to see, you need to have a mirror of a certain 16 17 diameter. Because, in fact, the detail you can observe with 18 any optic depends on its diameter. So you need 150 inches 19 of diameter. Hubble is 90 inches, so in order to get the 20 detail that you need, whether you're on the ground or in 21 space, you need that diameter, and launching that will be 22 factors of much more expensive than that. 23 MR. RIZZO: Thank you very much, and good luck.

24 MR. WILSON: Good evening, I'm John Wilson. And 25 I'm here as a member of the Kula Community Association and

1 also an interested citizen of Kula. I have several comments 2 you might want to consider as you go forward with the 3 process. One has to do with the mirror coating shop that's 4 being considered for the Air Force facility, and that may 5 cause you to redesign that shop if you don't need that. б Now, I noticed in their EA, they talk about on Mauna Kea, 7 they have three of those shops because that was an alternative for locating the shop here. So one of the 8 9 things you need to consider is would that shop be large 10 enough that they're planning for the Air Force facility?

The second thing is power line requirements. I 11 12 believe they use one single power line going up Haleakala 13 now for serving the power at the summit. I'm not sure your 14 power requirements would require a much larger transmission facility or not. And Maui Electric is also currently 15 16 working on what they call their integrative resource 17 planning process and part of that is to reduce demand as 18 well as to look at supply requirements. And so they're 19 looking at various alternative ways customers could reduce 20 their power.

But there may be a way of working with Maui Electric that might be technically feasible so you can maybe put things of an artist at the top rather than just ATST, something to do with recovering the power. So that was just a comment one of the concerns we have is visual impact of a

much larger transmission facility, if that was ever required. Another thing is the -- in their planning, the long-range planning, they talk about the possible replacement of the Mees Observatory, so I guess from a university standpoint, once this is in place, would you be able to not need the Mees Observatory and that be removed from there?

8 MR. KUHN: Do you want me to respond to that?
9 MR. BARR: Yeah, why don't you do that.

10 MR. WILSON: And my last comment, these are just 11 comments for you to think about. The last comment is in 12 your planning process for looking at the mountain, I think 13 this has already been mentioned by one of the staff members 14 here, is that the visual site plans -- I live down the slope here at 2,000 foot elevation. I can see this observatory at 15 16 sunlight reflected, and I can see the two other smaller 17 domes there. Probably I could see this. And in addition to 18 that, as you go further down the slope of the mountain, 19 there is the transmission tower from Hawaiian Telcom that's 20 also visible. So you might want to consider how your visual sight lines will be presented and from where they will be 21 22 presented.

The EA for the mirror coating shop shows a picture from the entrance road there, but if you had pictures from several other locations further down the mountain where

people live and would be able to see what the impact would be, that might be a consideration also in your -- those are my comments. You can respond any way you want to.

4 MR. KUHN: That's a lot of questions. I think 5 from the prospective of the Mees Observatory, we are very б aware that 18 acres up there is very precious. We're never 7 going to expand beyond that for doing astronomy, so the Mees facility is valuable and has been valuable for studying the 8 sun, because as we know, the sun changes. So the record 9 10 that is of interest to us is the time record. We have ten 11 years of data. We want to have that data in place when the 12 observatory comes on line, so the idea that we could stop 13 operations now and begin doing the observatory would put us 14 out of business for probably --

15 MR. WILSON: That wasn't the comment.

MR. KUHN: I understand. The answer I think to 16 17 your statement is that we more than anyone are sensitive to 18 the notion that space is at a real premium up there, and 19 once ATST comes on line, I think it's a virtual certainty 20 that the Mees will have to morph into something else, and it may become a site where instruments are tested. It may 21 22 become an auxiliary to make the ATST to work more 23 efficiently, but it certainly isn't going to work in the 24 mode that it is. And if you look at the picture, under the 25 picture of Mees compared to the ATST, that space right there

is so small in comparison to the observatory that it doesn't really have a large influence on the overall space that is required for the ATST telescope. So the answer is yes the Mees will change. What it changes into is going to be some very efficient use of a very small amount of space because we know we're not heading outside of that 18 acres.

7 MR. BARR: Okay. I'll talk to the other issues that you brought up, and they're all very good, valid 8 9 points. The -- I can't read my own writing. Oh, the mirror 10 coating facility. It is -- we are working with the Air 11 Force, and we hope that we will be able to coat our mirror 12 in their building. And if we do, there's a very good chance 13 that we can shrink down this floor plan and the amount of 14 coverage and the amount of building that we have to do. This entire wing of our structure up to something like 20 15 16 feet is dedicated to just that with the exception of we 17 probably definitely would have to still have to have some 18 kind of receiving area to bring things in off of the lift, 19 most notably the mirror itself, and other instruments and 20 things coming in. But the amount of space that we may be able to reduce here is definitely a factor of whether or not 21 22 we can work it out with the Air Force to have them coat our 23 mirror.

You referred to a shop, and essentially, this isthe shop for doing that mirror coating. The mirror comes

down. It goes onto a wash rack. The existing coating is
 stripped off, goes into a tank, comes back and goes back
 onto the telescope. So it all sort of happens in here.

4 They have a facility of order a little bigger than 5 this because it's the Air Force, but they have a little bit б more space than this for coating their 3.5 meter telescope 7 mirror and they are intending at this point to make that large enough to coat our 4.2, 14-foot mirror, so there's a 8 good chance, but we can't make that assumption. And we're 9 10 in the early stages with them, so we have to incorporate 11 this. And in terms of the EIS process, we really in good 12 faith have to show what we consider to be the maximum size 13 of the facility and not, you know, kind of bet on any 14 optimistic assumptions. So that's on the mirror coating 15 facility.

16 The power capacity coming up the mountain, from 17 our initial contacts with MECO and from talking with Mike 18 Maberry, the site representative for IfA who deals with them 19 directly regularly, the power capacity coming up there is --20 has been made big enough to accommodate something like 1,000 kilowatts more of capacity. That's right around what we 21 22 expect to need. So we're kind of on the edge, and we 23 realize that upgrading the transmission capacities up to the 24 mountain would be a big deal, and we can do things. Again, 25 I mean it comes back to the heat again. If we had to paint

the dome brown, I can't see how we could possibly stay within that power budget, but there's a really good chance if we can economize it, we can do sort of a sensible, modest approach, that we can stay within the capacity and we certainly will work to do that.

б Also, their substation up there is of that 7 capacity. We understand that it has that much overage with the express intent that something like this might come 8 along, so when they put in that transmission capacity, they 9 10 made that available. The sight lines you talked about, and 11 honestly, I don't have a lot to say about that other than 12 what is in the long-range development plan. There is a 13 table that's appended to that that analyzed the sight lines 14 from both of these sites by name, the Mees site and the Reber Circle site, and it talks about -- and you all know 15 the communities better than I do -- so where your house is 16 17 and where it would be critical to you, it would be evident 18 looking at that table.

But it gives you a height aboveground that you would be able to see things from that location, and the math from there is pretty easy. We're at about 140 feet high, so if it's a 90-foot high sight and then above that you see something, then you see 50 feet of our building. If it's 120 feet, you see 30 feet of it. If it's 200 feet, you don't see our building at all. And it's not absolutely

1 clear. When that was done, the specific location on those sites wasn't identified, so we need to do that work again. 2 3 That analysis will be redone for the purposes of EIS. 4 MS. BRAGG: I think it would be nice to see the 5 renderings like from Kihei. б MS. COMPOC: Can you come to the microphone and 7 introduce yourself? 8 MS. BRAGG: Lori Bragg. I was just going to say it would be nice to see and I think the community would want 9 10 to see down the road what they see from Kihei or what they 11 see driving from Lahaina. 12 MS. COMPOC: Could you introduce yourself on the 13 mic? 14 MS. BRAGG: Lori Bragg. MR. FEIN: I could respond to that. Part of the 15 EIS process will be rendering from Kula, Pukalani, Kahului, 16 even Lahaina, and the individual who did these beautiful 17 18 renderings is already working on renderings from those various locations using -- yeah, we'll give him credit. Tom 19 20 Kekona will be doing those for us, and the community will get to see posters that size showing visual, potential 21 22 visual impacts. 23 MR. RIZZO: Frank Rizzo again. The sight line, 24 your first choice is the Mees location as opposed to Reber's 25 Circle, so I'm assuming from down in the central valley if

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1 you're -- if the building is located in the Mees site, it 2 would be less visible? 3 MR. FEIN: That is correct, Frank, the Mees site 4 affords less visibility from Kahului-Wailuku than the 5 Reber's Circle site. б MR. RIZZO: And what is going to determine which site is chosen? 7 8 MR. FEIN: The environmental impact assessment process and potential significant impacts and mitigation and 9 10 so on. We will arrive at a final recommendation for that. 11 MR. RIZZO: Thank you. 12 MR. WILSON: John Wilson again. I just had a 13 thought. Could you coat that thing in polyoptic instruments and create your own electricity to cool the building? I 14 mean it's way out, but that's a scientific question. 15 16 MR. FOLTZ: Thanks. Correct me if I'm wrong, the 17 solar constant is one kilowatt per square meter, so if you 18 could -- so basically if you had a perfectly efficient photovoltaic -- I love photovoltaic -- but if you had a 19 20 perfectly efficient photovoltaic, you're going to get one kilowatt per square meter of solar constant. So doing the 21 22 math, if you were going to run at 500 KVA, you would need 23 roughly 500 square meters, which would be a substantial --24 cover a substantial part of the site. I think it's not out 25 of the question, I think as Frank said, too, to consider

economizing and doing everything you can, and as Jeff said,
 try to use the power during low power usage in order to both
 save money and also save capacity. But certainly these
 things can be considered.

5 MR. BARR: Right, it's also worth mentioning that 6 the heat generated or the heating of that surface would 7 still occur, and we still would have to cool that somehow. 8 And as you say, that may be how you generate your power to 9 cool it, but again, most photovoltaics are a dark color, so 10 we would start out at a disadvantage in terms of cooling the 11 dome.

12 MR. KUHN: But it's a good idea.

13 MR. BARR: It's a good idea.

MS. BRAGG: Since it's quiet, Lori Bragg again. I have a quick question. How many employees are you looking at or it hasn't really been talked about how many people would be working at the facility.

18 MR. WAGNER: We're currently studying that. We have operational scenarios. The estimate right now and that 19 20 was in the proposal for the NSF was essentially of a staff of around 35 to 40 individuals, and that's the whole staff 21 22 for the entire supported facility. That would include administrative staff. That would include the scientific 23 24 staff. That would be include engineering. That would 25 include the facilities. All of those folks wouldn't be up

1 at the telescope. They wouldn't be traveling to the 2 telescope each day, but you can imagine that you would have 3 a couple of telescope operators, that you would have 4 scientists there. Initially you would have a few engineers, 5 that sort of size staff to get things going. Now, that's 6 assuming that the construction end its completed.

7 MR. WILSON: Would some of that staff be located 8 with the Astronomy Institute?

MR. WAGNER: We're still studying that. We're 9 10 trying to understand that exactly what opportunities we have 11 for synergy with the Institute for Astronomy and how it 12 might work and whether scientists would be based some here 13 on Maui, some in Oahu, whether there would actually be a 14 headquarters facility associated with some university in the U.S, but all of that is part of the planning and discussions 15 that are going on associated with the design of it right 16 17 now.

18 MR. FOLTZ: May I?

19 MR. WAGNER: Sure.

20 MR. FOLTZ: I just wanted to add one comment on 21 that. The National Solar Observatory now currently is 22 headquartered both in Tucson, Arizona, and near Alamogordo, 23 New Mexico, and they have facilities in both places. This 24 telescope, if it is built, will render many of those 25 facilities redundant, and so the National Solar Observatory will have an opportunity to look at its future in terms of relocating, finding a new home, consolidating and reducing its operations costs by closing existing facilities. None of this is certain, but there are opportunities for -- for a reorganization of the observatory.

б MR. KUHN: Can I respond to that? So the NSO has asked to bring the telescope to Haleakala of which their 7 scientific collaborative involves the University of Hawai`i. 8 We haven't convinced them yet that they need to bring their 9 10 entire scientific operation to Hawai`i, to Maui, but we're trying. And I think that it's the plan of the university 11 12 and most of the scientists that are involved in any -- in 13 many aspects of the this to convince the National 14 Observatory that they should not only locate what Jeremy has already explained, that there's an operations staff, but 15 then there is the full research staff of the National Solar 16 Observatory, which we think should naturally be located 17 18 here, potentially half in Maui and half in Oahu. But they 19 should be here. But that part of the discussion hasn't 20 progressed very far. MR. WILSON: Do you need help? 21 22 MR. KUHN: Yes, I think we do. 23 MR. FOLTZ: But I'm going to close my ears. MR. TRUITT: I'm Stan Truitt, T R U I T T. And 24 25 most of my other questions have already been answered except

1 for a specific number. Has there been a power budget 2 determined for the whole facility? As I recall, that the 3 Air Force Observatory was around a megawatt of maximum load, 4 and that was at night. Of course, they won't be operating 5 at probably those same power levels during the day. But has б the study been done, and has the time dependence of the 7 power been determined?

8 MR. BARR: The time dependence is a little trickier. We do have a preliminary power budget. We don't 9 10 have a full building design engineering team on board at 11 this point. It really would be expensive and preliminary to 12 getting through this and understanding whether or not the 13 site is viable and what the circumstances are. But we have, 14 and you say a megawatt, I say 1,000 kilowatts, it's the same number. We're approximately the same as the Air Force power 15 budget. 16

17 MR. TRUITT: So it would be practically doubling 18 it?

19

MR. BARR: Essentially that's our guess. 20 MR. TRUITT: Okay, thanks. My second --MR. BARR: It's worth mentioning, and Craig 21 22 reminded me, that's a peak load. That's the maximum at any point we would probably -- and I'm not sure what that 23 24 megawatt is in terms of the Air Force. That may be their 25 normal operating budget.

1 MR. TRUITT: Okay. So in terms of the petrel 2 diagram, it's perfect because it's right there, are all 3 those petrel burrows from active nesting birds, or is that 4 just things that have been found around that are possibly 5 not in use or being used fractionally?

б MR. FEIN: That's a good question, and what you 7 see on the screen are active burrows. Those are the ones that were there at the end of 2004 by the National Park 8 staff. Those birds were active in 2004. Now, at the end of 9 10 this year, the active burrow configuration might change. All together I think all over the summit area, it's 11 12 something like 430 active burrows around the summit area of 13 which there are a fair number as you see on the south side 14 of that site. Those burrows are monitored constantly. They're being monitored right now by the National Park 15 staff. They are looking at them every week and will update 16 17 them at the end of this year. So we use this map from the 18 previous nesting season.

19 MR. TRUITT: Thanks, Charlie.

20 MR. FEIN: You're welcome.

21 MR. KAIMIOLA: Aloha, my name is George Manulani 22 Kaimiola, and I'm sure Uncle Charlie Maxwell has discussed a 23 lot of the archeological, historical, cultural significance 24 of the place. I like your plans. I think it's all great, 25 but I have a hard time really, honestly with what you folks

1 are doing up there. I'm just sitting here listening to 2 everybody speak, and it reminded me of a time when my 3 grandmother was in a care home and the caregivers and my 4 uncle and my cousin was talking about her as if she wasn't 5 even there. And I'm sitting here listening to everybody б talk megawatts and looking at the sun and all this other 7 stuff and everything, and I'm like, wow, did anybody even ask the mountain if she wanted that stuff on top of her? 8 You know, I mean that's the thing that really needs to be 9 10 considered. I don't know. It's just something that really, 11 really needs to be thought about.

12 You know, I'm thinking that, you know, one of my 13 first questions I jokingly asked how does that benefit the 14 Native Hawaiians, yeah? Why do you need it? You had a beautiful slide up there of Haleakala with no structures on 15 it. I thought that was the most beautiful slide you had all 16 17 evening. You know, so I -- you know, I really appreciate 18 you folks trying, but I think you folks really, really need 19 to look a lot deeper and really try and, you know, figure 20 out if it is really necessary or are we just curious about what's going on up there. And do we just -- you know, are 21 22 these answers really significant? Do we really need these 23 answers, you know, to these questions that we have? Yeah, 24 or are we just niele? Are we just curious and want to find 25 things out? Or do we just want to write a grant so we can

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1 go ahead and just have a job and really look at the stars 2 and the sun and spots and all these other things? And even, 3 the, you know, the EIS is an economic impact. You know, how 4 many people are you bringing from the outside to do a lot of 5 the work? You know, how many people are you going to be б bringing here? How much money is even going to get down to 7 the community itself and those sorts of things, yeah? So it's great. Personally one part of me would really like to 8 see it, but I have a hard -- another part of me just really 9 10 has a hard time with what you folks are doing. Just 11 something to think about. Mahalo. Thank you.

12 KAHU MAXWELL: Kahu Charles Kauluwehe Maxwell. 13 It's interesting, George, what you say. Buildings started to go up on this mountain way back in the '40s. Finally in 14 1962 by executive order they took this 18-point-so-many 15 acres. I was one of them that fought against the AEOS, and 16 I had a pet name that I called it, which I won't refer to it 17 18 now, but they hired me as a cultural consultant. And they 19 spoke with forked tongues because they promised me that they 20 wouldn't touch, you know, the cinders. They would control the dust, and they wouldn't take nothing off the mountain. 21 22 And yet they took 150 tons of rock, sacred soil that 23 belonged to Pele, took it off the rock and went down to 24 Puunene and crushed it in big mounds. It was such a 25 cultural insult. And I had the Air Force people come,

1 papa kalakea, myself, my mo'opuna, and we went and pule and 2 asked forgiveness. And I personally followed. Once the 3 rock was taken out of Haleakala, you couldn't put it back 4 because of environmental concerns, so we -- I followed the 5 150 tons crushed rock back to the National Park and gave it б for them to cover trails within the crater, not put concrete 7 over it, but cover the trails. I was one of the only people to fight against the Faulkes Observatory that you see up 8 9 there now.

10 I even stood up in a -- I invited myself with Prince Andrew or Albert, one of them -- Andrew. And I 11 12 invited myself, my sister and my grandchildren to the press 13 conference they had. And when Governor Cayetano and the 14 Prince of England was going to sign the contract, and I stood up, I said, "If you're going to do anything in 15 Haleakala, on Haleakala, you make sure you include the 16 Native Hawaiians." And slowly, I tell you slowly we got 17 18 them, because of the studies that you see on the desk there, 19 the cultural practices and what they have to follow all the 20 cultural rules about how if any soil is lifted, if any hole is made, they've got to pray before they do anything. And I 21 22 was so proud of that. And after ten years of fighting for 23 restoration of two ahu, we finally completed one right by 24 AEOS, yeah, Charlie, by AEOS. Because this site in ancient 25 times was used by the kahuna po'o, the teaching kahuna. It

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1 was so sacred, that site, that nobody could even go up there 2 So for the Native Hawaiians to look at things that 3 are being built there, it's really an insult. It's really 4 an insult, but we're in modern times. We've got to make 5 them follow protocol. They've got to learn. They've got to б follow protocol. We have to be included in every aspect of 7 the work that is being done, and it is happening. We have monitors that will be up there. One of my grandsons has 8 been working up there for three years now, two and a half 9 10 years monitoring everything that everybody does. And even 11 the Air Force, we're trying to make them culturally 12 compliant.

13 So I've been hired to do this Environmental Impact 14 Statement to again show all the cultural, prior cultural 15 uses, present and in the future, and that's what I plan to 16 do.

17 MR. RIKOWSKI: My name is Rod Rikowski, and in our 18 recent deep impact event that we had, the kids from Kamehameha School in conjunction with the Faulkes telescope 19 20 did some observing. Will there be any possibility of the kids maybe being interactive with this telescope? 21 22 MR. FOLTZ: Let me comment on that. It is a very, very high priority of the National Science Foundation that 23 24 research at the highest level and education at all levels 25 public and private be integrated. And, in fact, we -- I

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oversee the funding for the National Solar Observatory. I also oversee the funding for the National Optical Astronomy Observatory, which is in Arizona and in Chile. And they have significant public outreach programs and education programs from kindergarten through 12 through postgraduate through postdoctoral, but an enormous -- and family science outreach at NSO in Tucson.

8 And I know in Tucson we go to local Native American communities as well as education in the Tucson 9 10 schools. In Sacramento, at Sac Peak, they reach out to the 11 Alamogordo schools and around and concentrate on some school 12 systems that are traditionally largely Hispanic. So there 13 is lots and lots of opportunities. We being the NSF make 14 them do it. They do it well. They do it happily, but we 15 also -- I would also note that there are programs already in place on Maui that are a part of the Center for Adaptive 16 17 Optics, which is actually in some way linked to this 18 project. That's at the University of Santa Cruz, and there 19 was an internship program going on for a few years on Maui 20 to get Native Hawaiian students involved in high tech enterprises here on Maui and to develop a work force. 21 22 Because if we develop a technologically adept work force here that can stay here, we help ourselves, and we help the 23 24 communities. And so, you know, I'm preaching. This is 25 very, very important to me.

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1 MR. FEIN: I wanted to make one other comment 2 about that. It's not well-known in some parts of the 3 communities that 32 percent of the individuals who work on 4 the mountain are Hawaiian born individuals, and that 5 includes management and supervisory personnel as well. Many б of these people were brought back from the mainland to work 7 in these high technology jobs, and so I think that's part of the overall objective and goal of all of these projects on 8 9 the mountain.

10 MR. PELAZAR: Good evening. My name is Sergeant 11 Mitch Pelazar with the Maui Police Department. I'm here 12 basically on a different, I guess on a different plane from 13 what everybody else has been talking about. But my thing is 14 mostly concerning I guess pedestrian and traffic safety 15 coming in and out of Haleakala during the construction phase. Some points I wanted to bring up, as far as the 16 17 trucks that are going to be used going up and down the hill 18 transporting the construction supplies, how many of them are you guys going to have per day, per week, per month, per 19 20 year, how much? You know, just consider that. I guess the road wear being generated because of the trucks. If there's 21 22 any kind of additional safety, traffic safety as far as 23 trucks that can and sometimes lose their brakes as they're 24 coming down the hill, if you guys are going to plan for 25 anything like that with National Parks or with the State

1 Department of Transportation.

2 I know there was a slide earlier with like a time 3 element for the construction phase for the building. During 4 this construction phase, how or what is you guys' estimate 5 or maybe you guys should consider how during this б construction phase is it going to affect the multiple 7 downhill bike tours, the regular tourist traffic going up and down the hill as well as the bus tours as well and what 8 kind of anticipated delays their construction traffic is 9 10 going to generate during this construction phase.

MR. BARR: Well, let me just say a word or two about the --

MR. PELAZAR: Let me just finish one more point. MR. PELAZAR: Let me just finish one more point. The last point now since 9/11 is, of course, the security thing with any kind of terrorist attack. And you know, now with the site being proposed on Haleakala, what might be I guess the chances or the percentage of Haleakala now being targeted as a possible site?

MR. BARR: That one is hard. Let me talk about the construction phase because that's a little easier. All of your points are very valid and need to be looked at as part of this EIS process. That's the purpose of this meeting is to get this kind of thing out, so it's very well taken. As far as the construction traffic, if I was a general contractor, I could tell you better. I'm an architect, and in my experience, it is a significant volume
 of truck traffic, and safety is an issue and timing that
 certainly with the bike tours and the rest of that will
 definitely be an issue.

5 We know we're going to have concrete trucks and 6 trucks with steel, something probably like averaging a truck 7 a day, a large truck a day coming up the mountain and down 8 at least during the heavy part of the construction schedule. 9 I don't know, did you want to talk at all about the vehicle 10 miles as part of the EIS?

MR. FEIN: Yeah, those are really good questions. 11 12 Traffic and traffic safety is a part of the environmental 13 impact study. It's a whole section in the study. And what 14 we do is start with the baseline traffic that we are aware of right now. We had a baseline survey done in the 15 long-range development program, so we know how much traffic 16 17 is going in and out of the site right now through the 18 National Park on a daily basis. And so we will have to incorporate additional traffic in our survey. 19

20 One thing I would like to say that is in the 21 construction of the AEOS telescope in 1994 and '95 produced 22 a lot of lessons learned about traffic, traffic safety, road 23 wear, rules and procedures driving through the park, 24 National Park and state road as well, and we'll apply those 25 rules. Some of those lessons were hard learned with

construction traffic, some road damage and that sort of 1 2 thing, so we're aware of that. We will put that into the 3 EIS, so I really appreciate those questions. 4 MS. COMPOC: We're in the last 15 minutes here. 5 There is still a couple of people who haven't spoken. I б just wanted to encourage you if you had any other questions 7 or comments. 8 MR. RIZZO: What do we do to get rid of those 9 bicycle tours? 10 (Laughter.) MS. COMPOC: That's a different study all 11 12 together. So if there are no other questions or comments, 13 then I think that that concludes our time here today. August 14 is the final deadline if you're writing your 14 comments out. Please feel free to do that and take the 15 literature and the information. If you would like to invite 16 17 someone for tomorrow night, it's going to be Pukalani 18 Community Center at 6:30. Thank you all for being here. 19 Mahalo. 20 (The meeting ended at 8:45 p.m.) 21 22 23 24 25

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1 CERTIFICATION 2 3 I, RACHELLE PRIMEAUX, Notary Public for the State of 4 Hawaii, certify: 5 That the proceedings contained herein were taken by 6 me in machine shorthand and were thereafter reduced to print 7 under my supervision by means of computer-aided 8 transcription; that the foregoing represents, to the best of 9 my ability, a true and accurate transcript of the 10 proceedings had in the foregoing matter. 11 I further certify that I am neither attorney for any 12 of the parties hereto nor in any way concerned with the 13 14 cause. Dated this <u>28th</u> day of <u>July</u> 2005. 15 16 17 18 19 NOTARY PUBLIC, State of Hawaii 20 21 My commission expires 6/14/08 22 23 24 25 IWADO COURT REPORTERS, INC. (808)244-9300

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Appendix B(3): Transcripts Public Scoping Meeting, Pukalani Community Center, July 12, 2005

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1	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)
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12	PROCEEDINGS
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13	Held at the Pukalani Community Center, Pukalani, Maui,
	Held at the Pukalani Community Center, Pukalani, Maui, Hawaii, commencing at 7:00 p.m. on July 14, 2005.
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APPENDIX B(3): TRANSCRIPTS – PUBLIC SCOPING MEETING, PUKALANI COMMUNITY CENTER, JULY 14, 2005

1 ATTENDANCE 2 3 MEETING FACILITATORS: 4 David Brass and Kim Lompoc, Mediation Services of Maui 5 6 HAWAIIAN LANGUAGE TRANSLATOR: 7 Kiope Raymond 8 PANEL MEMBERS PRESENT: 9 Dr. Jeff Kuhn - Associate Director of the University Of Hawaii, Institute for Astronomy (Oahu) 10 Dr. Craig Foltz - Program Officer with the National 11 Science Foundation, Washington, D.C. Dr. Charlie Fein - KC Environmental (Maui) 12 13 Jeremy Wagner - ATST Project Manager with National Solar Observatory, Tucson, Arizona 14 Jeff Barr - ATST Project Architect 15 Mike Maberry - Assistant Director, University 16 of Hawaii, Institute for Astronomy (Maui) 17 18 19 20 21 22 23 24 25

1 PROCEEDINGS 2 * * 3 MS. COMPOC: Aloha, welcome. 4 AUDIENCE: Aloha. 5 MS. COMPOC: We're about to begin. Thank you all б for being here. My name is Kim Compoc. I'm with Mediation 7 Services of Maui. 8 MR. BRASS: My name is David Brass. I'm also with 9 Mediation Services of Maui. MS. COMPOC: MSM was founded in 1982 to find 10 creative and appropriate ways of resolving disputes. David 11 12 and I will be acting as facilitators tonight, which means 13 that we are neutrals. We have no vested interest in the outcome of this meeting. Our whole focus is making sure 14 that you as the public have a chance to get all the 15 16 questions and comments you have about the proposed Advanced 17 Technology Solar Telescope, get asked and answered tonight 18 as orderly and fast as possible and we stick to the agenda. 19 Before we get into the ground rules and the rest 20 of the evening, I want to turn the mic over to Dr. Charlie Fein, who will introduce the panel. Charlie. 21 22 MR. FEIN: Thank you, Kim. Good evening and aloha. My name is Charlie Fein, and milk, butter, eggs. 23 24 That's the wrong --25 (Laughter.)

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1 I'm here to introduce the panel to you this 2 evening to begin the process. First of all, we have 3 Dr. Jeff Kuhn, Associate Director of the University of 4 Hawai`i, Institute for Astronomy, who is going to present 5 the science behind the need for this project. We also have б Dr. Craig Foltz, who is the Program Officer with the 7 National Science Foundation in Washington, D.C. He's going to discuss briefly the role of the NSF proponent in 8 9 sponsoring this project. We have Jeremy Wagner, the ATST 10 project manager with the National Solar Observatory in Tucson, Arizona, who is going to offer a project schedule. 11 12 Mr. Jeff Barr, he's the ATST project architect. 13 He's going to talk about the facility design and features of the proposed ATST. I would also like to introduce our court 14 reporter Rachelle Primeaux. She'll be the recording 15 16 stenographer. This is all part of the administrative record 17 for this scoping meeting. And for Hawaiian interpretation, 18 Kiope Raymond is here and available for interpretation if 19 needed. Again, our meeting facilitators Kim Compoc and 20 David Brass are the neutral parties who will be handling the logistics for this meeting. 21 22 Let me tell you that this is an Environmental

22 Impact Statement scoping meeting. The purpose of this
24 meeting is to inform the public about the proposed project
25 and allow time for you to offer your comments, questions and

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1 so on. Bear in mind that we are in the process, just in the 2 beginning process of the environmental impact analysis, and 3 therefore, we may not have answers to your questions, but we 4 want to hear your questions and we want to hear your 5 comments. Before we begin, I would like to introduce our б cultural specialist for this project Kahu Charles K. 7 Maxwell, and I've asked him to do the pule. 8 KAHU MAXWELL: I know it's very appropriate before we do anything pertaining to Haleakala because it's a 9 10 wahi pana, a sacred place, that we pule, do a prayer to it. 11 (Hawaiian language spoken.) 12 Our father in heaven, we ask and pray that as we 13 gather this evening and we exchange ideas and comments that 14 might protect and preserve this beautiful land of Haleakala, Kolekole, let's make sure the comments that you hear here 15 and the ones that are exchanged that we do it in good 16 feeling and we always keep the respect that is for this 17 18 beautiful wahi pana, the sacred place. We ask this in your 19 name. 20 (Hawaiian language spoken.) MR. BRASS: As Kim said, the first thing that 21 22 we're going to do is kind of go over the guidelines for this 23 process so that everyone understands the best, most 24 effective way to do it. As Dr. Fein said, we have a court 25 reporter here who is recording the proceedings so that there

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1 will be a record of your questions and concerns. It's 2 really important, for one thing, that people talk one at a 3 time during this meeting because the court reporter cannot 4 record more than one voice at the same time. So we're going 5 to ask that you use the mics so that she can hear you when б you ask a question and take turns talking so that everything 7 can be recorded and we get the fullest report of this meeting. We ask that you hold your questions until the 8 presenters are finished. They may answer your question. 9 10 You might want to jot down the question as you think of it 11 so that you remember to ask it.

12 Please, as I said, stand at the microphone to make 13 your comments and questions. There's a microphone back here 14 for the audience to use, and the presenters whoever is appropriate to respond will come to this mic up here and 15 16 respond to your comment or question. There are comment 17 sheets over on the table. I think that Kim has some as 18 well. If you would prefer not to speak in front of the 19 group, you can write your comments or questions down, give 20 them to Kim or I before quarter to 9, and we will read them into the record so that they become a part of the record. 21 22 You also have the option of submitting those after the fact. 23 You can submit them in the box over here tonight or mail them no later than August 14th to become part of the record. 24 25 When you go to the microphone to speak, please

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1 begin by stating your name and then go ahead and make your 2 comment. That's so the court reporter can identify who has 3 spoken. Especially since we have a pretty good turnout 4 tonight, we ask that you keep your comments brief, and we do 5 have a time keeper. She even has a stop watch. And she б will be timing the comments, and if you're getting up close 7 to five minutes, she will just show you the amount of time that you've used so that you get a little feedback that it's 8 9 time to wrap it up. So we also ask that you not interrupt 10 or comment during someone else's comments. Part of the reason is so that everything gets recorded, also out of 11 12 respect for everyone who is here.

13 And then just to reiterate, the court reporter can 14 only record one person at a time, so it's really important that we adhere to that. Any questions about the guidelines? 15 16 MS. COMPOC: And bathrooms are this way in case 17 anybody hasn't been here before, and I would like to just 18 pass out the comment sheets right now. The presentation 19 that you're going to hear is about 45 minutes, and there's a 20 lot of slides and a lot of information, so if you would like to take a piece of paper and pen right now, I have that and 21 22 that might help keep you folks' comments brief. Without further adieu --23

24 MR. BRASS: One other housekeeping piece that we 25 just found out tonight, at the end of the presentation, the

court reporter needs to take a quick break so that she's
 able to -- this is a pretty intense process, typing
 everything up, so there's going to be a five-minute break
 for the court reporter at the end of the presentation, and
 then we'll get right into the comments.

6 MR. FEIN: Thank you, David. So without any 7 further adieu, I'm going to present Dr. Jeffery Kuhn from 8 the University of Hawai`i Institute for Astronomy who is 9 going to talk about the need for ATST and why it needs to be 10 on Haleakala. Jeff.

MR. KUHN: My name is Jeff Kuhn. I'm a scientist. 11 12 I'm one of the people that will likely use this telescope 13 when it's built, if it's built in our lifetime. This is a 14 project that for some of us has gone on for many, many years. My first introduction to this project was about 12 15 years ago when we organized in New Mexico. It's had its 16 17 roots in the scientific community for a long time, and it's 18 only over the fairly recent past it's appeared publicly in 19 the form that you see it now. Two questions that I think 20 the organizers have asked me to try to address from a science perspective is why do we need the ATST? What value 21 22 does it have for science and perhaps for us in a broader 23 sense. And why is it that we come to ask to put it on Haleakala? What is it about Haleakala that makes it so 24 25 important for science? So those are the questions I'm going

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1 to address in the next few minutes.

2 The main theme to what I'm trying to tell you is 3 that the sun as we see it when we go out and we look outside 4 is much different from the sun as we see it through the 5 instruments and through our telescopes. So about a year and б a half ago, the sun, if you were to look at it from a 7 telescope, looked something like this. This is an image taken in regular light. It shows that the sun is something 8 that changes. You see here in this image, the sun is 9 10 rotating, and this time span is a couple of weeks. The 11 really remarkable thing about this period of time, a couple 12 of Halloweens ago, is a development right there of that 13 enormous group of sunspots, which happened more rapidly than 14 we've seen before, that group of sun spots, the dark region on the sun, which in size is roughly three times the size of 15 the earth. And when that region as it appeared rotated to 16 the edge of the sun, it did some pretty dramatic things. In 17 18 a matter of just a few seconds, it released an enormous 19 amount of energy into space.

20 So this is an image that was taken from space. We 21 can now only see images like this from space, and we happen 22 to have a satellite called SOHO that's able to do this. The 23 size of the earth is like that. This burst of energy 24 traveled out into space, and if we could step back from the 25 sun, we would see something that looked kind of like this

1 where this was the sun and that burst of energy that you see 2 flying outwards to the right was what we call a coronal mass 3 ejection. It's millions of tons of matter, lots and lots of 4 energy, and it travels out into space at hundreds of 5 kilometers per second. For us, luckily that burst of energy б was directed off to the side. The earth is in this 7 direction, so most of that energy was lost to us. But the net effect of that energy in general can be enormous. 8 During that flare event that look place a couple of 9 10 Halloweens ago, we knocked out some satellites, Japanese 11 communication satellites. The Swedish power grid, a region 12 in the far north was knocked out. Communication to 13 airplanes was disrupted so that airplanes were rerouted that 14 were flying over the north, the north polar regions. GPS in some cases was interrupted, and cell phones were disturbed 15 by that. So most of the effect of what I just described to 16 you, the interaction of the sun with the earth is through 17 18 our technology and effects on our technology. And we have 19 no way of predicting these events.

20 We see sun spots. In fact, it's auspicious that 21 today, in fact, late last night, we saw the largest flare 22 we've seen in about a year. Here is a plot. We do have a 23 satellite that monitors these events in real time. The 24 National Weather Service maintains this, and this is a graph 25 of x-rays, and this is July 14th. It's universal time. And

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1 this was late last night our time. This big bump right here 2 is where the amount of x-rays out in space increased by 3 about a factor of 100. So all of the sudden, there were 100 4 times more x-rays than there were normally. This is an 5 example of what's called an X class flare. That event that б I showed you in the previous slide was over ten times 7 larger. In fact, it was so large that our instruments weren't able to measure its strength because they were 8 saturated by the strength of the x-ray production in that 9 10 event.

11 So these events are going on all the time, and one 12 of the mysteries for us is that the sun, which is now in a 13 state of decline, goes through a cycle and it's in a state 14 of decline, not very much activity at all, should show such a rapid event like this event from last night. What we 15 16 really want to think about is that the sun is connected to 17 the earth by these lines here that are symbolic of what we 18 call the magnetic field. And the ATST is designed to 19 measure those magnetic fields. That's what we're after. 20 The magnetic fields is what make your compass needle work. It points to the north and the magnetic field in the outer 21 22 reaches of the solar atmosphere is about the same strength 23 as that field that makes your compass needle work. But we can't measure it. It's invisible, yet it channels and 24 25 directs all the energy that you saw coming off, for example,

that coronal mass ejection out into space. And one of the
 primary goals of the ATST is to make these invisible lines
 visible to us. They're now invisible. We can't see them.

4 The other effect of the sun is perhaps more 5 profound. We've learned only over the last decade or two б that the sun, it's brightness changes. So here is a graph 7 that shows time. This is about 20-some years. The brightness is going up and down, and it turns out that the 8 9 brightness is going up and down harmonic with the change --10 here is a graph that goes back to the time of Galileo, so this is the western record of sun spots, the number of sun 11 12 spots on the sun, those dark regions I showed you. And they 13 have a cycle to them. About every 11 years, there's a lot 14 of them. But it's not a very regular cycle, and the rhythm of those sun spots is a complicated song, which, in fact, 15 16 even has a period of silence back in the late 1600's.

17 It seems quite likely these bumps, these 11-year 18 bumps are affecting climate and weather, and we know that 19 because of this graph up here, it turns out that the sun is 20 brighter when we have more sun spots. It turns out when we have more sun spots, when there are more of these dark 21 22 features on the sun, somehow it's brighter, it produces more 23 energy that makes the earth slightly hotter, so you might 24 imagine that when there's no sun spots, the sun gets colder, 25 and maybe there's an effect on climate. And well, in fact,

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from the records that we know, the historical records -this is a fun graph. This is a graph from 1200 to 1900, it
shows the price of wheat in Dutch guilders adjusted for
inflation going back to 1200. And this bump right here and
this bump right here correspond to these periods of time
when there weren't very many sun spots. We think this is
evidence of climate change.

8 So there's an economic impact associated with the 9 change in climate, which is clearly reproduced in the 10 agriculture records that we can come up with. Historical records show that back in the -- we call this the Maunder 11 12 Minimum -- it's quite clear that Europe was much colder than 13 it is now, so over historical times, the climate is being 14 changed by the sun in ways we don't understand. It's not just an economic impact though. If you go back 1,000 years, 15 16 we think we know what the sun is doing from this graph. And 17 it shows -- it's complicated -- it shows the amount of 18 Carbon 14. The amount of Carbon 14 in the atmosphere is 19 related to what the sun is doing, the sun's activity and its 20 magnetic field. We can turn that into a temperature. And it turns out there must have been a warm 21

period back here in the early part of this Millennium and then a cold period in the 17, 1800's around the time of the Maunder Minimum. Well, it turns out that the disappearance in the southwest of the Mogollon, Hohokam and Anasazi native

1 peoples coincides almost exactly with the rising warm period 2 associated with what the sun was doing here. And then 3 towards the Maunder Minimum, you may remember from your old 4 history books that the Vikings in the Nordic cultures had 5 settled the eastern coast of Greenland. Those settlements б vanished as the earth got colder. And we even have records 7 of what happened to the -- what foods were being eaten, and it turns out that agriculture was in decline. 8

9 The extinction, the transition of these cultures 10 was almost certainly tied to what the sun was doing. So I 11 think we can say, and many scientists agree, that within our 12 lifetime, the probability of a major solar storm with 13 brightness change affecting commerce with billions of 14 dollars of impact is virtually 100 percent. It's already happened. We've lost satellites that are worth that much. 15 Over the next 1,000 years, it's also virtually certain that 16 17 there will be some event, some change in the sun which 18 affects society in some fundamental way, and that's probably 19 likely. And we have evidence of it happening over the last 20 1,000 years.

21 Why is it we think these important questions 22 should be studied from Haleakala? We started with a site 23 study a few years ago that started with over 70 sites all 24 over the world. We looked at the weather patterns. We 25 looked at the contrails, the amount of airplane traffic over

1 the site. We narrowed that list down to six sites 2 worldwide, and those six sites were Big Bear in California, 3 Haleakala, LaPalma, Panguitch Lake. LaPalma is in the 4 Canary Islands. Panguitch Lake is in Utah. Sac Peak is in 5 New Mexico. San Pedro is in Mexico. These were sites where б we erected a tower, and from that tower we studied several 7 different characteristics of the atmosphere, how clear it was, how bright the sky was, how much blurring the sky 8 produced, if it would wash out the fine detail that we need 9 10 to see what's happening in these magnetic regions of the 11 sun, the sun spots.

12 This is a plot that shows how much clarity, how 13 little blurring there is in the sky depending on how high you are above the ground, okay. And there's one of these 14 curves for each of those six sites that were be selected to 15 study out of this list of 70. And a big number here means 16 17 that there's not very much blurring, and you have the 18 capability with the right instrument of seeing very fine detail in the objects that you look at through that 19 20 atmosphere. So which of these do you think is Haleakala? It's the red curve. Haleakala surpassed all other sites for 21 22 the ability to see very fine detail if we can build an 23 instrument, which is this is ten meters above the ground. So this shows the effect of hot rising air that's 24 25 heated by the sun that blurs these images, and because of

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1 the wind and because of the position of the ocean around 2 Haleakala and Maui, the best, the best conditions occur in 3 this site on this island for seeing and clarity. I added 4 another curve to show what happens during the daytime. This 5 is that same number. A big number here means the sky is б very clear and you can see fine detail, but this is a plot 7 from Haleakala that shows what happens if you don't go above that layer, that ten meters layer. This is a plot that 8 shows sky clarity versus time of day, and so this is the 9 10 local time of day. This is midnight. This is 5 in the morning. This is 10. And what does it show? It shows if 11 12 you can't be above the ground, then the effects of that 13 ground heating cause your ability to see fine detail to go almost to zero on this scale. So that distance scale is 14 very important to understanding and seeing fine detail in 15 the sky. It turns out that Haleakala was far superior to 16 other sites because the sky was dark and because there 17 18 wasn't very much dust in the sky.

For all those reasons, we think that any other location but Haleakala will prevent the ATST from doing the job that we have for it, which is to see these magnetic fields on the sun and to be able to see out into the space, to see the fields that channel the energy from the sun to the earth. That understanding is surely worth an expense of some money. Being able to predict and understand what

happens in the next 11 years, whether the sun is a few percent brighter, is something we can't do now. The importance of being able to do that I think is obvious. So we're here hoping for an invitation from this community to bring what we think is a new window onto the sun onto the summit of Haleakala. That's what I have.

7 MR. FOLTZ: You can turn the lights up. I don't have any slides. My name is Craig Foltz. I'm an 8 9 astronomer. I'm not a solar astronomer. I spent my career 10 studying very distant objects in the realm of observational 11 cosmology, but I'm now an employee of the National Science 12 Foundation. I live and work inside the Beltway in 13 Arlington, Virginia, just across the Potomac from 14 Washington, D.C. And I want to talk a little bit about what the NSF is, how it works and what it's relationship is to 15 16 the project today because you've heard the NSF is the lead 17 agency in this environmental impact study process.

18 So the NSF is an independent federal agency. It's about 55 years old. It has an annual budget of about \$5 19 20 billion, and it's charge is simple. It's to give that money away, which is kind of nice. And it is charged to support 21 22 science engineering, science education and public understanding of science. And we do that by providing funds 23 24 to scientists, to engineers, to science educators and so on. 25 And we are different from many federal agencies. And I want

you to understand this, because it's important. The NSF
 does not direct science. It does not tell scientists what's
 important. It doesn't tell them how to do the science and
 so on.

5 We operate in a process that allows the scientists б to propose to us what they think is important, so this is a 7 process of unsolicited proposals. A proposal comes to us for a new idea. This is different, for example, than some 8 agencies that launch -- for example, the agency that 9 10 launches things into space, they can say to their constituency, "We want a proposal for a satellite that will 11 12 measure the cosmic microwave background." They direct that 13 community. We don't do that. We take our direction from 14 the community that we serve. And I want -- wanted to make that clear. So what is our relation to this project? Well, 15 as Jeff said, more than ten years ago, the solar astronomy 16 17 communities realized that they needed a new facility that 18 had a very large aperture, a very large mirror, 14 feet in 19 diameter.

The reason for that we can explain if you're interested. But they got together and built what's called a science case. They tried to understand what the telescope should do, how it should do it, and they came to us with a proposal to begin the development of the design for the ATST. That was funded. It's been funded over the last five

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years for a total of about \$12 million. We did not fund it at \$12 million a year. It's been a total of about \$12 million. And the result of that design is actually a very advanced conceptual, beyond conceptual design for the telescope, the instrumentation and the building that you see here.

7 As a result of the success of that, the fact that these scientists demonstrated that this could be built with 8 technology that was in hand or we were confident could be 9 10 developed, about a year and a half ago, a proposal was 11 submitted to us to provide the funds for construction for 12 this telescope. And that proposal is then examined by us in 13 detail. It's not only examined by us, it's examined by the 14 peers of the scientists who have submitted it. So we engage large parts of the community to look at that proposal. 15 That proposal is still under review. And so we -- I want to say 16 17 right now we have not committed funds to the construction of 18 this project yet.

And, in fact, whether we do do that is, number one, it's a decision made by Congress, not NSF, although we have to recommend it to Congress. And number two, it's a decision that is reliant on the design of this telescope being ready for construction. But what does it mean to be ready for construction? It means we know how to build it. We know we have a place to put it, and we know what the

1 conditions of that place are. So we know, for example, are 2 we building this on cinders, are we building it on lava, are 3 we building it on granite. And so as part of the actual 4 design, which is a prerequisite to us making a decision to 5 fund it, we need to know where it can go. And as a result б of that need, the environmental impact process has begun. 7 And so we look forward to your comments. We look forward to trying to address your concerns. We may not address them 8 tonight, but we will -- they will be addressed in the 9 10 Environmental Impact Statement. And I thank you very much 11 for coming and thank you for allowing me to speak. Charlie, 12 you're up.

13 MR. FEIN: Thank you, Craig. So you heard a 14 little bit about the science and the need for the project and why Haleakala and the role of the NSF. And my purpose 15 here this evening is to briefly tell you what the 16 17 Environmental Impact Statement process is for the project. 18 I better come on this side. We have begun the process back 19 in May, and we have filed for a joint federal and state 20 Environmental Impact Statement. And we are at the point now of soliciting public comments, public input so that we can 21 22 prepare our final scoping document, which then becomes part 23 of the Environmental Impact Statement preparation notice or 24 initial EA, and we go on to prepare a full draft 25 Environmental Impact Statement.

1 Once we've finished the final scoping in the next 2 30 days or so and we receive all of your comments by August 3 14th, we're going to prepare the impact assessment surveys 4 and consultations, so we'll be doing inventories, surveys 5 and studies at the site. We have prepared the long-range б development plan in 2004. That was published as a draft in 7 mid 2004. It was on line open for public comments. We did receive quite a few comments, and the final version of the 8 9 long-range development plan for the Institute for Astronomy 10 High Altitude Observatories includes the ATST as one 11 potential new facility.

12 At the same time that the long-range development 13 plan was being prepared, we committed to numerous studies 14 and surveys of the 18.16 acres that constitute observatory property. Those studies included archeological inventories, 15 cultural resource evaluations, traditional practice 16 17 evaluations, arthropods, botanical resources, avifaunal 18 resources, endangered species. We tried to do everything 19 possible to characterize the 18-acre site. We are going to 20 go back and do it all over again for the two sites within the 18 acres that are potentially construction sites for 21 22 ATST. The two sites that were selected, the primary and 23 alternate sites, were two sites that had no cultural 24 resources right within their confines, no botanical 25 resources of any endangered type or anything else that would

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potentially be impacted in a significant way. Nevertheless, even though we don't see potential significant impact to those resources, we are going to do an Environmental Impact Statement anyway. And we're going to do that with the presumption that there may be potential significant impacts that we have to address and mitigate.

7 Once the draft EIS is published, there will be a public comment period again. We'll hold public hearings on 8 9 the draft. We will go ahead and respond to the community 10 and agency comments and ultimately distribute a final 11 Environmental Impact Statement. We'll also be preparing a 12 Conservation District Use application because it is 13 conservation land. And part of that process will get public 14 hearing as well after the application is accepted, so there 15 are various opportunities for the public to get involved in this. We welcome that involvement. We want to hear what 16 17 those comments are. If there are potential significant 18 impacts that we're not aware of or that are of public 19 concern, we need to address those, okay. 20 For example, last evening a police Sergeant

21 mentioned some concern about traffic safety during 22 construction. We need to address that in the Environmental 23 Impact Statement. Those sorts of things are important so 24 that we don't overlook anything that potentially may impact 25 the environment. Anyway, we're hoping to complete the

process in late 2006 or early 2007. Then we will be construction ready as far as the NSF is concerned. With that, I would like to turn the microphone over to Jeremy Wagner, who will discuss the overall project schedule from beginning to final operations.

б MR. WAGNER: Thanks, Charlie. My name is Jeremy 7 Wagner. I'm the project manager for the ATST project. I work for the National Solar Observatory. I'm based in 8 Tucson, Arizona. What I would like to do is give you an 9 10 overview of the project schedule, maybe answer a couple of 11 questions here that you might have, where are we in the 12 current design schedule, when could construction start, how 13 long would it last, when might operations begin.

14 We're currently working through the design of the facility that you see here. We've gone through a number of 15 design reviews. As we mentioned, we went through the site 16 17 survey, identified Haleakala. We're beginning the site EIS 18 process. There are many more reviews that we will go 19 through before we become construction ready. Site 20 construction would start when the NSF approves the project after their review process. The earliest it could start, 21 22 and I understand actually I think this slide is slightly out 23 of date. I understand from this week that the earliest that could occur would be late 2007, so you might slip these 24 25 dates slightly. The major site construction as you would

1 think of it where you're digging foundations, erecting large 2 structures, would occur in the first two years. After that 3 point, we would be inside the buildings. The buildings 4 would be up. We would be assembling the telescope, putting 5 the control systems together. Towards the end of that, we б would bring the large optics in, assemble those systems, 7 start doing the integration and commissioning, which is where we begin to test the systems and understand that they 8 are meeting our requirements, that they're performing at the 9 10 level that we require. And that would -- that would occur 11 for quite a while.

Once we understand that those systems are performing at the level that we expect, that we require, we would begin initial operations then and start taking the data that folks like Jeff Kuhn require to do their science. Okay. I'll turn the mic over now to our project architect Jeff Barr, who will give you an idea of what the facility is and why it looks the way it looks. Jeff.

MR. BARR: Yeah, as you've heard, I'm Jeff Barr. And I am the architect working on the project with the design team based in Tucson, Arizona. And essentially, you've had a chance to see the pictures we have of it and maybe in the paper and looked at the brochures and other things. And I'm here to talk about more or less the exterior features of the ATST, why it looks the way it does.

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And there are, we understand from the last couple of nights and certainly came in understanding, legitimate concerns about the size and visibility and those kinds of things, so I'll get to that, also where specifically on Haleakala this is. As Charlie said, we have two sites, so I'll be showing you those.

7 There they are. What we're calling the primary -what is our primary proposed site is next to the existing 8 Mees Observatory and this is the tower that Jeff Kuhn 9 10 referred to that was erected on six different sites. This 11 is the one on Haleakala. As you can see, the road goes 12 right by there, and this is essentially the site right here. 13 The other one, the alternate site also on Haleakala and 14 within the boundaries of the observatory is a site where a radio experiment was conducted some years ago by a person 15 named Reber. And this circle of concrete is a remnant of 16 17 that, and we call it the Reber Circle site for obvious 18 reasons. The high altitude observatory long-range plan, development plan that Charlie Fein went into some detail 19 20 about I don't need to go over again, but that was the document that we started with that identifies the two sites 21 22 on Haleakala that we looked into. And we pretty much 23 confirmed for our own purposes as well that those really are 24 the sites that would support a project the size and scope of 25 this. Both of them, as I say, are big enough, and both of

them were tested and found to have the excellent observing
 conditions that Jeff Kuhn referred to.

3 This is a plan, so essentially you're up above 4 looking down at this point, and this is a topographical map, 5 so where the lines are sort of farther apart in the central б area, it's flatter land. And then where it falls off, you 7 can see the lines -- the picture gets darker and the lines get closer, so that kind of defines not only the physical 8 boundaries, the legal boundaries of the observatory area, 9 10 but also kind of the buildable area that's also there. 11 Again, the primary site, this is the Mees Observatory that 12 you saw in the picture a moment ago. This would be the 13 telescope enclosure, the support building, and then there's a small out-building, a remote service building associated 14 with it and essentially the same composition of buildings 15 shown up here on a different site, both of them on the same 16 map, although obviously, we're not building it in two 17 18 locations. Either/or is what you can imagine there.

And then the restrictions that again Charlie referred to in some detail we've looked -- they looked at as part of the long-range development plan and identified the locations of the petrel burrows and the archeological features that you see here in blue. And so those are restrictions that we know we have to respect, and those aren't the only ones, but those are the ones that we knew

1 about going into this process, so you can see sort of how 2 those sites were shaped out there based on that. 3 MR. MAYER: Where is the observatory at the top in 4 relation to that? 5 MR. BARR: Which one? б MR. MAYER: The visitor's center. Where in 7 relation to this map is the present --8 MR. BARR: Oh, okay, the visitor's center. This road coming in -- I probably should have oriented you before 9 10 I jumped into it. The park is over here. It's off the map 11 in this area over here, and this would be the road coming in 12 from the east that gets you in from the park. So you come 13 in here and then as you come in that main observatory road, 14 these two sites are off to the left and right-hand side of the road. Is that the question? 15 16 MR. MAYER: Yes. 17 MR. BARR: I really should have made that a little 18 clearer. Okay. Those are the sites, and then what we build on there and the size and breadth of it is the first thing 19 20 we do is figure out how much of a building we need. And really it's pretty simple from the standpoint of an 21 22 observatory architect. What you do is get just enough 23 buildings to support, protect, operate and maintain the telescope, period. That's really -- and less is more 24 25 really. The astronomers and the public as well, the size of

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1 the building impacts both seeing and environmental issues, 2 so really there's never -- observatories tend to be sort of 3 just enough. The kinds of buildings that we're looking at 4 and I'll be showing you here and you can see in the 5 rendering are really the enclosure, which you think of as a б dome, which serves these purposes here, and the support 7 buildings which are other kinds of spaces that you need as well. And you can see over here in the spaces next to it 8 that aren't directly associated with the enclosure would be 9 10 kind of this big cylinder with a dome on top of it, and then 11 everything else would be the support buildings. All of 12 those, as I say, are kept minimum in size in order to keep 13 the seeing conditions or the clarity of the seeing good and 14 also for environmental reasons.

15 This is kind of the diagram that I've put together to show why it is the size it is. The -- you could see 16 17 the -- to start with the height that again Jeff Kuhn 18 referred to here, this is 28 meters, so about halfway across 19 that chart up and gets them to where they need to be in 20 terms of height above ground to get away from that blurriness that he was referring to that they could meet the 21 22 scientific objectives of the project, so this 92 feet is a 23 canonical number that we came up with as the right height 24 for it on Haleakala, and that was what we started with. 25 This is the telescope, this framework structure in

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the middle here, and this is the 14-foot wide mirror, the main optic of the telescope. So when you put that telescope at that height and swing an arc with it, you get a dome size really with a little bit of room for clearance and safety, and so that's the site, the size and height of really the most dominant visual element associated with this whole observatory.

8 Underneath of that supporting the telescope is the pier, and the reasons for its size and shape have to do with 9 10 stability. First off, wide enough to sit on the cinders and 11 get a good enough vibration-free mount for the telescope 12 that it doesn't damage the seeing conditions again and then 13 also big enough that inside of it there's room for an 14 observing platform that where most of that rotates with the telescope inside of the pier and where most of the 15 instruments that would take the scientific data are located. 16 And then out beyond that, as I showed you over here, this is 17 18 the support building and inside of that is a relatively 19 small control room for the telescope, an instrument lab and 20 a few things that just need to be close for reasons of functionality. Down below that are some big pieces 21 22 equipment that also need to be close to the telescope. And 23 in the middle of all that is a big elevator shaft that you 24 use to bring the 14-foot mirror down when it needs to be 25 recoated and to put big instruments onto this platform.

1 Beyond that, you're seeing the existing Mees 2 Observatory here in the foreground. And on the other side 3 of that is the small remote utility building. So these 4 dimensions, and again, this 92 feet is the number you saw if 5 you read the paper this morning. And it really is the б height of the telescope, not really so much the height of 7 the entire structure. 8 MR. MAYER: It's 137 feet? 9 MR. BARR: 137 feet to the top of the dome, that's 10 right. If you cut through that last picture I had there at 11 the very ground level, cut through those three buildings, 12 this is what you would see in our proposed plan. This 13 again, the enclosure, the support building here, the service 14 yard in between and then the remote utility building over here and the existing Mees facility here. Just to kind of 15 16 walk through it quickly, this is the equipment, the coating 17 facility that we have as a baseline requirement, that would 18 be incorporated in, the platform lift or elevator in the

19 middle and enough space for the big equipment that needs to 20 be near the telescope. These gray rings are the pier that 21 you saw there in the section before.

It's worth talking a little bit about the existing Mees building. We do intend that -- our proposal has it staying there and not being replaced, so to speak, by the ATST and for good reasons. First and foremost, it's an IfA

1 building, and the IfA has uses for it. They -- it's their 2 base of operations for not just Mees but other things that 3 they do on the mountain, and so for that reason, we really 4 can't get rid of that space without then incorporating some 5 compensating space into our building. In other words, we б would have to build a bigger building to replace some of the 7 functionality of the spaces that are already there. Secondarily or maybe primarily, the telescope there won't be 8 replaced until ATST is built, so in that something like, as 9 10 Jeremy showed you, the time span is significant before that 11 happens.

12 It's important to have a continuum of observing so 13 that there's a way to correlate the data and also give the 14 space to do the experimentation programs they have now. So this will continue to be a working observatory until then 15 and then will be ostensibly replaced by the ATST capacity. 16 17 Also, it's not in the location where we would be likely to 18 locate ATST anyway. It's closer to the edge, which is more 19 difficult for the foundations. It's also closer to the 20 petrel burrows, and so chances are that that footprint wouldn't be covered up by the new footprint anyway. I guess 21 22 that's probably good enough for the floor plan.

The look of it is something that is a bit of an issue, and understandably so. It needs to be white, and the reason for that is simple; one word, heat. It's a solar

1 observatory, and while it's in operation, it's being heated 2 up by the sun, the surface of the dome especially because 3 that's very close to the telescope. But even these other 4 buildings that are in the same vicinity of the telescope, 5 the amount of heating that they experience from being б exposed to the sun is enough that it heats the air around 7 them, and then that creates that blurriness that we're trying to avoid and really has to be avoided if the 8 telescope is to meet the scientific objectives that are set 9 10 out for it. So then -- and even with white, it still has to 11 be cool because this line you see on there is a series of 12 panels. That would be double-skin metal panels through 13 which liquid cooling flows to extract even that slight 14 amount of heat, which would still be plenty to ruin the seeing, so even so, we need a mechanical cooling system to 15 cool the parts that are really close to the telescope. 16

17 And it's worth going into a little bit more detail 18 on that. The issue of whether or not this telescope could be something like maybe blue to blend with the sky, silver 19 20 to reflect the color of the sky or even brown to match the color of the cinders is a bit of an issue. And we've looked 21 22 at -- we have computer programs that predict accurately what 23 would happen and how fast it would heat up and how much it 24 would heat up with different coatings and different color 25 material, and it's pretty dramatic.

1 Even if you go to kind of this -- pretty much this 2 sky blue color here, the amount of heating is literally four times as much than if it's a good quality and the right kind 3 4 of white coating. And what that means, and another 5 statistic that's worth of kind of bringing in this on sort б of a technical level, is that the entire electrical budget 7 for the observatory is about a megawatt at peak. And that sounds like a lot of power, and it is a lot of power. And 8 9 about half of that is consumed only in cooling the dome even if it's white. 10

And so if you take that half and multiply it times 11 12 four, you can see that pretty quickly we get into pretty 13 staggering amounts of power that are required, and we 14 immediately get past what's right there on the mountain now in terms of the transmission lines of the substation on the 15 mountain. So it literally makes the project unfeasible 16 17 economically to make it something other than white in the 18 way that we imagine doing the cooling. And we've looked at 19 enough schemes to know that we've tried with as much 20 cleverness as we could. We understood it was an issue, the visibility of the telescope, so we looked pretty carefully 21 22 at that. And it's, as I say, a pretty dramatic difference. 23 And certainly if we go to brown, it's even worse than the 24 blue, and that was kind of the baseline in the long-range 25 development plan for any new building that didn't have to be

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1 white for particular reasons, specifically solar telescopes 2 would be painted the same color as the cinders in order to 3 make them less visible. That's pretty much it. Just as a 4 kind of a quick recap, we have the two potential sites and 5 both of them have enough area and have been tested, have б good seeing. The dome is the most dominant visual element 7 of the whole thing, and it has to be that way. It has to be high enough to get above the blurry seeing. It has to be 8 9 large enough to allow the telescope to be maintained and 10 rotate inside it. And it has to be white because of heat.

11 The other buildings are of less import and much 12 less visibility. They're much lower. The support and 13 operations building is near the telescope, and it also has 14 to be white. It really is just large enough for the functions that are directly related to activities of the 15 telescope. And we do intend to continue to use to some 16 17 extent the existing Mees structure and to use that in 18 whatever way we can to minimize our footprint on the mountain. The utility building is less an issue for us. 19 20 It's a little farther away to remotely exhaust the heat that we're taking off in the form of air flow and also to get the 21 22 sound and the vibration away from the telescope, but that building still would have to be sound insulated because we 23 24 understand certainly that the serenity of the environment on 25 the mountain is also important and would be painted brown

because it's far enough away that it doesn't matter too
much.

3 So that's what I had. There's a couple of 4 pictures here with sort of larger views of those nice 5 renderings that you see there. This is the -- looking from б the north at the site, the primary site, and this is a 7 little bit better artist's conception of what that facility would actually look like. One thing I hadn't mentioned in 8 some of the other things, and you see it better here than 9 10 elsewhere, is this white apron on here is the same reason as 11 -- it's a piece of concrete that wraps around the east and 12 south side of the building. And it provides, allows that 13 the -- the heating on the cinders here would be considerably 14 -- it's like a 40 percent increase on the lower enclosure cooling, so that also is for the reasons of reflecting the 15 heat and not allowing it to heat up. 16

17 This is looking at the alternate site in this case 18 from the south, and these are other telescopes, existing telescopes in the foreground. And again, you see kind of a 19 20 nice realistic view of what that would look like, the support building and the enclosure. And this is an aerial 21 22 view from the east looking back and then this is the primary site again, Mees just beyond, and the Reber Circle site is 23 up here. That's what I have, and I quess our hard working 24 25 court reporter gets a break. And after that, we'll be happy

1 to hear your questions.

2 MS. COMPOC: So we'll take a five-minute break 3 then. How many people think that they do want to make a 4 question or comment after the break? One. Oh, we might end 5 early. 8:00 we'll come back. Thank you.

6 (Recess taken.)

7 MS. COMPOC: We're ready to begin now. So let's just go over the rules real quick. Please remember Rachelle 8 9 is only a human being. She can only type as fast as what, a 10 Super Hero? So as you come up to the mic, say your name, 11 speak slowly and please remember the five-minute rule, okay? 12 Be as concise as you can so everyone gets a chance to speak. 13 And scientists, also be as concise as you can so everyone 14 gets a chance to speak. Any questions before we start? Does anybody have any papers, by the way, that David and I 15 16 can collect and we can read on your behalf if you're not 17 comfortable on the mic? Okay, whoever would like to start. 18 MR. BRASS: Just go ahead and if you would like to make comments or questions, line up at the mic over on this 19

20 side.

MS. SUZUKI: Carol Suzuki. My question is what's the economic benefit to the people of Maui? And a couple of things that we've talked about in our neighborhood is the jobs and education for our children and also the general public. And then one other question is why is it okay for 1 the existing domes to be silver and not the new -- I think
2 it's the type of research.

3 MR. BARR: Maybe we'll start with the second one 4 first. The existing dome on Haleakala that's silver, of 5 course, is the Air Force dome here. And in the first place, б it's a nighttime telescope. That's one thing, and the 7 heating isn't as critical in that case. And we did look at silver as an alternate here as I mentioned before, and it --8 because silver is, in essence, darker than white, it not 9 10 only absorbs more light, it also absorbs, yeah, absorbs more 11 heat. And there's other domes, too, and all of the ones 12 that you'll see that are silver are nighttime telescopes. 13 White is a common color. And for reasons of environmental sensitivity, the brown, you know, the base of this building 14 15 can be brown because, again, it's not a solar telescope. And within the context of a long-range development plan, 16 17 solar observatories are specifically excluded from that for 18 that reason. I don't know of a solar observatory that's 19 anything other than white, so that's --

20 MR. WAGNER: When it comes to economic impact, 21 what we're currently working through is trying to understand 22 how best to support this, the operations of this facility. 23 You could imagine a staff of approximately 35 to 40. That 24 would include the whole range of skills, so administrative, 25 scientific, engineering, facility support. All of those 1 folks wouldn't be based up on the mountain, of course, or 2 working up on the mountain. Also in consideration is where 3 the National Solar Observatory ends up, and so we've been 4 discussing with our partners, the universities around the 5 Country where would you put the National Solar Observatory б in an era that includes the ATST, and the Institute for 7 Astronomy at U of H is very interested in that and would like us to come out here. And I'm putting words in Jeff's 8 9 mouth.

10 MR. KUHN: It's not very hard.

11 (Laughter.)

12 MR. WAGNER: Yeah, it's not very hard. When it 13 comes to education, I think Craig Foltz can talk to that, 14 but I can tell you the National Solar Observatory, it's part of its mission. And it's something the NSF tells us to do. 15 It's something that we want to do. It's something we 16 happily do. We have programs for public and educational 17 18 outreach with students, with teachers. We hold workshops. We bring the students in. We want folks to see what we're 19 20 doing. We want them to understand what we're doing. It's to our benefit. We live in the communities where we work as 21 22 well. And the interesting thing about this telescope is 23 that it's a solar telescope. It's in operation during the 24 daytime, so people can actually understand that the work is 25 going on right then. It's not at nighttime. You're seeing

1 it right when it's happening. Craig.

2 MR. FOLTZ: I just want to just add an exclamation 3 point to what Jeremy just said. At the NSF, there are 4 really two priorities that we judge a proposal by. One is 5 the intellectual merit. That's science, right. The other б is the broader impact to society, and that is often 7 construed and typically it contains a large component of the integration of research at the highest level with education 8 at all levels, K-12, universities, graduate students and so 9 10 on.

So all of our facilities, and the NSO, the 11 12 National Solar Observatory, is a facility that we support 13 the operations of, must have, they must, it's part of their 14 charge, public outreach and education components. And NSO 15 and OAO, the National Optical Astronomy Observatory, which 16 is joined at the hip, have exquisite programs for teachers 17 and for outreach in New Mexico to both Native American and 18 to Hispanic communities. And the same in Tucson. So that -- those opportunities will be there. I think I can 19 20 say that without any worry of being proven wrong for both public and private education and for the public at large. 21 22 MR. WAGNER: I should also mention the 23 construction because this is a project which would be funded 24 at the level of \$175 million. There's a lot of work to do. 25 We will do much of it here on the islands, and so there's a

1 benefit there as well to the economy.

2 MR. MAYER: My name is Dick Mayer. Since you've 3 given professional background, Professor Emeritus of 4 university and also the vice-president of the Kula Community 5 Association and also I was vice-chair of the community -- of б the group that put together the citizen's advisory group 7 that put together the community plan for this whole upcountry region, which includes the top of the mountain, 8 just to give you some background. 9

10 Several comments, not all of them are questions. 11 I am a bit disturbed that the pictures that were utilized 12 may be deceptive to all of us in the audience, that they're 13 aerial photos that make the building look much shorter than 14 it actually would be. And what I'm asking is that a proper way would be to have the building there next to the other 15 buildings, the ones we see in the distance there to the 16 17 summit observatory to this building. The pictures you have 18 of the buildings themselves show the building, but there's 19 no way to get a scale by looking at those buildings, so I 20 think for the public, it would be very helpful to have a portrayal that would accurately portray it really. Number 21 22 two, the angle at which it's shown -- it's showing here at 23 the summit. I think in the publicity that goes out to the 24 public as well as certainly in the EIS, the preparation 25 notice, et cetera, there should always be viewplanes from

the observatory on top of the mountain as well as from the
 bottom of the valley as well as from Kula where the
 residential area is and from the inside of the crater.

4 Being further away from the edge there, it's 5 actually sitting very much above the crater itself. And one б of the most beautiful things we have on Maui is that crater 7 and the hike through the crater, which is a major tourist activity here on the island. And to have that sitting there 8 at the top of the viewplane as you look up at that very 9 10 natural view is something that should be done, and there 11 should be a real look at it. I happened to be last night 12 down in Maalaea, knowing this meeting was taking place 13 tonight, and looked up, and I was surprised at what a 14 sizeable profile the existing telescope had in the sunlight 15 at sunset time.

16 This building stands -- it looks like, appears here to be dozens -- and again, I can't tell from this 17 18 view -- dozens of feet higher at its base than the other ones in the distance there in that picture. And its overall 19 20 elevation is considerably higher, and it would be useful for 21 us to see from a place like Maalaea, Wailuku, Kahului how 22 much of an interruption on the profile of Haleakala these 23 facilities would be, because this is very deceptive. And 24 even the picture that was in the paper this morning, also an 25 aerial view, looks down at the thing and makes everything

1 look relatively flat by comparison, so that's very critical. 2 Also what bothered me in the presentation, several 3 times the number of 92 feet was mentioned. It was mentioned 4 in the Maui News today, and yet if you sat tonight in the 5 front row, you saw the elevation of the building is 137 б feet, not 92. And that's the height people will see. No 7 one outside the building will know what level the telescope is. That's an irrelevant number. The relevant number for 8 the public, because we will be outside the building, not 9 10 inside the building, is the 137 feet of height, which is taller than any other building on the island of Maui by law, 11 12 taller than any hotel on the island, and people should be 13 aware of that. The elevation shouldn't be perceived as 92 14 feet, which would be about two-thirds of the height. 15 There's a community plan that's been prepared and

now a community plan for the summit of Haleakala. And in 16 17 that community plan, it says the maximum height of any 18 facility, any building in this community plan district should be 35 feet. This facility is about four times the 19 20 height of what the community plan calls for. This project has to follow the community plan. Another statement that I 21 22 need to point out to you that should be in your final 23 documents in the EIS is the statement on Page 25 of the 24 upcountry community plan, which reads as follows: 25 "Encourage federal, state and county cooperation in the

preparation of a comprehensive Haleakala summit master plan to promote orderly and sensitive development which is compatible with the natural and native Hawaiian cultural environment of Haleakala National Park."

5 This has not been done. We've asked UH to prepare б a master plan, and we also have asked them to do that in 7 conjunction with the National Park at the summit of the mountain. So far UH has taken a look only at the 18-acre 8 site and has not done that in conjunction with the other 9 10 users at the top of the mountain. I'm going to ask if this 11 \$160 million could not help us on Maui fund a proper plan 12 for the summit of the mountain in conjunction with the Air 13 Force, federal government facility, the National Park, NSF, 14 UH. They're the ones who should be working together. And I don't know whether it would cost \$50,000, \$100,000, 15 16 \$200,000, but I would ask that with the EIS process, that you help us prepare a master plan for the summit of 17 18 Haleakala. And that would allow us then to see the relationship of all these facilities to each other. The 19 20 presentation today concentrated, as you probably correctly did, on the telescope that you're building. Five minutes? 21 22 Do you want me to sit down? Does anybody else want to speak? Okay, I'll sit down and come back. 23 24 MS. WYLIE: Are you going to answer him first? 25 MR. BARR: Yeah, I just want to make one

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1 clarification. And as you correctly stated, a lot of what 2 you have are comments and points well taken, but the one 3 point you made about the height and it said 92 feet in the 4 paper this morning, I intentionally intended to clarify 5 that. And we didn't put out anything, I don't think б anything deceptive, on Tuesday night when that reporter made 7 that, so really the dimensions were there and the dimensions are in the brochure. So that was just one thing. Also, the 8 deceptive angle, you're right, there's really no way to take 9 10 an aerial or any other kind of angle and make an apt 11 comparison necessarily.

But the combination of angles was the intent, and also I just wanted to mention that as part of the EIS process, we will be doing those viewplane analyses with actual views from the other critical communities and areas around, so I just wanted to clarify.

17 MR. MABERRY: Hi, I'm Mike Maberry, Assistant 18 Director for the Institute for Astronomy. Relative to the 19 planning issue is that the National Park does have a general plan that was studied and reviewed in the progress -- in the 20 process of developing our long-range development plan. We 21 22 specifically did not call or plan for the 18 acres that we 23 are stewards for a master plan because of the request of the 24 community to have a master plan for the summit area. 25 Unfortunately, we found out very quickly in the process of

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1 putting and starting the process to do the long-range 2 development plan that there are numerous federal, state and 3 private land holders surrounding the area. And there wasn't 4 any trigger or any way that we could force them to 5 participate in the process, so we concentrated on the area б that we are stewards for and did a very thorough, the most 7 thorough plan that has ever been done for an 18-acre area probably on the island. And that will be our contribution 8 to a master planning process should there ever be one that 9 10 is undertaken.

MR. TRUITT: Hello, my name is Stan Truitt, and I 11 12 would like to comment with regards to the deceptiveness of 13 such a photo. And that is that from the point of view of 14 the camera that took this picture, that the angles that each one of those structures makes with a local vertical is about 15 the same angle, and therefore, each of the structures is 16 17 reduced in proportion as a function of that angle. And so 18 when you do everything in one photo like this when it's not absolutely vertical, it does give you a very good measure, 19 20 so it's not deceptive when it comes to the balance between 21 the size as viewed in each photograph of each observatory, 22 each structure with regard to the proposed, which is 23 rendered in this one. 24 MS. WYLIE: Okay, my name is Prentise Wylie. I'm

25 an interested citizen. And regarding the first speaker in

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1 the yellow shirt, I thought your information was really 2 interesting, but you haven't convinced me of what is the 3 usefulness of predicting what's happening with the sun. 4 Like if we know the volcano is going to erupt, we can get 5 out of the way, but our houses are still going to be б destroyed. And if we know a hurricane is coming, it's still 7 going to come, so perhaps you would like to say a little more about that. 8

9 MR. KUHN: I think the pursuit of science is to 10 understand the future. That's what we do as scientists. 11 Science is about predicting the future, and what we as 12 humans do and civilizations do is up to us. If I were to 13 know that the climate would be one percent cooler 11 years 14 from now, I think there's quite a bit we would do as 15 civilization to try to placate the effects of that on humanity. I can't argue from the basis of science what you 16 17 can do with that information, but I can argue that I feel 18 that life would be better off knowing rather than not knowing, and that's what this is about. 19

20 MR. ORSZULA: Good evening, my name is Ed Orszula. 21 I'm a Chicago transplant. I retired out here in 1998, so 22 I'm happy to be in an area like this. My concerns are that, 23 just as the people that preceded me, is that what is the 24 impact of me moving out here versus other people coming 25 after me? And in that respect, how many people do you

1 expect to run this observatory and where do you expect to
2 find the homes when the homes are so difficult to find in
3 the first place?

4 MR. WAGNER: As I said, I would expect the staff 5 to be at the level of about 35 to -- I would expect the б staff to be at the level of about 35 to 40. I mean we're 7 studying this to understand what it takes to support the facility, but I think that's a reasonable estimate at this 8 9 point. And it would cover administrative, scientific, 10 engineering and facility staff. You would require a support team for the operation of the facility that would travel up 11 12 to the mountain, and then you would have staff in town below 13 the summit. Also, you would expect that some of the 14 scientists would likely be back and forth to Oahu, that sort 15 of thing.

16 You could imagine that some of the folks would come to the island. Some of the folks would be hired on the 17 18 island. My experience with some of the other observatory 19 operations in the Hawaiian Islands is that you end up with a 20 staff of local folks. And you're talking about administrative. You're talking about engineering. You're 21 22 talking about facilities. Some of the folks are going to come over and stay. Some of them will come over and they 23 won't stay and they'll leave. But you'll end up with a 24 25 staff of mainly local folks is my understanding of how it's

worked out. As far as housing and all of that, you're talking about those numbers of people. The time frame involved, I think -- I can't predict what the housing market or the availability would be. It's something that we look at.

6 MR. ORSZULA: Thank you.

7 MR. FOLTZ: I just want to make one statement that bears on that, and I think it's something that will be 8 9 included. And the statement is that this is a facility for 10 everybody. The facilities that the NSO runs and the 11 facilities that the National Optical Observatory runs are 12 for everyone, for all scientists. This is not for a small 13 number of scientists, so in addition to the staff here, 14 there will be visitors. There's good sides and bad sides to that, but there will be economic impact. There will be 15 people who will travel to use this facility, and that should 16 17 be estimated in the EIS.

MS. HAN: My name is Keala Han. And to the previous speaker who is concerned about people moving here, if we -- there's no way you can stop people from coming here. Because if we tried, 99 percent of us in here wouldn't be here today, so there's no way we're going to stop people from moving to Hawai`i. MR. PACHECO: Good evening, I'm Walter Pacheco

25 with the Maui Police Department. I'm their communications

coordinator, and my responsibility is running the
communications systems for the police department. We are
one of the users on the hill. We have a facility at the end
of the road, which is right next to the FAA's receiver trans
site. We partner with the State of Hawai`i, which is in the
left corner along with the now Hawaiian Telcom, and we're
the users of the lower road.

8 One of our concerns is the work that happens at the high site does have impact on the lower site, 9 10 specifically the January storms that we had, work done there caused runoff to obstruct the road with a cinder pile 3 feet 11 12 high. It required the National Park service to come up, 13 clear the roadway with their Bobcat before we could get into 14 our key communication facilities. Additionally, at that site that I deal with, there's a lot of emissions. That 15 place, there's transmitters, all kinds of things up there, 16 17 and we're working through most of that. A concern I would 18 have of a facility like this is what types of emissions, probably minimal, would be generated as well as what kind of 19 20 issues would you folks have with the existing RFI and other emissions that are on site. 21

And my third question is relating to the power delivery to the top of the hill. There is limited resources coming up, and you folks are talking about significant uses of power. This will eventually limit any other work

potentially being done at the site, so we're kind of concerned about buffers. What kind of cushion would be left behind for the rest of the facility up there? Thank you. MR. MABERRY: Thank you very much. I'll take a shot at this. The road that you're referring to is this for road?

7 MR. PACHECO: Correct.

MR. MABERRY: Your site is out here and this road 8 runs around. It is on part Department of Land and Natural 9 10 Resources land and part Hawaiian Homelands. It was originally a four-wheel drive road. The FAA paved it at one 11 12 point in time and have not maintained it. The way the road 13 was cut in was just rough cut. It was not a planned, you 14 know, designed road. It was rough cut with a Cat, a Caterpillar. The runoff area that you're talking about, we 15 16 had an unusually wet winter that year, and the runoff came 17 from actually not even from property near ours. We are 18 responsible, as you saw from the other one, for an area sort 19 of like this. There's another piece of land in this area 20 right here that is under the control of the FAA just like the part out here at the end. 21

And when you study this area, the blockage of the road you're talking about is right here. And some have suggested that the amount of pavement in the area is significant and contributed to the runoff, but I think you

1 can see just by looking there, there's not a lot of 2 pavement. Now, we have commissioned a hydrology study and 3 an erosion study, and we should have results from that 4 within about a month, and then we'll actually be able to 5 prove quantitatively what the situation really is. The next б that you mentioned was I believe was power. We have our own 7 substation for the Haleakala High Altitude Observatory site. There's another set of lines that come down this way over to 8 your site. They were recently upgraded, and Maui Electric 9 10 contacted us and checked to see what kind of plans we might 11 have for the future, and the substation was increased in its 12 size in order to handle the capacity necessary for a 13 facility such as ATST.

Third issue was radiofrequency interference, and 14 15 this has been a problem that several people in this room who are even now retired started working on back in the '80s. 16 17 When the facilities were first up here, most of the data was 18 taken with streaming tape or photographic plates, but with 19 the advent of the charge-coupled device, the CCD's that many 20 of you probably have in your cell phones for taking photographs in here, became sort of the standard for really 21 22 getting deeper imaging. It allowed us to greatly increase 23 our ability to capture the photons, the particles of light, 24 amplify them and to be able to see more of the sky. It just 25 multiplied the efficiency of the telescopes that we use.

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1 So radiofrequency interference began to become a 2 problem for us, and you can see right here there's a piece 3 of property that is on a month-to-month revocable permit 4 from the Department of Land and Natural Resources that is 5 commonly referred to as the Lee Enterprise Broadcast site. б You can see that they are extremely close to us, whereas 7 most of the other antennas are not. The National Astronomical Union has done a study and determined that the 8 acceptable level for radiofrequency interference measured 9 10 outside an observatory during optical or infrared 11 observations is two microwatts her square meter. People in 12 this room have measured right here at this site just to give 13 you a direct example over 184,000 microwatts per square 14 meter, so it is significant the amount of RFI. 15 There has been a process over many years. I think there have been three different draft environmental 16 17 assessments to look at helping these broadcasters locate to 18 a permanent site. In fact, I think it's even been part of 19 the community's plan to recommend having a consolidated 20 broadcast site for commercial broadcasting. And just this 21 week the process has begun on a new draft environmental 22 assessment to start to look at a site where the broadcasters

24 without interference with each other and without

at this site will be -- will be able to operate together

23

25 interference to the observatory site, so that will be

probably a future meeting that others will be -- that the community will be invited to participate. Did you have a followup question?

4 MR. PACHECO: Actually, the information I got 5 regarding the flow came from the FAA, their technician. I б realize the Department of Energy and the FAA site below this 7 is in that area. So that's where I got that information from. But the question comes back to your operations, how, 8 you know, the RFI that is on site and potentially may 9 increase. There's K-5 Broadcast down in the saddle just 10 beyond the state site. That's all there. 11

MR. MABERRY: That's all there. At this point in time, there is no plan to relocate these facilities right here because there were extensive studies done before their permits were granted to show that they would not break the threshold of the 2 microwatts per square meter.

17 MR. PACHECO: All these things combined is the 18 issue. And we have mixing of frequencies at various places. MR. MABERRY: Right, I think I see where you're 19 20 coming from. This facility will not be generating any RFI period. Typically -- there was a situation where we did 21 22 have a very brief period of time that I think you're 23 referring to with regards to the FAA. We had an instrument 24 that went bad and that was giving off a signal and the FAA 25 contacted us and we made the correction. But under normal

1 circumstances when everything is operating correctly, I'm 2 sure as a -- in your line of work, you're familiar with the 3 fact that getting a good ground at this site is very 4 difficult because there's cinder and very little moisture, 5 and so things can accidentally become transmitters. But by 6 design, we do not transmit RFI intentionally. 7 MR. PACHECO: And in your statement regarding your substation, that substation actually also impacted us on the 8 road at the same time they were trying to change out a 9 10 transformer. Earlier they were actually shutting power off to the site up the hill, so we do get power to the same 11 12 lines which transition through there. 13 MR. MABERRY: So the lines come from here and go

14 back around? I thought I saw a separate set of lines.
15 MR. PACHECO: No, as I understand it from the MECO

16 people, when they were actually replacing a transformer at 17 the site, it affected everybody.

18 MR. MABERRY: I'll look into that.

19 MR. PACHECO: Just that question.

20 MR. MABERRY: Thank you. We'll consider that in 21 the process of development.

22 MR. BRASS: Just I want to interject a reminder 23 here that if you would prefer to have Kim or I read your 24 comments or questions, get them to us by quarter of so we 25 have time to get them in before 9:00.

1 MR. MAYER: One thing that was mentioned was that 2 you would have some people working off site down below, 3 et cetera. And certainly it would be useful for the 4 community to know what other facilities, buildings you would 5 be building as part of this project and what kind of б transportation up and down the mountain there might be 7 between that. That would certainly be useful. And also are there any connections via fiberoptics and those kinds of 8 things? With all the data you're collecting, will that all 9 10 be processed internally, or do you send it down to the 11 computer in Kihei, and et cetera? So the connections to 12 other areas I think would be of use to the community. 13 Also you mentioned the conservation use permit that you would need there. As I said, this facility and 14 these facilities are not part of the community plan. 15

these facilities are not part of the community plan. The upcountry community plan does not have any recognition of these activities, and I would recommend that you look into the possibility of going through various county approvals to see whether these things are consistent with the county general plan and the county community plans and not just the conservation use permit. Thank you very much.

22 Oh, one last question. You mentioned 175 million. 23 I think it would be useful for us to see -- because a lot of 24 the money would be going for very expensive optics and other 25 things which would be processed off island out of maybe the

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1 mainland somewhere, and how much actually is the 2 construction figure and the actual generation of economic 3 benefits to the community in terms of jobs? That's 4 something I think we need rather than just the gross figure 5 for the whole project. A lot of that money goes for design, б for architects, for many of you folks who are a far distance 7 from here and don't benefit the local community. Thank you very much. 8

9 MR. MABERRY: Just to address a couple of those 10 issues. Some of you may be aware that just up the road up 11 here at Kulamalu, the University is in the process of 12 building a new facility to provide sort of base station 13 facilities, research, the opportunity to work on our 14 equipment before taking it up to the summit, and we have made arrangements to provide space for base operations for a 15 small number of partners. We would probably not house all 16 17 of the people that would be involved in this project, but it 18 would definitely serve their needs for many years, for 19 several years during the construction process and into early 20 operations.

As far as connectivity, there is currently fiber. And for those of you, there's the Internet pretty much is connected through fibers under most circumstances. In this case, there are fibers that are buried in the ground and there is what is called lit fiber or fiber that's actually

1 operating and dark fiber that is there that is not being 2 used that can be lit, so to speak, or can be. And there's 3 plenty of dark fiber available for this project, so we 4 wouldn't be needing to add anymore fiber to the summit. 5 MR. MAYER: Thank you. 6 MR. MABERRY: Somebody want to cover the --7 MR. MAYER: The approval process. The approval process. Community plan, general plan, consistency. 8 9 MR. BARR: Let me just talk a little bit about 10 that. Maybe we'll bring Mike back because he knows more 11 about this than I do. Our understanding was that this is 12 university owned land and that we are, for better or worse, 13 we're exempt from the planning process, the county planning 14 process, and so we don't have to -- obviously, there's 15 reasons why you would want in some cases to abide by the same rules, but my understanding was that we weren't and we 16 17 haven't incorporated that into our planning. And certainly 18 that 35-foot height limit would preclude anything like a 19 telescope. 20 MR. TRUITT: What about the ones that are already there? 21 22 MR. MABERRY: What he's referring to is that we 23 have been granted stewardship of this land under an 24 executive order that specifically specifies for observatory 25 purposes and education, and it is under the state. And the

state is exempt, although we do everything we can to comply and to be good neighbors within the community. Obviously from a scientific standpoint, that 35 feet would be a little difficult for us to adhere to, but in all other ways, we strive very hard to work within the community. But we'll definitely include your comment in the EIS, and we'll address it.

8 MS. COMPOC: I just wanted to say that there are some people who haven't spoken yet tonight, and I just 9 10 wanted to say the obvious, which is you don't have to have a 11 Ph.D. to talk on the mic. These are public comment 12 meetings, so if anyone is feeling any shyness or hesitancy, 13 this is really -- the whole purpose of our meeting tonight 14 is to collect public comment. And if you haven't had your chance, you made the effort to come down here tonight. And 15 if you have something that you want to say, a question or a 16 17 comment, that's what the panel is here for. That's what the 18 environmental impact survey is all about. Take your chance. 19 MS. SING-LEDESMA: Good evening, my name is Karen 20 Hue Sing-Ledesma, and I'm a resident here on Maui. And 21 first I would like to say congratulations on your discovery, 22 Mr. Kuhn, on the sun spots. That's very awesome. I know 23 why you especially and the science community would like to 24 have this observatory here on Haleakala, and I'm here just 25 to simply say I would rather you not be here on the island

1 of Maui. I come here as a kanaka maoli. And I've seen this is millions and millions of dollars that would be invested 2 3 here on the island, and I see the simpler side of life such 4 as many of my brothers and sisters being homeless here --5 here on this island. And so this is where I come from б asking that we keep Haleakala sacred and that you keep the 7 mana of Hawai`i and that you really believe in sustainable living. And I ask that you take your incredible telescope 8 to the other part of the United States. Thank you. 9

10 KAHU MAXWELL: Kahu Charles Kauluwehe Maxwell. Several years ago I did a study, cultural study, but I've 11 12 got to go back and relate as to what happened many, many 13 years ago, and I spoke about this in Kula, but in the '40s, 14 they were using this place for communications. And in the '60s, they acquired this 18. acres and they started to build 15 the observatories. Nobody said much; however, when they 16 built the AEOS, I got involved from day one. I was promised 17 18 all kinds of things that that entire building would be like a mirror, that if you look from downtown, it would reflect 19 20 the lava around it and the sky above. They were actually wanting to fly me to New Mexico to show me the observatory 21 22 there.

However, as the work progressed, we had met and talked about the sacredness of Haleakala, how the dust, the soil, the cinders are sacred to Pele and, of course, the

1 lava is what Pele is all about. About eight months into the 2 project, I got ill about five weeks. And on the sixth week, which I went up from the 8,000 foot level, there was a huge 3 4 truck that had turned over and one boulder weighing about 5 three tons was lying on the side. And this Hawaiian truck б driver came run up to me with tears in his eyes and told me, 7 "Uncle Charlie, this is the last load. They took everything down the mountain." 8

When I went up to the site, I was so shocked that 9 10 they had dug this huge massive hole without me saying one blessing, saying nothing. It was really, really hurtful. I 11 12 had a press conference and the Air Force, one of the top Air 13 Force people came here to Maui. I met with them and I made 14 them go down to the crusher in Puunene. They crushed 150 tons of rock from Haleakala. Myself, papa kalakea and my 15 grandson here, we prayed and asked forgiveness and I 16 17 followed the 150 tons of rock. I made them bring it back to 18 Haleakala, but they couldn't take it up to the top because 19 once you take out material from the top there, you cannot take it back. So I made them give it to the National Park 20 to pave -- to use in the crater with no asphalt or anything 21 22 but to fill up all the crevices in the trails, and that's 23 what they did with the 150 tons.

You know, we're talking here. We don't want this,but how come when we look at the pictures like this, where

1 was everybody when all that facilities was built? You know, 2 Mary Everson, myself, we fought. We fought the big AEOS. 3 We fought against the Faulkes. I even stood up and I 4 invited myself, my sister, my grandson and my other grandson 5 to a press conference they had with the Prince of England б here at the space center in Kihei. And I disrupted the 7 hearing when the Prince was going to sign with Governor Cayetano. And I stood up and I left. And security -- I 8 didn't know that he had the Secret Service following him, 9 10 and I sat on the sidewalk outside. And as he passed by, I said to the Prince, I says, "Make sure that you are aware 11 12 that whatever planning happens at Haleakala that you include 13 the Native Hawaiians." So two years ago, thanks to Mike, after all my -- at one time, I didn't like Mike Maberry or 14 even Charlie Fein because I couldn't trust them. I don't 15 16 know if I trust them now, but anyway.

17 (Laughter.)

18 He gave me the opportunity the draw -- to do the cultural assessment and I brought forth cultural things that 19 20 they have to follow. If anything is touched, even if they move soil up there, they have to have prayers. It has to be 21 22 culturally correct. If workers work up there, they got to 23 do mele komo, an entry chant and an exit chant asking 24 permission to come on that property and work the land. And 25 when they leave, they apologize for they disturbed anything.

1 And so that's what have been going on this last year.

2 My grandson is one of the monitors up there. And 3 he goes up. He prays with the people. Even Japanese, some 4 Japanese came from Japan about eight months ago and they all 5 went through our classes with interpreters to find out -б they saw the movie called "Haleakala" with myself, a friend 7 Charlie Kaupu, Kaeo, and it covered everything. So that, you know, if we all not going want this up on Haleakala, 8 9 fine. But for us as Native Hawaiian people, it's a 10 wahi pana. It's a place, a sacred place. And even I said a 11 couple days ago at a meeting with the new Lieutenant 12 Colonel, I says, "I wish there as nothing up there." That's 13 what I wish. That's a sacred place. It was sacred before. 14 How come it's not sacred now? So I'm doing the Environmental Impact Statement, and they might not want what 15 I'm going to recommend. But I will recommend strong 16 17 cultural observance when they're using the site and when 18 they're building, if it ever happens. So I had to do some 19 clarification. Thank you.

20 MR. MABERRY: If I may very briefly just add to 21 what Kahu said. There is a process that was outlined in the 22 long-range development plan, and many of you attended, I 23 recognize seeing you there, the showing that we had of the 24 "Sense of Place" video of Haleakala down at the MACC just a 25 few months ago. It's a wonderful piece and it does a very

good job of letting those who aren't kanaka maoli get a
sense, get a feel of how important the aina is to the kanaka
maoli. And all of the people on this project that you see
here today have -- even before most of them, before they
even came out here have seen the video. They have
communicated with Kahu and others. We've worked very
closely, as Kahu said, with Dane at the summit.

8 And we are very sensitive and appreciative of being able to be at the holy site. It is very important to 9 10 us. It has -- you know, religion is very individual, right. 11 Some people have a sense that is not -- that others may find 12 similar to religion that is not really religion, but that 13 sense of awe, of being at Haleakala anyone who goes up there 14 whether you consider yourself religious or not can feel. 15 And we feel that and we appreciate the opportunity to be able to work in such a place. 16

17 I have had the opportunity to work at Haleakala 18 for 21 years, and that's where my spirit will always be. I 19 just want you to understand that we do appreciate it. MR. MAYER: I have just one question. Can someone 20 21 tell me the elevation of your prime site at the ground 22 level? What elevation is that? MR. BARR: That's about right, the elevation of 23 the mountain is at 10,000, and it was at 9,960, something 24 25 like that. I can't tell you the exact elevation, but it's

APPENDIX B(3): TRANSCRIPTS – PUBLIC SCOPING MEETING, PUKALANI COMMUNITY CENTER, JULY 14, 2005

1 in that range. 2 MR. MAYER: 9,960, the base of the thing? MR. MABERRY: Yeah. 3 4 MR. BARR: That's right. On the floor plan, I 5 think --6 MR. TRUITT: The elevation plan. 7 MR. BARR: And these are based on the topographical map you saw earlier. It's actually not that 8 9 one. I think the floor plan has it. Yeah, 9,983 actually. 10 And again, that's based on the topographical map, which was this first one and taken off of -- and that's somewhat 11 12 imperfect. There's a little bit of work to be done to 13 verify that, but that would be at the primary site, and then this site is the base level of the building would be 14 approximately 10 to 20 feet higher. That's to be 15 16 determined, too. 17 MR. MAYER: In other words, the 137 feet added to that would actually make the top of this building somewhere 18 19 around 50 to 100 feet higher than the summit of Haleakala, 20 is that correct, 137 feet added? 21 MR. MABERRY: On the top of Kolekole Puu. 22 MR. MAYER: The highest point of Haleakala. 23 MR. MABERRY: No, the highest point of Haleakala is red hill, which is 10,023. 24 MR. MAYER: Okay, it is higher. Some of this 25

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building then, the top of this building would be somewhere in the order of 50 to 80 feet higher than the highest single point of Haleakala, and I think that's something the public should be aware of. And that was the profile I was trying to describe.

6 MR. BRASS: There are still a few people who 7 haven't had a chance to speak. We have about ten minutes 8 left.

9 MR. MABERRY: Something that he addressed earlier 10 that we didn't respond to was viewplane.

11 MR. FEIN: Part of the environmental impact 12 statements and part of many environmental impact statements 13 now is something called view corridor analysis. There's 14 really specialized software now that allows you to perceive on contour maps exactly where you would see a facility and 15 where you wouldn't. In addition to that, the Environmental 16 17 Impact Statement will also contain renderings from Pukalani, 18 Kula, Kihei, even Lahaina showing what the facility will look like from those communities, how much of it you will 19 20 see or not see from each of those communities.

The long-range development plan actually did some of that modeling work. We looked at those two sites last year and we went up step by step to see where visibility would occur in the different communities. Above something like 60 feet or 70 feet at the Mees site, the facility would

1	be visible, for example, in Pukalani, but not in Kihei. So
2	it depends on the community that you're in. It depends on
3	the height that you're talking about, but we will render
4	close to very close to as close to reality as we can
5	so the public will have an opportunity to see how much of
6	the building will be visible from your community. I think
7	that's important. It's come up again and again. It
8	certainly was important with the AEOS facility, which
9	sparkles out there in places as distant as Lahaina.
10	And we will make sure that we do that visibility
11	study so that everybody can see what it would look like.
12	MR. MAYER: Thank you.
13	MR. BARROS: How wide is it?
14	MR. BARR: How wide is it?
15	MR. BARROS: Yeah.
16	MR. BARR: At the widest
17	MR. MABERRY: The dome.
18	MR. BARR: Right, this and I probably should
19	I was a little remiss in not going through these dimensions
20	for those that can't read from all the rows. Essentially
21	the dome diameter as dictated, as I said before by the
22	telescope, is 86 feet from side to side. And I kind of
23	showed an extension here because the widest profile of that
24	cylindrical shape would be where the catwalk extends out
25	another six feet beyond that on all sides. Was that the

1 question?

2 MR. MABERRY: Yes.

3 MS. MARTIN: May I speak?

4 MR. MABERRY: Please.

5 MS. MARTIN: My name is Martha Martin, and I have б lived most of my life in Hawai`i. I am now 72 and I have 7 lived on Maui for over 40 years. And the reason I came to have chosen to live on Maui is because to me it is a special 8 place that has evolved from geology for many years, and it 9 10 is unique. And I consider Haleakala something like a great masterpiece that man had made, Chartres Cathedral or 11 12 whatever it is that you admire. Haleakala is a special 13 thing.

Now, I respect science a great deal. My father 14 was a scientist, and I know that people who devote their 15 16 lives to science do it not to get rich but because in their 17 hearts, they feel they can contribute to mankind by 18 following the science which calls to them. But I know why you want to come to Haleakala and knowing that you don't 19 20 have to ask us in order to do it, you are now asking us to tell you how we feel. And so what I feel is that I wish you 21 22 would build it somewhere else and not on Haleakala, and I 23 know that astronomers have studied the sun for thousands of 24 years and have learned a great deal and I think you can 25 still do it without building the observatory you are

1 planning here but do it some other way. Thank you.

2 MR. BRASS: Any last comments? We have a few more 3 minutes. Last call. We would like to thank you all for 4 coming and for giving your input, and if you -- I would 5 encourage you to take a comment sheet. There is still an б opportunity up until August 14th to submit comments, so if 7 you should think about this tomorrow and think of something else you're concerned about, go ahead and submit your 8 9 comments. That's the purpose of this process. So thank you 10 all for coming.

MS. COMPOC: There's also lots of literature here 11 12 if you think other people in the community would benefit 13 from what you learned here tonight and would make a comment 14 based on literature, that's a possibility as well. And if any of you have a meeting that you would like David and me 15 to come and facilitate, take a brochure of Mediation 16 17 Services of Maui, which is on that table. Mahalo for 18 coming. 19 (The meeting ended at 8:55 p.m.) 20 21 22 23 24

25

APPENDIX B(3): TRANSCRIPTS – PUBLIC SCOPING MEETING, PUKALANI COMMUNITY CENTER, JULY 14, 2005

1	
2	CERTIFICATION
3	
4	I, RACHELLE PRIMEAUX, Notary Public for the State of
5	Hawaii, certify:
6	That the proceedings contained herein were taken by
7	me in machine shorthand and were thereafter reduced to print
8	under my supervision by means of computer-aided
9	transcription; that the foregoing represents, to the best of
0	my ability, a true and accurate transcript of the
.1	proceedings had in the foregoing matter.
.2	I further certify that I am neither attorney for any
.3	of the parties hereto nor in any way concerned with the
4	cause.
.5	Dated this 27th day of July 2005.
6	
7	
18	
9	(Harbert)
0	NOTARY PUBLIC, State of Hawaii
1	My commission expires 6/14/08
2	
23	
24	· · ·
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APPENDIX C

TRANSCRIPTS – SECTION 106 MEETINGS

- (1) Pukalani Community Center, March 28, 2006
- (2) Paukūkalo Community Center, May 1, 2006
- (3) University of Hawai'i, Institute for Astronomy, Maikalani Facility June 16, 2008
- (4) University of Hawai'i, Institute for Astronomy, Maikalani Facility June 17, 2008
- (5) University of Hawai'i, Institute for Astronomy, Maikalani Facility August 27, 2008, Afternoon Session
- (6) University of Hawai'i, Institute for Astronomy, Maikalani Facility August 27, 2008, Evening Session

Appendix C(1): Transcripts, Section 106 Meeting, Pukalani Community Center, March 28, 2006

			3
	1	1	NATIONAL SCIENCE FOUNDATION FORMAL MEETING
			FOR THE ADVANCED TECHNOLOGY SOLAR TELESCOPE
1	NATIONAL SCIENCE FOUNDATION SECTION 106 FORMAL MEETING	2	TRANSCRIPT OF PROCEEDINGS
3	FOR THE ADVANCED TECHNOLOGY SOLAR TELESCOPE	3	
4	TUESDAY, MARCH 28, 2006		
5		4	DR. FEIN: Aloha. Good evening, everyone. My
6		5	name is Dr. Charlie Fein. I am the environmental consultant
7		6	for a proposed project which is called the Advanced
8		7	Technology Solar Telescope. This evening we have called for
9		8	a meeting concerning the National Historic Preservation Act,
11		9	and we will explain more about that in a few moments.
12		10	I've asked Kahu Charles K. Maxwell to conduct a
13	Pukalani, Maui, Hawaii, commencing at 6:15 p.m. on Tuesday,	11	brief pule. This is not an endorsement of the project, nor
14	March 28, 2006.	12	in any way to be construed as anything other than a
15		13	pule. Kahu?
16		14	MR. CHARLES MAXWELL: Would you rise, please?
17		15	(Blessing given in the Hawaiian language)
18		16	DR. CHARLIE FEIN: We thank you, Kahu. The
20		17	Advanced Technology Solar Telescope project is in the
21		18	process of undergoing environmental impact analysis leading
22	REPORTED BY: JEANNETTE W. IWADO, RPR/CSR #135	19	to an Environmental Impact Statement. Part of that process
23		20	is a federal requirement to adhere to and to deal with the
24		21	National Historic Preservation Act, and that's why we're
25		22	here tonight.
		23	I'm going to tell you briefly about the agenda and
		24	how this is planned to go, and then I will turn the meeting
		25	over to Charisse Carney-Nunes in a moment.
1	2 ATTENDANCE		4
2	National Science Foundation Formal Meeting	1	By the way, anyone who feels like giving testimony
3 4	March 28, 2006	2	this evening and does not wish to be tele-recorded on video,
5		3	please let us know and I will ask that that be turned off.
6	Dr. Charlie Fein, Vice President KC Environmental, Inc.	4	That is not part of our process. We have a court
7	P.O. Box 1208	5	stenographer to record testimony.
8	Makawao, Hawaii 96768	6	We are in the process of preparing the
0		7	Environmental Impact Statement. We've identified historic
9	Dr. Craig Foltz, Program Officer	8	properties potentially affected by the proposed Advanced
10	National Science Foundation 4201 Wilson Boulevard, Room 1045	9	Technology Solar Telescope, or ATST. In order to assess its
	Arlington, Virginia 22230	10	affects and seek ways to avoid, to minimize and mitigate any
11		11	adverse effects on these historic properties, we have
12	Jeremy Wagner, Project Director		
13	National Solar Observatory	12	initiated consultation with knowledgeable individuals and
	Wayne Van Citters, National Science Foundation	13	groups.
14	Jean McGovern, National Science Foundation Tony Gibson, National Science Foundation	14	Tonight we are going to be requesting to hear from
15		15	those individuals and/or groups concerning potential
16	Charisse Carney-Nunes, Assistant General Counsel	16	impacts, perhaps mitigations, or any other comments that the
	4	17	community wishes to make. This is not the only meeting for
17		18	this purpose, there will be further meetings, which will be
18		19	discussed in a few minutes.
19		20	The evening is planned to go as follows. After
19			
×		21	Charisse Nunes gives us or lays the ground rules for this
20		21 22	Charisse Nunes gives us or lays the ground rules for this evening and by the way, Charisse is a general counsel for
21 22			
21 22 23		22	evening and by the way, Charisse is a general counsel for
21 22		22 23	evening and by the way, Charisse is a general counsel for the National Science Foundation, which is the proponent for

APPENDIX C(1): TRANSCRIPTS - SECTION 106 MEETING, PUKALANI COMMUNITY CENTER, MARCH 28, 2006

SLOTIO	N 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNO		TELESCOPE MARCH 28, 2
1	5 prior meetings, and so we will provide a brief overview of	1	7 do many things. But two of the things that have to be done,
		2	two of the processes that we have to go through are one, as
2	the project, just a few minutes, so that you have an idea	3	Charlie said, we have to conduct an environmental analysis.
3	about what it is that we're talking about. And then we will	4	We have to prepare a document that's called an Environment
4	open the floor up for any comments, testimony, and so on.	5	
5	Charisse, would you give us the ground rules?		Impact Statement. And then the second thing that we have
6	MS. CHARISSE CARNEY-NUNES: Sure. Aloha. I don't		do is why we're here tonight. We have to consider the
7	like to think of what I'm doing as setting the ground rules	7	impact that this decision that we're going to make might
8	really, but I do want to make sure that everybody	8	have on historic properties.
9	understands what this Section 106 process is, what that		Now, we're still relatively early in both of those
10	means, so that we know how we are going to proceed tonight.	10	processes, we're still pretty early on. We started the
11	So first of all, again, my name is Charisse	11	first step, the environmental analysis, last summer, and
12	Carney-Nunes, and I am an assistant general counsel at the	12	that was when we had public scoping meetings. And many o
13	National Science Foundation. I bring you greetings and I	13	you were here for that and some of you were not, and that
14	thank you for welcoming us to your island.	14	process will continue. The next stages in that process are
15	I wanted to introduce not only myself from NSF,	15	you can ask questions about what those next steps are,
16	but also Craig Foltz. He is the program officer for the	16	but that's really a separate process to this one. So that
17	proposed ATST project. And we also have Wayne Van Citters	17	will continue in the coming months.
18	from NSF, and he is the division director for our astronomy	18	The next thing, we will have an Environmental
19	division at NSF. We also have Jean McGovern here from NSF,	19	Impact Statement, a draft of that that everyone will be able
20	and she works to help us plan large facilities projects.	20	to comment on, okay. So that's the first process. But
21	And finally, we have Tony Gibson from NSF, and he works in	21	we're here tonight because of the second step, and that is
22	our office of legislative and public affairs.	22	the step that concerns historic properties.
23	So we thought it would be a good idea before the	23	So that brings the obvious question of what is the
24	meeting actually gets started that I explain to everyone a	24	historic property. Well, obviously to each of you here
25	little bit about the process. So this is a process that's	25	tonight, you know that it's Haleakala, your beloved
1		1	o mountain. But the federal regulations actually put the
	called the 106 process. It is our first formal Section 106	2	burden on the federal agency to determine whether or not a
2	consultation meeting for the ATST project.	3	property is historic, okay. So under the federal law it
3	Section 106 refers to Section 106 of the National		requires that the agency do that.
4	Historic Preservation Act. That is a federal law that is	4	1 5 1
5	concerned with conserving or enhancing the productive use of	5	Well, of course how would we know this? I mean w
6	the nation's historic properties. So sometimes we call it	6	don't know your stories, we don't know the legends, and so
7	the NHPA, but it's the National Historic Preservation Act.	7	the only way that we can do this is to consult with you all.
8	And Section 106 is a special part of that act that is pretty	8	And so what we did was we hired an expert, we hired a
9	simple. It requires federal agencies like NSF to consider	9	cultural expert, Kahu Maxwell, and Kahu Maxwell submitted
10	the effects of our actions on historic properties.	10	report to NSF. It's also been available to the public, and
11	So basically Section 106 is designed to give the	11	there have been some public comments on it. But the purp
12	public, all of you all here tonight, a voice in the federal	12	of the report was to educate us as a federal agency about
13	decisions that are being made that could have an impact on	13	the sacredness of Haleakala and why Haleakala should be
	historic properties.	14	preserved.
14		15	The report was not in favor of the project. We
15	So, you know, last night it seemed like some	40	
15 16	people were like, "Section 106, what are they talking	16	
15 16 17	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that	17	and the report did just that. So what is the result of the
15 16 17 18	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and	17 18	and the report did just that. So what is the result of the report? Well, I'd say there are three things that are
15 16 17 18 19	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and decisions that the federal government is thinking about	17 18 19	and the report did just that. So what is the result of the report? Well, I'd say there are three things that are important. First and foremost, after receiving the report,
15 16 17 18 19 20	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and decisions that the federal government is thinking about making that could have an effect on that.	17 18 19 20	and the report did just that. So what is the result of the report? Well, I'd say there are three things that are important. First and foremost, after receiving the report, NSF made a determination that Haleakala is indeed sacred to
15 16 17 18 19 20 21	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and decisions that the federal government is thinking about making that could have an effect on that. So we're here because NSF is currently considering	17 18 19 20 21	and the report did just that. So what is the result of the report? Well, I'd say there are three things that are important. First and foremost, after receiving the report, NSF made a determination that Haleakala is indeed sacred to the Native Hawaiian community. We did receive, like I said,
15 16 17 18 19 20 21 22	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and decisions that the federal government is thinking about making that could have an effect on that.	17 18 19 20	and the report did just that. So what is the result of the report? Well, I'd say there are three things that are important. First and foremost, after receiving the report, NSF made a determination that Haleakala is indeed sacred to the Native Hawaiian community. We did receive, like I said, some comments about some details and about the accuracy
15 16 17 18 19 20 21 22 23	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and decisions that the federal government is thinking about making that could have an effect on that. So we're here because NSF is currently considering a proposal to fund the construction and the operation of a solar telescope that would be sited on top of Haleakala.	17 18 19 20 21 22 23	and the report did just that. So what is the result of the report? Well, I'd say there are three things that are important. First and foremost, after receiving the report, NSF made a determination that Haleakala is indeed sacred to the Native Hawaiian community. We did receive, like I said,
15 16 17 18 19 20 21 22	people were like, "Section 106, what are they talking about?" So I just really wanted everyone to understand that this is about historic and cultural properties, and decisions that the federal government is thinking about making that could have an effect on that. So we're here because NSF is currently considering a proposal to fund the construction and the operation of a	17 18 19 20 21 22	report? Well, I'd say there are three things that are important. First and foremost, after receiving the report, NSF made a determination that Haleakala is indeed sacred to the Native Hawaiian community. We did receive, like I said, some comments about some details and about the accuracy

2 of 36 sheets

²⁵ not been made yet. Before we make the decision we have to 25 sacredness of Haleakala to the Native Hawaiian community is

	N 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNOL 9		R TELESCOPE MARCH 28, 2 11
1	indisputable.	1	significance and the majesty and the cultural importance of
2	Now, the legal word for this that the regulations	2	Haleakala to the entire public as well.
3	use, as we call it, it's a traditional cultural property.	3	The only thing that I would ask is that remember
4	So in this process you might hear the words traditional	4	that this process, the 106 process, is about the historic
5	cultural property, or TCP, but that just refers to an	5	and cultural significance of Haleakala and not about
6	acknowledgment that Haleakala is a sacred place to the	6	environmental matters generally, okay. Those matters are
7	Native Hawaiian community. So that's the first thing.	7	going to be dealt with in the Environmental Impact Stateme
8	The second thing is that NSF also recognizes the	8	process. But this process here is to talk about the
9	historic significance of Haleakala to the public here in	9	historic and cultural significance of Haleakala with a
10	Maui and beyond. So we recognize the cultural importance	10	special emphasis being placed on the Native Hawaiian
11	and the historic importance of Haleakala to the entire	11	community.
12	community.	12	And with that said, we ask you again to help us
13	And finally, I would say that the third most	13	give the Native Hawaiian community the proper respect and
14	important outcome of Kahu Maxwell's report is that NSF is	14	deference. And on behalf of NSF, we just want to thank yo
15	recognizing that if we go forward with our decision to fund	15	Kahu, for the blessing that you gave to this process,
16	the ATST project, then that decision would have an adverse	16	because it's truly our hope that this discussion here this
17	effect on Haleakala, and that adverse effect would have to	17	evening will be undertaken with a spirit of mutual respect,
18	be resolved or mitigated. So that brings us to why we're	18	productive consultation, education, and enlightenment for
19	here tonight.	19	all of us in the process.
20	There's just a few things that I am going to end	20	If you have any questions about the process,
21	with for you all to keep in mind about why we're here	21	please let me know. I have cards I'll give to anyone. So
22	tonight, and things that are important about the	22	that's it.
23	regulations, okay. Now I talked about resolving the impact.	23	DR. CHARLIE FEIN: Thank you, Charisse. As I
24	The regulations talk about resolving the impact in terms of	24	mentioned when we first began, there are individuals here
25	avoiding the impact as one thing, minimizing the impact, and	25	who have not seen or been exposed to this proposed project
	10		12
1	mitigating the impact. So that's what the regulations talk	1	and so we will spend a few minutes at your indulgence in
2	about.	2	going through a brief overview of the scientific objectives
3	The other thing to keep in mind is that the	3	and the facility designed for this project, proposed design.
4	National Historic Preservation Act was amended in 1992.	4	I'd like to begin that process by asking Craig
5	It's a really old law. I think it was passed like in the	5	Foltz, who is the program officer for the National Science
6	late '60's, but it was amended in 1992 so that it would	6	Foundation, to speak briefly about the project.
7	place a special emphasis on Native American and Native	7	DR. CRAIG FOLTZ: Aloha. I will try to be brief.
8	Hawaiian organizations. So the law was specifically amended	8	And I want to add my thanks to Charisse, because I love m
9	to let federal agencies know that when they conduct these	9	job. Working in a place like the NSF you never stop
10	Section 106 consultations they have to place a major	10	learning. But I have to say that that which I have learned
11	emphasis on Native Hawaiian organizations.	11	in this process has been very not only extensive, but very
12	Okay, so based on this, NSF must consult with	12	meaningful, and I hope that that continues.
13	Native Hawaiian organizations if we're considering an action	13	I want to change the subject a little bit from the
14	that might impact a resource. Here it's Haleakala that the	14	talks that most of you I think have heard me talk about
14	Native Hawaiian community attaches cultural or religious	15	before, because as I think about this project I realize that
16	significance to.	16	what is second nature to us when we say acronyms like NS
17	So we're being as open and as up-front about this	17	NSO are not familiar to you. And it is difficult I think
17	process as we can, but we do need your help in identifying	18	for you to jump in with both feet and understand what is th
18	the right organizations to bring into this process, and to	19	role of the NSF, what is the NSF, and specifically what is
18 19	the right organizations to bring into this process, and to	20	the relationship between the NSF and this project. But I
19	make sure that NSE fulfills its obligation to place a major		the relationship between the rule this project. Dut I
19 20	make sure that NSF fulfills its obligation to place a major		would just like to talk for maybe 10 minutes at the most
19 20 21	emphasis on hearing from Native Hawaiians and the Native	21	would just like to talk for maybe 10 minutes at the most.
19 20 21 22	emphasis on hearing from Native Hawaiians and the Native Hawaiian community.	21 22	The NSF, the National Science Foundation, is a
19 20 21	emphasis on hearing from Native Hawaiians and the Native	21	

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1	which is simply put, "Enabling the nation's future through	1	sun we wouldn't be able to worry about what the other stars
2	discovery, learning and innovation."	2	were, because we wouldn't be here. But if we did not have
3	Well, those are grand words, but what does it	3	the sun as a model we would not understand what we do
4	mean? At the heart of the NSF is the fact that the NSF is a	4	understand about the way stars form and live and age.
5	responsive agency, it's not a proactive agency. It is	5	And finally, the sun is a laboratory for physics,
		6	because the conditions that exist in the solar atmosphere,
6	different in many ways from many other federal agencies,	7	that is, ionized material in a turbulent state that's linked
7	such as the Department of Defense, NASA, the Department of	8	
8	Energy and so on, and it's different in the following way.	9	to strong magnetic fields have analogies throughout the
9	The Department of Defense or NASA can decide		universe and actually in laboratory situations. So we can
10	unilaterally to do projects. They have a budget, they can	10	study things on the sun that would apply to other objects of
11	make their plans, they can establish their own priorities,	11	astrophysical importance. Not necessarily importance to us
12	and they can do the project. NSF doesn't work like that.	12	on earth, but this is a subject that drives our curiosity,
13	NSF's priorities for that which it will do, for that which	13	and we pursue.
14	it will fund, basically we are a funding agency. We provide	14	These questions are important enough that the
15	money. We provide money to organizations, to individual	15	development of a new large solar telescope was a
16	investigators, to universities, to laboratories and so on to	16	recommendation of the entire solar physics and solar
17	carry out science, technology, engineering, mathematical	17	astronomy community. It was a recommendation to the
18	research, and education.	18	community. The community then responded to that
19	And the priorities that we adopt are not set by	19	recommendation by writing a proposal to us. Actually, a
20	the NSF, and that's very important. We are scientists.	20	series of proposals. These are big documents and they're
21	Wayne is an astronomer, I am an astronomer. We would not be	21	very rigorous and very difficult to write, and they lay out
22	so presumptuous as to say we know best what the nation	22	the science case. They try to convince us that such a thing
23	wants, we know best what the astronomers need. In fact,	23	can be built. They ask us for money to design it, and
24	what we do, rather than unilaterally designing,	24	eventually they would ask us for money to construct it.
25	constructing, and operating particle accelerators or	25	And we evaluate those projects not by the five of
-	14		16
1	observatories or laboratories, we respond to requests from	1	us sitting down and saying, "Hey, this one looks good." We
2	the broad scientific community, and those requests are based	2	send these out for peer review to other scientists
3	on curiosity. At the heart of science is curiosity.	3	disconnected from the project. We also ask engineers, we
4	And so we talk about the science drivers for a	4	ask project managers and so on to evaluate them, and we lo
5	project or for a new facility, and that's basically what is	5	at their importance with respect to other fields. We have
6	it that we're curious about, that we need to know about, and	6	lots of criteria. And we may fund them if we have enough
7	how can we design a facility to get at those problems.	7	money and if they meet a rigorous set of standards.
8	In the case of this project, the Advanced	8	What I want to point out, and this should be
9	Technology Solar Telescope, as you can probably tell from	9	stressed and you may see this as a fine line, a fine
10	its name, it is a telescope that will study the sun. The	10	distinction, but honestly it's not. The ATST is not a NSF
11	principle things that we are curious about, some of them are	11	project, it's a project of the whole community of solar
		12	physicists led by the National Solar Observatory.
12	actually fairly obvious. What is the connection between the		
	actually fairly obvious. What is the connection between the activity on the sun, the magnetic fields in the atmosphere	13	We are here today because we have funded its
12			We are here today because we have funded its development. We have not established its design. We funde
12 13	activity on the sun, the magnetic fields in the atmosphere	13	· · · · · · · · · · · · · · · · · · ·
12 13 14 15	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what	13 14	development. We have not established its design. We funde
12 13 14 15 16	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather.	13 14 15	development. We have not established its design. We funder its development and we would fund or will fund its construction, a large part of its construction, perhaps not
12 13 14 15 16 17	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that	13 14 15 16	development. We have not established its design. We funde its development and we would fund or will fund its
12 13 14 15 16 17 18	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts	13 14 15 16 17	development. We have not established its design. We funder its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the
12 13 14 15 16 17 18 19	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts the earth. It actually has an impact on our lives because	13 14 15 16 17 18 19	development. We have not established its design. We funder its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the impact and so on, if it is successful.
12 13 14 15 16 17 18 19 20	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts the earth. It actually has an impact on our lives because it can shake the earth's magnetic field. It can pose a	13 14 15 16 17 18 19 20	development. We have not established its design. We funder its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the impact and so on, if it is successful. So keep it in mind, this is not an NSF project,
12 13 14 15 16 17 18 19 20 21	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts the earth. It actually has an impact on our lives because it can shake the earth's magnetic field. It can pose a hazard to people in space or high elevations and so on.	13 14 15 16 17 18 19 20 21	development. We have not established its design. We funde its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the impact and so on, if it is successful. So keep it in mind, this is not an NSF project, this is a project that is led out of the community. I am
12 13 14 15 16 17 18 19 20 21 22	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts the earth. It actually has an impact on our lives because it can shake the earth's magnetic field. It can pose a hazard to people in space or high elevations and so on. Thirdly, the sun is a star, it's the nearest star,	13 14 15 16 17 18 19 20 21 22	development. We have not established its design. We funde its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the impact and so on, if it is successful. So keep it in mind, this is not an NSF project, this is a project that is led out of the community. I am not going to go into this, but this is the recommendation
12 13 14 15 16 17 18 19 20 21 22 23	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts the earth. It actually has an impact on our lives because it can shake the earth's magnetic field. It can pose a hazard to people in space or high elevations and so on. Thirdly, the sun is a star, it's the nearest star, and as such it's a model for our understanding of other	13 14 15 16 17 18 19 20 21 22 23	development. We have not established its design. We funder its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the impact and so on, if it is successful. So keep it in mind, this is not an NSF project, this is a project that is led out of the community. I am not going to go into this, but this is the recommendation which comes from a survey that astronomers do every ten
12 13 14 15 16 17 18 19 20 21 22	activity on the sun, the magnetic fields in the atmosphere of the sun, and the earth's climate. What is the interface or what are the mechanisms that cause the sun to drive what we call space weather. Space weather is the interaction of material that flows off of the sun throughout the solar system and impacts the earth. It actually has an impact on our lives because it can shake the earth's magnetic field. It can pose a hazard to people in space or high elevations and so on. Thirdly, the sun is a star, it's the nearest star,	13 14 15 16 17 18 19 20 21 22	development. We have not established its design. We funde its development and we would fund or will fund its construction, a large part of its construction, perhaps not all of its construction, if this process that we're going through, the review process, the evaluation of the site, the impact and so on, if it is successful. So keep it in mind, this is not an NSF project, this is a project that is led out of the community. I am not going to go into this, but this is the recommendation

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1	What is the best way for us to spend our money?" And in	1	poster over there lists them. So it's a very broad-based,
2	fact, this is the endorsement.	2	ambitious project.
3	And as I said, I won't read it, but if anybody is	3	And I want you to keep the following points in
4	interested I can certainly provide it. The ATST will study	4	mind. This is a very expensive project. The estimates of
	solar activity. I am not going to talk about this in any	5	the cost for the total construction right now are running on
5	detail. I talked about it last night.	6	the order of \$175 million. We have not made the decision
6	It should suffice to say that the outer surface of	7	fund or not to fund the project. That will only be made
7		8	after the project undergoes yet more review. The project
8	the sun is not a simple smooth surface. It's not like a cue	9	has been reviewed extensively. Jeremy is very tired; I'm
9	ball. It's in fact a boiling, turbulent, very hot, 10,000		tired. We review for science return, we review for the
10	degrees Fahrenheit or so medium, which has magnetic fields	10	
11	entwined in it, which occasionally come together and form	11	management, the capability of the team, the breadth of the
12	sun spots.	12	science, the impact on society, the impact on other fields,
13	The sun spots underlie active regions, regions of	13	and so on.
14	extremely energetic activity, which sometimes throw off	14	We also evaluate on the impacts on the site. And
15	prominences and spicules. Occasionally they flare into	15	I have to say here we have spent more time with you in the
16	enormous explosions, enormous explosions. You know, you	16	broadest sense and I have enjoyed almost every minute
17	don't measure these things in kilotons or megatons, these	17	it than we have in a typical review of the science
18	are tremendous explosions which throw material out, and this	18	capability of this instrument. We are not taking the impac
19	material can impact the earth or other objects in the solar	19	of this telescope on the site lightly, and I mean that from
20	system. The ATST will also study the outer envelope, the	20	my heart.
21	outer atmosphere of the sun, the corona. It's a very	21	However, the telescope is well-advanced in the
22	general purpose, a competent design.	22	decision process. It has received extremely favorable
23	This is what it looks like in brief. Jeremy	23	reviews. If it had not, as much as I have enjoyed my time
24	Wagner, the project manager, will talk a little bit, but I	24	with you, I wouldn't be here, the decision would have bee
25	just want to point out a few salient features. If this	25	made. So the project is moving forward. It has not yet
	18		20
1	project is funded and constructed once again, we have not	1	reached a decision point, but the reviews have been good.
2	made that decision, and I want to reinforce that the ATST	2	Finally, the selection of the Haleakala site and
3	will replace all major solar facilities of its kind. There	3	the precise locations for the possible construction really
4	is nothing else like it planned right now worldwide. It	4	followed an exhaustive process. A selection from 72
5	would be the flagship facility for ground-based solar	5	potential sites. The site selection was not done
6	physics. It will do science that cannot be done from	6	capriciously. We did not say, "Hey, those guys in Hawaii
7	spacecraft.	7	have a nice looking site on Maui and it's got a road and
8	Now, there's science that can be done by	8	it's got a sewer. Let's put it over there." We didn't do
9	spacecraft that won't be done by this telescope, but for	9	that. The site selection was done on the basis of objective
10	observing the sun in exquisite detail there is nothing that	10	criteria that were applied to 72 sites, down selected to
11	would compete with this instrument. And in fact, we have to	11	six, down selected to three. An enormous amount of mor
12	observe the sun in exquisite detail. It has tremendous	12	was spent, an enormous amount of time was spent, down
13	impacts, it might address issues of climate change, it might	13	selected to one.
14	address astronaut safety, space weather, of course	14	So the site selection was not done haphazardly.
15	educational programs. And it provides flexibility and	15	And I give you my word, nor will the assessment. Thank
16	upgrade paths to give it a reasonably long lifetime, and it	16	DR. CHARLIE FEIN: Thank you, Craig. I am goir
17	would be the cornerstone for the next generation of solar	17	to ask Jeremy Wagner, who is the ATST project manager,
18	physicists.	18	briefly talk about the facility itself for those of you that
19	The project team is broad. It's lead by	19	have no information about the proposed project, and what
20	astronomers from the National Solar Observatory, which is an	20	might look like.
21	observatory in New Mexico, the high attitude observatory in	21	MR. JEREMY WAGNER: Hi. I'm Jeremy Wagner,
22	Boulder, Colorado, the University of Hawaii Institute for	22	the project manager for ATST. Craig says I'm tired. I
23	Astronomy, the University of Chicago, and the New Jersey	23	don't feel tired. But I can give you a quick overview of
20		24	some of the details that went into the design and some of
	Institute of Technology, and there are roughly 22 other		
24 25	Institute of Technology, and there are roughly 22 other institutions. There are also international partners. The	25	the details about how it will appear if it were to go to

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	21		23
1	Haleakala.	1	example. There is another station up here which is
2	This is just a quick rendering of what ATST is.	2	primarily focused at the corona. Craig talked about this
3	Its support buildings, an enclosure, a pier to hold the	3	tenuous outer atmosphere. So we have a station up here that
4	telescope, with the telescope and its optics right there in	4	has very few mirrors between it and the sun, and that
5	the middle. An idea of what ATST does, you can take a	5	reduces the scattered light enough so that we can look at
6	region on the sun, start moving in to look at it closer and	6	this very faint corona around the sun. And so we've built
7	closer and closer. And what we want to do with ATST is get	7	those two requirements into this.
8	down here to the fundamental size of the structures on the	8	And Haleakala, there were a couple of reasons that
9	sun that actually affect the physics of the magnetic fields.	9	it really came to the top of the list of sites that we
10	And so in some respects it's almost a microscope. I	10	looked at. It has very dark skies during the day. I mean
11	mean we're looking at very small features on the order of 20	11	if you hold your thumb over the sun when you are up there on
12	miles, 30 miles, to understand what drives the sun.	12	a good day the sky is uniformly dark. It's uniformly the
13	So let me tell you a little bit about ATST and	13	same color blue as you move in towards the sun and ride up
14	what it might look like, where it is up on the telescope	14	to where the sun is, because there's very little dust in
15	up on the mountain, excuse me. This is an overall site plan	15	that air up there.
16	of the Haleakala Observatory site. This is the primary	16	So we did the site survey, understood what the
17	proposed site for ATST. It's just east of the existing Mees	17	characteristics of the various sites were. The height of
18	telescope here.	18	the telescope right here above the ground was established
19	The alternate site is referred to as the Reber	19	from that data. This is to allow the telescope optics to
20	Circle site. It's slightly higher than Mees, slightly	20	get above the disturbed air that's created by the sun
21	closer to the Air Force facility. You can see the petrel	21	heating the volcanic rock.
22	burrows here where the birds are. There are archeological	22	So I don't know if you have driven on a road and
23	sites indicated, so all the restrictions are there. So that	23	you see the shimmering on the road. We have to get up above
24	gives you an idea of where it is.	24	that. So that actually establishes the height of the
25	Here's a couple of images of the two proposed	25	facility. So you place the mirror there, then the enclosure
_	22		24
1	sites. The Mees site, existing Mees telescope, this is our	1	goes around it to protect it from rain and ice and wind and
2	site survey test tower, one of the six that we set up on the	2	that sort of thing. The support facilities then are really
3	sites that we tested in detail. And then the Reber Circle	3	kept to a minimum, but they contain a control center,
4	site. Both sites were in the long-range development plan	4	computers, a facility for servicing the aluminum coatings on
5	that Haleakala Observatory put together and finalized a	5	the different mirrors, that sort of thing.
6	little over a year ago.	6	Here is the existing Mees facility for scale,
7	And so we started our Environmental Impact	7	because we don't want to hide how big this thing is. I've
8	Statement process building on that process. Many of the	8	put the dimensions up here. It's 143 feet, so 92 feet up to
9	studies that were done during that process we can then pick	9	the primary mirror, 137 feet up to the top of the enclosure,
10	up and update and apply to our process as well. And the	10	an additional six feet up to the top of the entrance
11	public has seen the long-range development plan and has had	11	aperture, which has to have a cover to keep snow and such
12	a chance then to come up to speed on some of these issues in	12	out. So 143 feet tall. So it's not a short structure,
13	our process.	13	okay.
14	Here is a cut-away view of the ATST to give you	14	And there is a utility facility over here which is
15	some idea of what it's about. As I said, the telescope	15	far enough away from the main buildings and the enclosure
16	optical support structure is here, the large four meter	16	that we can actually paint it the same color as the lava
17	aperture mirror is here. So the light from the sun as we	17	rock. Unfortunately, with a solar telescope in the sense
18	track it would come through the entrance aperture of the	18	that you have heat light energy from the object you are
19	enclosure, strike the primary mirror, and then start to form	19	observing impinging on the structures itself, it's not like
20	a focus down at the different instrument stations where the	20	nighttime where you don't really have that.
21	astronomers would actually obtain the data that they would	21	So when we raise the telescope to get it up away
22	then use to try to study these features on the sun.	22	from these hot lava rocks we have to keep the sun from
23	So there's a laboratory space which will allow a	23	heating the structures around the telescope, because that
	number of instruments to observe the sun simultaneously in	24	would do the same thing, it would create a boundary layer up
24			a contraction of the second of
24 25	different wave lengths. Different colors of light, for	25	around the telescope and destroy the beautiful image quality

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1	that we can obtain from the site that the site provides. So	1	be the most dominant visible element. It is high enough to
2	the structures are painted white and the enclosures, for	2	allow good seeing for the telescope, large enough to allow
3	example, are cool.	3	the telescope to exist inside of it, white to minimize the
4	This is a plan view looking down. This is	4	solar heating. The support operations building is close to
5	actually the primary proposed site just east of Mees. So	6	the telescope, so its also white, and just large enough for
6	you have the existing Mees facility here, the pier for	7	the telescope-related activities. Its interesting to me the astronomers and the
7	supporting the telescope, the optical support structure, the	8	public agree on this, they want the telescope structures and
8 9	mirrors, the drives, the mounts, the foundation for the enclosure, the building, the utility building, parking lot,	9	the buildings to be as small as possible because they don't
10	access for getting mirrors in and out, large pieces. And a	10	want to disturb the image quality that's provided by the
11	similar design for the Reber Circle site, the alternate	11	site, any more than the public wants to see the facilities.
12	site.	12	The existing structure is utilized for Mees so that we don't
13	Okay, the materials and appearance. I talked a	13	have to build something else.
14	little bit about the heating and why it's white. But there	14	The utility building is remote, far enough away
15	are cooling panels here that have liquid that would carry	15	that it doesn't disturb the scene. It can be painted brown.
16	the heat away from the energy that the sun is putting on the	16	It's sound insulated because there will be pumps and such
17	structure. And so we can control then the temperature so	17	inside up there. So we want to maintain that quiet up on
18	that we don't disturb the image quality that's delivered	18	the mountain as well.
19	from the site.	19	A quick overview of the schedule, just to make
20	We also have vents in the enclosure. This is the	20	sure that you have a good understanding of this. The orang
21	rotating part. As you track the sun, the enclosure then	21	line indicates where we are today. We've gone through a
22	would rotate with that to allow you to observe the sun. But	22	number of reviews. The NSF has been looking at this
23	we have vents so that we can allow the air that moves across		closely, as Craig said. We are finishing up our designs.
24	the top of the mountain to flow through the facility so that	24	The site EIS process is underway. The NSF has a number of
25	heat, for example, doesn't build up inside the enclosure.	25	steps that it has to take before it could make a decision on
	26		28
1	So we can maintain the quality of that image all the way	1	this. The site construction would take about this period of
2	across as we track the sun.	2	time.
3	Let's see, what else can I say? The utility	3	The heavy excavation would be done right up front
4	building is painted brown. This is where pumps and	4	then you go into the erection of the structures, get the
5	generators and that sort of thing would be. It's a little	5	enclosure together, bring in the mounts for the optics, test
6	bit further away from the buildings so that it doesn't	6	those in this period, bring in the optics then, put the
7	produce anything that would disturb the air here as well.	7	telescope together, put light into the facility, make sure
8	There are solar panels on the lower enclosure that would	8	that all of your control systems, that the performance of
9	allow us to gently draw the air through that as well,	9	the system is meeting the science requirements, bring in the
10	because in the morning on Haleakala that's when the scene is	10	scientific instrumentation, the camera systems, the data
11	the best. The sun rises, and very quickly the scene is just	11	handling systems, and then move into first light out in this
12	excellent up there. So the sun will be hitting this whole	12	period, operations then in 2014. This is the earliest
13	structure in the morning coming from the east, so we have to	13	possible start for construction if the NSF were to approve
14	cool these areas as well.	14	the project.
	Here is a rendering of what the ATST might look	15	And actually, NSF doesn't necessarily even approve
15	There is a remaching of the the the the stage of	16	the project, they propose it to the National Science Board.
15 16	like at the Mees site. The existing telescope is here.	10	
		17	The National Science Board, if they're satisfied with the
16	like at the Mees site. The existing telescope is here.		
16 17	like at the Mees site. The existing telescope is here. Here is a doorway to give you another idea of the scale,	17	The National Science Board, if they're satisfied with the project, then you start talking about the Office of
16 17 18	like at the Mees site. The existing telescope is here. Here is a doorway to give you another idea of the scale, just so that's clear. This is a rendering then looking	17 18	The National Science Board, if they're satisfied with the project, then you start talking about the Office of Management and Budget and Congress and the NSF working
16 17 18 19	like at the Mees site. The existing telescope is here. Here is a doorway to give you another idea of the scale, just so that's clear. This is a rendering then looking north from that site on the Reber Circle alternate site with	17 18 19	The National Science Board, if they're satisfied with the project, then you start talking about the Office of Management and Budget and Congress and the NSF working
16 17 18 19 20	like at the Mees site. The existing telescope is here. Here is a doorway to give you another idea of the scale, just so that's clear. This is a rendering then looking north from that site on the Reber Circle alternate site with the ATST structure and building there. The utility building	17 18 19 20 21 22	The National Science Board, if they're satisfied with the project, then you start talking about the Office of Management and Budget and Congress and the NSF workin through that to see if they actually want to appropriate the money. Congress actually makes the decision. Okay. DR. CHARLIE FEIN: Thank you, Jeremy. In
16 17 18 19 20 21	like at the Mees site. The existing telescope is here. Here is a doorway to give you another idea of the scale, just so that's clear. This is a rendering then looking north from that site on the Reber Circle alternate site with the ATST structure and building there. The utility building is over here.	17 18 19 20 21 22 23	The National Science Board, if they're satisfied with the project, then you start talking about the Office of Management and Budget and Congress and the NSF workin through that to see if they actually want to appropriate the money. Congress actually makes the decision. Okay. DR. CHARLIE FEIN: Thank you, Jeremy. In deference to the fact that this is a Section 106
16 17 18 19 20 21 22	like at the Mees site. The existing telescope is here. Here is a doorway to give you another idea of the scale, just so that's clear. This is a rendering then looking north from that site on the Reber Circle alternate site with the ATST structure and building there. The utility building is over here. So to summarize then, two potential sites up there	17 18 19 20 21 22	The National Science Board, if they're satisfied with the project, then you start talking about the Office of Management and Budget and Congress and the NSF workin through that to see if they actually want to appropriate the money. Congress actually makes the decision. Okay. DR. CHARLIE FEIN: Thank you, Jeremy. In deference to the fact that this is a Section 106 consultation, I am only going to spend a few moments on the

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1	like to begin the testimony.	1	with Native Hawaiian interests to express testimony, make
2	This is the Environmental Impact Statement	2	comments, and so on. And Kahu Maxwell has asked to go
3	process. This is where we are now. We anticipate releasing	3	first. I know he's not feeling 100 percent tonight, but I'd
4	a Draft Environmental Impact Statement sometime in May,	4	like to give him the opportunity to do that.
	perhaps late May. That document will be a public document,	5	MR. CHARLES MAXWELL: Aloha, everybody. First of
5		6	all, before I begin, let me tell you that I was hired to do
6	it will be available for public review, it will be in all		And the second sec
7	the libraries. Individuals who signed up for notification	7	the cultural and the traditional studies of Haleakala, but
8	will receive notification. We will assist anybody who can't	8	that doesn't make me in favor of ATST. I am not in favor of
9	get to a library, we'll make sure that anybody who wants to	9	this. Let me explain, first of all, though, the history in
10	read that document will have an opportunity to read it.	10	the back of this.
11	I will not go into the various surveys, studies,	11	I was born in Lahaina, raised in Kula, and when I
12	potential impacts this evening. What I wanted to do	12	was about 13 years old it was the first time that I went
13	quickly, for those of you who have not been in one of these	13	into Haleakala Crater hunting with my neighbors. And over
14	before, is to give you a brief look at what it potentially	14	the years I had the honor to hike in there and hunt, and I
15	might look like from various places around the island.	15	got to know the crater like the back of my hand.
16	So we've looked at various places and produced	16	So finally in about 1965, 1968, Hugo Huntzinger
17	renderings on the various weather conditions. This is what	17	came to the national park and he told me, you know, if I
18	the facility would look like if, for example, it were built	18	knew where the burials were in Haleakala National Park. I
19	at Reber Circle. This would be the most visible. The	19	said yes, some of the trails that goes down in the crater
20	alternative site would be the most visible from that	20	goes right next to some burial caves. So we spent, oh,
21	location. Okay, this is again what it would look like from	21	about a year and a half relocating all the trails within
22	Ma'alaea Harbor. It would be visible. You see it up there.	22	Haleakala so that it wouldn't impact burial caves. And
23	That wasn't a particularly clear day, but it was a more	23	there is a lot, there is burial caves.
24	typical tradewind day.	24	And so in the late forties and the early fifties
25	This is what the facility would look like in the	25	activity started to happen up in Haleakala with antennas.
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1	Mees position from North Kihei, Mokulele Highway, Piilani	1	First it was just antennas. I was a young boy, I couldn't
2	Highway. You would see it right there, so it would be	2	do nothing. But you have got to remember at the time whe
3	visible from that location. Again, from Lipoa this is what	3	these things were happening Hawaiians had no say. They o
4	it would look like. It would be visible from South Maui if	4	anything that they wanted to the land. They had no say.
5	you had really good binoculars.	5	They could build anything on anywhere. They had no say.
6	Okay, this is Keonekai. This was on an	6	So finally, after getting very discouraged with
7	exceptionally clear day, which we don't get very often, low	7	what's happening in Haleakala Crater itself, where the
8	humidity, and it would be visible here. This facility is	8	trails that the horses used to go through was only four feet
9	the Air Force Electro Optical System. This is I'm sorry,	9	wide, now it's 14 feet wide. And if you go up in a
10	this is the Air Force Electro Optical System. So you can	10	helicopter you see trails all on the sacred pu'u that never
11	see how it would look compared to those.	11	had before. And apparently it's not being taken care of.
12	This is how it would look in the proposed Reber	12	So I have a lot of hope in this new superintendent that carr
13	Circle site. From the same location even more visible. The	13	here.
14	alternative site is more visible in most places than the	14	Okay, about twelve years ago, nine years ago they
15	primary site, as you can see. And this is how it would look	15	asked me questions about building this what I call the
16	from the Red Hill overlook in the national park. This is in	16	blight up in Haleakala, the EOS, the Air Force observatory.
17	the Mees location. I didn't bring the Reber Circle, but	17	And it was amazing, these people from Washington and
18	simply move the building over to here (indicating). The	18	everywhere else laid maps and they said, you know, it will
19	alternative location is right there at Reber Circle.	19	have a reflective finish. You could not see it from down
20	This is the University of Hawaii facilities, the	20	here, it would reflect the lava. And they showed me
21	magnet facility, and back in here other University of Hawaii	21	pictures of New Mexico, and it looked nice. Stupid me, I
22	facilities. So this is how the new facility would look at	22	never tell them. They wanted to take me to New Mexico.
	that leastion from Dod Hill	23	never want to go. I said, "No, no, it's cool."
23	that location from Red Hill.		
23 24	Okay, that's all I wanted to do this evening,	24	So they hired me as a consultant and I set

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4	33 was not for ATST, it was for EOS. And I told them, you know	1	35 because they're not even from here.
1		2	So when this project came along I asked these
2	what, Hawaiians in the past used to go up there and pay	3	people so many questions, "Is it bullshit what you are
3	tribute. They used to teach, the kahuna poepoe, everything.		
4	And my knowledge came from Papa Kaalakea. In fact, the real	4	telling me?" "Is the Air Force going to take over this some
5	name of Haleakala is Alahelekala, The Calling of the Sun,	5	day?" "Is this part of the space thing where, you know,
6	according to Papa Kaalakea.	6	we're the number third target in the State of Hawaii?" And
7	Okay, I got sick on a five-week period. At the	7	they promised me over and over that it was not.
8	end of five weeks I'm up in the 8,000 foot level going to	8	So I talked to some people. One of them is in the
9	make an inspection. And in fact, before that I asked them,	9	room here. And incidentally, after EOS became the Faulkes
10	"How come, you know, it looks aluminum, the thing." "Oh,	10	Observatory they wanted to hire me. And it's on my website,
11	no, the final thing going be all mirror."	11	they dug down. In fact, poor Charlie Fein, his picture is
12	So about the 8,000 foot level I see this huge	12	on my website still yet. But Ben Cayetano and all these
13	truck turned over on its side, and a 3 ton boulder rolled	13	state officials had a press conference in the Kihei
14	out of the truck. And this Hawaiian truck driver ran to me	14	Technology Park, and the only one here that was with me was
15	and he said, "Uncle Charlie" and with tears in his eyes he	15	my sister right there and my grandson Kamalii, and Prince
16	said, "This is the last load of 150 tons of rock that we	16	Albert. He came from England.
17	took out from EOS." I went berserk, I went crazy. And I	17	And in the middle of the press conference I stood
18	called Dana, I called the newspapers. And they didn't want	18	up before they were going to sign the paper. I said, "Hey,
19	to tell me where the rock was until I insisted where it was.	19	how can you do this without even consulting Hawaiians? It
20	And they had taken it down to Puunene and crushed the 150	20	is our sacred mountain. What the hell are you doing?" And
21	tons of rock.	21	I never know had Secret Service. They went stand up. I
22	Papa Kaalakea, who I was blessing places with, I	22	never know that. Me, my sister, my grandson, we walked ou
23	was really upset, I was crying, I told him, "Papa, they have	23	But nobody else came out because they were all told to stay
24	no respect. This is the lava. This is Pele. This is the	24	in the room.
25	essence of Pele, and they have no respect." He said, "Boy,	25	So I sat on the sidewalk out there by that what
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1	you know what we have got to do? We have got to go pule."	1	is that, DEBD, the meeting room. I sat on the sidewalk.
2	So I called whoever. They came from New Mexico, I	2	And here Prince Albert and Cayetano, Mazie Hirano, they all
3	don't know who else was here, I don't know if Charlie Fein,	3	came out. I said, "Remember, Prince Albert, what I told
4	you was probably there. I didn't like Charlie Fein, I hated	4	you. This is a sacred mountain." So he came up to me, and
5	his guts at that time. I tell you the truth, I couldn't	5	his security was trying to push him in the limo. I says,
6	trust him. And anyway, you know, I'm sorry, but my emotions	6	"Ben can tell you this is a sacred mountain." He told me,
7	coming out, Charlie.	7	"Who is Ben?" I said, "The governor right here next to you.
8	Okay. So Papa, myself and my grandson Uluwehi, we	8	He can tell you." And Ben with his laugh, his smile, you
9	went down to the pile of rocks. We had all the workers	9	know, he left it out. For Faulkes, for EOS, we have nothing
10	stop. I told them, "You know what, we are going to take	10	as Hawaiians. They used our land, but we have nothing.
11	this back to Haleakala. I want every piece of rock taken	11	They didn't give us any cultural impact, nothing, nothing at
12	back to Haleakala."	12	all.
13	I found out that once it left the top you cannot	13	This time it's different, much different. This
14	put back because it's crushed and it has invasive species.	14	time and this is the right place, I never gave this out.
15	So what I did was I donated to the national park for them to	15	This is for you, if they're going to build this. And, you
16	cover the cracks in the crater of the trail, but don't put	16	know, we have got to be practical, because even Dan Inouye
17	no asphalt,on it or concrete. So I followed nine or ten	17	called me with EOS. He told me, "Charlie, what's the fuss?
18	truckloads up to Haleakala. I followed personally one after	18	I want you come out and bless the place." I said, "Hell,
19	another and returned that 150 tons of rock up there. And I	19	no, I'm not." But they got Akone Akana and his dancers to
20	was completely blown away. I quit.	20	go up there to bless the place, okay.
20	But see, just like this project, when they asked	21	This time I told him no way. It's going to be
	me if I wanted it, I had experience. If they don't find	22	different. If Congress and it depends on Congress, you
22	somebody who will take it, they will find somebody. Even	23	heard him say that right here. Put up your hand. You said
23		23	it depends on Congress. Congress is the deciding factor.
24 25	from Honolulu they had found someone to do a cultural impact statement about Haleakala, and I protested against it	24	Who the hell are we if Congress says yes, it's going to
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1	happen? And if it's going to happen, this is my proposal.	1	we lost.
2	To create Halau Ehime Na Nahoku, Center For Traditional	2	Even Kamehameha Schools, everybody says "Ah,
3	Hawaiian Navigation and Astronomy.	3	that's for Hawaiians." But 165 years ago what happened to
4	Proposal for creation: Halau Ehimi Na Nahoku,	4	our people and why did Princess Pauahi create Kamehameha
5	Center For Traditional Hawaiian Navigation and Astronomy	5	Schools was because the conditions then is the same if not
	will be a collaboration of community and cultural resources	6	worse with our people now.
6		7	Okay, to create a planetarium. I'm saying that
7	to provide a venue to Ehime Na Nahoku, or to search or	8	
8	gather knowledge about the bright stars above us.		right? To create a planetarium with celestial bodies of the
9	The center's purposes will be two. One, to create	9	solar system that duplicate traditional methods used by
10	and produce, collaborate and administer curriculum for	10	Hawaiians to travel thousands of miles throughout the
11	students from kindergarten through secondary and	11	Pacific in double-hulled canoes using the knowledge of their
12	post-secondary collaboration which focus on traditional and	12	natural elements and the traditional and native instincts as
13	modern astronomy and traditional Hawaiian navigation. This	13	their guides.
14	product would be for public and private schools. I was	14	In 1492 Columbus sailed the ocean blue. Hawaiian
15	thinking I wanted for Kamehameha School only, because it's	15	were sailing thousands of years before that. They knew the
16	right here. But there's a lot of Hawaiians who are not in	16	world was round. In fact, in a Hawaiian concept, the canoe
17	Kamehameha School, they should have the right to go through	17	stays in one place, the world turns, and that is how the
18	this.	18	concept is. That was explained to me by Mau Fialot
19	Number two is to promote edification of	19	(phonetic) and by Nainoa Thompson.
20	traditional Hawaiian techniques in astronomy and navigation,	20	Finally, this Center For Traditional Hawaiian
21	and to integrate these concepts with scientific knowledge,	21	Navigation and Astronomy should be built at the same time
22	and produce traditional interpretations of the universe, and	22	funding is approved for ATST by Congress. Ideas like this
23	the understanding of the Native Hawaiian relationship to the	23	tend to get lost in the shuffle of progress. The completion
24	surrounding areas and the world. You know, unlock the	24	date could be worked on by the parties involved at that
25	methods that the Hawaiians used to come here.	25	time.
-	38		40
1	We as Native Hawaiians have only six senses, but	1	In presenting this idea to master navigator Nainoa
2	our ancestors had six, seven and eight senses that we do not	2	Thompson of the Polynesian Voyaging Canoe Hokulea, who
3	possess today. Where is it? You know, they said they could	3	sailed thousands of miles throughout the Pacific using
4	levitate, they could move rocks by praying, they could plant	4	traditional navigational methods, he felt that this method
5	bananas. In five minutes it would grow and give fruit,	5	is the missing component in teaching the youth of Hawaii
6	flower and give fruit. This is what our kahunas used to do.	6	about the brilliance and resilience of their ancestors, and
7	Where is this knowledge? If we can tap just a little bit,	7	the enormous feat they accomplished thousands of years ag
8	just a little bit from the skies and share it with our	8	He has committed his support and that of the
9	people, it would be all right.	9	Polynesian Voyaging Society to make this happen. He told
10	To prepare students of all ages with traditional	10	me, "Uncle Charlie, can you imagine, yeah, a scientist
11	knowledge and modern scientific techniques that would cause	11	that's working up Haleakala can navigate the Hokulea at the
12	future interest in astronomy and establish Native Hawaiian	12	same time because he's kanaka. Can you imagine that?"
13	expertise in this subject.	13	That's what he told me.
14	See, all of these guys from the mainland don't	14	The potential outreach of this session could be
15	understand that we live on an island. We're an island with	15	enormous, but the more compelling reason is because it is
	water surrounding us. This is the difference with the	16	right. A center of this magnitude possibly will produce
16 17		17	world class Hawaii Maui-based scientists in this subject
	continent. You have to have a different mentality, and this	18	
18	is what we want to find out.	10	matter. Because of the training in these two worlds,
19	To create and manage a scholarship fund for		Polynesian discovery and modern science, these future
20	individuals seeking a post-high education on the island of	20	scientists and astronomers could bridge the past to the
21	Maui. And statistics show, and I see some teachers in here,	21	present and beyond. Thank you. (Applause).
22	Kiope, and they will show that our people are on the bottom	22	DR. CHARLIE FEIN: Mahalo to Kahu Maxwell. At
	of the learning curve in everything, welfare, all the social	23	this time I would like to invite anyone else who has
23			
23 24 25	ills Hawaiians make up. And that's where and that's why we should need something like this to help us to regain what	24 25	prepared testimony, has comments, or would like to discuss any other matters relating to the Native Hawaiian concerns

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1	based on this proposed project.	1	official meetings.
2	MR. KIOPE RAYMOND: I do.	2	Now, it's me trying to understand. Now, I'm
3	DR. CHARLIE FEIN: Kiope Raymond.	3	coming from my cultural paradigm. I'm trying to respect
4	MR. KIOPE RAYMOND: Good evening. My name is	4	certified letter I got from Lawrence Rudolph. It's an
		5	interesting paradigm. It's not my paradigm. So we can
5	Kiope Raymond. I am here accepting the invitation to	6	
6	participate in a formal Section 106 consultation meeting.	7	dispense with that.
7	The letters I received from Mr. Lawrence Rudolph, General		You know, this little tie pin right here is my
8	Counsel for the National Science Foundation, and Dr. Charlie	8	father's, and it's the coat of arms of the State of Hawaii.
9	Fein, the NSF's authorized representative personally	9	The State of Hawaii. But, you know, ironically the state
10	inviting me are appreciated and respected. I thank	10	motto is, "The Life of the Land is Perpetuated in
11	Mr. Charlie Fein for allowing my request for a 30-day	11	Righteousness, Ua Mau ke Ea o ka Aina i ka Pono." It
12	extension to turn in written comments or questions regarding	12	implies consciousness in the land itself. And how does it
13	the cultural resource evaluation and traditional practices	13	stay alive? Well, interestingly, "ea" is also the word for
14	report. Charlie, you will have them on or before April 20,	14	sovereignty. How is this land's life perpetuated? By doin
15	2006.	15	the right thing, but being pono. Thanks, Dad, it reminds
16	My comments, observations and questions this	16	me.
17	evening will hopefully be brief. I am a Hawaiian who does	17	Can't stand it, the monkey suit. Don't be
18	attach religious and cultural significance to Haleakala. I	18	offended, because I have got a T-shirt on underneath. I'
19	will be negatively affected and offended by the proposed	19	just having fun trying to make a point that when I enter
20	undertaking of the Advanced Technology Solar Telescope.	20	cultural paradigm in Washington, DC I try to enter that
21	I want to talk about cultural paradigm differences	21	cultural paradigm. Now I'm offended. And I like your ale
22	though for a minute. The definition of formal for this	22	shirts, they're real nice, but why isn't the process the
23	evening means following the guidelines set forth by the	23	same everywhere? If you go to Washington, DC you wea
24	Advisory Counsel on Historic Preservation. As has been	24	coat and tie. Put on your coat and tie, you're going to
25	clearly explained, the National Historic Preservation Act	25	talk to the feds.
	42		44
1	includes provisions that specifically address federal	1	I'm more comfortable now. This is who I am, it's
2	agency's responsibilities when their activities involve	2	my cultural paradigm. And I think we're all just trying to
3	national historic landmark properties. We heard that.	3	understand each other. But I don't know who put it in
4	Section 106 and its implementing regulations,	4	everybody's heads that when you come to a federal mee
5	protection of historic properties, federal agency	5	aloha shirts are okay. I was always under the impression
6	responsibilities when an undertaking will affect properties	6	for all my life, you do something like this you be
		7	respectful of the government, you be respectful of the
7	eligible to be listed on the National Register of Historic	8	
	Places. So that's one formal aspect.		agencies. You show them that respect by wearing and
8			autorian their culturel perediens
9	But I also wanted to talk about formal clothing.	9	entering their cultural paradigm.
9 10	But I also wanted to talk about formal clothing. Why am I the only one wearing a coat and tie? No one else?	9 10	You know, this is an interesting process. I'm
9 10 11	But I also wanted to talk about formal clothing. Why am I the only one wearing a coat and tie? No one else? You know, from my perspective as a Hawaiian, this is	9 10 11	You know, this is an interesting process. I'm beginning to understand it. There was a site feasibility
9 10 11 12	But I also wanted to talk about formal clothing. Why am I the only one wearing a coat and tie? No one else? You know, from my perspective as a Hawaiian, this is disrespectful of the process. Hawaiians have had to	9 10 11 12	You know, this is an interesting process. I'm beginning to understand it. There was a site feasibility report done for I believe the six major sites. And the
9 10 11 12 13	But I also wanted to talk about formal clothing. Why am I the only one wearing a coat and tie? No one else? You know, from my perspective as a Hawaiian, this is disrespectful of the process. Hawaiians have had to historically mold themselves into a cultural paradigm that	9 10 11 12 13	You know, this is an interesting process. I'm beginning to understand it. There was a site feasibility report done for I believe the six major sites. And the architect, who I don't think is here tonight because Jeren
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	1	didn't see any other site that said sacred. La Palma did	1	It's to fund the science and the construction. And I would
	2	not say sacred. Big Bear, not sacred. Haleakala, sacred.	2	again need to research, but there is nothing that NSF is
	3	In the next sentence Jeff says, "The presence of	3	held to in helping the community, Hawaiian or otherwise.
	4	observatories on the summit is considered a desecration by	4	That may be a subsequent grant. They can look for it in
	5	some, and ATST would undoubtedly encounter some public	5	some other way, but not in the money that's on the table or
	6	comment to that effect." We've known since 2003 some are	6	to be on the table. So I thank you for the idea. We have
	7	going to consider this desecration of the sacred, but be	7	got to ask that question.
	8	ready for it.	8	As I understand also, and I thank you for the
	9	In his Risk of Denial section in the site	9	opportunity tonight, I'm 51, I was born in Lahaina, like
	10	feasibility report, Jeff says, "The potential for a negative	10	Uncle. And being in Lahaina 51 years ago, you know, you
	11	result from the EIS and CDUP process, that is, i.e.,	11	don't come to this side of the island, much less the top of
	12	precluding the construction of ATST on Haleakala, is	12	the mountain, very often. But I do have a memory, and I wa
	13	difficult to assess in advance." Mahalo, Jeff, for that.	13	told I was about five or six years old, of snow on the top
	14	The fact that the Air Force and Falk's telescope projects	14	of the mountain, and mom and dad got to take a drive. It's
	15	have both been recently successful probably bodes well for a	15	the first time it had snowed since I was born, apparently,
	16	positive outcome. We've known for a long time.	16	so everybody had to take a drive.
	17	But there are a couple of other interesting one	17	So I have had an intimate relationship with this
	18	other actually interesting thing that Jeff says in his site	18	mountain for 45 years. I've loved this mountain for 45
	19	feasibility report. And as I stated earlier or read	19	years. And it took people like Uncle Charlie to bring it to
	20	earlier, I'll be putting this in, I alluded to it last	20	my attention, people like Mary Evanson, people who genuine
	21	night. Jeff says, "The fact that there are already several	21	care about this mountain.
	22	other large observatory buildings on Haleakala may actually	22	How much do I love this mountain? This is going
	23	weigh against ATST in consideration of the cumulative effect	23	to mean nothing to the people from Washington, DC, but this
	24	of all the development on the mountain." Mahalo, Jeff.	24	particular group has had some recognition in the Hawaiian
	25	You're darn right, there's too many buildings up there. One	25	islands. The group's name is Hapa. And on their CD I wrote
	1	46		48
	1	more 14-story structure is just heartbreaking.	1	a song, and it says, Haleakala stands glorious; Haleakala Ho
	2	So you know what has bothered me in finding out	2	Hanohano. And the Hawaiian says Oh, that's another
	3	and in talking to Jeremy and Mike last night, you know, I	3	little side bar, but I'll get to it.
	4	thought about it. I'm just someone who wants to get	4	Let me read the English. Broad is the mountain to
	5	educated about the process. In finding out that the NSF	5	gaze upon. Haleakala stands glorious, shrouded in billowy
	6	and Craig, you are absolutely right, I understand that	6	clouds, as if garlanded. Creeping mist that adorns the
	7	process.	7	uplands. A cool, gentle breeze brings the fragrance of
	8	You know, we've known, the NSF has known,	8	Maui's flower. It's mine to cherish the lush mountain
	9	therefore probably NSO has known, therefore NSF has known	9	sharing my delight. I behold the best in the beauty that
	10	since 2003. Well, it's just unconscionable to me when in	10	surrounds me, and I'm sheltered by the peace within.
	11	2004 when there was over \$4 million in NSF's budget, that in	11	I tell the story of Haleakala standing glorious.
	12	2005 when there was over \$2 million in the budget, and in	12	So I'm honored. I get some pennies in royalties. That's
	13	2006 when there's two more million in the budget, that	13	how I love the mountain. So over the course of my life.
	14	nothing was thought about to handle the sacred. And as	14	And then I think the most recent thing that made
	15	Craig so eloquently said earlier this evening, it's a	15	me remember how much I love the mountain was I was
	16	vetting process. I think it means it goes through layers	16	graciously led by Charlie Fein to an awa. I've never seen
	17	and layers, and everybody has got to have a say in it. And	17	it before, it's the second awa built. And I involuntarily
	18	then what we find is that a Hawaiian cultural expert has	18	started crying when I got there. And it's the kane side,
	19	been asked. But they knew it's been sacred the whole time.	19	it's the side that faces east. We went over to the west
	20	I just don't understand that. It saddens me. I'm offended	20	side and I couldn't stay, I don't know why, but Miki stayed,
	21	by that. Could I have done anything? I don't know.	21	another person who was with me. That's the women's side,
	22	Just like I think what your ideas this is a	22	anyway. So Section 106, yeah, I don't want that structure
	23	little side bar, Uncle Charlie absolutely beautiful.	23	on the top of my sacred mountain.
	24	But, you know, in the research I've done, NSF is not held to	24	But back to the Hawaiian, you know, it was
			1	interesting when they did the public scoping, in July was

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1	it, I was hired to sit right about where you're sitting in	1	could make it as part of our Memorandum of Agreement. And
2	case somebody wanted to testify in Hawaiian. Is there	2	as part of when the federal agency makes a decision to
3	somebody hired for tonight? No? So I could testify right	3	go forward, particularly in the light of a recognized
4	now in Hawaiian, but I wouldn't be recorded. That's nothing	4	adverse effect, which is what we are doing here, we are
5	to do with Charlie, that has nothing to do with Charlie.	5	recognizing that there's an impact that needs to be
6	This is the legal one, this is the formal.	6	addressed, needs to be resolved, and hopefully needs to be
7	For all intents and purposes, although we would	7	mitigated.
8	like to bring the two together, this is a big misstep. In	8	So when we make that decision we would issue a
9	essence fundamentally I'm precluded as a Native Hawaiian	9	decision. It's called a Record of Decision ultimately, but
10	from testifying and having my testimony right there in	10	the Record of Decision would lay out what all the agency's
11	perpetuity, although somebody would translate it and help	11	findings are. It's like an administrative law thing, which
12	that person out. I've got nothing.	12	is a little complicated. But basically that document would
13	Thank you for giving me the time. I sure wish I	13	be the NSF's decision to go forward and fund the project.
14	could have testified in Hawaiian. That was a mistake.	14	And the only way we would reach that decision would be if we
15		15	could come out with some way that we could resolve the
	(Unintelligible question from audience).	16	adverse effect.
16	DR. CHARLIE FEIN: His question was, and correct	17	And so what we could do in the context of a
17	me if I am wrong about the question, NSF has no obligation	18	Memorandum of Agreement is we could agree in our Record
18	and there is nothing in any law that requires that they	19	of Decision document ultimately we would recommend going
19	fulfill the plan or proposal that Uncle Charlie presented,	20	forward only if we can resolve the adverse effect through a
20	or any proposal.	20	
21	MR. WAYNE VAN CITTERS: I guess it's a complex	22	mitigation, recommending the mitigation to be funding for a
22	question, of course, because as Craig said, we have not	22	proposal like what you have put forth.
23	committed in any way to go forward with this project on the	23	MR. CHARLES MAXWELL: If mine or whoever's
24	top of the mountain. There has to be, if I understand the		proposal is made, I would like to see some language that
25	process, a Memorandum of Agreement which would be formulated	25	accompanies the ATST proposal to Congress. It's
-	50		52
1	to take into account the cultural values on the top of the	1	hand-in-hand. Because if Congress says no, then it's no.
2	mountain, and a plan, perhaps the one that Charlie has put		But if they say yes to ATST, it's going to happen anyway,
3	forward, to I may get emotional because I spent a	3	then they've got to fund this, whatever proposal is
4	sabbatical year, it's not much time, but I spent a	5	presented.
5	sabbatical year here in the islands. My son rowed for Hui		MS. CHARISSE CARNEY-NUNES: I hate to put you or
6	Nalu. He subsequently turned that experience into rowing	6	the spot, Tony, but we have someone from our Legislative
7	for Dartmouth and so on. Our roots are nowhere near as deep	7	Affairs Office here. It's hard to place. There are really
8	as yours, I understand, but I do have roots on this island.	8	no guarantees, obviously. We're talking about federal
9	I do have the Hapa CD.	9	funding.
10	But if we could reach a Memorandum of Agreement	10	MR. CHARLES MAXWELL: I understand. We are used
11	that would say in return and in respect for the site it	11	to not being guaranteed and being discouraged later.
12	would be given to ATST, we would undertake a program like	12	MS. CHARISSE CARNEY-NUNES: Right. But what I a
13	the one that Uncle Charlie has proposed, or perhaps an	13	saying, and correct me if I am wrong, is that we could
14	expanded one, that would be part of our decision to go	14	okay, the first step would be to reach a Memorandum of
15	forward. It would be part of the program we present to our	15	Agreement with members of the community, and specifically
16	National Science Board, that's our ruling body, and that we	16	with Native Hawaiian organizations. That would be the first
17	would then present to Congress. And at the time that	17	step, and that would sort of conclude the Section 106
18	Congress made the decision to appropriate the money, they	18	process, right. We could agree in that document that if and
19	would also appropriate the money for programs like Uncle	19	when NSF finishes its processes and finishes vetting the
20	Charlie has put forward.	20	proposal to fund, if and when we finish that, if we
21	MR. CHARLES MAXWELL: So maybe I can have a legal	21	recommend to our National Science Board and ultimately to
	response. Would that caveat be attached to the ATST	22	Congress that we should fund this project, we can agree with
22		23	you now or at the end of this process that we will carry
22 23	proposal in Congress? Would that caveat be attached?		
22	proposal in Congress? Would that caveat be attached? MS. CHARISSE CARNEY-NUNES: It could be, right,	24 25	forward, within the context of that recommendation, a recommendation that we would be required to mitigate a

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1	recognized adverse effect, okay. So we could present it as		bounds of your agreement, this is appropriate." If the ATST
2	part of our recommendation.	2	is built, the NSF will pay probably the majority of its
3	MR. CHARLES MAXWELL: See, I don't know how Kiope	3	operations cost. And as a federally-funded research and
4	feels, but to me, this is not a it cannot be a carte	4	development center which operates under the NSF's rules, it
5	blanch, you know, because of this. It's very difficult.	5	will be expected to provide education and public outreach
6	Like I said, I'm not in favor of this, but I feel that if	6	programs.
7	Congress says yes it's going to happen, it's going to	7	So in addition to adding my you have no reason
8	happen. So I don't know, I'm just looking for guarantees,	8	to trust me, okay, you don't, but you can hear me. You
9	and Kiope brought that up.	9	don't have to believe me when I say you can trust what Way
10	MR. WAYNE VAN CITTERS: Wayne Van Citters. Could	10	has said. In addition, you can look at the budgets and you
11	I add some words, and they are the following. The general	11	can see that our money is spent in part in education and
12	goals that you put forward in your proposal are directly	12	public outreach, because if you look at the mission
13	aligned with the type of the kinds of education and	13	statement of the NSF it says that our job is education.
14	growth of a knowledgeable and diverse workforce, the goals	14	Broadly defined. That's all I wanted to say.
15	of the foundation itself. So there is no question in my	15	MS. CHARISSE CARNEY-NUNES: And that's exactly
16	mind as a division director that that kind of program would	16	what what Craig just said is something I wanted to point
17	be an acceptable program. Craig?	17	out. Particularly, for you Kiope, because you talked about
18	DR. CRAIG FOLTZ: Are you finished? I just wanted	18	what may or may not be in line with NSF's goals and mission
19	to add.	19	and suggesting that the kind of program that Kahu was
20	MR. WAYNE VAN CITTERS: Well, the only thing I was	20	proposing would not be in line. But in actuality, NSF
21	going to do was take on a and I think I can do this I	21	really is different from other federal agencies in that we
22	will take on a personal promise to this community, and that	22	truly have as our mission not only supporting science and
23	is that if ATST goes forward and if the foundation and the	23	research, but education.
24	Hawaiian community here on Maui have agreed on a program	24	And personally I've been at the NSF for, I don't
25	like this as being a reasonable tribute to the top of the	25	know, since 1997, and I love the mission of the agency
-	54		56
1	mountain in exchange for the site, I will not go forward	1	personally because it's so dedicated to education and to
2	with that project unless that money is included.	2	programs that promote diversity in education. We call it
3	DR. CRAIG FOLTZ: It's hard to follow that. And I	3	broadening participation.
4	won't express my personal feelings about this man, but I	4	MR. KIOPE RAYMOND: I think you can stop there.
5	would take that to the bank. Now, I also in my job oversee	5	And actually, that's one of the meetings that I have gone
6	the funding and essentially the management of large	6	to, is the Broadening Participation for Information
7	observatories, the National Solar Observatory, the National	7	Technology, and a number of others. I think you may have
8	Optical and Astronomy Observatory. We also have the Radio	8	misheard me, and what we'd have to do is go back to the
9	Astronomy Observatory, the National Atmospheric and	9	stenographer to confirm.
10	Ionospheric Center, and the Gemini Observatory.	10	And if I, in fact, said what you think you heard
11	Every one of those observatories has as a part of	11	me say, I retract. What I was intending is that as far as
12	its cooperative agreement, as a part of its work breakdown	12	any research I had done up to now, it would seem that the
13	structure, as a part of its annual project plan, education	13	current money on the table, if you will, for the operations,
14	and public outreach, education in an informal sense,	14	160 million has nothing to do with community helping. Yes,
15	education in a formal sense, and these encompass large	15	it has education, but it has nothing to do with it. I'm not
16	numbers of programs.	16	finished. And there will always be clarification.
10	They don't do this because it's nice, they're	17	All I'm saying is it will be clarification for
47	devoted to it. They do it because they have to do it. They	18	everyone. And for me, that when I was reading this it was
17	nevnet to the they up the level ave to up the they	10	my understanding, and that's why I was just opening it up -
18		1	that's what I'm understanding tonight is about, the
18 19	do it because we tell them to do it. So a part of the		that's what I in understanding tonight is about, the
18 19 20	do it because we tell them to do it. So a part of the operations budget that we pay to every one of our	20	
18 19 20 21	do it because we tell them to do it. So a part of the operations budget that we pay to every one of our observatories goes into educational programs, public	21	opportunity for me to either voice my objections or raise
18 19 20 21 22	do it because we tell them to do it. So a part of the operations budget that we pay to every one of our observatories goes into educational programs, public outreach programs, informal education programs, et cetera.	21 22	opportunity for me to either voice my objections or raise questions.
18 19 20 21 22 23	do it because we tell them to do it. So a part of the operations budget that we pay to every one of our observatories goes into educational programs, public outreach programs, informal education programs, et cetera. Visitors centers and so on.	21 22 23	opportunity for me to either voice my objections or raise questions. And so to come at me with the clarifications right
18 19 20 21 22	do it because we tell them to do it. So a part of the operations budget that we pay to every one of our observatories goes into educational programs, public outreach programs, informal education programs, et cetera.	21 22	opportunity for me to either voice my objections or raise questions.

APPENDIX C(1): TRANSCRIPTS - SECTION 106 MEETING, PUKALANI COMMUNITY CENTER, MARCH 28, 2006

SECTIO	IN 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNOLC	DGY SOLAF	R TELESCOPE MARCH 28, 5 59
4		1	binding a Memorandum of Agreement is.
1	there is a clarification, that would be great. But there	2	MS. CHARISSE CARNEY-NUNES: Well, in order for th
2	didn't seem to be a link anywhere in the research that I was	3	Memorandum of Agreement, if we do reach one, to be binding
3	able to do that would show clearly that the money that will	4	or to be enforced, you would need to be a signatory actually
4	be for the construction and the money that would be I am		
5	not talking about the operations, the construction, that	5	to it. We will, if we get that far in this process, we will
6	those kinds of deals that Uncle Charlie was looking for	6	certainly invite Native Hawaiian organizations and other
7	could not be made right now.	7	organizations, community organizations as well, we will
8	That's why we jumped, as I understand it, into	8	certainly invite you to be a signatory to the Memorandum of
9	discussions of possible Memorandums of Agreement, because we	9	Agreement.
10	do not have something right now. But it is possible.	10	If you are a signatory as a concurring party, and
11	MS. CHARISSE CARNEY-NUNES: Got it. That's right.	11	actually I was looking at the Memorandum of Agreement for
12	DR. CRAIG FOLTZ: Kiope, may I ask you a question.	12	Mauna Kea for the Outrigger telescopes, and there was
13	MR. KIOPE RAYMOND: Sure.	13	actually some organizations that concurred with caveat.
14	DR. CRAIG FOLTZ: In your research when you were	14	So if you are a signatory as a concurring party,
15	trying to understand how the funding could be used, do you	15	however, you would have the right, if NSF did not live up to
16	recall whether that was a discussion of a funding line that	16	the terms of the Memorandum of Agreement, you would have
17	was called the major research equipment facilities	17	right to challenge that. You would have the right to notify
18	construction funding, or MREFC.	18	the State Historic Preservation Division. You would have
19	MR. KIOPE RAYMOND: I don't recall. That's the	19	the right to notify and to ask for the Advisory Council on
20	new imposition for NSF for anything this big.	20	Historic Preservation to step in.
21	DR. CRAIG FOLTZ: If indeed that was the case,	21	So it is enforceable, but you do need to be
22	then what you say has merit. The MREFC construction line,	22	brought in as part of the process so that you have the right
23	which is what we would use, we would ask, request for money	23	to make sure that the document is enforced.
24	for, is outside of the astronomy department's annual budget.	24	DR. CHARLIE FEIN: Okay, before we continue, I
25	It's a separate line within the NSF which is used for large	25	wanted to clarify one other thing. While there is not a
	58		60
1	projects.	1	translator in the room, we are recording everything on tape.
2	MR. KIOPE RAYMOND: I appreciate the confirmation.	2	And if someone wishes to present testimony in Hawailan, we
3	That's how I read it.	3	will have it translated and distributed to anyone who
4	DR. CRAIG FOLTZ: That money has constraints as	4	requests the testimony, or we will make it public on the
5	defined by the appropriations language which appropriates	5	Internet. So I did not mean to constrain you in any way.
6	that fund.	6	MR. KIOPE RAYMOND: Good. Then I will testify in
		7	Hawailan.
7	MR. KIOPE RAYMOND: In fact, if we're just in a	8	DR. CHARLIE FEIN: Great. Did you have yes,
8	little repartee, I love it. What I also read is that you		
9	folks are trying to solve the problem. You folks are nice	9	please.
10	enough to have the portable file documents on line for	10	MS. MIKAHALA HELM: Aloha kakou. Aloha, Uncle
11	everybody to see that you folks have. You, NSF, or the team	11	Charlie, and thank you. You know I respect you for all of
12	has tried to communicate that, that it's now gotten	12	your work. This evening I would like to share my written
13	cumbersome, it's now become very constrained and confining,	13	comment on the cultural resource evaluation, and address my
14	and it's different.	14	concerns as a Native Hawaiian. I have also added in some
15	DR. CRAIG FOLTZ: I would not make a comment on	15	other comments after I mailed this to Charlie.
16	the public record, and I think you understand my point. But	16	And I was born and raised here on Maui. I am
17	my point is this. In fact, the constraints on the MREFC	17	opposed to the proposed Advanced Technology Solar Telescop
	funding line do not allow them to be used for education.	18	ATST project. It negates the needs of the Hawaiian culture
18	What Wayne is saying is, and what I am saying, is that there	19	for the needs of everyone else. Once again, the needs of
18 19	what wayne is saying is, and what I am saying is and there	20	science are seen as more important than the needs of the
	are other funding sources. What I discussed specifically	20	
19		21	Hawaiian people.
19 20	are other funding sources. What I discussed specifically		Hawaiian people. Haleakala is important because it has continually
19 20 21	are other funding sources. What I discussed specifically was, and I believe that this is the way that we would fund	21	Haleakala is important because it has continually
19 20 21 22	are other funding sources. What I discussed specifically was, and I believe that this is the way that we would fund this, we would fund a program like this out of the operating	21 22	

	IN 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNOL 61		R TELESCOPE MARCH 28, 2 63
1	Haleakala was important to our kupuna.	1	schedule over the next few months for additional meetings.
2	This aloha appreciation, awe, and reverence for	2	We will be contacting more people as we learn who is
3	Haleakala comes from all of my experiences in going to	3	available and who is out there. There will be additional
4	Haleakala. I have studied hula since I was five years old,	4	meetings. I will let Charisse speak to the specifics of
5	and first learned of Haleakala, the appreciation for	5	that when the testimony is done.
6	Haleakala through the singing of my family. I have studied	6	But in response to that extension, of course this
7	it further through halau, and have a deep appreciation for	7	process is by no means over, it's only beginning. So we're
8	the value of Haleakala to our people and to our culture.	8	looking for more input, okay.
9	Our cultural practitioners to this very day	9	MS. CHARISSE CARNEY-NUNES: I just want to
10	continue to use Haleakala as a way to communicate with the	10	specifically answer one of your concerns, which was getting
11	greater beings in ceremonies and rituals. The cultural	11	an extension. And I just want to say this to you and to
12	resource evaluation on page 62 states, "In conclusion, the	12	everyone, that the purpose of the 30-day deadline that you
13		13	read about was it's prescribed in the federal regulations,
	fact remains that any building or structure built on this	14	
14	site is an intrusion on the sacredness and spirituality of		but it is not meant to cut off any opportunity for you to be
15	this mountain revered by the Hawaiian people past and	15	heard.
16	present."	16	In actuality, as it pertains to this meeting. We
17	It goes on further. And I understand, Uncle	17	want people to submit their comments in advance so that we
18	Charlie, that you have fought for this for years, and your	18	could have a robust discussion, so that everyone will have
19	trust has been tested because in this conclusion it says	19	read the cultural resources report for the benefit of this
20	that the next sentence says, "One must find the balance	20	meeting here. But by no means was it meant to cut off any
21	of building on this site, and at the same time protect at	21	opportunity for anyone to be heard.
22	the best the cultural impact and methods used to mitigate	22	And of course, you can have an extension. And of
23	these impacts."	23	course, you can submit a comment about the historic and
24	In my opinion, we don't carry on to that second	24	cultural significance of the mountain at any time, at any
25	sentence. The essence is carried in the first sentence. I	25	time. And as Charlie explained, this is only the first
1	62		64
1	do not believe that there is mitigation or a way to make the	1	formal meeting, and there will be follow-up meetings as
2	development of the proposed ATST less severe or intense.	2	well. But you don't have to wait for a meeting to formally
3	I would like to ask for more time, an extreme	3	testify, you can submit your comments.
4	extension of time, because there are other Hawaiians who	4	It's best if you can do it in writing, because
5	want to testify, who want to present how they feel about	5	that way we can make it a part of our administrative record
6	Haleakala. And how important it is to us Native Hawaiians	6	that we will be looking at when we ultimately do make these
7	not only here on Maui, but to the Native Hawaiians	7	decisions. And you can submit it by email, by regular mail,
8	throughout the state and those who are living in many other	8	or you can come to a public meeting and say it and have it
9	places.	9	recorded.
10	So I would like to get that information, Charlie,	10	DR. CHARLIE FEIN: Okay, Charisse. Are there
11	to find out how other people can testify, and if I may	11	other individuals who would like to testify? Warren.
12	provide additional information in the future.	12	MR. WARREN SHIBUYA: Good evening members of t
	And in closing, I believe that we should not have	13	panel and audience. I am Warren Shibuya. I am a returning
13			March 1 and 1
13 14	any more telescopes on Haleakala. I respect the scientists,	14	Maui resident after retiring from the Space and Missile
	any more telescopes on Haleakala. I respect the scientists, I respect the visit when we went up there, showing us what	14 15	Systems Center in El Segundo, California. Mahalo for
14			
14 15	I respect the visit when we went up there, showing us what	15	Systems Center in El Segundo, California. Mahalo for
14 15 16	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see	15 16	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the
14 15 16 17	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see that the existing EOS is taller than our natural highest point of Haleakala, and to know that this ATST would be	15 16 17	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the
14 15 16 17 18	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see that the existing EOS is taller than our natural highest	15 16 17 18	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the proposed housing of the Advanced Technology Solar Telescope
14 15 16 17 18 19 20	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see that the existing EOS is taller than our natural highest point of Haleakala, and to know that this ATST would be higher than that, I believe that we should have no more telescopes on Haleakala because it will continue to damage	15 16 17 18 19	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the proposed housing of the Advanced Technology Solar Telescope systems, a project within the 18.166 acre University of
14 15 16 17 18 19 20 21	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see that the existing EOS is taller than our natural highest point of Haleakala, and to know that this ATST would be higher than that, I believe that we should have no more telescopes on Haleakala because it will continue to damage physically and spiritually the specialness of our majestic	15 16 17 18 19 20 21	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the proposed housing of the Advanced Technology Solar Telescope systems, a project within the 18.166 acre University of Hawaii Institute for Astronomy Haleakala High Altitude Observatories site at the summit of Mount Haleakala, Maui,
14 15 16 17 18 19 20 21 22	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see that the existing EOS is taller than our natural highest point of Haleakala, and to know that this ATST would be higher than that, I believe that we should have no more telescopes on Haleakala because it will continue to damage physically and spiritually the specialness of our majestic Haleakala. Mahalo nui. (Applause).	15 16 17 18 19 20 21 22	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the proposed housing of the Advanced Technology Solar Telescope systems, a project within the 18.166 acre University of Hawaii Institute for Astronomy Haleakala High Altitude Observatories site at the summit of Mount Haleakala, Maui, Hawaii.
14 15 16 17 18 19 20 21	I respect the visit when we went up there, showing us what was there on our precious site of Haleakala. And to see that the existing EOS is taller than our natural highest point of Haleakala, and to know that this ATST would be higher than that, I believe that we should have no more telescopes on Haleakala because it will continue to damage physically and spiritually the specialness of our majestic	15 16 17 18 19 20 21	Systems Center in El Segundo, California. Mahalo for allowing me to present my testimony. I support basic and applied research and the proposed housing of the Advanced Technology Solar Telescope systems, a project within the 18.166 acre University of Hawaii Institute for Astronomy Haleakala High Altitude Observatories site at the summit of Mount Haleakala, Maui,

SF SECTIO	N 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNO	LOGY SOLAF	
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1	respect should be demonstrated by the ATST project and other	2	appreciation be given to Mauians, such as support for Hawaiian education, culture, arts, develop sovereign rights
2	projects housed at the Haleakala High Altitude Observatories	3	, , , , , , , , , , , , , , , , , , , ,
3	site, especially while sharing very sacred summit grounds.		and law, language programs and scholarships to pursue
4	As you well know, Haleakala is home to all 40,000	4	learning at higher institutions, centers and universities.
5	Hawaiian gods and goddesses. Haleakala is spiritual power	5	Of course, Mauians should be employed with all projects on
6	and the home of inspired Hawaiian beliefs. Besides being	6	Haleakala.
7	physically inspiring. Haleakala's summit, or Kolekole, is	7	I will remind you and other agencies operating in
8	near wao akua, a level of earth's stratosphere where gods	8	sacred wahi pana of demi god Maui, and other gods and
9	and goddesses are believed to reside and culturally guide	9	goddesses, that your viewing or looking through wao akua,
10	everyday living. Ala Hea Ka La, "The path to calling the	10	where gods reside, is invasive and not polite etiquette or
11	sun," presents basic rhythms of night and day, and	11	behavior of a guest. Peeping through a neighbor's home is
12	establishes the sun being the source of life for Kanaka	12	privacy-invasive, shameful, and not neighborly behavior.
13	Maoli, Hawaiians, and citizens of Maui and Hawaii.	13	And if this behavior persists, by our laws today it could be
14	In ancient days, Kolekole was the site where	14	a misdemeanor crime.
15	Kahuna Po'o, high priests, consulted with gods and goddesses	15	Western culture dictates, "It is most proper for a
16	to answer difficult questions and delve into tough issues.	16	guest visiting a home to express appreciation to the host
17	Astronomy, aerospace, and solar study efforts at Kolekole	17	with fists filled with gifts." In no case should guests
18	should be respectful of wao akua, the sacred area above the	18	visit with closed fists, especially when visiting the sacred
19	summit and lava, the essence of Goddess Pele, despite her	19	House of the Sun. I am embarrassed to remind you of prop
20	current home at Kilauea caldera.	20	etiquette. I truly trust you know and will do the right
21	Special care should be exercised in digging,	21	things to demonstrate your most honored respect for the
22	saving lava, and restoring earlier pu'u, hills and wahi	22	host's customs and beliefs. Maui kanaka maoli and kamaair
23	pana, and minimizing invading air space, and restoring all	23	should not need to tell terms to you more succinctly and
24	sacred places. To demonstrate proper respect, let us all do	24	emphatically.
25		25	I am no expert in Hawaii's culture, but simple
20	it right, as kapo e kahiko, or ancient people respected and	20	
· ·	66		68
1	admired Kolekole. Recommend the Institute for Astronomy	1	analogies mentioned should be more than adequate for
2	immediately. Remove intrusive, unused or excess facilities,	2	respectful understanding and behavior of Hawaiian and
3	poles, antenna, lines, signs and roads. Immediately begin	3	visiting non-Hawaiian members. Hawaiian culture is founded
4	respectfully restoring Kolekole to its ancient topography	4	on love and respect for each other, family ohana, the aina,
5	and its historic and highly sacred configuration. Further,	5	which provides life sustenance, the importance of the sun,
6	rename summit roadways to more appropriate kapo e kahiko	6	and the deeply felt reverence for wao akua.
7	names, thus demonstrating sacred wahi pana, respect for	7	Mahalo for allowing me to express my support for
8	Kolekole.	8	scientific pursuits for knowledge, expressing my thoughts,
9	Today, ATST nobly seeks to observe and carefully	9	and trusting you and other visiting agencies will
10	study turbulent forces of our sun, which affects life on	10	demonstrate your appreciation to Maui's citizens. Let your
11	earth from a sacred site. As mentioned, Kolekole wahi pana	11	scientific pursuit for knowledge be a shared window of
12	was used by Kahuna Po'o, high priests, who consulted with	12	opportunity for studying our heavens, promoting educationa
13	gods and goddesses to answer difficult questions and delve	13	opportunities for Mauians, and respecting Kolekole wahi pan
14	into and resolve tough issues.	14	and wao akua. Mahalo nui loa, Warren.
15	Today, in addition to consulting gods and	15	I have two notes. The Environmental Impact
16	goddesses and accommodating visitors, the scientific	16	Statement Preparation Notice for the Advanced Technology
17	community is permitted to seek answers to heavenly questions	17	Solar Telescope, August 2005, paragraph 2.6 development
18	through the use of high technology telescopes and systems,	18	timetable and preliminary estimated costs, Table 2,
19	computerized instruments, all housed in large structures.	19	preliminary estimated cost breakdown for a proposed ATST
20	As Kahuna Po'o shared gained insights with Maui residents, I	20	project lists, and I quote, "Education and public outreach
21	ask ATST technology and other Haleakala Institute for	21	set at zero dollars."
22	Astronomy investigations and gained knowledge be regularly	22	This closed fist proposed behavior and NSF's wish
23	shared with host Maui and Hawaii state's people to include	23	to use a sacred native site is absolutely unacceptable. Do
24	keiki, kupuna, kamaaina, and malama aina groups.	24	it right, as kapo e kahiko, or ancient people respected and
24	That shared knowledge and expressions of	24	admired Kolekole wao akua and wahi pana. Ancients and
An U	That shared knowledge and expressions of	20	daning di Norenois muo di da di di mani pana. Anciento and

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1	kamaaina kept sacred sites barren. It is not a privileged	1	First of all, the number of kanaka maoli over here that this
2	right for westerners to occupy these unused and barren	2	is supposed to be representing, if you look around you, a
3	locations, no matter for noble-intended purposes.	3	lot of familiar faces and they are absent. Just a few of us
4	Note two. Drilling and driving 40-foot	4	are here to hold up the fort. They are absent.
5	pre-stressed concrete pilings into lava substrate may offend	5	So this cannot be labeled as input by the kanaka
6	sacred Kolekole wahi pana. Instead, suggest employing	6	maoli. This can only be shown as how hurtful that this
7	circular, concentric rings of concrete footings with	7	telescope and this project is to our Hawaiian people. Toda
8	overlaid patterns of pre-stressed concrete pilings to	8	I called ten Hawaiian people that was close to me, and not
9	support telescope, domed, and support structures. Avoiding	9	one of them stated that they think it's a good idea. Not
10	driving piles minimizes disturbing Ua u, the Hawaiian dark	10	one. They all stated, "Are you crazy? What are they doin
11	rumped Petrel, a federally listed species whose burrows are	11	Why are they destroying our mountain?"
12	within a guarter mile of the proposed construction site.	12	And as far as the trade-offs, as I have said
13	In addition, using a construction method of	13	previously, I oppose this project. I respect gaining
14	driving piles into sacred ground is similar to driving	14	scientific knowledge, I respect what can come out of it, bu
15	spears into revered native grounds, and making a western	15	not up at Haleakala. I refuse to have Haleakala prostitute
16	cultural statement.	16	for the sake of this project. You cannot take advantage of
17	Before you tell us what you want, I remind you	17	Haleakala and throw ideas out to what is sacred.
18	again, you start by doing it right. You show respect and	18	We have laws against digging up burials. But
19	care for Hawaii's people and aina. Thank you. (Applause).	19	funny, we don't have laws about the desecration of sacred
20	DR. CHARLIE FEIN: Thank you, Mr. Shibuya.	20	areas that belong to indigenous peoples. Does this mean
21	Craig, did you want to say something?	21	that indigenous peoples are being marginalized? The
22	DR. CRAIG FOLTZ: I have one thing, one	22	entitlements, if you talk about the federal government, ou
23		23	Hawaiian entitlements are constantly under attack. Wheth
24	clarification. First of all, thank you for a lovely	24	it's the Hawaiian Homelands, whether it's gathering rights
	testimony, concrete actions that can be taken, and the	24	
25	general spirit of good manners. 70	25	whether it's trying to get our country or our kingdom back
1	With respect to that budget item that refers,	1	The federal government has always been an obstacle to do
2	again, to the issue that I discussed with Kiope. That	2	what is correct. Even within the Pledge of Allegiance,
3	budget refers to that which would be asked for from a fund	3	justice for all.
4	that would construct the telescope, and we are not allowed	4	So this goes back quite deep into, as we Hawaiiar
5	to take education and public outreach out of that fund.	5	people say, into the na'ao. If you lose somebody special t
6	Education and public outreach would be paid for out of	6	you and when you cry and you weep the pain is in here
7	what's called our research and related activities money, our	7	(indicating), and this is what is happening with this
	normal annual budget.	8	project. We can do all kinds of mental gymnastics, but th
8		9	point is it's hurtful. How can we trust a government, a
9 10	So marking that as a zero is true in the sense that it would not go into the request for the construction	10	Congress that has led us astray and taken and marginalize
	funds. It does not mean that we would not fund it. But I	11	I use the word again, marginalized our Hawaiian people
11 12	do agree with you it did not present the right impression.	12	I prefer to stay at the spiritual side and the
12	So thank you.	12	cultural side of things, instead of getting into a
13		13	discussion on the upper cortical level of things, because
	MR. WAYNE VAN CITTERS: May I respond just a	14	this is where our strength is.
15	little bit? I wrote the budget, and I was instructed by NSF	16	
16	that we weren't allowed to include that. I actually called	16	I asked some of the people in here if they were
17	it out and put it at zero to make that statement, that it		going to testify. They said no, they're scared or they
18	was not included, and to draw attention to that. So we	18	shame or they feel unprepared. And I asked them, Just g
19	didn't just leave it out of the proposal. We put it in	19	there and say, "I no like 'em." Simple. I talked to my
20	there and said zero, because I understood that the NSF would	20	children. They don't want it. As far as connection to all
21	not accept that for the astronomy division, and it was	21	that, Haleakala is connected to all of us. It's the piko of
22	purposely done to draw attention to it.	22	our land divisions, it's the piko. Piko is right in here,
00	DR. CHARLIE FEIN: Thank you. Other testimony.	23	the belly button. This is where all land divisions come
23		0.4	
23 24 25	MR. EDWARD LINDSEY: Aloha. I am here as a Native Hawaiian under your Section 106 preservation act.	24 25	out. I talked about last night about the goddess that's

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4	73	1	So we would like those to be submitted to KC
1			Environmental by April 24th, and that would allow us time to
2		2	
3		3	go through them and to prepare for a second follow-up
4		4	meeting with you all, and anyone else who you would like to
5		5	bring with you. And we are thinking that that meeting would
6		6	happen around May 1st. It's a Monday evening. None of us
7	Aloha. (Applause).	7	have really checked our travel schedules or our availability
8	DR. CHARLIE FEIN: Thank you, Ed. Anybody else	8	to come back here for sure, but it's looking like that may
9	who wishes to share testimony or anything at this time?	9	be a good time.
10	Yes, sir?	10	And so what we wanted to do was to give you a
11	MR. KEAHI BUSTAMENTE: I just wanted to say, my	11	tentative date, but to make sure that you are on the sign-in
12	name is Keahi Bustamente, and I'm a Native Hawaiian, and I	12	list so that we have your contact information, so that we
13	don't want it. (Applause).	13	can let you know for sure what the actual date is going to
14	DR. CHARLIE FEIN: Anybody else that would like to	14	be for the next meeting.
15	testify? Okay. I would like to ask Charisse to tell us	15	At that next meeting, which is going to be about
16	what the next step or the next steps are here.	16	May 1st, we will present to you all the proposals that we
17	MS. CHARISSE CARNEY-NUNES: Okay, hopefully	17	have received, and we will continue our discussion on the
18	everybody got a copy of this sheet. We just wanted to give	18	resolution of the adverse effects. And then we are
19	this to you all when you left so that you would know what	19	surmising, at this point anyway, that we would likely need a
20	the next steps in the process are going to be.	20	third meeting, probably maybe the next month, but that would
21	Again, this was tonight the first Section 106	21	be that's dependent upon what happens at the next
22		22	meeting.
23		23	So I'll just leave that out as a possible date of
24		24	June 12th. And the purpose of that meeting would be, or the
25	tonight, from the Native Hawaiian community, and from the	25	agenda for that meeting would be determined probably at our
_	74		76
1	community in general, and I hope we achieved that purpose as	1	next meeting. So does anybody have any questions for me
2		2	about the process or about the schedule?
3		3	MR. KEAHI BUSTAMENTE: I want to know between n
4	5	4	and May 1st or 2nd, whatever date it's going to be, what are
5		5	you guys going to do to inform the community? Because as
6		6	you gays going to do to inform the community in because as you can see, it's not the community here.
		7	
7			DR. CHARLIE FEIN: I can respond to that. First
8	24th, and the contact information as to where we'd like the	8	of all, we will again publish notification in the
9		9	newspapers, letting people know of the meeting. We will
10	to Charlie's company, KC Environmental. The proposals would	10	send out invitation letters to everyone on our list. And
11	be proposals to mitigate the adverse effect.	11	our list got a lot longer today as well. We received a good
12		12	deal more information from the Office of Hawaiian Affairs.
13	not disputing the spirituality, the majesty of Haleakala at	13	There are quite a few more small groups and individuals that
14	all, so that's indisputable. And we are also not disputing	14	we will be contacting. We hope there will be more people
15	that if the proposal if the proposal to fund were to go	15	here at the next meeting.
16	forward it would have an impact on the traditional cultural	16	We will also put an announcement on the radio as
17	property of Haleakala.	17	well the week before. We will do everything we can to let
18	So what we need is information as to how that	18	people know there will be a meeting, and we hope there will
19	impact might be resolved, okay. And the way in which the	19	be as many people as possible here.
20	regulations describe it, resolution proposals can include	20	MR. KEAHI BUSTAMENTE: Maybe like, I don't know,
21	avoidance, the resolution proposals could include ways in	21	suggestion, maybe like at the Hawaiian Homes Community
22	which we can minimize the impact, and the resolution	22	Center, not Hannibal Tavares Community Center.
		22	DB CHARLIE FEIN: Our pout mosting will be at a
23	proposals can include mitigation. The proposals don't have	23	DR. CHARLIE FEIN: Our next meeting will be at a
	proposals can include mitigation. The proposals don't have to be as extensive as Uncle Charlie's, but the more the	23 24	larger venue. We expect more people.

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1	that's where Hawaijans live.	1	2003 there was an enormous solar storm that caused a power
2	DR. CRAIG FOLTZ: He's recommending the community	2	outage that shut down cellular communications, that disabled
3	center down in Hawaiian Homes.	3	satellites. If we were to voyage to Mars and a large
4	DR. CHARLIE FEIN: Got it. Thank you for that	4	coronal mass ejection, which is a manifestation of solar
5	recommendation. That's a good suggestion. We will	5	activity, were to blow out and we had astronauts in space,
6	immediately look and see if that's available on that date.	6	their lives would be put in danger. I am not going to
7	Thank you. Anything else? Yes, sir.	7	oversell it, but a large solar flare when astronauts are
8	MR. CLARENCE SOLOMON: I had a question. Clarence	8	flying would be very dangerous. It is dangerous to people
9	Solomon. Throughout the presentation I didn't hear any	9	in airplanes.
10	reason for the purpose of this observatory or this site that	10	So this is I mean to me, and I am not a solar
11	you are putting up on the mountain. What's the purpose?	11	physicist, I am not a solar astronomer, this is a remarkable
12	How will it benefit mankind, the world, what's the purpose?	12	thing, because in my professional life I have never done
13	If you are going to desecrate that mountain, I need to know	13	anything that has any practical application. But solar
14	why.	14	astronomy does bear on life on earth.
15	DR. CHARLIE FEIN: That's a good question. Craig	15	Now, you might say it bears on technological life
16	did address that, but go ahead.	16	on earth. And I will agree with you that if you are off the
17	DR. CRAIG FOLTZ: This telescope is specifically	17	grid, if you have no power, if you have no cell phone, if
18	designed to study the sun in detail. It turns out there's a	18	you don't rely on communications, and if you don't rely on
19	lot about the sun that we do not understand. We understand	19	the Internet, then what is happening on the sun and you
20	why it burns, we understand it's been around for four and a	20	never go to the top of Mount Everest then what is
21	half billion years, we understand it will be around for	21	happening on the sun really doesn't have any impact on you
22	another four and a half billion years. But the details of	22	in terms of this activity. Yet we do live in a
23	the energy transport, how the energy gets out of the center	23	technological world.
24	of the sun, and how the gas motions interact with the	24	The last thing I will say is it is very obvious
25	magnetic in fact, make the magnetic field of the sun, is	25	that the sun has an impact on the climate. We don't
1	78		80
1	not understood in detail.	1	understand the fundamental radiance changes, the fundamer
2	Now, why do you study that? Well, you study it	2	variations in the brightness of the sun. We have
3	because it's academically interesting. Why did I study	3	circumstantial evidence that shows that the lack of solar
4	quasars? Because I love them, because they were a	4	activity, the lack of solar activity there's a long
5	curiosity. I was curious, and that is valid.	5	period in the 17th century when there were no sun spots, and
6	In the case of the sun, you study it because you	6	during that time that was a period that was extremely cold.
7	need to understand it, because you have some desire to	7	Now, you might say, "Well, that's cool, because we
8	understand it, curiosity about it. But in the case of the	8	have got global warming and it's going in the other
9	sun you also study it because it is the closest analog to	9	direction," but we don't understand why that's true. And
40	the star, it is a star. It's our only example that's nearby	10	you can say, "Well, can you do anything about it?" Well,
10			
10	that we can actually see the surface of. This is all	11	probably not, but you might prepare.
	that we can actually see the surface of. This is all academic. So by studying the properties of the sun we can	11 12	probably not, but you might prepare. So in any event, the connection between the sun,
11			
11 12	academic. So by studying the properties of the sun we can	12	So in any event, the connection between the sun,
11 12 13	academic. So by studying the properties of the sun we can learn about the properties of distance stars.	12 13	So in any event, the connection between the sun, the variation of the sun and the climate is a valid thing to
11 12 13 14	academic. So by studying the properties of the sun we can learn about the properties of distance stars. If this were just normal nighttime astronomy,	12 13 14	So in any event, the connection between the sun, the variation of the sun and the climate is a valid thing to study. It has an impact on agriculture, where you are going
11 12 13 14 15	academic. So by studying the properties of the sun we can learn about the properties of distance stars. If this were just normal nighttime astronomy, that's about where I would stop. In the case of the sun,	12 13 14 15	So in any event, the connection between the sun, the variation of the sun and the climate is a valid thing to study. It has an impact on agriculture, where you are going to cultivate. What impact does it have on you on Maui?
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SF SECTIC	ON 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNOL	OGY SOLAR	R TELESCOPE MARCH 28, 20
1	81 DR. CRAIG FOLTZ: Do you want me to answer that	1	identify students in junior college and university level, to
2	from my heart?	2	put them in internships on the Big Island, here, at
3	MR. KEAHI BUSTAMENTE: You will probably give some	3	observatories, at high tech companies.
4	money, I don't know, reimbursement, if you can call it that.	4	We may not turn a single one into an astronomer,
5	But I don't care about your money.	5	but there are a lot of people that work in observatories who
6		6	aren't astronomers. They're programmers, they're mechanica
7	DR. CRAIG FOLTZ: Do you have career plans.	7	engineers, they're electronic engineers. And what this
	MR. KEAHI BUSTAMENTE: Yes, I do.	8	program is developed to do, what this program is designed to
8	DR. CRAIG FOLTZ: What do you think you are going	9	
9 10	to do?	10	do is to show students that there is a career path that can lead to a reasonable salary job where they live.
	MR. KEAHI BUSTAMENTE: Something to do with	11	
11	Hawaiian studies.	12	This year there will be 15 students in the program
12	DR. CRAIG FOLTZ: Do you have any friends who want		on Maui, and I think you know these numbers, and five of
13	to stay and work in the Maui economy and live here?	13	them are Native Hawaiians. Now it's a target, it's a
14	MR. KEAHI BUSTAMENTE: Sure.	14	program. We cannot say that non-Native Hawaiians may not
15	DR. CRAIG FOLTZ: Would it be of value to you or	15	apply. My understanding, and I'll ask my counsel friend,
16	to them to become better trained in higher tech activities?	16 17	but to my understanding, that would be prohibited by the
17	MR. KEAHI BUSTAMENTE: Sure.		14th Amendment, and it would be wrong for a federally-funde
18	DR. CRAIG FOLTZ: If there were programs that were	18	program. But one can recruit and target.
19	set up that developed, that were specifically targeted to	19	MS. CHARISSE CARNEY-NUNES: Yes.
20	develop the Hawaiian workforce such that it was possible to	20	DR. CRAIG FOLTZ: That is entirely consistent with
21	work in high tech Maui, to bloom where you are planted,	21	an affirmative action program. So this is the kind of thing
22	would that be something that would be appreciated?	22	that we need to think about. I love your suggestions, I
23	MR. KEAHI BUSTAMENTE: Sure. But how many	23	think there are other things. I love Warren's suggestions
24	Hawaiians work up there now?	24	about simple manners that show good manners. You know,
25	DR. CRAIG FOLTZ: You don't have to say up there,	25	simple things that one can do. Think about renaming the
	82		84
1	there's high tech down here too now. I haven't got the	1	roads. My good friend and colleague said, "Oh, geez, don't
2	number, we heard it the other day. What was the number? If	2	ask me to do that."
3	you include Lockheed and Ocean Net and et cetera, several	3	But let's get those things, make a list that says,
4	hundreds.	4	you know, clean up the stuff that isn't being used, take out
5	MR. KEAHI BUSTAMENTE: Hawaiians?	5	the paths or roads that aren't being used. These are the
6	DR. CRAIG FOLTZ: If your economic development	6	kinds of things that if we can get a punch list, give us
7	board is trying to develop Maui as a place that is high	7	your proposal, build a workforce proposal. There's lots of
8	tech, and if high tech salaries make it possible for you to	8	things that we can do. Now, we don't have infinite money,
9	live in what is now the most expensive place in the United	9	but some of these things that show a willingness to express
10	States to live, does it make sense for us to make an	10	our appreciation to be allowed to use that site.
11	investment that might help not only you know, we have to	11	I understand this young man. I absolutely
12	be careful in terms of Native Hawaiians and, you know,	12	understand your position. And please don't get me wrong,
13	Hawaiian can help Maui residents to	13	this is an emotional thing. And we all have places that we
14	MR. KEAHI BUSTAMENTE: At what cost to Hawaiians?	14	hold sacred, and I have places that I hold sacred, and I
15	DR. CRAIG FOLTZ: Talk to me about the 14th	15	understand and I appreciate it and hold onto that. But we
16	Amendment. There are programs that happen on, there's a	16	need to, you know, if we can do this, if we can come up and
17	program that's on do any of you know about the Akamai	17	if we can make this win-win, so much the better. If we
18	Internship Program, have you ever heard of it? We fund it.	18	can't do it, we can't do it. Yes, please.
19	And this year it's about 15 students, community college and	19	MS. MIKAHALA HELM: I appreciate what you're
20	university students.	20	saying, and ${\rm I}$ am aware of projects that NSF has funded that
21	And Uncle Charlie, you know about this. We fund	21	have been very helpful for our students. In this case $\ensuremath{\mathrm{I}}$
00	that, we pay for that. And we don't do it as a mitigation	22	understood that this was a Section 106 meeting, and we came
22			
23	measure, we fund it because it's the right thing to do.	23	here to give testimony about what the evaluation document
	measure, we fund it because it's the right thing to do. What we have to do is broaden participation and develop the	23 24	here to give testimony about what the evaluation document was about.

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	N 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNO	LUGT SOLA	
4	85		87
1	choices is avoidance. And if it is, then we don't have to	1	feelings I had when EOS and when Faulkes was built on there,
2	come here and give suggestions or proposals as to what you	2	but it is built. Whether we liked it or not, it is built.
3	can do, and suggestions that would make it a little	3	I don't want to see this happen again, and that's the reason
4	mitigated, or whatever terms we can use, to say that it's	4	why I put that in my report.
5	all right to build a telescope.	5	If you had years of fighting these people and then
6	Some of us strongly feel that it is our	6	winding up with nothing you would feel the same way that I
7	responsibility to have a legacy for our children and the	7	do. I am looking for the future. If they're going to build
8	children's children's children, all the generations to come.	8	it, then the future children is going to prosper from it.
9	And we feel it so deeply, that it is not our role to come	9	Not me, not you maybe, but the future. That's what it is.
10	here and give you proposals on what we can do to mitigate.	10	MR. JAKE BARROWS: In my view, it's sad to see
11	But it is our role to strengthen what it is we want to do to	11	that Charlie's program or his proposal is being utilized per
12	avoid it being built here at all.	12	se as a resolvement to have an adverse effect, when in your
13	And I'm sorry I get emotional, but I know we both	13	mission statement his program could be submitted for actual,
14	get emotional, but the point is that I feel that's what this	14	right?
15	meeting was about. And I feel that that's what I'd like to	15	DR. CRAIG FOLTZ: Would you state your name?
16	see strengthened is why when I heard you say at the other	16	MR. JAKE BARROWS: My name is Jake Barrows, Jak
17	meeting that NSF has not decided on funding this. And I am	17	Barrows.
18	believing you, I am believing you. And that's why, you	18	DR. CRAIG FOLTZ: First of all, let me reiterate a
19	know, don't be offended if we are not coming to your	19	point that I made. We fund programs in work force
20	proposal and what we can do to mitigate.	20	development here, and we fund it out of our budget. Okay,
21	DR. CRAIG FOLTZ: We are both right. You are	21	we do that. And it was in response to a proposal written by
22	absolutely right, avoidance is an option. You expressed	22	a woman who lives in Santa Cruz, California. It would be
23	your opinion very eloquently, and I respect your opinion.	23	possible for you to get together and write a proposal to us
24	And you should express that opinion, and that's now part of	24	and ask for funding to do what Uncle Charlie has outlined.
25	the administrative record. But as you said, you called them	25	It would be possible. The decision as to whether that were
	86	20	88
1	options.	1	funded or not would not be tied to any project. That is a
2	MS. MIKAHALA HELM: I was merely stating what she	2	possibility.
3	said.		
4	5010.	3	
	DB CRAIC FOLTZ: They are options so one cannot	3	I am going to turn to my boss and say if you want
	DR. CRAIG FOLTZ: They are options so one cannot	4	to add any other comments to what I have just said?
5	close off. Because you feel strongly, you cannot stop	4 5	to add any other comments to what I have just said? MR. WAYNE VAN CITTERS: No.
5 6	close off. Because you feel strongly, you cannot stop discussion that would, for example, consider a mitigation	4 5 6	to add any other comments to what I have just said? MR. WAYNE VAN CITTERS: No. MR. JAKE BARROWS: It's also possible to make it
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NSF SECTION 106 CONSULTATION FORMAL MEETING FOR THE ADVANCED TECHNOLOGY SOLAR TELESCOPE

MARCH 28, 2006

	89		91
1	is built or not. So that having been said, you basically	1	competition from a list of acceptable vendors provided by
2	asked the question, could these programs be developed	2	the State of Hawaii. He is listed as a qualified cultural
3	without the telescope being built. And my response to that	3	specialist. And he, along with other individuals, submitted
4	is yes, someone could write a proposal, an unsolicited	4	quotes. And Kahu Maxwell was selected on the basis of prior
5	proposal to do exactly what Uncle Charlie has laid out, or	5	experience and best value for the position. Yes?
6	some variation of that, and submit it to the NSF. It would	6	MS. KEALA HAN: I just have a few comments. My
7	be reviewed and it might be funded. It might be funded.	7	name is Keala Han, and not because he's my brother, but you
8	Because in general, the success rate for NSF proposals, the	8	made a good choice, because I have seen him walk the walk.
9	success rate for proposals to the astronomy division this	9	I haven't seen many of you here walking the walk, and he has
10	year will be about one in four are funded. And overall the	10	been doing that for years, years.
11	agency tries to get a one in three, but it's rarely 50/50.	11	He started with the Faulkes telescope. He was the
12	So you might, you know, you can take those comments however	12	only one that tried to disrupt the meeting. I was there
13	you want, but that's the basic truth.	13	just to support him, but he disrupted the meeting and the
14	MR. KEAHI BUSTAMENTE: Sorry, just one more	14	Air Force. So, you know, for years he's been doing that,
15	question. I wanted the NSF to clarify that. You said you	15	and he has walked the walk. And like I say, not because
16	acknowledge Uncle Charlie's report calling you	16	he's my brother, but I think they made a good choice.
17	acknowledge Haleakala as being sacred.	17	And to even bring up those proposals, he has known
18	MS. CHARISSE CARNEY-NUNES: Yes.	18	for years our Hawaiians had nothing, our Hawaiians didn't
19	MR. KEAHI BUSTAMENTE: Now, will it fall under the	19	stand up for themselves. They let them build and build and
20	National Historic Preservation Act, is that under the	20	build, and there was no education attached. But I thought
21	guidelines? I mean, are you acknowledging that it could	21	it was a good proposal, and I want to thank you folks for
22	fall under these guidelines, or are you just saying yeah,	22	all that respect shown to our Native Hawaiians.
23	it's sacred?	23	DR. CHARLIE FEIN: Any other comments before we
24	MS. CHARISSE CARNEY-NUNES: We acknowledge that it	24	conclude the evening? Okay, I want to thank you all very
25	falls under the guidelines of the National Historic	25	much for coming. I know it was a relatively small group.
1	90		92
		1	
1	Preservation Act, yes. That's the short answer. And I can	1	Next time I really will be working very hard to have a
1 2	Preservation Act, yes. That's the short answer. And I can expand on that.	1 2	
			Next time I really will be working very hard to have a
2	expand on that.	2	Next time I really will be working very hard to have a larger representation. And I am looking forward to getting
2 3	expand on that. MR. KEAHI BUSTAMENTE: That's all I needed, thank	2 3	Next time I really will be working very hard to have a larger representation. And I am looking forward to getting whatever comments and/or proposals and/or no action
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23 of 36 sheets

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NSF SECTION 106 CONSULTATION FORMAL	MEETING FOR THE ADVANCED	TECHNOLOGY	SOLAR TELESCOR	ΡE

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1	CERTIFICATION
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3	I, JEANNETTE W. IWADO, Notary Public for the State of
4	Hawaii, certify:
5	That the proceedings contained herein were taken by
6	me in machine shorthand and were thereafter reduced to print
7	under my supervision by means of computer-aided
8	transcription; that the foregoing represents, to the best of
9	my ability, a true and accurate transcript of the
10	proceedings had in the foregoing matter.
11	
12	Dated the 9th day of April, 2006
13	
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16	Chan effect
17	- Xarrellie Waar
18	NOTARY PUBLIC, State of Hawaii
19	My commission expires 2/5/08
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Page 93 to 93 of 93

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Appendix C(2): Transcripts Section 106 Meeting, Paukūkalo Community Center, May 1, 2006

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1	NATIONAL SCIENCE FOUNDATION
2	SECTION 106 FORMAL MEETING
3	FOR THE ADVANCED TECHNOLOGY SOLAR TELESCOPE
4	MONDAY, MAY 1, 2006
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12	Held at the Paukukalo Community Center 655 Kaumualii
13	Street, Waiehu, Maui, Hawaii, commencing at 7:00 p.m. on
14	Monday, May 1, 2006
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22	REPORTED BY: SANDRA J. GRAN, RPR/CSR 425
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1 ATTENDANCE 2 National Science Foundation Formal Meeting 3 May 1, 2006 4 Dr. Charlie Fein, Vice President 5 KC Environmental, Inc. 6 P.O. Box 1208 Makawao, Hawaii 96768 7 Dr. Craig Foltz, Program Officer 8 National Science Foundation 4201 Wilson Boulevard, Room 1045 9 Arlington, Virginia 22230 Jeremy Wagner, Project Director, National Solar Observatory 10 Tony Gibson, National Science Foundation 11 12 Charisse Carney-Nunes, Assistant General Counsel Jeff Bar, ATST Project Architect, National Solar Observatory 13 14 Mike Maberry, Assistant Director, University of Hawaii, Institute For Astronomy 15 16 17 18 19 20 21 22 23 24 25

1 PROCEEDINGS: 2 MR. FEIN: Aloha, ladies and gentlemen. 3 4 Could I ask you to please be seated. 5 Again, aloha and welcome. This is the second б formal National Historic Preservation Act Consultation 7 Meeting for the proposed Advanced Technology Solar Telescope. 8 My name is Charlie Fein. I'm the environmental consultant 9 for this project. And tonight we are going to go through a 10 series of steps and, ultimately, anyone who wishes to step forward and comment may do so. 11 12 Again tonight we are recording everything 13 that is being said officially with a stenographer. If 14 somebody wishes to testify in Hawaiian, it will be recorded, 15 turned into a wav file, and it will be translated and posted on the Advanced Technology Solar Telescope website as soon as 16 17 it is translated. Before we go any further, I would like to ask 18 19 Kahu Charles K. Maxwell to offer a blessing to this evening. 20 This, by the way, is not an endorsement of the project. It 21 is simply a blessing to go on with the proceeding. 22 Kahu. 23 MR. MAXWELL: (Hawaiian.) Would you please 24 rise. 25 (Hawaiian.) Our Father in heaven, we ask and IWADO COURT REPORTERS, INC. (808) 244-9300

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1 pray that you look down upon us here at Paukukalo that we 2 might get the wisdom of what is happening up at Haleakala and we might share our input to protect this very sacred place. 3 4 We ask this in your name. (Hawaiian.) Amen. 5 AUDIENCE: Amen. 6 MR. FEIN: Mahalo. 7 So this evening we are going -- There are a lot of people in the room tonight that have not been in any 8 9 of the public meetings or in the previous National Historic Preservation Act meetings. And all together I believe there 10 have been I think six meetings all together, but each time 11 there are individuals who have not seen or heard much about 12 13 the project except maybe what they have read in the paper or 14 what they have heard from other people. 15 And so tonight we have with us individuals from the National Science Foundation, the National Solar 16 17 Observatory, who are prepared to give us brief descriptions 18 of the project, the role of the National Science Foundation 19 and so on. 20 Before we begin those, I would like to ask 21 the assistant general counsel for the National Science 22 Foundation, Charisse Carney-Nunes, to tell us specifically 23 who this meeting is for and what it is about. 24 Charisse. 25 MS. CARNEY-NUNES: Aloha.

AUDIENCE: Aloha.

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2 MS. CARNEY-NUNES: One more thing I want to add as a housekeeping matter, there is someone who may be 3 videotaping in the back. And she is waving to us. Hi. She 4 5 is not associated with the National Science Foundation or the б project, but it's a public meeting and so she's welcome to videotape it. If anyone feels uncomfortable and not wanting 7 something to be videotaped, then just let us know and she 8 9 said that she'll turn it off. Okay? So just another 10 housekeeping matter. Okay. So I bring you greetings on behalf of 11 the National Science Foundation. To the Native Hawaiian 12 13 community and to all the people of Maui, mahalo for welcoming 14 us this evening. 15 Again, my name is Charisse Carney-Nunes, and I am an assistant general counsel at the National Science 16 17 Foundation. I have with me this evening Craig Foltz, who is 18 the program officer for the ATST project at the National 19 Science Foundation, and we also have Tony Gibson, who is from 20 our Office of Legislative and Public Affairs. 21 When we last met in March I gave you all an 22 overview of the process of why we're here this evening, and 23 that's called the Section 106 process. This time we thought 24 it would be a little bit more interesting to give you a very 25 detailed, more in-depth understanding of the process. And so

1 I'm just going to say a couple of words up here now, but I'm 2 going to actually come back, I have a slide presentation so 3 that I want everyone to really understand the kind of input that we're seeking from the Native Hawaiian community 4 5 specifically and from the entire community here on Maui. б So for now I'm just giving you a guick 7 overview of why we're here. Again, it's our second formal meeting of the Section 106 consultation process. Section 106 8 9 refers to Section 106 of the National Historic Preservation 10 Act. What does that mean? It's a federal law that is 11 concerned with preserving and enhancing the productive use of 12 our nation's resources, historic resources particularly. 13 It's pretty simple. It requires federal 14 agencies like NSF to consider the effects of their 15 decision-making on historic or cultural properties. Another important thing about Section 106 is that it is specifically 16 17 designed to give the public a voice in that decision-making, 18 and particularly Native Hawaiians and Native Americans are to 19 have a voice in federal decisions that impact historic 20 properties. So that's why we're here. NSF is considering 21 22 a proposal to fund the construction and operation of a solar 23 telescope that would be sited on Haleakala. NSF's decision 24 as to whether or not to fund the telescope has not been made 25 as of yet. Before we make the decision we have to do two

things, one of which is the Environmental Impact Statement.
 It's an environmental analysis. That process is separate
 from the process that we are here tonight to go through,
 which concerns historic properties.

5 The Environmental Impact Statement process б actually started -- When was it? -- last summer. And it's moving forward parallel to this process. And, in fact, we're 7 hopeful that very soon, within about a month or so, we will 8 9 have -- we will be able to release a draft Environmental 10 Impact Statement for the community to comment on. But that 11 concerns environmental impacts of the project. This process 12 that we're here tonight for is specifically for the Section 13 106 process that concerns historic properties. We call them 14 cultural resources, resources that are important to the 15 Native Hawaiian community, Haleakala specifically.

So that's the historic property we're talking 16 17 about, the mountain, Haleakala. And first and foremost the 18 thing that we want you to know at NSF is that we have already 19 made the decision that Haleakala is, in fact, a -- it's 20 called -- the legal word for it is called a traditional 21 cultural property. We refer to it as a TCP for short. But 22 the point is is that the way the law is set up, it's set up 23 so that the federal agency is actually the one that's making 24 the decision as to whether or not a property is historic. 25 And the law is set up so that we have to go

1 to the community to find this information out. We did that 2 already. We utilized the services of Kahu Maxwell, who 3 educated us about your stories and about your legends, and, therefore, we have already made the determination that, yes, 4 5 Haleakala is a traditional cultural property or a TCP under б the law. So that means that to move forward in the Section 7 106 process, we have to talk about how to resolve the adverse impact that building ATST on top of the traditional cultural 8 9 property might have.

10 Because the traditional cultural property is just that, a cultural resource of Native Hawaiians, the law 11 12 does require that we place a special emphasis on Native 13 Hawaiian organizations, and so that's what we're here to do. 14 But that's not to negate the fact that Haleakala is, of 15 course, a majestic mountain to all of the citizens of Maui and beyond, and so we recognize that as well and want to hear 16 17 from the entire community.

So with all of that being said, on behalf of NSF I say mahalo to Kahu Maxwell for his blessing of this process. As I said in March, for those of who were here, it is our deepest belief that these discussions can be undertaken with a spirit of mutual respect, productive consultation, and education and enlightenment for all parties involved.

So with that, I would like to introduce Craig

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1 Foltz. He is, again, the program director for the ATST 2 project at the National Science Foundation. And he is going to talk to you a little bit about NSF and also about the 3 science of, you know, why -- for us nonscientists sort of, 4 5 you know, why do we even want to do so this. 6 MR. FOLTZ: Thank you, Charisse. 7 I add my thanks to Charisse's. Thank you all 8 for coming. 9 My name is Craig Foltz. I work at the 10 National Science Foundation. I am an astronomer. I am also a federal employee. And I wanted to talk tonight a little 11 12 bit about the project very briefly and about how the NSF 13 works, how the National Science Foundation works, what it does and how it does it. 14 We at the National Science Foundation are a 15 federal agency that is in the executive branch. That means 16 17 that our boss eventually is the President of the United 18 States. Our job at the NSF is to provide funding for 19 20 endeavors in science, technology, engineering, mathematics, 21 and education in the so-called STEM field: Science, 22 technology, engineering and mathematics. And we do this, as 23 I said, by giving grants, by providing funding. 24 What the NSF is not -- Ah, good. Thanks. 25 First of all, what is the NSF? We are a

1 responsive agency. What do I mean by that? I mean that we 2 are not like the Department of Defense. We're not like NASA. 3 We're not like the Department of Energy and so on. We are not an organization that makes a decision unilaterally; that 4 5 is, we don't get together as federal scientists and say, We б think that what really the science and the education of this 7 nation needs is a new particle collider that will live 8 somewhere in Illinois. We don't work that way.

9 What we do is we establish priorities that 10 are set by the community at large; the science, technology, 11 engineering and mathematical communities at large. We don't 12 do this of our own will. We respond to what the community 13 wants.

14 So if you were a chemist and you have a 15 wonderful idea and you have a collaboration of chemists, then you can come to us and say, We need support to study the 16 17 following problem. Okay? That proposal that is written 18 would then be considered by peers, by other chemists and 19 other scientists, as to its intellectual merit and as to its 20 broader impact; in fact, the society impact of education and 21 so on. If it is judged appropriately -- of appropriate 22 status, then we will fund it.

What we're going to talk about tonight very,
very briefly is a very familiar object, and that's the sun.
The study of the sun is, of course, an important part of

1 solar astronomy and of solar physics. And our picture of the 2 sun -- I think most of our pictures of the sun are quite 3 simple. If I asked my young daughter to draw a picture of the sun, this is probably what she would draw: A big yellow 4 5 disk that is, in fact, an image of the sun that was taken in б March. It's an image of what we call a quiet sun. It's a 7 white light picture. The sun is a huge ball of gas. It's about -- You could fit a million earths inside of it. It has 8 9 a surface temperature of about 10,000 degrees. And it's a 10 very, very important object.

We understand or we think we understand a lot 11 about the sun. We -- Within the context of our scientific 12 13 beliefs, we believe that the sun formed about 4.5 billion 14 years ago. We believe that it will burn as we see it for about 4 billion years, at which point it will swell up and 15 envelope the earth. So we have lots of time, so we don't 16 17 need to worry about that. Now, that's the sun in broad 18 brush.

19 If you asked about what we don't understand 20 about the sun, it turns out that there are a lot of 21 phenomenon that we do not understand. And these are 22 important phenomenon. The sun is actually a place of 23 enormous activity. Most of this activity is tied to magnetic 24 fields that are generated in the sun, that sometimes protrude 25 out of the surface of the sun and occasionally give rise to

very, very explosive events that can blow enormous amounts of material out away from the sun and, in fact, that can impact the earth. When the -- these impact the earth, they can have actually fairly profound effect on life on earth.

5 But beyond the effects of the variable sun it б is worth pointing out that with the exception of some nuclear 7 energy sources and geothermal power, that all of the energy that we use on the earth is derived ultimately from the sun. 8 9 Fossil fuels, coal came from plants which were allowed to 10 grow by the sun. Solar power, wind power -- I know that's not a good word around here so I won't say it too loudly, but 11 12 the --

Well, we have -- I can talk to you about it later, Keoki, but we have these wind generators behind us and Is I know that they generate opinions.

In any event, all of that is driven by the 16 17 sun. Our climate is driven by the sun. Our weather is 18 driven by the sun. So I think it's not even arguable that 19 the sun has a profound impact on our life. It impacts our 20 climate, which then, therefore, impacts our economy. It 21 impacts our technology and it impacts life in space. If you 22 were out in space or if you were at high altitude, activity 23 on the sun can certainly have an impact on you directly. And 24 it is absolutely -- Well, I would be happy to argue this, but 25 it is absolutely my most firmly held opinion that without the

1 sun life on earth would be impossible.

2 So the sun is important. And there are a lot 3 of unanswered questions about the sun. And the major questions that we want to try to understand are the 4 5 relationships between the sun and climate, how variations in б the solar output affect things like global warming or global cooling. We have good evidence that in the past there has 7 been a direct connection between the amount of solar activity 8 9 and the mean temperature of the earth, which is important if 10 you're involved in agricultural or virtually anything else. We want to understand the sun's drive of 11 12 space weather. Space weather is a phenomenon of material 13 being ejected from the sun that impacts the earth. 14 We want to understand the sun as a star because we're curious. We want to understand how stars work. 15 16 We understand a lot about stars, but there are many things 17 that we don't understand. The sun is the closest one. It's 18 the only one we can see the surface of. 19 And we also want to understand the sun as a 20 physics laboratory, because there are phenomena that happen 21 on the sun that cannot be reproduced in the laboratory. So 22 understanding the basic issues of how plasmas work, how 23 ionized gas interacting with magnetic fields work are often 24 best studied in nearest astrophysical laboratory, which is 25 the sun.

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1 These questions were considered important 2 enough that the development of a new large solar telescope 3 was a recommendation of the solar physics and solar astronomy community. It was not the NSF's decision. As I said, we 4 5 didn't sit down and say, Damn, the newest solar telescope we 6 have is 40 years old. We really want to build a new one. 7 Our job, then, is to evaluate proposals such as this via peer review, rank their importance across fields, 8 9 and if appropriate provide funding for them if they meet a 10 rigorous set of standards. Now, I want to point out here, I 11 want to stress that the ATST is not an NSF project alone. It 12 is a project of the entire solar physics and space physics 13 community that, if successful, would be funded by us. 14 Very quickly -- and I won't go through all of 15 this -- the ATST, if constructed, would replace a number of major solar telescopes that are currently in place around the 16 17 world. There is no project of this magnitude being planned 18 internationally. This would become the world's flagship 19 facility. Its design is based on broad interests from the 20 solar physics and solar astronomy. It will address current 21 and future challenges. It will provide flexibility to adapt 22 to new scientific challenges. 23 It cannot be done from space. The science cannot be done from space for any rational thoughts. And it 24

25 has tremendous broader impacts; that is it -- that which we

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learn with this telescope will help us to understand issues
 like climate change, astronaut safety, space weather, and the
 relation between what is happening on the sun and what is
 happening on the earth.

5 Finally, I just want to make a few points 6 here so we have a context. The ATST, if it is built, will 7 cost at least \$175 million. That even by federal standards 8 and particularly by -- particularly in the context of federal 9 support for science makes it a very expensive project.

10 The decision to fund it or not has not been made. This is to fund the construction. We have funded the 11 12 design of the telescope, but the design is separately from 13 the construction. So we have not made this decision and it will only be made after even the project goes through even 14 15 more reviews. And those reviews will consider potential science return, the cost, how well the project is managed, 16 17 what impacts it will have on the field, what impacts it will 18 have on society, and what impacts it will have on the site. 19 Having said that, I will point out that the 20 ATST is well advanced in the decision process, but the 21 decision to fund ultimately relies on the highest level of 22 management of the NSF, several steps above me, the National 23 Science Board and the US Congress, which makes the ultimate 24 decision as to whether to fund this or not.

25 I also want to point out that the selection

1 of the Haleakala site was not done capriciously. No one 2 said, Hey, this is a really wonderful island -- It is a wonderful island -- and we really would love to put a 3 telescope there so we can go there and use it and then enjoy 4 5 the rest of the island. It was not done that way. б The selection of the site and the precise 7 location for the telescope on the site followed a really 8 exhaustive process. So the site selection was not 9 capricious, nor is the assessment of the impact. 10 So I want to thank you all for coming. I want to thank you for your input. 11 12 And at this point I'm going to turn it over 13 to Charlie Fein. 14 Pardon me. Jeremy. Jeremy Wagner, who is 15 the project manager for the ATST project. 16 MR. WAGNER: Okay. Hello. My name is Jeremy 17 Wagner. I'm the project manager for ATST. I'm going to try 18 and answer a few of the questions here fairly quickly: A 19 quick overview of where on Haleakala ATST would be, what it 20 looks like, why it looks like that, what the schedule might 21 be. 22 AUDIENCE SPEAKER: Can you move? Thank you. 23 MR. WAGNER: Excuse me. 24 First, I'd just like to say a student before 25 the meeting asked me how I became involved in science and in

1 technology. And to answer the question, I had to go back a 2 long way. My mother actually gave me a telescope on my 3 eighth birthday and I remember the day, and I was hooked ever 4 since. Last month I celebrated my 26th year with the 5 National Observatory, I actually celebrated my 26th wedding б anniversary as well, but that moment with the telescope when 7 I was a kid really was pretty inspiring to me. And I've had 8 a chance to be involved in science ever since.

9 And we talk about structures and why they are 10 the way they are, but there's a lot of people involved as 11 well and a lot of good experiences over the course of the 12 time that I have been involved.

13 This layout gives you an idea of where the 14 proposed sites are. This is the existing Mees site on 15 Haleakala. This is the air force facility. The primary proposed site is just east of Mees here. And we have drawn 16 17 in a sketch of what ATST would look like. This is looking 18 down at the site. The alternate site or the secondary site 19 is up at Reber Circle, which is just a bit uphill from there. 20 Okay?

Here are images of those two sites. These were both in the Haleakala Long-Range Development Plan that was prepared by the Institute for Astronomy. This is the alternate site, the Reber Circle site, which was the site of a radio telescope experiment back in the 1950s.

And then this is the site just east of Mees.
 This is the existing Mees telescope and ATST on the primary
 site would sit here.

4 To give you an idea of what it looks like and 5 why it is so big, 137 feet from the ground to the top of the б enclosure, another 6 feet up to the top of the entrance 7 aperture to the telescope facility, so 143 feet tall. Okay? 8 Now, one of the reasons it's set at that 9 height is from the data that we took during the site survey 10 we set the height of the main mirror, which is sitting here -- This is in cross-section -- at that height so that 11 12 the telescope optics are above the turbulent layer that's 13 produced by the sun's energy hitting the dark rock and 14 heating up the air around it. So in order to preserve the 15 excellent seeing that the site provides, you have to get the optics up above that disturbed layer, and that's why this was 16 17 sit at the 92-foot level. Okay?

Now, the enclosure then which is surrounding the optics and the telescope mount is set so that it can provide clearance for the telescope to track the sun as it moves and to protect it from wind, ice, rain, elements. Okay?

There is a support building next to it which is as small as we can make it. The astronomers actually want the facilities to be as small as possible, too, because they

1 don't want the support building to affect the seeing as well. 2 The facilities near the telescope and the 3 telescope enclosure are painted white because if the ground heats up, the dark lava rock heats up and you build the 4 5 structure up above it, if you take a dark color like that and bring it up with the facility, it acts in just the same way, б 7 so you have defeated the purpose. The idea, then, is to keep 8 these surfaces at ambient temperature essentially the same as 9 the air temperature so that they don't destroy the seeing 10 that's provided by the site. And so that gives you an idea of why it's at that height and why it's white. 11 Now, we did a lot of studies of different 12 13 colors, and the heat loading on these structures goes up by a 14 factor of four. The utility electricity that's required to 15 drive a cooling system for a dark structure would be at least four times what it takes to do this. And it actually exceeds 16 17 the Maui Electric capacity up there. 18 So that's why it's white. That's why it's 19 that high. I think in the community there's been discussion 20 about that, and I just want to make that clear. 21 So if there are any questions, I'm happy to 22 talk about that. 23 The existing Mees facility --24 AUDIENCE SPEAKER: Question. 25 MR. WAGNER: Sure.

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1 AUDIENCE SPEAKER: The first meeting you held 2 in the Cameron Center last year I asked somebody about the --3 MR. WAGNER: Sorry. 4 MS. CARNEY-NUNES: We actually can't record 5 your question or even -- If you can say it in here and if you б could say your name. Sorry about that. 7 AUDIENCE SPEAKER: Thank you. 8 The first meeting you held in the Cameron 9 Center last year I asked the question about the heat 10 exchanger that you have for this building and I had wondered 11 if they could not increase the size of the heat exchangers in 12 order to cool the building more or more efficiently. That 13 way could have a color other than white paint. I don't know 14 who I asked, one of the gentleman here. I didn't follow up 15 on it later, so I'm just asking again. If you can improve on the present heat exchange system which would, in turn, lead 16 17 you to painting the structure a color other than white. 18 MR. BAR: My name is Jeff Bar. I'm the 19 project architect. And I wasn't directly responsible for 20 designing the cooling system, but I'm well aware of it and 21 what's involved in it. And it's a pretty simple system, 22 really. There. On the -- some of the other pictures you've 23 seen there's a kind of series of panels on the dome itself, 24 and in the -- three of those panels there are like two sheets 25 of metal and between them you flow coolant, which is just a

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1 water with something in it to keep it from freezing. And 2 it's a pretty simple system and it's about the most direct 3 and efficient means of removing the heat from -- that builds 4 up on the dome.

5 We actually looked at other systems, б potentially using air flowing between two skins of the dome or something like that, and all of that stuff uses even more 7 power. This was the most energy-efficient means we could 8 9 come up with. And, believe me, we would have -- if there's 10 something else there, I think we would have sort of beaten it out of the bushes within the kind of search that we did. So 11 12 it really is kind of minimum.

13 And when Jeremy talks about the four times, 14 it's like -- you know, for those of you who think in terms of 15 power units, it's about a megawatt of heat that builds up on 16 the dome, which is a thousand kilowatts of heat that builds 17 up on the dome if you have -- if you paint it brown. And if 18 you paint it white, it's about 250 kilowatts. So it's about, 19 as he said, one-fourth the amount of heat. And to remove 20 that much heat from a dark-colored dome no matter what kind 21 of efficiency you can come up with the cooling system was 22 completely impractical.

23 So that's why, you know, that -- And we did 24 explore other colors, too -- silver, which I know isn't 25 popular, either, but other kinds of possibilities, and

1 nothing even compares with the white finishes.

2 AUDIENCE SPEAKER: So, in effect, you could 3 paint it another color, you're just saying from a practical point of view you can't do it or you won't do it because --4 5 it's not engineering or technologically impossible to do -б MR. BAR: It's not impossible. 7 AUDIENCE SPEAKER: According to what you say, 8 it's simple to do. Can we paint it something other than 9 white? MR. BAR: Okay. Well, again, you're right. 10 It's not impossible. Anything is possible. But it's not 11 12 within the realm of feasibility on this mountain with the 13 heating require -- the cooling requirements that we have. 14 AUDIENCE SPEAKER: The amount of control required on a surface like that we just can't do in order to 15 maintain the kind of image quality that we need. 16 17 AUDIENCE SPEAKER: Let me back this up, just 18 one little follow-up on this. You have not asked for 19 funding; is that correct? You have not approached congress 20 or the gentleman that spoke first for funding, so we have 21 wiggle room in there; right? You can go in there and ask --22 go whole hog and ask for everything. Is that correct, you 23 haven't asked for funding. 24 MR. WAGNER: Yes, we actually did propose for 25 the level of fund.

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AUDIENCE SPEAKER: You did ask for -- Did you
 put forth a figure?

3 MR. WAGNER: Yes, we did. Actually, several4 years ago.

5 AUDIENCE SPEAKER: Can you not revise that 6 figure while we're in this talking process? Can you get two 7 figures; the one that you have here and one with an improved 8 heat exchange system that allows you to change the paint of 9 that building from white to something else?

10 MR. WAGNER: My understanding is that we're 11 not in a position to request additional funding in that 12 sense. And I don't see -- As Jeff said, I'm not sure what 13 kind of system we could possibly come up with that would meet 14 the kind of requirements that we have. I mean, we've worked 15 this problem very hard.

Let me go on so we can get to the Section 17 106. Okay. So we talked about the surfaces. Let me get to 18 the schedule because I think there's been some discussion as 19 well in the community about that.

The DND phase is ongoing now. The site EIS process is underway. We've been working through our design reviews and several of these have been focused on that thermal control system itself. The NSF has been reviewing our construction proposal that we submitted which had a figure in it. They will then in October hold a preliminary

1 design review, which is essentially a baseline review of the 2 project. They're going to look at the management, the technical, the cost, the risk, all of that. 3 4 If that's successful, they will then have an 5 EMR, Exit Readiness Review. And if that's successful, they 6 will submit a recommendation to the director of the NSF to 7 consider submitting this to the National Science Board for 8 consideration. Now, the EIS is all part of this. It's part 9 of the criteria that they use to make these kinds of 10 decisions. And so they are timing all of this to understand whether the environmental impact can be successfully 11 12 completed or whether it can't. 13 Okay? So as Craig said, it's not funded. 14 MS. CARNEY-NUNES: We actually need questions 15 to go to the mike. 16 MS. DIZON: Aloha. My name is Toni Dizon. 17 I'm actually from Lahaina. I'm born and raised on Maui. I'm against this project totally. You guys don't belong there at 18 19 all. 20 (Applause.) 21 MS. DIZON: You got \$170 million to offer 22 these gentlemen to do scientific things, then do it off the 23 water that they polluted, do it off the land that they 24 polluted. We need that agricultural major at Maui Community 25 College. Okay?

1 I know what you guys are trying to do and 2 stuff, that's great, but what the hell doing up there when 3 you guys already forecasted what the sun is going to do, what it's going to do in the future. Let's do it on the land, do 4 5 it on the ocean. Purify what we've got down here instead of б futtin' around up there. I'm serious. And then all kinds 7 monies you guys can give these guys, give it to the ag. 8 department at Maui Community College.

9

(Applause.)

10 MS. DIZON: The hell with these guys. Give us the money so I can get my bachelor's degree, my master's, 11 12 and the future of the land and the water. These guys don't 13 belong up there and they damn well don't belong on Haleakala. 14 That's sacrilegious to Peli itself as much as Maui. Because 15 looking -- When you go outside and you look up, Welcome to beautiful Maui, you see a fricking (inaudible) that's up on 16 17 Ma'alaea. That's a pain in the butt. Now we're going to have an eyesore of 14 towers. That's exactly what this 18 19 kupuna told me it's going to look like on the mountain. Look 20 at the mountain, that's what's going to be sticking up. 21 (Gesturing.) Exactly.

But as a -- as an agriculture major, I'm pretty sure none of this should not be financed at all. Give it back to the people. You say it's for the community. Give us the money to bought our taro, give us back our taro. Give

us the money to buy -- for us to finish our science degrees
 in agriculture and also for marine biology so we can clean
 our water besides our land.

4 They don't belong with this stuff. This 5 stuff is going to be ridiculous. It's not worth it at all. 6 Don't give them the money. Don't give them 175. They don't deserve it. And they rightly should not be up there. That's 7 cultural. Besides me being Hawaiian -- I'm proud to be 8 9 Hawaiian. And as far as my kupuna and then my future, 10 they're going to take that away from me and they don't deserve it at all. 11

- 12 (Applause.)
- MR. WAGNER: Thank you for your words.MS. DIZON: Oh, you're welcome.

MR. WAGNER: The site construction would 15 occur in this kind of time frame given a late 2008 start, 16 17 which is fiscal year 2009 for the NSF. The excavation and erection of the site -- of the structures would occur in the 18 19 first couple years. Most of the work done in the last few 20 years would be inside the structures. The optics then 21 arrive, the primary mirror and the other optics. They get 22 integrated within the structures, and then we have to go 23 through a series of tests and adjustments to make sure that 24 we can succeed in meeting the science requirements that we 25 set for the facility.

1 Out in these later years then there would be 2 a transition to initial operations. We would get what's called first flight when we first point at the sun and you 3 fly through the system. More adjustments, more tests, and 4 5 then operations would begin out here, 2014, 2015, on this б type of schedule. 7 AUDIENCE SPEAKER: Question about the 8 schedule. Is that a schedule of where the site -- final site 9 is selected, or is that the schedule presuming the site will be Haleakala? 10 MR. WAGNER: This is the schedule for either 11 the Reber Circle site or Mees site on Haleakala, is the 12 13 answer. Just so that when you consider this, you understand 14 the kind of schedule that's being proposed. AUDIENCE SPEAKER: Thank you. 15 MR. WAGNER: Okay? 16 17 Yes. 18 AUDIENCE SPEAKER: I assume, and this 19 (inaudible.) 20 THE REPORTER: I can't hear. MR. MABERRY: Use the mike. Sorry. That way 21 22 everybody can hear you. 23 MR. DUKELOW: Am I -- Is this loud enough? 24 (Laughter.) 25 AUDIENCE SPEAKER: Where's your mike?

1 MR. DUKELOW: I am Oliver Dukelow. I was 2 born here on Maui. I've lived here all my life. I assume in listening to what you're saying, going through your rigmarole 3 of this project that you had to do up on Haleakala, I assume 4 5 that you have ownership to the land. 6 AUDIENCE SPEAKER: Nope. 7 MR. DUKELOW: Before we can discuss anything, 8 I would like to see your title to that land. 9 AUDIENCE SPEAKER: They don't got title. MR. DUKELOW: We need to look at the title to 10 this land. You people come here with your agendas, you come 11 12 here with your agendas and you disrespect our culture, our 13 land. 14 (Applause.) MR. DUKELOW: We need to see the title to 15 that land. Before you can discuss any more of this you need 16 17 to show me and the rest of our people here the clear title to this land. I think that's valid. I think that's a valid 18 19 request. 20 MR. WAGNER: I would defer to Mike Maberry 21 with the Institute for Astronomy for answering that question. 22 MR. MABERRY: Hi. I'm Mike Maberry. I'm 23 with the University of Hawaii, Institute for Astronomy. 24 The land at Haleakala is ceded land. There 25 was an executive order from Governor Quinn that set aside --

1 I recognize this -- that set aside an 18-acre portion of 2 Kolekole for observatory purposes. And if this project goes forward, then the National Solar Observatories would enter 3 into a lease at that point in time with the University of 4 5 Hawaii that would have to be approved by the Board of б Regents. 7 AUDIENCE SPEAKER: That's not the answer. 8 MR. MABERRY: I recognize that. 9 AUDIENCE SPEAKER: In 1855 the land was 10 adjudicated. Never changed. There's no such thing as ceded land. There's no such thing as ceded land. Legally no such 11 12 thing as ceded land. So you need to readdress that. That 13 needs to be an issue. 14 AUDIENCE SPEAKER: Just hang on. So for this 15 executive order, talking about title here, how does this Governor Quinn in 1961 gain title to exactly this land? 16 17 Talking about exactly title. Could you answer that question? MR. MABERRY: No sir. This is an issue that, 18 19 of course you're aware that, that OHA as well as the 20 legislature are dealing with at this time, so I --21 AUDIENCE SPEAKER: So the question of title 22 is not confirmed, if they're still dealing with it? 23 MR. MABERRY: Correct. 24 AUDIENCE SPEAKER: They don't have title to 25 that mountain up there.

1 MR. WAGNER: Let me give the mike back to 2 Charlie Fein.

3 MR. FEIN: Okay. There's a parallel process that both Charisse and Jeremy mentioned, and that's the 4 5 Environmental Impact Statement process, that is not б exclusively part of the National Historic Preservation 7 process, but includes that. And the question in the community is: Where is the Environmental Impact Statement? 8 9 The Environmental Impact Statement is in preparation at this 10 time.

11 It's a document that involves surveys, 12 studies, inventories, public testimony. It involves a great 13 deal of research. It involves graphics. It is a two-volume 14 work that will ultimately be over 300 pages. And so it's not 15 something that we turn out overnight and drop in all of the libraries for everybody to look at and comment on. It has to 16 17 be carefully researched and include discussion of issues that 18 have been brought up by the public even as recently as today. 19 Okay? We received comments. We received letters. We are 20 attempting to address everything that comes in up to a point. 21 Of course, at some point we do have to publish the document. 22 However, the Environmental Impact Statement 23 addresses a number of issues that have already been mentioned 24 here. I saw the finger -- the finger in the sky. Part of 25 our job is to do the view plain analysis, the visual analysis

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1 for it. And I have brought these slides before. We keep 2 taking photographs from various locations and we use sophisticated computer rendering techniques to insert this 3 4 new facility so that you have an idea of what it would look 5 like from various locations close up in Haleakala National б Park, down in the valley, all aspects of the valley; where it 7 is visible, where it's not visible and so on. 8 I'm just going to show a few of those again 9 tonight to see once again whether we can at least agree that 10 at least in some situations it's more visible than others and so on. So --11 12 Let's see. Where did he go? Jeremy, put up 13 the view plains. 14 I'll go through these real quick. We have 15 been taking these photographs -- we have taken some of them as recently as last week. 16 17 Okay. Now, some of these -- or all of these 18 have magnification because when you're, for example, standing 19 in the parking lot at Foodland Upcountry and you look up even 20 on clear days, it's difficult to discern what you're looking 21 at. So in magnification in this location the proposed 22 building would be where the arrow is and it would be somewhat 23 hidden by other facilities. However, if it was at the 24 alternative site at Reber Circle, it would be quite visible 25 as you can see from that location.

Here's what it would look like from near the Kamehameha Schools campus. That photograph was taken just a few days ago and rendered in. Here's what it would look like from the Holy Ghost Church Upcountry. It's almost completely hidden at that location. Here's what it would look like from Piiholo Road in Olinda. It is visible there. The air force facility is in front of it -- I mean to the right of it. Here's what it would look like from High Street on a relatively clear day. It would be visible from there. Here's what it would look like at the Reber Circle site if it were looking -- being viewed from High Street. Here's what it looks like from the harbor. That is the longest distance away and difficult to get an extremely clear line of sight from there, there's so much moisture in the air. Here's what it looks like from the juncture Mokulele and Piilani Highways. It would be visible from there. Lipoa, that's -- We're still looking for a better shot.

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Here's Keonekai, Kihei. It would be visible at the arrow there. You would see the white domes from the other facilities as well. Here's what it would look like at

1 the proposed Reber Circle site; a lot more visible.

2 Here's what it looks -- would look like from Red Hill, the Red Hill overlook in place. 3 4 This photograph was given to me by Keoki 5 Raymond at our last meeting and he asked me to do a rendering 6 from that position. And this is the way -- This was a snow 7 photo taken by Frank Riso some years ago. This is what the facility would look like at the primary location. And this 8 9 is what it would look like at the alternate location, Reber 10 Circle. These renderings will appear in the EIS along 11 12 with computer models of where it would be visible from 13 various places on the island and so on. 14 At this point I'm not going to go into the 15 other issues in the EIS, the endangered species, all of the issues that one has to deal with in EIS because this is 16 17 primarily a National Historic Preservation Act meeting. And 18 so at this point I would like to turn the meeting over to 19 Charisse again, who will go through the 106 process in some 20 detail. 21 AUDIENCE SPEAKER: Quickly, those purple 22 diamonds, what are they? What do those represent? Do you 23 know what those are? 24 MS. CARNEY-NUNES: Jeremy, you want to 25 comment on -- The question was what do the purple diamonds

1 mean?

2 AUDIENCE SPEAKER: In the schedule. MR. WAGNER: We have conducted a series of 3 4 system design reviews of the facility looking at the optical 5 design, the mechanical design, the control systems, the 6 thermal systems. We've done a series of those. We will 7 continue to do those as we move and progress the designs. 8 And that's to ensure that we can meet the science 9 requirements within the design that we are progressing. 10 And so we will continue that all the way up into construction. We will probably continue that into early 11 construction. And that is to ensure that if the project were 12 13 approved by the NSF, funded by congress, built on a site like 14 Haleakala that we wouldn't waste the money, that we would 15 actually achieve the science goals that the project is set up 16 to achieve so that we can support the science community. 17 And that's what those purple diamonds are. 18 I'm sorry that -- The green diamonds were system design 19 reviews that were completed. The purple diamonds are design 20 reviews that we will do as we move the design forward toward 21 potential construction. 22 AUDIENCE SPEAKER: Okay. 23 MR. MAXWELL: Charisse, can I make some 24 comments? 25 MS. CARNEY-NUNES: Sure. Of course.

1 MR. MAXWELL: Because you guys are from 2 Washington, you don't seem to get the idea. What you're experiencing here is hundreds of years of oppression of our 3 4 people. When Captain Cook came in 1778, the missionaries 5 came in 1820, the land put into sugar and pineapple; б Hawaiians' culture were turned around. The trust lands, 7 there's no such thing, and that's correct. 8 There's no such thing as trust land. It's 9 the land that was taken away in 1893 and was controlled by 10 Leleo Kalani. They made it into trust lands, then they had also government lands, but nobody has clear title of this 11 12 land. You guys got to realize this. 13 So when you talk about Governor Whoever took the 18 acres, for Hawaiians it don't make sense because the 14 15 lands were always supposedly in our control. But they did 16 everything to the lands. United States came in here, they 17 made us into a state without even checking the Native 18 Hawaiian people. So what you hearing is the pain and 19 suffering of a hundred years and more that's coming out every 20 time something wants to be built on a sacred land. That's 21 what you hearing. 22 So I needed to make that point because 23 everybody is going to be frustrated. 'Til today there's 24 groups that does not recognized the deed from everybody, even 25 Hawaiian Homelands. And then more so they should not

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1 recognize because there's a question as to who owned -- the 2 real owners are of the land. And it's Hawaiian people, but nobody seems to care. But if we ever come together as one, 3 4 everybody will hear our voices. 5 (Applause.) 6 MS. CARNEY-NUNES: Kahu, thank you for that. 7 I just want to say to you personally and also 8 to you that I do understand. I understand the passion. I 9 understand the anger. I understand the frustration. I do 10 understand that. I understand the things that this government has done in the past and has not atoned for. I 11 understand that. 12 13 AUDIENCE SPEAKER: Well, it's about time 14 then, yeah. 15 MS. CARNEY-NUNES: I understand that. We, though, are here -- and me personally, I have to say I'm here 16 17 because I -- we want to do what we can with what we have from the position where we find ourselves. I don't have the power 18 19 to do anything about that. There's a lot of things that this 20 government has done that I don't have the power to do 21 anything about, but I do have the power to make sure that NSF 22 follows the law. And that has not even been done in the past 23 by other agencies. So I just offer that in response with all 24 due respect.

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(Applause.)

1 MS. CARNEY-NUNES: And I'm actually going to 2 sit because I want to stay out of your way. I know that was 3 an issue before.

4 And in following along, we thought that it 5 would be helpful that -- to explain the process and explain б why it is that we're here. We are here to engage in 7 consultation under Section 106 of the National Historic Preservation Act. So we start off with the question: What 8 9 is 106? Well, 106 refers to Section 106 of the National 10 Historic Preservation Act. The overall purpose of the act, we call it the NHPA, is to preserve and enhance the 11 12 productive use of our nation's resources.

13 Section 106 requires that federal agencies like NSF consider the effects of their decisions on historic 14 15 properties. Section 106 was designed to give you a voice. So what is this all about? What is it that you have a voice 16 17 about? A voice about your cultural resources and 18 specifically in this case as you're Native Hawaiians and 19 there's a traditional cultural property at issue. So that's 20 what this is all about. That's why we're here.

Now, the next slide is to tell you a little bit about who participates in the Section 106 process. Well, first the federal agency has to participate; that's us, the National Science Foundation. We call it a consultation process because the -- it's the job of the federal government

1 to consult with what we call consulting parties. Consulting 2 parties are -- an example of consulting parties, Jeremy works for the National Solar Observatory. I have NSO here. They 3 are a consulting party because they would like NSF to give 4 5 them money to fund the telescope, so they are a consulting 6 party in this. The University of Hawaii is a consulting 7 party in this. They have stewardship for the land. Okay? 8 And we know how we all feel about that. But that's where we 9 are and they are a consulting party. Native Hawaiian organizations, consulting parties. All of you are consulting 10 parties, the public. 11 12 AUDIENCE SPEAKER: Which Native Hawaiian 13 organizations have been consulted? MS. CARNEY-NUNES: Well, perhaps we can --14 15 Can somebody give specifics? Because, I mean -- There is an 16 extensive --17 AUDIENCE SPEAKER: That specifically support 18 the construction. 19 MS. CARNEY-NUNES: No, no, no. What I'm 20 trying to explain is that we are going through this process 21 now. And so what we're doing now is consulting native 22 organizations. Not that Native Hawaiian organizations have 23 been consulted and have agreed that this is a fabulous 24 project as of yet. Okay? 25 The other party that participates in Section

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1 106 consultation is a federal agency. This agency is called 2 the Advisory Council on Historic Preservation. They are a 3 federal agency that is charged with making sure that our 4 history is preserved in our nation, but they only participate 5 sometimes. б So the main parties here are NSF, the Hawaii 7 State Historic Preservation Division, Native Hawaiian organizations, and the public, people like you. Okay? Those 8 9 are the main parties to the consultation process. Okay. So the NHPA, the law and the 10 regulations, were --11 12 AUDIENCE SPEAKER: Ma'am, can you come to the 13 Mike, please, so everybody can hear. 14 MS. BURNS: I just have a question. MS. CARNEY-NUNES: Sure. 15 MS. BURNS: I'm Suzanne Burns. I go to MCC. 16 17 I'm learning about technology. I'm also Native Hawaiian. 18 I'm learning about culture. I'm not knowledgeable about, you 19 know, why this is not good, so I hope you all will teach me a 20 little bit about why this is not good. 21 My question is: The advisory council on your 22 last slide on historic preservation, you said they don't 23 participate always. Are they participating in this? 24 MS. CARNEY-NUNES: You know, that's a really 25 excellent question. Any time a federal agency finds that

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1 a -- something that we're going to do would have an adverse 2 effect, a potentially negative impact on a resource that is 3 important, a TCP I called it, a traditional cultural 4 property; we are required to notify the Advisory Council on 5 Historic Preservation. They -- At that point when they get 6 the notification, they can decide whether or not they would 7 like to participate.

8 Another thing that can happen is one of the 9 consulting parties can write to them and ask them to please 10 participate in the process. But as of right now, they are 11 not participating in the process, but that doesn't mean that 12 that will not be involved as of yet.

MS. BURNS: Where can I find out why they decided not to participate?

15 MS. CARNEY-NUNES: They -- I want to make sure that I'm clear. They didn't decide not to participate. 16 17 We're actually still rather early on in the process. We have 18 made a decision, like I referred to earlier, that if the 19 project were to go forward, it would have an adverse impact, 20 we call it, on a traditional cultural property. We are 21 actually as we speak in the process of writing a letter to 22 them to advise them of this. And then when they receive that 23 letter, they'll make a decision. But they have a website and 24 I'll -- talk to me afterwards, I'll give you my card, I'll 25 write down the website for you.

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1 Okay. So Native Hawaiians and Indian 2 tribes -- The thing to remember about Section 106 and the NHPA law is that in the 1990s it was amended, and the purpose 3 of the amendments were to place a special emphasis on Native 4 5 Hawaiians and Native Americans. The purpose of the revisions б to the law was to make sure that federal agencies took the 7 time to consult with native peoples about resource -- about decisions that would have impacts on their resources in 8 9 acknowledgment that this had not -- that that had not been 10 done always in the past. So that was the purpose of that 11 amendment.

So because of that, like I said, you know, I'm from the General Counsel's office at NSF, I'm here to make sure that we follow the process, we follow the law. And the law says that agencies must consult with -- under Section lo6 with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to an affected historic property. Okay?

AUDIENCE SPEAKER: Question. You know, you keep on referring to Indian tribes or Native Hawaiians. You're talking about the wrong people. We're not Native --You folks have categorized us. Aboriginal, native, indigenous; these are terminologies that you people have put on us, labeled us. We're Kanaka Maoli Hawaii. We're not Native Hawaiian.

1 You folks are belligerently occupying here 2 right now. You don't own it. And here we are just going on with your agenda and giving your spiel here without being 3 4 respectful of us. How can we be respectful of you when 5 you're not respectful of us? б Uncle Charlie got up and explained this to you, Kalikoa explained it to you, and still you don't get it. 7 8 Still you're going on and on. You need to clarify this 9 title; otherwise what business do you have here? It's as 10 simple as that. There's no point in going on. Who cares about how far you can see, what you can see? 11 12 You know what's up there, gang? Does anybody 13 here know what's really up there right now? Very scary. 14 Very scary. And the target is -- We're the target. You guys need to understand that. They did that to us. You people 15

16 need to understand that. We're the target right now. Can 17 anybody deny that?

So let's get down to business now. I'm fed up with this. And that's only my manao. But I know where I come from and I know where I stand.

MS. CARNEY-NUNES: Well, I cannot comment on labels. I understand the frustration. Labels are what they are. But we know who we're talking about. We're talking about the people of this island who attach religious, cultural significance to this important, majestic, spiritual

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1 resource; Haleakala. That's who we are talking about.

2 Now, I can only use the language that the law 3 gives me. I'm sorry, I'm a lawyer, you know, shoot me, but I am. And the way that the law that is written, of course, by 4 5 the United States government, the way it refers to the people б who are -- who we are required to consult with is as Native 7 Hawaiians. So please do accept my apologies if that is not the proper way in which to refer to you. Honestly, please. 8 9 AUDIENCE SPEAKER: You're belligerently 10 occupying this place. Your law does not apply here. The 11 superior law of the land is the domestic law that applies here, the kumukanawai. The kumukanawai, what's going on up 12 13 there is not supposed to happen. So what I'm saying is that 14 what are you doing here? What are you doing here? 15 MS. CARNEY-NUNES: Okay. Well, okay. So what the law -- what Section 106 law says 16 17 is that, again, we have to make sure that we consult with the 18 Native Hawaiian community and Native Hawaiian organizations. 19 Okay? So looking at it from your perspective, there are some 20 things to remember about what the law requires, what you as 21 Native Hawaiians can hold us to as the federal government. 22 The first thing to remember is that Native 23 Hawaiians must be consulted when they attach religious and 24 cultural significance to historic properties. 25 The second thing -- And this goes to your

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1 point earlier in the back about which Native Hawaiian

2 organizations are -- have been consulted with. The second 3 thing to remember is that the agency must make a reasonable 4 and good-faith effort to identify relevant groups. So we 5 need your help in doing that. If you know of a Native 6 Hawaiian organization that we have not consulted with, then 7 we are asking you to let us know. Okay? So those are the two things that I thought were important to point out for you 8 9 all to remember.

However, there is another thing to remember, and this has really come through this evening, is that the law does not require that we get everybody to agree. It's called concurrence. Okay? Concurrence is not required. And it is important to remember that because the law -- you know, the law does require that we consult, but the law does not require concurrence. Okay?

17 AUDIENCE SPEAKER: What's the point then? MS. CARNEY-NUNES: Well, that's a good 18 19 question, what -- The question was: What's the point then? 20 And I completely understand that question, but I will say 21 that in the past consultation wasn't even undertaken. So the 22 point is giving a voice. The point is developing a 23 relationship and an agreement and getting NSF to agree that 24 we're going to do certain things. That's what the point is. 25 Those conversations in the past have not even taken place.

1 And so, no, it's not -- it's not like it's a 2 vehicle that has these tremendous teeth that you can say, 3 Okay, we're not going to agree and the project won't go forward. No, I want to be very honest with you that's not 4 5 what the law says. But what the law does say and what we at б NSF are honestly trying to make sure happens in this case, 7 which hasn't happened in many other cases, is that we engage the community like we are supposed to do and we listen to the 8 9 community like we are supposed to do and that we consider 10 your opinions when we make our decisions. MR. WAGNER: Charisse, there's a lady back 11 12 here. 13 MS. LEHUANANI: Aloha to everyone. 14 AUDIENCE: Aloha. 15 MS. LEHUANANI: My name is Princess Lehuanani. I am from the village of Mokula, born and raised, 16 17 and a true native of this island, the kingdom of Maui Nui. 18 I just wanted to bring up concerning the law, 19 as far as I was taught, the State and the County is just 20 contractors on this land. And the law that was brought up on our land is from outside. It was nothing to do with our 21 22 people getting together and making the law for us here on our 23 own aina. 24 Years back somebody said that they had a 25 telescope when he was eight years old. When I was a seven

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1 you know what I heard? I heard bombing. And my whole house 2 was shaking from bombs that was on the other island of Kahoolawe. Today we are the ones that have to clean this 3 island. If you build this big, gigantic thing and it doesn't 4 5 turn out, guess what? It will be left for us to clean again. б Please, I ask for all of those who come to our islands, 7 especially the kingdom of Maui Nui because it's so special. 8 I looked in your papers. I see nothing of 9 our island. The picture of the island of Maui is nowhere 10 found in your paper. If you look at the island of Maui, in the middle you will find the naau. Haleakala is right in the 11 middle of our island. Please, that is the heart of our 12 13 people and of our land. 14 I ask all of you: (Hawaiian.) Please grant 15 us, this what it means, to grant us the respect and the honor to our ancestors and our kupuna, to our people and to our 16 17 land. Please, that's all I ask from all of you. Mahalo nui. 18 AUDIENCE SPEAKER: I have a specific question 19 for the Section 106 that you're asking. You're talking about 20 traditional cultural practices, sacred sites, and so my 21 question is very simple: When is a site considered too 22 sacred to be built upon? Obviously there has to be something 23 in the language that describes when it's all right to, when 24 it's not all right to. And so I ask this question, you know: 25 Would you construct this on Machu Picchu, Stone Henge,

1 Pasapa, Mt. Fuji, Mt. Everest, Mt. Sion? Are those -- Would 2 those be out of the purview of NSF funding? Or they're not. And if so, why not? And if so, why not, why is Haleakala 3 4 even considered? Because I guess that's my point. Would you 5 guys even consider building a telescope on Mt. Sion or 6 Pasapa? Is that even in the realm of NSF? And so when you look at Section 106, that's 7 8 why -- you're right, there is no teeth in there. So when you 9 were the consulting -- I've been consulting for many years. 10 I know the game. We come, we show, we say a few words, and they say "thank you very much" and they do what they do any 11 12 way. 13 AUDIENCE SPEAKER: Yeah. 14 (Applause.) 15 AUDIENCE SPEAKER: That's consulting to me. So if this is all this is, be truthful. Tell us the truth, 16 17 that's what it is. It's just consulting. Because if you're 18 going to do on to us what you have been doing all this time, 19 say it straight, say it true. Thank you. 20 (Applause.) MS. CARNEY-NUNES: Well, the honest answer to 21 22 your question about whether -- what would happen if a science 23 project was proposed on one of those other sites is that if 24 the site was in the United States, we would be going through 25 the exact same process of consulting the community.

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1 AUDIENCE SPEAKER: So it would be considered? 2 MS. CARNEY-NUNES: It would be considered 3 as -- This is really not actually -- I'm probably not the best person to answer. It's kind of embedded, if you will, 4 5 in what Craig Foltz said in that the NSF responds to the б community. And so --7 AUDIENCE SPEAKER: Not the community. 8 MS. CARNEY-NUNES: Well, there are different 9 communities. There are different communities. There is this 10 community. There is the science and education community. There is the solar physics community. 11 12 AUDIENCE SPEAKER: Which is where, the 13 community? We want to be clear when you talk about the 14 community. 15 MS. CARNEY-NUNES: I understand. But the legal answer to your question is very clear, and that is what 16 17 would happen. If NSF were to receive a proposal like that 18 for anyplace, we would go through the same kind of a process 19 what we're going through right now. 20 The other place I think that the question was 21 addressed a bit was in Jeremy's presentation when he talked 22 about the number of sites that have been considered for this 23 project. And that's really the best that I can do, to be 24 honest with you. I mean --25 AUDIENCE SPEAKER: I understand.

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1 MS. CARNEY-NUNES: What -- You're using my 2 words back at me, so you know I'm being honest with you. 3 Okay? 4 AUDIENCE SPEAKER: So the short answer is 5 that it has to be within the territory of what's called the б United States? MS. CARNEY-NUNES: Oh, well --7 8 (Laughter.) 9 MS. CARNEY-NUNES: You're saying does --AUDIENCE SPEAKER: NSF cannot do something 10 outside of United States? 11 MS. CARNEY-NUNES: Well, no. What I said is 12 13 that a process like this under this law Section 106 would 14 occur if the project were proposed within the territorial 15 United States. But if we were to go and try to build in a foreign country, then we -- it would depend. It would 16 17 depend, because, quite frankly -- Quite frankly, this process 18 is a lot more than what NSF would be required to do if it 19 were to want to go and to support a project in another 20 country. We could decide that we would want to consult the community and, quite frankly, if we're being stewards of 21 22 history and culture wherever we build, we would consult the 23 community in a similar way that we're doing here. 24 But the question, as I understood it, was 25 just what would be required, and (pause) --

1 Now, I know we talked about no teeth, I know 2 we talked about no teeth, but the bottom line is that we are 3 here and we are talking to you and the -- What this really means to you and what it means to us, too -- It's not easy 4 5 for -- for anyone, really, in this room. It's uncomfortable. б And that's okay because things like this are not necessarily intended to be comfortable for everybody. Sometimes it's 7 okay to make people uncomfortable. But the bottom line is 8 9 that what this means is that this process will work best if 10 we can make -- collectively make consultation work. AUDIENCE SPEAKER: I'm very comfortable. I'm 11 not uncomfortable at all. And I'm comfortable because of my 12 13 beliefs in my culture. So, you know, I'm not uncomfortable. 14 You're uncomfortable because you're coming into our house and 15 you're telling us, yeah, you're telling us what we need to do by consulting us. We know what we want. We want you to 16 17 leave us alone, that's what we want. 18 MS. CARNEY-NUNES: I get that, but --19 AUDIENCE SPEAKER: You know, I'm just being 20 sincere. 21 AUDIENCE SPEAKER: Okay. I got one question. 22 I just want you to come out and tell us again if you feel 23 that a meeting like this is important for everybody and if 24 this project were to go through anyway and it doesn't matter 25 what we say, how we feel or how much it's going to hurt us --

1 now you as a lawyer come and tell me if this means that we 2 can stop it because we don't want it to happen, or you tell 3 me right now that the government doesn't give a damn and it's going to be built anyway. It's just going to be ransacked up 4 5 there and it doesn't matter what we say here. Because if б not, I believe the meeting is over. Okay? Because you guys 7 are going to tell us that whatever we say here is going to mean something. Because if it's not going to mean nothing, 8 9 we may as well leave already.

MS. CARNEY-NUNES: Actually, if I can proceed with my presentation, I will try to answer that question. I cannot -- I can't say that the meeting means nothing. No, I can't say that, because we're here and we're listening. And as I said before, that is a lot more than has happened in the past. So I cannot say that it means nothing.

16 I have been very truthful and honest and 17 deferential in that I'm saying honestly, as I said before, 18 I'm going to back up, concurrence is not required. That is 19 true. But just because concurrence is not required does not 20 make this process insignificant. It does not make this 21 process meaningless. The reason why is because if you are a 22 concurring party, if you are a consulted organization, then 23 you will have the opportunity to enter into an agreement with 24 NSF. And if we don't do -- If the project goes forward and 25 if you do enter into that agreement with NSF and we don't do

1 what it is we say we're going to do, then you have the

2 ability to hold us accountable for that. So I don't say that the process is meaningless and that if -- we might as well go 3 4 home simply because concurrence is not required. 5 AUDIENCE SPEAKER: Can you move on to some б examples? Pardon me for a second. She's almost to a 7 point -- We're going to run out of time here, is what I'm worried about, before we actually get to the main point of 8 9 having this discussion. Well, I mean, the main opportunity, 10 I should say. AUDIENCE SPEAKER: (Inaudible.) 11 THE REPORTER: I can't hear. 12 13 AUDIENCE SPEAKER: (Inaudible.) MS. CARNEY-NUNES: One housekeeping thing. 14 15 The stenographer is actually having a hard time recording everything. And we do -- Because NSF wants to consider all 16 17 of the comments that we hear tonight -- We're going to go 18 back over the transcript just like we did at the last meeting 19 in March, and so it's very important for all of you to have 20 your views expressed and properly recorded. So it's really 21 important that we talk one at a time. And as we said in the 22 beginning and we remember the words of Kahu Maxwell, we are 23 able to do this with mutual respect. And so I just ask that 24 we all speak one at a time and have respect for one another. 25 AUDIENCE SPEAKER: Hi. I'm Maile. And I'm

1 also an MCC student. Many of my kupuna are sitting here. 2 And I just want to say some things. 3 Jerry, your mother might have given you a 4 telescope. Our kupuna gave us that mauka. 5 (Applause.) 6 AUDIENCE SPEAKER: And according to the 7 Section 106 process, preserving and enhancing productive use of historical and cultural properties. It's productive. 8 9 It's fine the way it is. And how is a 14-story telescope 10 going to enhance it at all? The EIS was brought up, but the only thing 11 12 about the EIS that was brought up today was the esthetic view 13 of the mountain or was the visibility of the telescope. 14 Nothing was -- Nothing else covered. And there is more than 15 just the visibility of the telescope that is important to us, 16 and that needs to be understood. So if you're going to bring 17 anything here, bring it, all of it. Don't just bring the 18 visibility. 19 The other thing, too, is Haleakala legally is 20 a TCP, traditional cultural property, federally recognized as 21 a TCP. Well, we already recognize that. And as -- According 22 to the federal recognition of anything, it kind of like is a 23 fallacy. 24 So the consultation process, like Kalekua was 25 saying, it's a process, yeah, you're here, but like how

1 everybody feels as it being meaningless because this is not 2 consultation. On our half it's a determination. And the thing is is that if this like we're just going through the 3 movements right now and it's not helping us, well, at least 4 5 we're heard. Thank you. 6 (Applause.) 7 AUDIENCE SPEAKER: Normally I'd say aloha, 8 but I think it died tonight with everybody. 9 I've got a couple questions mainly on the 10 site survey that was done. I know all about consultation. I know all about the -- everything here that's been talked 11 12 about. I've been following this very closely as a Native 13 Hawaiian and also a worker up there at Haleakala National 14 Park. I take care of a lot of the resources that give us our 15 culture, that's the reason why I do it. 16 My big question was in these site surveys 17 there were six other sites that I have never really gotten 18 any information. The fact that there's one in Big Bear Lake, 19 California; one in La Palma, Canary Islands, Spain; Utah; New 20 Mexico; also Baja, California. These are other sites that 21 they can deal with this problem. 22 When I looked at the general daytime 23 characteristics of the sites that you guys selected -- And I 24 hope we can get an answer because this is kind of the missing 25 link how the -- how you say, deboning that was done in this

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whole EIS. They say that frequently clear skies. I can understand that. Excellent seeing. I don't know where you can get low humidity. I'm also a wild land firefighter. When I go to California, you guys get relative humanities in the 4 -- 3 percent. I have never seen us have that type of low humidity.

7 Also some of the things that were selected 8 was like few aircrafts' contrails. Now, I don't know what 9 that means, if it's just over the site itself or if it's in a 10 mile radius of our island. Because we live on an island, almost everybody comes here by airplane. So I'm not sure 11 12 what you guys mean by that in the site selection. And also 13 dust levels. I mean, everybody knows up to Haleakala there's 14 a lot of dust abatement. I also work with the helicopter as a national instructor and that's a big thing is dust 15 abatement when you work around a helicopter. And we don't 16 17 fly up there because of that.

18 So my question is: What about these other 19 sites? Why isn't there any consideration on that? Because I 20 can look at the three things that was mentioned here that we 21 just don't have up here at this site. So that's my question. 22 MR. WAGNER: We actually -- we started with a 23 list of about 72 sites all over and looked at all of the 24 existing data for those sites. 25 AUDIENCE SPEAKER: Question. Which data?

1 Your paper showed 72 sites and there was a discussion about 2 what sites to choose. They were going to set up test sites of those 72, but there was a lack of funding so I don't 3 4 believe they did the test on all 72 sites. 5 MR. WAGNER: No. We -- I mean, there's an 6 infinite number of sites that one can consider for almost any 7 project. 8 AUDIENCE SPEAKER: Right. 72 sites --9 MR. WAGNER: We looked at 72 sites. We know 10 from experience through solar astronomy, solar physics over the last century --11 12 AUDIENCE SPEAKER: By discussion? 13 MR. WAGNER: No. We know from actual 14 experience, hands-on experience the characteristics of sites 15 which provide good seeing, a stable atmosphere during the daytime. There's been a lot of work for nighttime astronomy 16 17 as well, but for solar astronomy it's different. The sun puts out a lot of energy. And so there are specific 18 characteristics of those sites --19 20 AUDIENCE SPEAKER: Was the NSF supposed to do 21 a test on all those sites? 22 MR. WAGNER: No. 23 AUDIENCE SPEAKER: No? 24 MR. WAGNER: No. And there wouldn't be any 25 point because if you go through the existing data -- And

1 there is a lot of -- You'd be surprised at the weather data 2 and such, the topography data for sites out there. There is 3 a lot of data out there on many --4 AUDIENCE SPEAKER: Not the data you needed to 5 meet your requirements; correct? 6 MR. WAGNER: Quite a bit of data which was 7 applicable to those requirements, yes. Absolutely, yes. 8 Now, we selected six sites -- down selected 9 to six sites out of that for a full-blown test. All right? We tested those and it was clear that three of the sites were 10 better than the lower section of three sites. And those 11 three sites were down selected and we had three remaining 12 13 sites that was Big Bear, La Palma, Haleakala. All right? 14 AUDIENCE SPEAKER: Canary Islands? 15 MR. WAGNER: Excuse me? AUDIENCE SPEAKER: Canary Islands was --16 17 MR. WAGNER: La Palma is in the Canary 18 Islands off the coast of Africa and the Sahara Desert. 19 We did a phase 2 on those sites, tested them 20 again extensively, and compared the data from those sites. 21 It was clear that Big Bear would not support the kind of 22 high-resolution solar physics that we want to do with this 23 telescope. That site was taken off the list. Haleakala and 24 La Palma were looked at extensively. And this was all in the 25 same review, the same data set.

1 La Palma has a real problem. You get wind 2 storms coming off the Sahara. And in the draft EIS this will be described, but these dust storms, some of these dust 3 storms that come through actually reach the Caribbean. They 4 5 come across the Atlantic. Huge amounts of dust that come out б and cover the Canary Islands and the sky brightness during 7 the day from the sunlight scattered off of the dust in that air will not allow us to observe the atmosphere at that site. 8 9 It will not let us do it. It contaminates the light that 10 comes to the telescope. AUDIENCE SPEAKER: How were the cultural uses 11 and resources assessed in your determination for selection of 12 13 the six sites? 14 MR. WAGNER: That was considered in the site evaluation studies. 15 AUDIENCE SPEAKER: Where did Haleakala rank 16 17 in regards to --MR. WAGNER: We didn't rank the sites in that 18 19 sense. We indicated what the environment was, what concerns 20 there were, whether or not there were cultural significance 21 associated with the site. I think Keoki Raymond actually 22 read from that report at the last meeting. We did not rank 23 the sites, though, in that sense. We tried to establish what 24 the cost would be, what the infrastructure that existed might 25 be, what didn't exist, the access, all of this.

1 AUDIENCE SPEAKER: That's the cultural
2 resource and --

3 MR. WAGNER: Yes. We described that in those4 reports.

5 AUDIENCE SPEAKER: It was seen that Haleakala 6 was a better choice over those other five sites that would 7 impact on the --

8 MR. WAGNER: Not in that report, no. We did 9 not rank those sites based on that. We provided -- The 10 project provided that analysis, that data, that assessment in parallel with the site survey so that could be considered 11 12 when -- When the site survey working group wrote its report, 13 its final report on the site survey, that report assessed the site, the feasibility of the site. It was submitted in 14 15 parallel. So the decision-makers had all of that 16 information.

AUDIENCE SPEAKER: My question is the same way as they look at the scientific -- the part about the value of the science, it seems like you did not place that kind of emphasis in the evaluation of the cultural resources and how important those sites were to the people of those areas. That's my concern.

23 MR. WAGNER: Yes, I understand it. It was 24 discussed extensively and it was noted in the report. It 25 was. And, Keoki, you did read from that.

AUDIENCE SPEAKER: I did.

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2 MR. WAGNER: And, actually, Jeff Bar prepared 3 the report.

4 AUDIENCE SPEAKER: Yes. I'm sorry you 5 weren't here on the 28th. Jeff, it's nice to see you again. 6 It was good to see you in the top floor of the library at the 7 community college, was the last time we saw each other. As I 8 understand, you are the project architect, the site engineer, 9 and that when you had done the 2003 Site Feasibility Report, 10 not only in the Executive Summary, but back in 2003 you came to a conclusion that the presence and visibility of a new 11 12 large telescope on a spiritually significant mountain would 13 likely be an issue during the public review and comment. So 14 you were telling NSO and the NSF this would happen tonight. 15 MR. BAR: Yes. MR. WAGNER: That is correct. 16 17 AUDIENCE SPEAKER: And that under specific 18 environmental concerns that Jeff had written, the entire Haleakala mountain is rich in traditional and spiritual 19 20 significance to the indigenous Hawaiian culture. So everyone 21 has known since 2003. 22 MR. WAGNER: That's correct. 23 AUDIENCE SPEAKER: And that you also wrote, 24 "The presence of observatories on the summit is considered a 25 desecration by some." So that was already known since 2003.

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1 Of the other six I think I had also already 2 testified that notwithstanding that they may have had --3 certainly all could have had spiritual significance, 4 sacredness to -- for peoples of the earth, indigenous people, 5 only one of the six -- to help clarify your question, only 6 one of the six was ascertained to have significance, and that 7 was Haleakala.

8 And I think I'm hearing Kalekua say or ask if 9 you knew back in 2003, which is really wording it just 10 another way that I worded it on the 28th, if everyone has 11 known since 2003 that of the six that went down to three that 12 went down to one, Haleakala, was sacred, why was there no 13 concerted effort made?

14 And, in fact, it would seem to speak to Section 106, which from what I can read seems to say respond 15 in a timely manner. So from 2003, just for clarification, it 16 17 seemed to have taken until the fall of 2005 to initiate the 18 process under the environmental project and then the actual 19 first 106 was in January of this year. That seems to be 20 something that's a major question for a lot of people. MR. WAGNER: Keoki, can I respond just to 21 22 clarify? 23 AUDIENCE SPEAKER: Sure. 24 MR. WAGNER: The preparation of that report 25 was done early on. The site selection for the proposed

sites, the down selecting, the final down selecting was not done until the end of 2004. So January of 2005 is when we could say, okay, this is what the decision-makers have put forward. We have to proceed then to set up the environmental impact statement process, get these other processes going, bring the NSF in and get this moving.

7 AUDIENCE SPEAKER: It's helpful to have that 8 clarification. And I guess from your perspective from 9 January 2005 to the fall of 2005 in the big picture of things 10 really wouldn't take -- isn't that long a time.

11 MR. WAGNER: What I -- I'm sorry. What I've 12 found is that things are taking longer than I would have 13 imagined.

14 AUDIENCE SPEAKER: Another thing, Jeff, that 15 you wrote is that, "The fact that there are already several other large observatory buildings on Haleakala may actually 16 17 weigh against ATST in consideration of the cumulative effect 18 on all of the development on the mountain." So that's 19 something that we have all known, that the mountain on the --20 We want the highest and best use -- or "we," I'm speaking 21 from the voice of -- and Mike Maberry is right here. From 22 the perspective of the Institute For Astronomy, you would 23 want highest and best use. You're allowed to do scientific 24 studies on the 18.1 acres, you're going to try and do the 25 most you can.

1 But we're talking about 106. Now, I was 2 very, very humbled to be able to have gone along with Uncle Charlie to take myself, Kahala Helm, some other people to 3 4 Paia Kuai Kamoku, the ahu that has been built, the one that 5 faces the Big Island. The one that also is the closest to the proposed project. If I go -- and I understand I can go 6 7 to spiritually commune and anyone who feels the need can go 8 to these ahu, when you -- How much noise is there going to 9 be?

10 We were also taken to the other ahu, Hina, and the chillers that were going for the AOS project were 11 12 very disturbing. And so I'm wondering about the peace and 13 serenity of the mountain itself that's going to be disturbed 14 by the person at this particular designated ahu to the 15 Institute for Astronomy for working it out and creating these two ahu. Has there been any sound, ambient sound --16 17 MR. WAGNER: Yes. AUDIENCE SPEAKER: -- sound decibels. 18 19 MR. WAGNER: Let me clarify one statement. 20 When I said that things took longer than I thought, it was 21 setting up, getting a contractor for the EIS, getting a 22 process going. I had imagined that that could be done 23 quickly. 24 AUDIENCE SPEAKER: Oh, I understand. 25 MR. WAGNER: Okay. As far as studying the

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1 sound, we have done extensive work on that. And I can't talk 2 about AOS, but the ATST at the Mees site -- and Jeff correct me if I misstate this, but the sound level at the ahu will be 3 at a sound level which is consistent with what you would 4 5 expect inside a cathedral, for example, a place of worship. б And we've looked at what we have to do in the facility, what 7 we have to do in the utility buildings, how we can manage that sound, and we can reduce it to the level that you would 8 9 expect to see -- to hear in a cathedral.

AUDIENCE SPEAKER: A clarification on that, Jeff, would really be appreciated, because I'm wondering if a person is there, say it's me, say it's someone else, and the dome is shifting and the gears -- the sound of the gears to make it move would seem intrusive.

15 MR. BAR: You're right. And we have looked at that. And the first thing I'll just say is that the air 16 17 force chillers that you're talking about are outside. And 18 I've been down to the ahu, too, and you can hear them from down there. Our chillers will be inside. And we understood 19 20 that the ahu were special places and especially tranquil 21 conditions there were going to be important. And so we took 22 that into consideration, made sure that we located all of our 23 equipment; the generator, the chillers, compressors, all 24 those kinds of things inside of the building where we can 25 actually contain the noise.

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1 The sound inside that building would be 2 deafening. Outside the building, because we're going to take special measures -- And we have to ventilate to some extent 3 so it can't be -- A completely closed building, you know, 4 5 concrete block and a concrete roof or something like that 6 would be the most effective way possible. We have to 7 ventilate it, but we have looked into what the methods are necessary to reduce that level, as Jeremy says, to a level 8 9 that's consistent with the ambient sound level inside of a 10 church. And that seemed like an appropriate standard to apply in terms of the sound. And it is something we're very 11 12 concerned about.

13 And your second point about the dome 14 rotation, you're right, there is some noise any time a big, 15 mechanical, metal structure like that moves. One of the 16 things that we intended was that we would begin -- especially 17 because that the ahu is closest to the primary site is an 18 east-facing ahu and the mornings would be the most critical 19 time, and, of course, we'll be starting up observing then if 20 the project goes ahead at that time, and so the intent is to 21 have the dome pointed in that direction so that we don't have 22 to move it any great distance, and then we really will be 23 tracking the sun in relatively small movements. It's 24 definitely will be something that you hear, though, so we are 25 concerned about that and we're looking into what -- how much

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1 noise that's going to produce.

2 MR. FOLTZ: My project friends may not agree with this, but I simply point out that the purpose of this 3 4 meeting is to try to arrive at essential mitigation 5 strategies and mitigation activities. And were this to б become an issue, I could imagine that one such strategy which 7 they might not agree with, but this is what consultation is 8 about, is to quiet the building when the ahu is in use. And 9 that's something that certainly could be discussed. I 10 understand that it may not be to everyone's wish that it be known that they are using the ahu, but, you know, this is 11 12 give-and-take. And if that is important and we can schedule 13 in advance or we can figure some way to work that, we can 14 quiet the building. 15 AUDIENCE SPEAKER: I just want to comment to my brother Keoki and to my other brother behind here, he said 16 17 there's no aloha. Well, to my brothers, my sisters, my 18 kupunas in the house, aloha kaua. 19 AUDIENCE: Aloha. 20 AUDIENCE SPEAKER: Remember that word now, 21 aloha, a two-fold word. To the lawyer, you used the word 22 "concurrence." Big word, strong word. To me, I define that 23 as suppression. Yeah? Because you say (Hawaiian), talk to 24 them, but your own timeline of your schedule -- which is 25 good, but do you have a timeline of all the Hawaiian

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1 organizations that you're going to talk to? Do you even know 2 who they are? If we gave you a list, do you choose and pick the list, or do you talk to all of them? I think you need to 3 4 address all of them because they all have concerns. 5 I'm a salesman by trade. You're trying to б sell us a monstrosity. Yeah? That's the bottom line. 7 You're trying to sell the community this monstrosity. You're trying to turn a negative into a positive. You can feel the 8 9 energy. I mean, you can really feel the energy. It's not 10 positive. But the word "concurrence," I mean, that's --11 I'm actually afraid of that word because whether you do it or 12 13 not, you're still within your guidelines of the law. 14 Correct? You said it. It came from your mouth. 15 So if we came up with a list of all the Hawaiian organizations not only on our island, because if I 16 17 stand on Haleakala and at times our ocean is very calm and I 18 throw one pohaku, one stone inside the water, it creates a 19 ripple. The ripple effect goes through all the islands, not 20 only through all the islands, but it also touches your land 21 where you come from. Guess what get over there? Get 22 Hawaiians over there, too. You think they're not concerned 23 about what's happening over here? I believe they are. I 24 really do. 25 Concurrence. And Uncle Charlie said, you

1 know, how the Hawaiian people were suppressed. You said you 2 understand the word "suppression." Yeah? But if the 3 concurrence that we're in concurrence -- Big word to us, \$5 word there. Only use to the \$.25 kind word. Concurrence is 4 5 a big word. By law you're not liable -- You said before you б quys don't even -- we don't even have to talk to you quys. You only bring that up because that was then, this is now. 7 That was yesterday because that shows. Up the mountain what 8 9 there is now, that shows what you said. You don't have to 10 consult to us. You guys still going to build them up there. 11 Now you're accountable to us because of that Section 106. 12 But my question is: After all the dust 13 clear, all is said and the law settles, who has the final 14 stroke of the pen? Who has the final stroke of the pen? 15 Because all this is just (Hawaiian), just talk. But what gives the ability of what is said here? You know, you have 16 17 to understand -- And this is my own manao. Yeah? I only represent myself when I talk. You have to understand that 18 19 these people here, the ones that voiced their opinion, that 20 wasn't the words that was coming from their mouth, that was 21 coming from the heart, from the naau, and you have to feel 22 that. You have to feel that. 23 You cannot -- You know, I mean, I observe, I

24 watch. Everybody's trying to share, and yet you keep -- you 25 guys keep trying to go back to the agenda. You're worried

1 about time here, that you're not going to have enough time. 2 Well, you have plenty of time. 2000 what, 15? You got 3 plenty of time to talk about this. That's why all -- every 4 native organization has to be heard and get their input, 5 because the things that we say here is different from the 6 things they say there. 7 So aloha. I go back to the word aloha. 8 Two-fold: It says hello and it also means good-bye. Mahalo. 9 (Applause.) 10 AUDIENCE SPEAKER: Aloha, everybody. AUDIENCE: Aloha. 11 12 AUDIENCE SPEAKER: My name is Melia. And I'm 13 going to try to keep this melia as my outfit. 14 (Laughter.) 15 AUDIENCE SPEAKER: So if it doesn't come out Melia -- But you know my ohana in the back over here is 16 17 missing two members, but you know their spirit is still with 18 us, you know. But our ohana used to go up to Haleakala every 19 single year, maybe sometimes every month. But, you know, I 20 was so disturbed when park ranger said that our ohana cannot 21 go on -- beyond the restricted lines or whatever, you know. 22 I am disturbed by that ever since that year when -- that was 23 when I was 14. Right now I'm 18. You know, it was like four 24 years ago, 2001. And the park ranger said that we cannot 25 pass the lines and that we have to stop of what we are doing.

1 And, you know, we used to go up there to that mountain,

2	Haleakala, and we used to greet our ancestors, our kupuna and
3	also the sun, you know. A ala ai, a ala ai.
4	How do I know or how do Kanaka Maoli know,
5	you know, people of Hawaii know that we not going to get
6	kicked out of that aina again? It's not our fault that you
7	guys decide we can't go up there, you know. So, please,
8	don't build that up there. We don't need any more
9	restrictions. We like go up to that mountain and say a ala
10	ai to our kupuna, you know. That's all I have to say.
11	(Applause.)
12	MR. MAXWELL: You know, I have to tell you
13	guys, look what is up at Haleakala. Look what we have up
14	there already. How you think that was built; the AOS, the
15	Faulk Observatory? They never promised us in a 106
16	consultation, but close. I had all kind promises from the
17	air force, and that never worked. They took out 150 tons of
18	rock when they built AOS and they brought it down here and
19	crushed it and try to hid it from me. That's pain. And not
20	too many of us was involved in trying to stop that.
21	But Jeremy had something on his presentation,
22	I don't want let you find it, but the word said the "US
23	Congress." Didn't it say that, Jeremy?
24	MR. WAGNER: That's correct.
25	MR. MAXWELL: So a lot of what these people
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1 are going through, they're not going to get the final say. 2 And I know through experience, through AOS and through Faulk, 3 if Dan Inouye and Congress wants that in place, it will 4 happen. This, we all going through the motions. We all 5 going through the motions. It's in my report about this. 6 Dan Inouye, before AOS was built, he come, Hey, Uncle Charlie, how come you fighting that? I said, Danny, it don't 7 8 belong there. So who you think they got to bless? Somebody 9 else.

10 Recently, AOS, they doing a little job over there, they went get Kalani Wong from Kamehameha School go up 11 12 there go bless. When I found out, I said, You know what you 13 going to do? He said, Oh, no, they just going to ask me to 14 do a blessing. You got to be maka ala. We've got to be 15 mindful. I mean, everybody is in pain over here, but the pain started when we became a state. We had no say when they 16 17 took over Poliahu.

18 So we have to ask them -- if they going to 19 build that, ask them for something in return. I submitted my 20 proposal for an educational component just in case by chance 21 if I fall asleep and die tomorrow and this thing will be 22 built, at least they're going to give back something to our 23 keiki from young all the way to the high school and in 24 college so they can become scientists. But it doesn't mean 25 that I am for the project. I said no. It doesn't belong on

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the sacred mountain. But it just might be the third time
 that I have said this and it will happen.

3 AUDIENCE SPEAKER: It won't happen. 4 MS. CARNEY-NUNES: You know what, what I 5 would really like to do is not just to blindly go back to the б agenda, but, honestly, what I really would like to do is to 7 offer you all a little bit of -- a little bit more context, 8 which is what my job was to do here, was to give you the 9 context as to why it is that we're here. And it really plays 10 on what Uncle Charlie just said about making sure that if you are part of the process that -- if the project were to go 11 12 forward, to make sure that the community will be a part of it 13 and the community would get something back from the project. 14 And whatever --

15 MR. MAXWELL: Excuse me. What you got, though, is the cart before the horse. You cannot even talk 16 17 about that. I mean, actually, you know. Sorry, but --18 MS. CARNEY-NUNES: No, no. I want to --19 AUDIENCE SPEAKER: You know, we have hundreds 20 of -- We have people over here who want to give their manao 21 and give their thoughts. You're getting there to the 22 Hawaiian Homelands and we have Hawaiian people here sitting 23 down and waiting until all this blah, blah, blah thing is 24 over. If you want to hear the thoughts of the people, let's 25 start listening to the people and quit fooling around.

1 AUDIENCE SPEAKER: Yeah. 2 AUDIENCE SPEAKER: People came out here --People are leaving now. What's your purpose here? To listen 3 4 or no listen or listen to yourself talk? You should know 5 already what the feeling is. Let's get on with the program. б Listen to the people. Keep your mouth shut and just listen. 7 (Applause.) 8 MS. CARNEY-NUNES: And we have been taking 9 questions the entire time all through the presentations and 10 we will continue. But what I want to do is to make sure that when you do offer your comments, that you -- you fully 11 12 understand the context and the -- you know, there's been a 13 lot of questions about, Well, what's the process and what 14 does this mean? And I want you all to understand the way in 15 which you can -- the process would allow you to hold NSF 16 accountable to do some of the things, to implement the 17 proposal, if you will, that Uncle Charlie and that others 18 have put forward. And to seek those -- that type of input 19 from you all. So I just want to make sure that we have the 20 right framework around it. But it is not to silence anybody. We're listening to everyone. We have been and we will 21 22 continue to. 23 MS. LINDSAY: I am Puunene Lindsay. I'm 24 sorry some of our people left without being able to testify

25 here.

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1 Two things on your side: Number one, you're 2 doing the community process, giving us a chance to speak. 3 Number two, okay, EIS is on your side. I am not for this project at all. I'll just say it out right now. Perhaps a 4 5 superferry didn't do this, but at least you're going through б that process. And they have their reasons for not doing it. 7 If you started in 2003 it seems to me at this point you have -- you should with all the people, all the 8 9 things that you have worked to put out to us, you would have 10 had the list of Hawaiian agencies, Hawaiian groups on our islands. I don't feel we should give the list. You pay 11 12 these people to do the research for you. And we have the 13 offices right here on Maui and you should send your people 14 there and get that information. This is 2003. 15 And for you -- MCC to testify this has in a federally recognized sacred site. How much more sacred is 16 17 sacred? Then you're going to -- Uncle Charlie mentioned 150 18 tons of rock. This thing is a huge project going down 19 deeper. 150 tons is nothing. And that's -- It's so sacred. 20 I don't think you people who come here really understand what 21 it means to our people. There are no more words to express. 22 And this advisory historic preservation 23 group, they should be in here. Federally recognized, 24 Haleakala, and they have not been consulted yet. I don't 25 understand that. They should have been here tonight like the

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1 rest of you, from the get-go.

2 So, again, I'm against the project. I could say a lot more, but other people have come and have testified 3 4 before and I know others will come after me. It's a good 5 project in the wrong place. б One last thing: I walk Olinda Road in the 7 early morning hours and I can count the number of 8 observatories up there. And when I think -- When I walk and 9 I think of this white thing sticking up in the middle there, 10 I've heard people use different words, use finger signs, it's true. This is going to be terrible. And this -- Is this 11 12 what you call respect to our Hawaiian people? I don't think 13 so. 14 AUDIENCE SPEAKER: It will be our tomb stone. 15 MS. LINDSAY: More than a tomb stone. I don't want to put all my eggs in one basket and say, Yes, I 16 17 want something out of it. No, I don't want anything out of it. I don't even want it there. That's the bottom line. We 18 don't need it here on Maui. Go to site No. 2. 19 20 (Applause.) MR. FEIN: Before we continue, I would like 21 22 to comment on the number of agencies and groups that have 23 been consulted. To this point more than 50. We are going to 24 post those on the website for everybody to look at. Okay. 25 More than 50 at this point.

1 And, Ed, you have never signed up to receive 2 anything. You have to actually sign up to --3 AUDIENCE SPEAKER: I already signed up. 4 MR. FEIN: No. We don't have your address. 5 AUDIENCE SPEAKER: Explain your contact -б how you found about the agencies that you have contacted. 7 MR. FEIN: Yeah. The agencies that we have 8 contacted were given to us by various individuals and groups. 9 OHA. We've --10 AUDIENCE SPEAKER: I saw somebody blowing smoke outside and we don't need more other kinds of smoke 11 12 coming over here. The only thing that's left is bend down 13 and grab our ankles. There's no more smoke around here. 14 MR. FEIN: Okay. Well, in any case, the 15 agencies and groups will be posted on the final website. 16 MR. HOKOANA: Aloha. My name is Lui Hokoana 17 and I am the president of the Central Maui Hawaiian Civic 18 Club. The civic club is a grass roots organization comprised 19 of about 60 members. In addition this evening I am 20 representing the Maui District Council of the Association of 21 Hawaiian Civic Clubs. The council is compromised of members 22 from the Central Maui Hawaiian Civic Club, the Lahaina 23 Hawaiian Civic Club, and the Hoolehua Hawaiian Civic Club of 24 Molokai. Collectively the council has 150 members, primarily 25 of Native Hawaiian ancestry.

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1 On Saturday at the Association of Hawaiian 2 Civic Club board meeting the board voted unanimously to support the position of its local civic club and council. 3 4 The association represents 51 clubs from throughout Hawaii 5 and in the states of Alaska, California, Colorado, Nevada, б Utah, Virginia and Illinois. It has a membership of about 7 3,000 members, and they are primarily comprised of Native 8 Hawaiians.

9 I am here this evening to strongly urge that 10 this telescope not be built at Haleakala. We believe that 11 the telescope will interfere with the natural beauty of the 12 mountain, has the potential to impact on our economy 13 negatively and intrudes on the manao or spirituality of the 14 Native Hawaiian.

15 The beauty of Haleakala has been recorded in chant and song. It can be seen from almost every part of 16 17 Maui. The intrusion of a 14-story size building will destroy 18 the pristine nature of the mountain. We need not look far to 19 see how telescopes have polluted the natural beauty of our 20 mountains. On a recent trip to Waimea on the Big Island it's 21 easy to see 45 structures on the very top of Mauna Kea. It 22 is hard to appreciate the beauty of the snow capped mountain 23 in the glistening sun.

I thought to myself, How sad for the future generations that they will not be able to see the pristine,

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the majestic nature of Mauna Kea. The mountain they will
 know is one polluted with buildings.

In a recent survey conducted by the Hawaii Tourism Authority 58 percent of the Maui residents cited loss of nature and open space as a big problem. This leads me to wonder how tourists will react to this monstrosity. We all know that our number one economic driver is tourism. Recently the Haleakala National Park had to adopt policies to control the overcrowding during peak periods.

10 My members who work in the hotel industry 11 wonder how the tourists that they depend on will have to look 12 at that and interfere with the pristineness of seeing that 13 sunrise. This accompanied by the perception that Maui is 14 overdeveloped, has too much traffic and is overcrowded could 15 lead them to look someplace else for their next vacation.

Lastly and most importantly we object to the 16 17 building of this telescope because it impedes on the 18 sacredness of our mountain. As a youngster I was told about 19 how Maui matches the sun to slow it down so his mother could 20 drive her kapa. The kupuna told me that Haleakala means 21 house of the sun and that is where the sun lives. I was 22 taught to revere the mountain because it is a place where 23 gods dwell.

In the '90s I went to the mountain toparticipate in a ceremony in preparation for the year of the

Hawaiian. I have taken our cousins from as far as New
 Zealand and Tahiti and gave homage to the kupuna that dwell
 at Haleakala. Native Hawaiians share this reverence for
 Haleakala. This is why this is an issue not only for us here
 on Maui, but it's an issue for all Native Hawaiians
 throughout the world.

7 This telescope is an affront to all Native 8 Hawaiians because it tries to prioritize science ahead of our 9 spirituality and manao. All Native Hawaiians are concerned 10 about making sure that future generations can experience the 11 manao of this mountain without intrusion from man.

Our club members from the Big Island shared with me their disgust at what has happened at Mauna Kea. One kupuna said she thought the telescope would be good for her community. She says it has not. It is just an eyesore that she can see every day from her home at Waimea.

17 On my recent trip to the Big Island I visited 18 the Imiloa Astronomy Center at the University Park. It is a 19 wonderful exhibit. When I left the center I thought to 20 myself, Is this how we will teach children about the mountain 21 once we have destroyed the mountain?

The Central Maui Hawaiian Civic Club, the Lahaina Hawaiian Civic Club, the Hoolehua Hawaiian Civic Club in conjunction with the Association of Hawaiian Civic Clubs strongly urges that this telescope not be built at

1 Haleakala. The telescope will interfere with the beauty of 2 our Haleakala, may impact our economy negatively, and is an intrusion to the Native Hawaiian spirituality. 3 4 My aunt, who is now deceased, Monalao 5 co-wrote the song "Haleakala." The chorus says, "Haleakala, б the beautiful mountain, it stands all alone so peacefully." 7 Please preserve Haleakala. Please build the 8 telescope someplace else. Mahalo. 9 (Applause.) 10 MS. LANANDA: My name is Nikhi Lananda and I have been raised here on the island of Maui. And I am here 11 12 because I object to what this process is doing and will do. 13 I understand you have context that you want to share because 14 you are consulting. I personally feel that you're insulting 15 as you continue with the presentation because I think the key 16 feeling here is we don't want it. So would it not be just 17 easier for you to wrap up with the consensus that we don't 18 want it here? Go back to whoever you consult there and say, 19 They don't want it. How hard is it to just go, Nah, let's go 20 back to not the six on the list, go back to your 72. And the 21 next time you all want to build somewhere, don't include 22 Hawaii in that list because you will forever be greeting 23 people like us. That's all I have to say. 24 (Applause.) 25 AUDIENCE SPEAKER: (Statement in Hawaiian.)

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How many of you here had tutus? You ever saw
 your tutu cry? Ever see your tutu cry? How many of you have
 ever saw your kupuna, ever saw him cry? I saw mine cry.
 When my grandfather first took me up to Haleakala, took me
 to (inaudible), he cry.

6 When I was a young kid in Kapalakua and they 7 bought me to Kahoolawe, my tutu would say, Pelo, come in the 8 house. All the kids got to go inside and I watched them cry. 9 They're not alive anymore, they're dead, but I cry now. I'm 10 crying because I'm a kupuna now, I've got grandkids, and I 11 got to explain to them what's happening to the land. Shit, 12 no. My kupuna dead. I'm not. This is serious.

My wife's not here so I can talk. She doesn't like me talking like this, because it come from the naau. Yeah? And what is that? Way down. Not here. Not here. Down deep inside, that's why, that's where this all come from.

 18
 And on paper it can be approved by congress,

 19
 it can be approved -- Dan Inouye can approve it, but we're

 20
 not going to have another Kahoolawe. We're not. Mahalo.

 21
 (Applause.)

 22
 AUDIENCE SPEAKER: Are you taking testimony

 23
 yet?

 24
 MS. CARNEY-NUNES: We're taking testimony now

25 because we're going with it.

1 One thing I can say, since we have a little 2 break here, is -- I didn't stress this earlier on because I 3 thought I was going to go through the entire presentation, but I understand where we are now. But I do ask we go 4 5 forward with testimony. I do want to make clear what those 6 of you who were here last month or in March already know, is that we are here about resolving the adverse effect. And I 7 do understand that many of -- all of whom have spoken thus 8 9 far have -- think that the adverse effect cannot be resolved 10 and are offering what we would call under the law as avoidance. That's no action. 11

12 But I do want to just make clear that under 13 the law when we talk about resolving the adverse effect, we 14 look at three things: Avoidance, what we call minimizing, and what we call mitigation. Okay? And avoidance is what we 15 have been talking about here this evening thus far. 16 17 Minimize, we have talked about it a little bit when we talked 18 about changes in the technology that we could -- the project 19 could undertake like with the sound. That would be -- that 20 would be a strategy under minimization. And then mitigation 21 strategies, that would be like the education proposal, 22 strategies that would lead to a memorandum of agreement that 23 NSF could be held to. So just wanted to provide that 24 context. 25 But please go ahead.

AUDIENCE SPEAKER: I came up here thinking that you were going to listen and you immediately started talking. I wanted to tell you, Charisse, that I really appreciate all the work you've done and all your colleagues have done. It's really nice science. And as my ohana -everybody here has been trying to make the point to you: Good science. Wrong place.

8 But I want to just -- I can't really add 9 anything more than what everybody has already said. I came 10 here to show my manao. And if it's repetitive, well, I don't 11 know how many times we're going to have to say it before you 12 do get it. So I'm going to add my little piece, wherever 13 that goes.

14 My cousin Oliver said there's a real basic 15 issue of jurisdiction here. We are not under US law. We are 16 an independent nation. We have never relinquished our 17 nationhood. There is someone sitting in our seat of government. His name is Sam. We would like to ask him to 18 19 leave so that we can fill our own seat with our own people. 20 And so there's this basic issue that you need 21 to take back to Washington or wherever you have to take this 22 to and say, The sleeping giant is beginning to wake up and is 23 stirring and we need to listen. Because there are some big 24 issues coming up in terms of nationhood that you folks are 25 going to be forced to respond to either in court or out of

1 court. We'd like to do it peacefully however we can because 2 we -- our people have aloha. But that's a real basic issue. 3 You have no jurisdiction here. It doesn't matter what the 4 congress does, it doesn't matter what Akaka does; it just 5 does not apply. We are an independent nation. We are all 6 citizens here of our nation, which happens to be Hawaii, not 7 United States. So that's one point.

8 I don't know how you're going to be able to 9 mitigate that issue because we just do not -- we are separate 10 nations. And if NSF -- I'm not really sure how the Canary 11 Islands was eligible as a potential site because it's not 12 part of the US. Maybe there would be some sort of 13 international treaty between our government and Spain or 14 whoever, but that's none of our business. Just as what 15 you're doing is really none of our business. You need to do a really nice project someplace else. It's really great 16 science, but it just doesn't fit here. 17

18 The other thing I wanted to say really simply 19 is to basically reiterate and summarize what people have been 20 trying to get you folks to listen to, hear us, is that when 21 you're talking about, Well, you know, we're here to consult, 22 but concurrence is not required, but we're going to go ahead 23 anyway. Well, you're not listening because it's not going to 24 happen. Because we have had it up to here with these kinds 25 of projects that come and basically rip us off and really

1 minimize.

2 What you really need to understand is that we're not talking about really legal issues or mitigation 3 issues. We're not even talking about scientific issues. 4 5 We're talking about our my deep spirituality. My brother 6 right over here just laid it all out to you. He just said 7 it. And you got back to your little dog-and-pony show here, with all due respect. It's a very nice PowerPoint 8 9 presentation. I'm impressed with all your technology. It's 10 really great. It's somewhat entertaining. But I cannot forget the impression that we're being entertained, but we're 11 12 really not being listened to. 13 But I think you need to really hear this: 14 That project will not go through. Because as we here in our 15 physical bodies communicate with our kupuna who have gone 16 before us, we are a much larger force than the United States 17 Congress, United States corporation, United States anything. 18 And events are happening other than this project here that 19 are leading us to our independence. It's inexorable. It's 20 inevitable. And it will happen in our lifetime. It will happen soon, sooner than you think. 21 22 So the last thing I want to say is that if we 23 can stall you long enough so that the other events can take 24 place, then our government may negotiate with your government 25 to get the rest of the stuff up there off our mountain. We

1 would like to see America go away. Thank you.

2 (Applause.) AUDIENCE SPEAKER: (Hawaiian statement.) 3 4 Aloha. As my brother said, history is the 5 people's memory. And without a memory, mad is the motive to 6 the lower animals. And I here to tell you and the NSF and 7 everybody else here, we are a real people with a real memory. 8 It will not be erased. We will not stand here and act as if 9 that mountain is not important to our people, because it is. 10 And no matter what kind of projects they propose, it's important to us. We are people. 11 12 Just going to run real quickly through, as

you all know the (Hawaiian). And we don't have time to run through it all, but it's very clear through our traditions and our memory and history that's a very important mountain from the shores of Pali to Namakokai to Maui to Liinoi. How many stories do we have to provide? How much evidence does it take? A hundred pages? 200 pages? When is enough enough?

20 Understanding history, you also understand 21 1843 what happens in Hawaiian history. We, Hawaiian king was 22 recognized an independent state, part of the family of 23 nations. But, of course, you understand 1893 what occurs. 24 An act of war occurs in Hawaii, and that's the words of 25 President Cleveland of that time. He also talks about an

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1 illegal occupation that occurs in Hawaii at that time.

2 That's the word of President Cleveland. The occupation has 3 never left these islands. And it's because of these islands, 4 we just -- because of this occupation, that's why we're here 5 today.

6 The question of title to land, we know this 7 area, Papaanui, part of Kolekole, which also extends over to 8 Kahoolawe, that's the same ahupua'a, same moku, same kalana. 9 That land in the mahale was given as part of the government 10 lands of the Hawaiian Kingdom. Check the title yourself. 11 1893 you have the invasion. US military lands, occupies 12 Hawaii.

13 1897 this occupies -- purport to try to annex 14 Hawaii into a treaty of annexation. The treaty of annexation 15 fails in the senate, fails. There is no treaty of annexation of the Hawaiian islands. Check your history. Anyone knows 16 17 in US history. Section 2, Clause 2, "For a treaty of 18 annexation to occur, you must have Senate ratification." It 19 never occurs in the Hawaiian Islands. There is no treaty of 20 annexation.

There is a New Lands Resolution that occurs in 1898 which purportedly passes the citizenship of those of the Republic of Hawaii. How many citizens in 1898 in Republic of Hawaii? Less than 4,000. It also talks about passing of the lands owned by Republic of Hawaii now passes

to the United States of America, but which lands do the
 Republic of Hawaii own? When did they gain title to these
 lands? This, of course, directly affects the title of
 Haleakala. Haleakala is part of that lands, the Hawaiian
 Kingdom.

б In 1961 Governor Quinn, the State of Hawaii 7 then passes Executive Order 1987 to the University of Hawaii to manage. Where did Quinn and the State of Hawaii gain 8 9 title to that land? Just because they claim to manage the 10 land don't mean that they own the land. Hawaiian people have 11 never, never, ever given up control of that mountain. We never done. Have never done so. That's the history. 12 13 Just because we're occupied nation does not 14 mean that we've given up our title to that land or the 15 management of that land. Did we have a say when the air force built their space observatory there? We have no say in 16 17 the process, nothing to talk about, just shove it down our 18 throat. And we smell the same kind of stench coming out of 19 this process, also. That's clear. Unlawful control, that's 20 what's going on up there. Unlawful. No piece is sacred, 21 kapu.

This whole process, in fact, is based upon a supremacist belief that particular people's rights supercedes us, the native people of this land. It's the same sickness that has been going for too long in these islands and other

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1 parts of the world. But it defecates and urinates and spit 2 upon native peoples as if we're secondary peoples of the 3 earth. And I'm here to say no way, that's over, we're not. We will fight this project. We will organize against this 4 5 project. I will be there. And I make this a promise. I б will be there to organize against this project, using our 7 bodies to organize against this project. Take that home to 8 NSF.

9 The great Mahatma Gandhi said -- A hero of 10 mine. One of the greatest books, "Satyagraha" -- Read that book you never read that before -- Gandhi talked about the 11 12 seven sins: Wealth without work, pleasure without 13 conscience, knowledge without character, congress without 14 morality, science without humanity, worship without 15 sacrifice, and politics without principle. The last thing that I want to leave you is, as Gandhi said, also, "First 16 17 they ignore you, then they laugh at you, then they fight you, 18 but then you win."

19 (Applause.)

20 MR. LINDSAY: Aloha, my name is Ed Lindsay.
21 AUDIENCE: Aloha.

22 MR. LINDSAY: And I would like to speak 23 against this project. First of all, to our counsel, I notice 24 you have your cultural displays on: The hair in which you 25 wear is fabulous, the colors you have matches your character

1 and your principles and your culture. I would like to 2 implore you under the -- for the Hawaiian people to fight 3 this. And all we can pay you is a dollar and love. You, who come from a race that have been oppressed, are witnessing 4 5 from the people here who are also oppressed. So I would like 6 for you, if you are willing, to use your knowledge and your 7 education to stop the oppression. And, you know, in rape 8 there's no concurrence. And take this back to the people who 9 are funding it.

You know, usually you cut the funding off, the thing dies. And along this -- the line of rape, that 14-story thing over there, that's not going to look like a middle finger. It's going to look like a phallic. And it will stand as a monument to the oppression of all oppressed peoples of this world by a government who feels that, Huh, we don't care.

17 So I implore you to please use your 18 knowledge, your wit, your heart and your cultural heritage to 19 help fight the oppression. Please tell the NSF to take their 20 toys home and don't bring it over here. Aloha.

21 (Applause.)

AUDIENCE SPEAKER: Hi again. You know, I was reading your fact sheet here and I wanted to talk about some of the utilities that's mentioned in your fact sheet and about the possible environmental degradation because of the

1 fact there is waste water collected in onsite underground 2 septic tank. Now, that's one thing. Also, the communications part: Underground fiber optics and copper 3 4 lines for telephone, which means there's going to be wires 5 all over underground. Right? Underground lines, electric б service extended from existing MECO substation on observatory 7 property. Underground environmental degradation. 8 And, also, the part of education and public 9 outreach, this particular segment was manipulating to me. 10 The goals of this partnership are to advance local students 11 particularly Native Hawaiians and women into Maui's technical 12 and scientific work force, to develop courses and program to 13 prepare students, dah, dah, dah, to open opportunities for 14 underrepresented groups particularly Native Hawaiians. 15 Opposition. We're all opposing it. How is this supporting us at all? To me it's a manipulation because it's using us, 16

17 our name, who we are to say, Hey, this is what we're giving 18 you. Just like that Olowalu project. It's called tourism 19 grammar.

20 Why Haleakala? The clean, dry air at the 21 summit of Haleakala provides some of the best astronomical 22 seeing conditions in the world, seeing conditions. Now, you 23 have other 72 potential sites. Well, would it be possible 24 for the examinations that you have done for those other 72 or 25 all the other sites that you have examined to be given to us

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1 so that we can evaluate, we as a scientist?

2 (Applause.) 3 MS. CARNEY-NUNES: Actually, I wanted to address what you said earlier about the Environmental Impact 4 5 Statement and that whole process. And it is not that we're 6 trying to leave anything out of the process and, in fact, we 7 will have public meetings on the Environmental Impact Statement. As soon as the draft document is prepared, it 8 9 will be published. You'll be able to comment on all of the 10 those issues that you brought up the first time you spoke as 11 well as the issues that you brought up just now. 12 The scientists can probably speak to this 13 better than I can, but I do know that environmentally that 14 astronomy is one of the cleanest, cleanest kinds of science, 15 technology that, in fact, there is. 16 And I don't know if (pause) --17 MR. BAR: Yeah. Let me just talk briefly 18 about -- because you brought up the utilities. And you're 19 right, there's going to be a lot of stuff underground. And 20 one of the big reasons that it will be underground is because 21 that's the way -- the Long-Range Development Plan that IFA 22 developed in consultation with the community and others 23 dictates that utilities be put underground. All of the 24 electric -- We certainly wouldn't be putting it up on power 25 poles where it can be seen and be even more of a visual

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1 problem.

2 I understand that putting these underground is in some way intrusive, but, you're right, I mean, you 3 don't build an observatory without a certain amount of 4 5 utilities and there will be that kind of stuff there. And б the underground septic tank will be -- it's a containment 7 tank that will treat water, treat the waste and will be pumped and removed regularly. But, again, that's an element 8 9 that will be underground and will require a certain amount of excavation and kind of, you know, disturbance of the earth 10 11 that you're concerned about. 12 AUDIENCE SPEAKER: But not on our mountain. 13 MS. CARNEY-NUNES: But, again, those -- we're 14 at the beginning of that. And as soon as the document comes 15 out, it will be available in all of the public libraries. It 16 will be available on the Internet. If you left your name and 17 your e-mail address at the door, it can -- a link to it can 18 be e-mailed directly to you so that you'll be able to see it 19 and comment on it. And there will be another opportunity for 20 us to meet again and to specifically discuss those issues. 21 Does anybody else have anything? 22 MS. BURNS: Hi. I'm Suzanne Burns. I spoke 23 earlier. I'm a student in the ESET program at MCC. I love 24 science. I'm very excited about it. This whole thing is so 25 neat to me, I'm really excited about it, but I'm Hawaiian.

1 This is my family here.

2 You had said that you spoke to 50 groups of Hawaiians. Did any single group support this? Did anybody 3 4 support this? I'm asking. 5 MS. CARNEY-NUNES: Oh. We're actually going б through the consultation process right now. We're actually going through the process as we speak. 7 MS. BURNS: So up until this point no one has 8 9 supported this project that I think is really fun and I'm 10 excited about personally, but I don't want it here. 11 Has anyone supported it being here, Hawaiian 12 groups? MS. CARNEY-NUNES: Well, nobody has supported 13 14 or -- Well, actually, tonight -- Where's the gentleman who 15 spoke with the resolution? Right. That's actually -- I'm 16 sorry, I don't remember your name, but that was actually the 17 first official resolution that I have heard of a group 18 actually not supporting it. 19 We're -- Again, as I said, honestly, we're 20 actually in the thick of the consultation process right now. 21 And so it is our hope, our optimistic hope that we will get 22 support of Native Hawaiian organizations, of local 23 organizations, but we are moving along in the process right 24 now. 25 MS. BURNS: And that was 50 groups; correct?

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1 51, okay.

2 When I first came here, the first person I talked to was Jeremy, the manager of the program. Correct? 3 4 And I wasn't trying to trick you or anything. I didn't know 5 anything about this. I'm still learning about my heritage and about my own culture. But what I found tonight is it 6 means so much to my family here. And I know that you have 7 8 dreams and when you got that telescope when you were eight, 9 it was so exciting. I know what it feels like a dream, but 10 would your dream die if you couldn't build it here? Could you still build it somewhere else? Because our dreams are 11 12 going to die. Thank you. 13 (Applause.) MR. MABERRY: Please forgive me, I don't mean 14 15 any disrespect, but just to share with you that it was King 16 Kalakaua who brought the first telescope to Hawaii. 17 AUDIENCE SPEAKER: But he didn't put it on 18 Haleakala. He put it upstairs. 19 AUDIENCE SPEAKER: He was a well-educated 20 man. MS. CARNEY-NUNES: Well, I think -- I don't 21 22 want to silence anyone, so -- If there is nothing further, we 23 can wrap up, but -- Mickey. 24 AUDIENCE SPEAKER: Aloha kaua. 25 AUDIENCE: Aloha.

1 AUDIENCE SPEAKER: Aloha. I have already 2 given my testimony in prior meetings. Again, with this ATS 3 telescope my concern now is with so many of our people 4 voicing their concentration on avoidance to just prevent this 5 whole ATST from coming to Maui, my concern is that you're б going to have another meeting after this. And I would like before we close for the people here to know what is the next 7 step so that we don't have to be hunting around for the 8 9 information.

10 And, you know, I know Charlie said it's going 11 to be on the website, but not everybody has computers to 12 check. And, you know, I know that millions were spent, if 13 I'm not mistaken, on funding this work up to this point for 14 this ATST project. And my concern is that, you know, how 15 much has been spent on letting our people know what is happening? You know, I understand that -- I don't know. 16 17 It's something that came up now, this Section 106 wasn't here 18 before, but our people need to know.

"The Maui News" article that was in the paper -- I'm not blaming anyone, but it was in the paper this week letting people know on Wednesday, if I'm not mistaken, that we're having the meeting this evening and -- Wasn't that it, Charlie? The meeting -- the Wednesday article in "The Maui News" talked about this meeting tonight and then it talked about where to send your comments by mail to Charlie,

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where to send the e-mail comments. And then on Thursday I
 found a small little article that was a correction that
 somehow there was a mistake on the e-mail address and there
 was a mistake on the address.

5 So my concern is that if you're going to б spend millions -- And I'm not blaming you. This thing has had to much impetus already, but millions are being spent on 7 planning this project and we need to have some money set 8 9 aside to let our people know not only here in Maui, Maui Nui, 10 all over the place, like you were saying, all over, and let them know so that they can -- Because I was told that people 11 12 can give their testimony in person at these meetings, they 13 can send it e-mail which will be recorded in your records, they can send a letter. But the thing is our people have to 14 know and I think some money should be spent on that process 15 16 and not have people have to go hunting around.

17 Everybody is so busy just trying to live, but 18 they care so much about our own aina here, that's why they're 19 here this evening. And so we would like to see some money 20 put aside and not say that there's too much expense to print 21 out something. And we want to see -- you know, like that, we 22 don't want to waste a lot of paper and whatnot, but we want 23 our people to know. And so that's what we -- I would like to 24 see. Thank you.

(Applause.)

25

MS. CARNEY-NUNES: I couldn't agree with you more. And we'll make sure that that does happen. I can't speak to the typo about the e-mail, but I can apologize to you on behalf of NSF for that.

5 In terms of the next steps, we will take all б the comments that we heard here, the comments that we heard 7 at the March meeting, we'll take all of the e-mails that we've received, the written comments that we've received, the 8 9 letters -- I think some of you submitted letters here tonight 10 and brought that; we'll take all of those into consideration. 11 And probably the next step that will happen will be the 12 publication of the draft Environmental Impact Statement. 13 That will probably happen in about a month.

When that happens, it will be published in the newspaper. It will be published in -- it will be placed in all of the libraries in Maui. It will be posted on the website. If you leave your contact information here with us, it will be mailed or e-mailed to you if that's what you request. It will be.

I'm open to other suggestions. If you -- We did -- I know we did a post card campaign for this meeting. So if we had your addresses from previous contacts or lists that we got through either the State Historic Preservation Office or OHA, then we did, in fact, send post cards out to people whose addresses that we did have and organizations'

addresses that we did have. But we're open to suggestions
 because consultation actually means consultation on every
 piece including if we're not doing our job in terms of
 notifying the community.

5 AUDIENCE SPEAKER: I just wanted to ask 6 that -- Because tonight is too soon and our people need more 7 time to get there to meetings. To get the information out 8 and to get the comments to you folks. And so I -- You know, 9 Charlie told me tonight is not the last night, that we can 10 still -- people can still submit their comments.

MS. CARNEY-NUNES: Yeah. Let me clarify. 11 12 Under the law, like I said at the beginning, there is two 13 things that is going on here. We have the environmental side 14 of things and we have the cultural and historic side of 15 things, the 106 process. We were asking for comments either before or to be brought in at the meeting just so that we 16 17 could have a productive discussion with everyone here 18 tonight. That does not mean that you cannot comment any 19 further. It doesn't mean that you can't give us a comment 20 tomorrow. It doesn't mean you can't give us a comment next 21 week.

The environmental piece of this is actually broader, it encompasses all of those issues that we talked about before; the visual impacts, the specific environmental impacts. But it also does encompass the cultural and the

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historic impacts and that as well. When -- And when you see the draft document when it appears in about a month, you will see reference to this whole Section 106 process right in there. You will be given from the point that it was -- it's published, you will be given 45 days to give us comments on the Environmental Impact Statement, the Draft Environmental Impact Statement.

8 During that 45-day period, probably toward 9 the end of the 45-day period, we will have another public 10 meeting. That's the public meeting that I was talking about before where we will -- it will be a broad public meeting. 11 12 It will encompass not only the issues that are of specific 13 emphasis and importance to Native Hawaiians, but all of the 14 environmental issues including those that are the traditional 15 cultural property issues. Okay? That meeting will happen towards the end of that 45-day period. If I had to project 16 17 from here, it probably would be near the end of June or the 18 beginning of July, but sometime in that time frame over the 19 summer.

20 We will accept comments at that meeting. We 21 will accept comments after that meeting through the 45-day 22 period, through the end of that. After that we will have to 23 go into a decision-making mode that will happen at the end of 24 that 45-day period. During that time we will be consulting 25 with -- we'll be consulting with other federal agencies. We

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1 are required to consult with the Environmental Protection 2 Agency. We will be required -- probably particularly after 3 what has happened here this evening, we will be consulting with the -- She left -- with the Advisory Council on Historic 4 5 Preservation about all of these issues. So that's a federal б process, a federal decision-making process that will happen 7 after that. 8 But we'll make sure that you do get the 9 notice. Charlie, I think we're done. 10 MR. FEIN: Okay. Are there any other final 11 12 or other comments that you wish to make at this time? 13 If not, as Charisse said, there will be a 14 public meeting for consideration, comments on the Draft 15 Environmental Impact Statement. We anticipate publishing that -- We're trying to get that out by the end of May, but 16 17 it's a large document and there are lots of logistics that go 18 into publication of that. 19 And so that would be for that purpose. And 20 then, of course, for the National Historic Preservation Act, for this Section 106 process, a separate meeting. I think 21 22 Charisse explained it very well. 23 So are there any final comments or anything 24 else anybody would like to say? 25 If not, we're going to close the meeting. We

1 do have to be out of here by 10:00. And I apologize if 2 anybody has something they would like to say, but we do have 3 to close the place up.

MS. CARNEY-NUNES: I actually have another comment. And this is something, forgive me, that comes from my cultural, but often we'll end a meeting, particularly difficult ones, with a prayer. And so I would ask again, Kahu, if you could bless this process just to close us out and set us a positive note, at least.

10 MR. MAXWELL: Bow heads.

Heavenly Father, we ask that you look down on 11 12 us as Hawaiian people that believed in the word that was 13 brought us to by the first missionaries. And our kupuna had 14 told us that they left the pearls with us, which is all what 15 we have, the power to pray. The power to pray to the Lord for help. And every time that things are hard, we ask for 16 17 help and guidance from you, dear Lord. We ask and pray that 18 you bless everyone here that spoke, that came to listen, that 19 submitted their testimonies. Protect them as they go home to 20 their individual homes and to wherever they're staying and 21 back to their homes in the mainland for the people that came 22 from there.

We ask and pray that you touch the souls of all the people involved in congress, in the ATST and touch them and let them feel our plight. There's so much that has

been done to us, dear Lord, and we have suffered as natives, as Kanaka Maoli of this land. We ask this, that you bless us all and give us this hope and inspiration. We ask this in your name. (Hawaiian.) Amen. AUDIENCE: Amen. (The proceedings were adjourned at 10:02 p.m.)

1 CERTIFICATE 2 STATE OF HAWAII) SS. 3) CITY AND COUNTY OF MAUI 4) 5 I, Sandra J. Gran, Certified Shorthand Reporter for the 6 7 State of Hawaii, hereby certify that the proceedings were taken down by me in machine shorthand and was thereafter 8 reduced to typewritten form under my supervision; that the 9 10 foregoing represents to the best of my ability, a true and correct transcript of the proceedings had in the foregoing 11 12 matter. 13 I further certify that I am not attorney for any of the 14 parties hereto, nor in any way concerned with the cause. 15 16 DATED this 11th day of May, 2006, in Maui, Hawaii. 17 18 Endra O. Gra 19 20 21 Sandra J. Gran SANDRA J. GRAN Hawaii CSR 424 Notary Public Notary Public for Hawaii 22 State of Hawaii My Commission Expires: 5/14/08 23 24 25

Appendix C(3): Transcripts Section 106 Meeting, UH IfA, Maikalani Facility, June 16, 2008

Held at University of Hawaii Institute for Astronomy, Maikalani Facility, 34 Ohia Ku Street, Pukalani, Maui, Hawaii, commencing at 9:10 A.M., on JUNE 16, 2008.

REPORTED BY: TONYA MCDADE, RPR, CRR, CBC, CSR #447

	4
2	
1 ATTENDANCE 2 NATIONAL SCIENCE FOUNDATION	1 generous, keep your hearts open. It's a time to learn, a
Dr. Craig Foltz, ATST Program Officer	2 time to grow, a time to bring what is pono to this
 Ms. Caroline Blanco, Assistant General Counsel NATIONAL SOLAR OBSERVATORY 	3 discussion. And I will try to see what I can do to help
4 NATIONAL SOLAR OBSERVATORY Mr. Jeremy Wagner, ATST Project Manager	4 assist in that way.
5	5 I think we need to sort of set some context to
6 NATIONAL OPTICAL ASTRONOMY OBSERVATORY 6 Mr. Jeff Barr, ATST Project Architect	6 today's discussion, today's consultation, because we have
7 UNIVERSITY OF HAWAII INSTITUTE FOR ASTRONOMY	7 been accustomed to three years of public hearing. Today
Mr. Mike Maberry, Assistant Director	8 is a shift. We are not doing that. We are moving into
8 KC ENVIRONMENTAL, INC.	9 consultation.
9 Dr. Charlie Fein, Vice President	10 So as we move forward in consultation, we are
Ms. Sharon Loando-Monro, Planning Projects Manager	11 talking about mitigation, how to minimize, or to mitigate,
MEETING FACILITATOR	12 to soften, any adverse impact that this construction may
11 Ms. Annelle Amaral	13 have. That is what we are here to discuss.
12 OTHER ATTENDEES: Ms. Mikahala Helm	14 And some things cannot be mitigated. So what we
13 Ms. Camille Kalama	15 need to do is to set that in context first and then to
Mr. Kiope Raymond	16 move beyond that.
14 Mr. Sol Kaho'ohalahala Ms. Pua Aiu	17 To do so, then, I am going to ask Craig
15 Ms. Nancy McMahon	1710 do so, then, 1 an going to ask Crarg18DR. CRAIG FOLTZ: I can talk briefly about that,
Ms. Verna Kaiulani Nahulu 16 Mr. Warren Shibuya	
17 17	
18	20 Annelle, if possible, could I ask Caroline to
19 20	21 discuss this sort of being an overview of the Section 106
21	22 process before I
22 23	23MS. ANNELLE AMARAL: Yes. Let's do that.
23	24 Let me ask. Are you three here to be involved
25	25 as part of the consultation?
3	5
1 NATIONAL SCIENCE FOUNDATION	1 Come. Let's come closer. Come to the table.
2 SECTION 106 MEMORANDUM OF AGREEMENT MEETING	
2 SECTION 106 MEMORANDUM OF AGREEMENT MEETING	2 Let's all sit around as consulting people. Yes. You want
 SECTION 106 MEMORANDUM OF AGREEMENT MEETING JUNE 16, 2008 	 Let's all sit around as consulting people. Yes. You want this one at the table, too? Okay. One, two, three.
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2 (Pages 2 to 5)

	6		8
1	with that.	1	meeting is it is an open house style format to allow
2	So we had requested information on avoidance,	2	people to come in at their convenience. If people are
	minimization, mitigation years ago. And that process	3	working, there are evening hours and so forth. So we are
	continued on. And, also, opportunities were allowed in	4	trying to be as accommodating as we can, to talk about any
	the Draft Environmental Impact Statement process. And we	5	sort of mitigation ideas that people have. We are
	received nothing, frankly. No information.	6	certainly more than open to whatever people have in terms
7	And we did receive a couple of mitigation	7	of ideas.
	proposals. And those mitigation proposals are in the back	8	We requested those ideas in the November 8th
	of the room as well in handouts.	9	letter I had written to the Advisory Counsel. We received
10	And so the National Science Foundation reached	10	nothing then.
	the process where we looked at, is there a viable	11	In May, again, we requested that additional
	alternative site that is reasonable. And it is	12	mitigation proposals be forwarded to us. Again, we
	interesting, in this particular process, this is a	13	received nothing.
	science-driven process, and the question is really will it	14	So our hope is to, once again, provide another
	go forward or will it not. And if it is to go forward,	15	opportunity for consulting parties, interested parties, to
	that this is the place where it would be. And so we are	16	come on in and provide any ideas they may have.
	looking at ways in which to mitigate adverse effects	17	We received a letter today from the National
	onsite.	18	Trust for Historic Preservation requesting to be a
19	But, also, we've opened up recently in	19	consulting party. We are allowing them in as a consulting
	response to requests that have been received, we're	20	party. And we have allowed additional groups in over the
	interested in looking at ways to avoid, minimize or	20	last week.
	mitigate park resources, the road in particular.	21	
23	• •	23	So at this point we are trying to move the
	And, unfortunately, Ms. Parris was not able to be here from the Haleakala National Park, nor was she able	23	process forward with the hope that tomorrow, between 10:00 and 2:00, we can look at the ideas that have been
		24	
25	to provide staff here today. We will be meeting with her	25	generated today and throughout the process, and start to
	7		9
1	on August 22nd. So we look forward to that conversation	1	begin the work of drafting a memorandum of agreement.
2	then.	2	So that's where we are at this stage of the
3	So we have put up a white board. I've written	3	process.
4	out sort of the topics here.	4	MS. ANNELLE AMARAL: Did you want to ask any
5	And for the proposed site, mitigation is what we	5	questions?
6	are requesting input on at this meeting today.	6	MS. MIKAHALA HELM: I have a question about
7	And park resources, we're looking at the whole	7	when you say nothing was received early on, when you were
8	scheme of these things, since that wasn't included before.	8	explaining things, are you meaning nothing was received
9	Avoidance, minimization and mitigation, we are	9	what were you meaning by nothing was received?
	requesting input there.	10	MS. ANNELLE AMARAL: In terms of we sent
11	And we are allowing it on all three of those	11	postcards out to all the consulting parties, requesting
	factors because that was not before the consulting parties	12	ideas on avoidance, minimization, mitigation. In response
	in 2005, 2006, 2007. Whereas the onsite impacts were	13	to those requests, we did not receive a response.
14	before the consulting parties back then.	14	There were comments that were received in
15	And there is a need to move the process forward.	15	response to the Draft Environmental Impact Statement.
16	We are very cognizant that people have sincere and	16	There had been two, I believe and resource folks can
17	significant concerns about the location.	17	help me out here there were supplemental cultural
18	Since this meeting is not designed to really	18	resources studies that were done, interviews that were
19	discuss that, there is another opportunity that we are	19	made, and, you know, for that particular study to try to
20	providing for people up in the second floor conference	20	reach out and find out what are the issues, what are the
21	room. If there are other issues that you would like to	21	concerns.
22	have National Science Foundation consider, we ask that you	22	Some of the concerns were even that people did
	nuve i tutional belenee i oundation consider, we ask that you		
	feel free to go up there and videotape your concerns or	23	not want us to even raise the issue again because they
23		23 24	not want us to even raise the issue again because they thought it would be disrespectful. So we found ourselves

3 (Pages 6 to 9)

1 2 3 4	10		12
2 3	ideas, trying to be respectful, and, yet, trying to also	1	because we did not feel that we wanted to finalize that
3	respect the wishes of not asking again.	2	until we've been able to resolve what we can through the
	But nevertheless, in terms of the federal	3	106 process.
	process, we did feel we had an obligation to continue	4	MS. MIKAHALA HELM: Okay. So things that were
5	consultation. So we did.	5	mailed out were not only to Section 106 consulting party
6	And that is what I meant in response to that.	6	people, is that correct? It's beyond Section 106?
7	Were there other ideas that you had as far as	7	MS. SHARON LOANDO-MONRO: Section 106 had the
8	comments that have been submitted that perhaps	8	most mail-outs, yeah. Then the DEIS, of course, had
9	MS. MIKAHALA HELM: You just mentioned a lot of	9	everybody.
10	things that were received. So I was confused when you	10	MS. MIKAHALA HELM: On the latest letters that
11	said nothing was received. Because there was a lot that	11	we received I'm sorry, but I have these questions.
12	was submitted in that time period that may not have been	12	MS. CAROLINE BLANCO: No. That's fine.
13	supporting mitigation, but it was supporting avoidance.	13	MS. MIKAHALA HELM: So I just want
14	So I just wanted a clarification of that.	14	clarification.
15	MS. CAROLINE BLANCO: Right. Thank you.	15	On the latest letters that we just received
16	And the other was, you know, in terms of	16	about these meetings here today, was that the Section 106
17	minimization. I don't believe we've had any comments that	17	list in totality?
18	have addressed minimization.	18	MS. CAROLINE BLANCO: Yes.
19	The main source of comments have been not at	19	MS. MIKAHALA HELM: Because I know of people
20	this site, pretty much where, you know, a different,	20	that had requested to be consultants in the Section 106
21	alternative site needs to be picked. So we acknowledge	21	process in 2006, and I don't see their names on these
22	that has been forwarded to us and considered. And that's	22	letters or know that they have received any information
23	why, you know, because this is a science-driven project,	23	about this particular process now. So I have concerns
24	it's a question of does the science move forward. And, if	24	about that.
25	it does, this is where it will be. And, if not, then it	25	MS. CAROLINE BLANCO: I think, since I came to
	11		13
1	won't move forward at all.	1	NSF last fall, I am not as familiar with the particulars
2	MS. MIKAHALA HELM: Okay. And I had another	2	of them.
3	question.	3	Charlie or Sharon, do you have ideas?
4	MS. CAROLINE BLANCO: Sure.	4	DR. CHARLIE FEIN: I think anybody who ever
5	MS. MIKAHALA HELM: That was, when you said that	5	requested to be a consulting party was sent the
6	you asked for input or I forgot the exact words you	6	information. Anybody who was willing to give us an
7	said, but requested with the postcard and whatever. Who	7	address to mail to has been a consulting party.
	were what people were sent these postcards? And, you	8	MS. SHARON LOANDO-MONRO: Then everything that
8	know, what kind of people were consulted?	9	we sent, when Bijan was counsel then, we sent everybody
8 9	line w, while line of people were consulted.	1	we sent, when Dijan was counsel then, we sent everybody
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9		10 11	
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9 10 11	MS. CAROLINE BLANCO: I think, Charlie, did you want to we have a whole list of people.	11	that was on the list, no matter what, and we were asking for things. And it got to the point where only a very few
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1	14		16
1	and got nothing.	1	MS. SHARON LOANDO-MONRO: Yeah, way back when
2	MS. ANNELLE AMARAL: I'm sorry. Sharon, I am	2	that form first came out. Because I remember seeing the
3	wondering if you can come up here just so people don't	3	difference between the two forms.
4	have to turn around to look at you as we talk.	4	MS. MIKAHALA HELM: Great. Great.
5	MS. SHARON LOANDO-MONRO: I was going to check	5	I just never saw their names on any inclusion as
6	the door, too.	6	far as correspondence.
7	MS. ANNELLE AMARAL: You can walk out. But it	7	MS. SHARON LOANDO-MONRO: Well, the most recent
8	makes it easier to hear you, to see you, talk to you.	8	kind of correspondence that was going out, I think maybe
9	MS. CAROLINE BLANCO: Sharon, there weren't	9	when you came on board, was to include the people. And
10	people who maybe had been originally included in the	10	that was the list. That was the short list that Bijan
11	broader list that had then requested again that were	11	made.
12	refused, right?	12	MS. CAROLINE BLANCO: And even in summer 2007, I
13	MS. SHARON LOANDO-MONRO: Well, everybody that	13	think it was a request from the Advisory Counsel asking
14	ever signed up for anything at any meeting was sent	14	for the list.
15	information, the postcards, letters. And we asked for,	15	MS. SHARON LOANDO-MONRO: Right. That's when
16	you know, proposals, asked for suggestions. And then at	16	the list got narrowed.
17	some point, that list got narrowed because, like I said,	17	MS. CAROLINE BLANCO: Bijan narrowed it down to
18	only very few people would come to meetings or respond to	18	who have we heard from, who can we contact, and narrowed
19	anything.	19	it down to the list of 25 or something like that. And
20	Like you guys would always write letters. And,	20	then we've added these others as they have come to us and
21	you know, you kind of kept on participating, put it that	21	requested to be consulting parties.
22	way.	22	MS. MIKAHALA HELM: My last request is if I
23	MS. ANNELLE AMARAL: So the response, I guess,	23	could just see copies of the list after maybe the
24	to your question about people who may have asked to be	24	beginning of 2007, and just see the difference. Because I
25	consulted in '06 would have not received the '08	25	would like to know if these people were ever what you
_	15		17
1	notification, is the short of it, it sounds like. The		are talking about is what I am talking about, that
2	list people were dropped from the list if they didn't	2	request. And I just wanted to make sure that they were on
3	continue to communicate.	3	because, for a few of them, I can't imagine that they
4	MS. MIKAHALA HELM: Or provide available	4	would give no response.
5	addresses, contact information.	5	MS. SHARON LOANDO-MONRO: I kept track of who
6	MS. SHARON LOANDO-MONRO: That seemed	6	responded a lot.
7	nonparticipatory.	7	MS. MIKAHALA HELM: I am just asking for that
8	MS. MIKAHALA HELM: My question is, I think	8	list.
9	there are almost 60 of them who sent in individual form	9	MS. SHARON LOANDO-MONRO: I don't have a list
10	I mean, individual notice that they wanted to be	10	right now. I can make a note.
11	considered to be consultants in this Section 106 process.	11	MS. MIKAHALA HELM: Like 2007 end of 2006,
12	And I didn't see their name on these things ever. So I am	12	then through 2007, I think that would just be helpful for
13	just curious if they were ever on the Section 106 list.	13	me to be sure. Because when people make the effort, it's
14	MS. ANNELLE AMARAL: It sounds like initially	14	something that took time and that they were sincere about.
15	they were. And if they didn't respond, they were dropped.	15	And so I just want to be sure that they are included in
16 17	That's what I am hearing.	16	this process.
	MS. CAROLINE BLANCO: Maybe some of them. Do	17	MS. CAROLINE BLANCO: Sure. And just to sort of
18	you remember that large of a number? MS_SHARON LOANDO MONRO: Ldo_There was quite	18 19	provide some feedback as well, in 2007, after that list
10	MS. SHARON LOANDO-MONRO: I do. There was quite	20	was paired down, we had not received any notification from anybody that "we were on the list before, we are no longer
19 20	a faw	<u> </u>	anybody that we were on the list before, we are no longer
20	a few.	21	
20 21	It was a form that somebody made up. It wasn't	21	on the list, why is that not the case, we haven't heard
20 21 22	It was a form that somebody made up. It wasn't us, but somebody else made up. There were two forms, they	22	on the list, why is that not the case, we haven't heard from you." So, to my knowledge, we haven't heard from
20 21 22 23	It was a form that somebody made up. It wasn't us, but somebody else made up. There were two forms, they looked similar, but one had a sentence that said, "I wish	22 23	on the list, why is that not the case, we haven't heard from you." So, to my knowledge, we haven't heard from anybody else other than the three recent ones, including
20 21 22	It was a form that somebody made up. It wasn't us, but somebody else made up. There were two forms, they	22	on the list, why is that not the case, we haven't heard from you." So, to my knowledge, we haven't heard from

	18		20
1	MS. ANNELLE AMARAL: Let me ask. There were	1	postcard. They were done September '06, to the end of
2	certain things that, before we start the consultation, we	2	that year.
3	wanted to list as cannot be mitigated, that went out, I	3	MS. CAROLINE BLANCO: At the public hearings
4	believe, in your letter.	4	that sign-up sheet was?
5	Did we want to redescribe those where no	5	MS. MIKAHALA HELM: No, they were mail-ins.
6	mitigation is available?	6	MS. SHARON LOANDO-MONRO: I don't remember
7	DR. CRAIG FOLTZ: I can answer.	7	offhand.
8	MS. CAMILLE KALAMA: Sorry. Can I go back real	8	MS. MIKAHALA HELM: Individual mail-ins.
9	quick, just as far as the narrowing down process?	9	MS. SHARON LOANDO-MONRO: But we've always
10	MS. ANNELLE AMARAL: Sure.	10	extended. I mean, Kiope was on that. At one point, he
11	MS. CAMILLE KALAMA: Where no responses were	11	wanted an extension, and we said okay. We always left
12	received, do you know if the requests were comments	12	everything open.
13	related specifically to mitigation at the time?	13	MS. MIKAHALA HELM: Right. Thank you.
14	MS. SHARON LOANDO-MONRO: It was open.	14	MS. ANNELLE AMARAL: So that's 6-05-06. I am
15	MS. ANNELLE AMARAL: You mean if the comments	15	noting when that postcard went out just for my own,
16	were limited to consultation, part of consultation?	16	naturally then the list being narrowed down summer of
17	MS. CAMILLE KALAMA: No.	17	'07.
18	MS. ANNELLE AMARAL: Or limited to mitigation is	18	Then I wanted to sort of get clear with respect
19	the intent.	19	to mitigation certain things that you have described in
20	MS. CAROLINE BLANCO: Sharon, the postcards that	20	the letter that went out that cannot be mitigated. And
21	were sent out, were those sent out to the bigger list?	21	then we can move from there on comments regarding
22	MR. MIKE MABERRY: Which postcards, what date,	22	mitigation. Okay.
23	what year?	23	DR. CRAIG FOLTZ: I've talked to several of you
24	MS. CAROLINE BLANCO: This was June 5th of 2006.	24	in the past about or Jeff has or Jeremy has about
25	MS. SHARON LOANDO-MONRO: I would have to check.	25	the design of the telescope. And I want to remind you
	10		21
	19		
1	I think it was. Because I think that list got narrowed	1	that the telescope is designed to carry out specific and
2	only like last year.	2	very well-defined scientific observation of the sun. And
3	MS. CAROLINE BLANCO: Right. It seems to me	3	the design allows that in the context of the site on which
4	that that list went out or the postcard must have gone		
5		4	the telescope would be put.
	out to the bigger list because the list was not narrowed	4 5	I remind you that the process of site selection
6	until last summer, in 2007.	5 6	I remind you that the process of site selection started with over 70 sites. And one was found to meet the
6 7	until last summer, in 2007. And the postcard had said that the National	5	I remind you that the process of site selection started with over 70 sites. And one was found to meet the science objectives of the telescope. And I won't go
7 8	until last summer, in 2007. And the postcard had said that the National Science Foundation is continuing to accept resolution	5 6	I remind you that the process of site selection started with over 70 sites. And one was found to meet the science objectives of the telescope. And I won't go through that again. That has been well documented in the
7 8 9	until last summer, in 2007. And the postcard had said that the National Science Foundation is continuing to accept resolution proposals pursuant to the National Historic Preservation	5 6 7	I remind you that the process of site selection started with over 70 sites. And one was found to meet the science objectives of the telescope. And I won't go through that again. That has been well documented in the Draft EIS and it's also accessible on the National Solar
7 8	until last summer, in 2007. And the postcard had said that the National Science Foundation is continuing to accept resolution proposals pursuant to the National Historic Preservation Act and the National Environmental Policy Act for the	5 6 7 8	I remind you that the process of site selection started with over 70 sites. And one was found to meet the science objectives of the telescope. And I won't go through that again. That has been well documented in the Draft EIS and it's also accessible on the National Solar Observatory's website, if one was to look in detail at the
7 8 9 10 11	until last summer, in 2007. And the postcard had said that the National Science Foundation is continuing to accept resolution proposals pursuant to the National Historic Preservation Act and the National Environmental Policy Act for the Proposed Advanced Technology Solar Telescope, ATST	5 6 7 8 9 10 11	I remind you that the process of site selection started with over 70 sites. And one was found to meet the science objectives of the telescope. And I won't go through that again. That has been well documented in the Draft EIS and it's also accessible on the National Solar Observatory's website, if one was to look in detail at the data and the way the data were processed.
7 8 9 10 11 12	until last summer, in 2007. And the postcard had said that the National Science Foundation is continuing to accept resolution proposals pursuant to the National Historic Preservation Act and the National Environmental Policy Act for the Proposed Advanced Technology Solar Telescope, ATST Project. You are encouraged to submit resolution	5 6 7 8 9 10 11 12	I remind you that the process of site selection started with over 70 sites. And one was found to meet the science objectives of the telescope. And I won't go through that again. That has been well documented in the Draft EIS and it's also accessible on the National Solar Observatory's website, if one was to look in detail at the data and the way the data were processed. MS. CAROLINE BLANCO: I think it's also
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	22		24
1		1	
1	science goals. So it's quite large.	1	construction, like the foundations. And, to the extent
2	It is not profligately large. We did not design	2	possible, we've minimized that kind of construction and
3	it to be 50 percent or 100 percent larger than it needed	3	the amount of displaced natural material and the amount of
4	to be just so we had margin. Because that would have	4	leveling. And so there is kind of a subcategory of also
5	increased the cost by 30 or 40 percent. And it is already	5	unmitigable construction consequences.
6	a very expensive project.	6	DR. CRAIG FOLTZ: Although there has been some
7	The other issue that has been brought up and	7	there are some issues with respect to the foundation
8	I realize that it is a sensitive issue and that is the	8	that, Jeff, you may want to talk about at some point if we
9	color of the facility, that it would be white. The reason	9	would like to talk about that. And that is with respect
10	it would be white is that the sun, of course, heats	10	to the depth of the foundation.
11	darker-colored rock, it heats darker-colored buildings	11	Kiope, I know that in the past you have said it
12	during the day. And that drives turbulence in the air	12	would be five stories.
13	above that object that has been heated by the sun.	13	MR. KIOPE RAYMOND: I haven't said it.
14	That turbulence, of course, as we all know when	14	DR. CRAIG FOLTZ: It would not.
15	you look over a campfire, or down a road that has been	15	MR. MIKE MABERRY: It's on your website, so
16	heated in the summer, blurs the image behind it. That is	16	whoever
17	unacceptable.	17	MR. KIOPE RAYMOND: Whoever did, but I didn't
18	And so you can either choose to minimize the	18	say it.
19	amount of heating by painting the telescope and, in this	19	MS. ANNELLE AMARAL: So those are sort of the
20	case, the skirt around the telescope, a white color, or	20	things.
21	you can attempt to cool it actively, which you would do by	21	DR. CRAIG FOLTZ: I didn't mean to attribute
22	refrigeration. And you can do the calculation fairly	22	that to you by mistake.
23	straightforwardly. If you just find out how much input in	23	MR. KIOPE RAYMOND: That's okay.
24	watts per square meter the sun puts on the ground, then	24	MS. ANNELLE AMARAL: At this point we're open to
25	you have other factors like what the color is and what its	25	taking comments that you may have. You can proceed in
	23		25
1	reflectance is, then you can then understand what the	1	whatever way you are comfortable. And I will make notes,
2	cooling requirements would be to cool the telescope.	2	and, you know, you will talk back and forth, and we will
3	And those cooling requirements, it's my	3	see how it flows.
4	understanding Jeff can correct me if I am wrong	4	MR. KIOPE RAYMOND: My name is Kiope Raymond.
5	essentially exceed the electric power delivered to the top	5	On Section 106, does the law say about who can
6	of the mountain.	6	submit mitigation? Does it have to be Hawaiian? Does it
7	MR. JEFF BARR: If it were painted brown.	7	have to be an organization? Can it be anyone? What
8	DR. CRAIG FOLTZ: If it were painted brown.	8	who is covered?
9	So I mean, one could consider increasing that,	9	MS. CAROLINE BLANCO: It basically refers to
10	increase the carbon footprint, you increase the amount of	10	consulting parties, interested parties that would provide
11	energy that is needed and so on. But we don't consider	11	you know, it's a process for allowing something to be
12	painting it another color to be a mitigable what was	12	produced at the end, a memorandum of agreement. And so my
13	the word you used?	13	interpretation of the law is that it would take to
14	MS. ANNELLE AMARAL: I just made that up.	14	identify interested parties, and those people would be
15	DR. CRAIG FOLTZ: Characteristic. So it's big	15	invited to be consulting parties, and then they would be
16	and it's white. And the site is within the 18.116 acres	16	requested to submit mitigation proposals.
17	of Haleakala.	17	MR. KIOPE RAYMOND: Okay.
18	Those are constraints on the project that we	18	MS. CAROLINE BLANCO: So that's pretty much how
19	really can't change. I mean, other than putting it at	19	it works.
20	some other site, which essentially, in this case, means we	20	MR. KIOPE RAYMOND: So it can be anyone, anyone
21	-	21	in the community? It's open?
21	don't do the project.		
22	don't do the project. MS. ANNELLE AMARAL: Maybe it's already given,	22	MS. CAROLINE BLANCO: It can be, if they are a
22	MS. ANNELLE AMARAL: Maybe it's already given,	22	MS. CAROLINE BLANCO: It can be, if they are a
22 23	MS. ANNELLE AMARAL: Maybe it's already given, but what I thought I read, too, was construction was the	22 23	MS. CAROLINE BLANCO: It can be, if they are a consulting party. If they are a consulting party.

7 (Pages 22 to 25)

APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

	26		28
1	MS. CAROLINE BLANCO: No. No, it's not limited	1	Otherwise, they wouldn't have the same rights if they
2	to that at all.	2	didn't sign it.
3	MR. KIOPE RAYMOND: Just wondering. Okay.	3	DR. CRAIG FOLTZ: Could I ask you a question?
4	MS. CAROLINE BLANCO: Right. Right.	4	MS. CAROLINE BLANCO: Yeah.
5	MR. KIOPE RAYMOND: And so you have received	5	DR. CRAIG FOLTZ: Is it the case that if you are
6	my question to the National Science Foundation one of	6	a signatory, then you do have legal standing should the
7	the questions is you've received three?	7	MOA be
8	MS. CAROLINE BLANCO: That's correct.	8	MS. CAROLINE BLANCO: Correct. Correct. Let's
9	MR. KIOPE RAYMOND: Are you entertaining	9	say it's not carried out for one reason or another and
10	combinations or are you thinking to pick one or be	10	I should clarify that it would not go into effect unless
11	eclectic?	11	there were a decision made to go forward with the proposed
12	MS. CAROLINE BLANCO: There is no rule as to	12	ATST project. It doesn't become finalized until that
13	picking one over the other over the other. You could take	13	point. And the language would be drafted to say, if it's
14	pieces of each, if you thought that it would be a good	14	approved, this is, you know, when it would take effect.
15	idea to do that.	15	So that is basically how it would work. And
16	MR. KIOPE RAYMOND: I'm sorry to interject.	16	they would any signatory to it would have rights to be
17	MS. CAROLINE BLANCO: Sure.	17	able to enforce implementation of it.
18	MR. KIOPE RAYMOND: But that might be tomorrow,	18	MR. KIOPE RAYMOND: Okay. Thank you.
19	if they wanted to sit down with you and hammer out a	19	Appreciate the explanation.
20	memorandum. Each person might have their	20	As an individual, I would want to share with the
21	MS. CAROLINE BLANCO: Right. And our goal is,	21	NSF that I have already made it clear that for the
22	once we start to take shape, have that process take shape,	22	record, that I do not believe desecration can be
23	it certainly wouldn't be finalized tomorrow. I don't want	23	mitigated. But we are not here to talk about that today.
24	to leave that impression.	24	So what I would like to be able to do is to
25	It would begin to take shape because, of course,	25	comment on the three that have already been submitted.
	27		0.0
	21		29
1	this process does have to move forward. It can't continue	1	MS. CAROLINE BLANCO: Terrific.
1 2		1 2	
	this process does have to move forward. It can't continue		MS. CAROLINE BLANCO: Terrific.
2	this process does have to move forward. It can't continue on indefinitely.	2	MS. CAROLINE BLANCO: Terrific. MR. KIOPE RAYMOND: I see merit in Mr. Warren
2 3	this process does have to move forward. It can't continue on indefinitely. So what our goal is, is once we have a draft, it	2 3	MS. CAROLINE BLANCO: Terrific. MR. KIOPE RAYMOND: I see merit in Mr. Warren Shibuya's presentation. Because, in some sense, it goes a
2 3 4	this process does have to move forward. It can't continue on indefinitely. So what our goal is, is once we have a draft, it would be and I think this was in some of the	2 3 4	MS. CAROLINE BLANCO: Terrific. MR. KIOPE RAYMOND: I see merit in Mr. Warren Shibuya's presentation. Because, in some sense, it goes a long way to help with the harm, the hurt that has gone on.
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^{8 (}Pages 26 to 29)

1	30		32
	father of radio astronomy, was not very successful on top	1	don't see neither of these have have figures or
2	of the Haleakala. It was about pure science. And he	2	cost-outs. Is that available to share?
3	failed. Then he made himself famous by going to other	3	DR. CRAIG FOLTZ: Yes, they are. I can share a
4	countries.	4	copy with you. I have a copy of Mr. Maxwell's proposal.
5	But we hold a little cement ring in his honor	5	MR. KIOPE RAYMOND: Is that something you could
6	rather than taking it out and cleaning up the place and	6	share today?
7	respecting the aina that's there. We haven't done that	7	DR. CRAIG FOLTZ: Yeah, absolutely. Let me see
8	for 50 years. And that is just one little cement ring.	8	if I can get a copy made. I will root in my briefcase
9	And here you want to take a \$250 million building and	9	right now.
10	bring it down in 50 years. Well, that's interesting.	10	MR. KIOPE RAYMOND: And then I will just
11	DR. CRAIG FOLTZ: Could I ask you I'm sorry	11	continue.
12	to interrupt you	12	DR. CRAIG FOLTZ: Just a question for my counsel
13	MR. KIOPE RAYMOND: Sure.	13	and consultants, is that a public
14	DR. CRAIG FOLTZ: if I might. You said a lot	14	DR. CHARLIE FEIN: Yes.
15	of tooting of horns about Reber Circle. I have not heard	15	MR. KIOPE RAYMOND: I would go on to the MCC
16	that.	16	proposal, Maui Community College proposal, which
17	MR. KIOPE RAYMOND: Let me clarify that it's not	17	MS. ANNELLE AMARAL: So with respect to
18	tooting of horn for the proposed ATST. It's tooting of	18	MR. KIOPE RAYMOND: Mr. Maxwell
19	horns on the part of the Institute for Astronomy.	19	MS. ANNELLE AMARAL: You just wanted to just
20	DR. CRAIG FOLTZ: For the preservation?	20	note the request for
21	MR. KIOPE RAYMOND: Yes. Of how proud they are	21	MR. KIOPE RAYMOND: I've not seen Mr. Maxwell's
22	that Grote Reber once did some work at the top of that	22	other than this one sheet. The entire mitigation proposal
23	mountain. And that is what I meant.	23	has never, to my knowledge, been made as public as the
24	DR. CRAIG FOLTZ: Our IFA representative is not	24	Maui Community College proposal which was addendum to the
25	in the room. That is certainly subject to discussion.	25	November 8 letter from Ms. Blanco.
	31		33
1	MR. KIOPE RAYMOND: It is. Yeah. It's online.	1	MS. ANNELLE AMARAL: Is there additional
2	I've heard that there are people that want to make the	2	MR. KIOPE RAYMOND: What are we talking about?
3	place and have a little plaque.		with More Environde. What are we taking about:
1		3	MS. ANNELLE AMARAL: Is there additional
4	Well, get rid of that little anyway.	3 4	e
4 5			MS. ANNELLE AMARAL: Is there additional
	Well, get rid of that little anyway.	4	MS. ANNELLE AMARAL: Is there additional information from Charlie Maxwell's proposal?
5	Well, get rid of that little anyway. DR. CRAIG FOLTZ: As you know, there have been	4 5	MS. ANNELLE AMARAL: Is there additional information from Charlie Maxwell's proposal? MS. CAROLINE BLANCO: I think, Craig, did you
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APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

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1	you are junior faculty, you are not going to say, no, I am	1	MR. KIOPE RAYMOND: I am wondering about
2	not going to create a plan when the chancellor tells you,	2	mitigation, if the same thing would occur. I would speak
3	why don't you work on this.	3	to the NSF to say please be real careful. If we are going
4	And that I would also let the NSF know, if they	4	to be serving Native Hawaiians, let's somehow make sure
5	were not aware they might be that no other Hawaiian	5	Native Hawaiians are served, not just someone who is from
6	faculty member at Maui Community College wanted to be a	6	Hawaii.
7	part of this plan.	7	MS. CAROLINE BLANCO: Is there an aspect of the
8	In fact, we have a group on Maui Community	8	plan, the MCC proposal, that whether you know, maybe
9	campus specifically created to support programs, Native	9	you perhaps do not support the way they have drafted it,
10	Hawaiian programs, Native Hawaiian students. And spoke at	10	but, conceptually, are there some components of it that
11	length about the merits of doing this and how we all felt.	11	you think would be a good idea?
12	And unanimously agreed, very open, that this was not	12	MR. KIOPE RAYMOND: I wouldn't answer that
13	something that we could support, including author Kaleikoa	13	question in terms of I don't have the for that
14	Ka'eo. He would not put his name to it, as we understand.	14	particular plan, I've looked at it. And in my
15	And I want the NSF to know that I personally	15	honestly, I will just be candid, in my disgust of what
16	find it after the fact, but within the process, so I	16	I've just covered, the way that the plan was created, I
17	guess it's okay, a token is hired, Mr. Sol Kaho'ohalahala,	17	just dismissed it. So I won't say I hope that there's
18	to say, well, I will be the Hawaiian hired by MCC and I	18	some
19	see some merit to it. But he has never been I mean, he	19	DR. CRAIG FOLTZ: Could I ask you a question,
20	is a he has been casual hire specifically for this.	20	just a clarification?
21	And I want the NSF to know that I do not agree.	21	I'm sorry about that. I will shut it down.
22	He also misspelled his name. It's halahala	22	MR. KIOPE RAYMOND: No problem.
23	instead of holoholo on your just for Sol's benefit.	23	DR. CRAIG FOLTZ: And this gets back to the
24	So about mitigation proposals, I know that once	24	limited lifetime issue, which really it is a bit
25	it's been created, it moves along, you it's maybe not	25	different. Because on the one hand, it is a response to
	35		37
1		1	
1	something I can do anything about, but I think it's a	1	Mr. Shibuya's suggestion. It is also an issue that the
2	matter of conscience, that a junior faculty in fact ended	2	NSF grapples with as some of its facilities get older. So
3	up doing it, and the person who has authored it won't even	3	we are encouraged to think about the full life cycle of
4	sign their name to it. And someone from outside, Native	5	the project. And so when seeing the suggestion that could
5 6	Hawaiian, is hired to kind of be a point person. And I	6	have a fundamental lifetime, and that in fact depends on
	just find that of great concern. For all three, so far and for the MCC, I will	7	how you look at it, mitigates or minimizes, and also
7	try to stay with my point. For me personally, I don't see	8	depending how you restore the site.
8 9	in Maui Community College's mitigation plan something that		When you talked about the ATST and the \$400
10	mitigates the harm. I see, again, we want to hire some	10	million project, in comparison to Reber Circle, were you
11	faculty, we want to get some Hawaiian students through.	11	implying that you did not think that we would remove it?
12	And the staff is doing a wonderful job with	12	MR. KIOPE RAYMOND: I wanted NSF to twofold.
13	adaptive optics. We do summer programs. I could question	13	Again, schizophrenia. One is, I don't trust that you
14	whether or not I mean, I have gone through and looked	14	would, honestly. The other is, why would we collectively,
15	at the different summer programs. And if NSF is amenable,	15	as citizens of the United States, spend this much money,
16	there are 60 or so students who have actually gone through	16	not help humanity and then destroy it in 50 years?
17	the programs over the various summers, there is about	17	DR. CRAIG FOLTZ: Well, let me answer the
18	three who are Native Hawaiian. Everyone is saying that	18	question. If that were specifically called out in a
19	these Hawaiians have come into the summer programs. So	19	memorandum of agreement, and if an organization Kiope,
20	the actual percentages of Hawaiians who have been served	20	I don't know whether you or I would be here.
20	is minuscule.	20	MR. KIOPE RAYMOND: That's why I interject
22	DR. CRAIG FOLTZ: Let me just say that those	22	that's why I asked Kilakila to be a consultant. I thought
23	programs were not designed specifically	22	I could be hit by a car on the way over here.
23	MR. KIOPE RAYMOND: I concur.	24	DR. CRAIG FOLTZ: Certainly so.
25	DR. CRAIG FOLTZ: I just want to be fair.	25	MR. KIOPE RAYMOND: And thanks for allowing
20	DR. CRAIG FOLTZ, TJUST wall to be fall.	1 ^{2 J}	WIN. KIOLE NA I WOND. AND UTAIKS for anowing

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APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

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1	Kilakila to be a consulting party.	1	DR. CHARLIE FEIN: One solar cycle, yes.
2	DR. CRAIG FOLTZ: Certainly said.	2	DR. CRAIG FOLTZ: Again, it would be, if we were
3	But that MOA still has standing. And if it is	3	to write an MOA and specify, say, two solar cycles. And
4	not removed, legal action can be taken.	4	give yourself a little head room, let's say 50 years as
5	Will it be successful? I can't say what the	5	opposed to 40.
6	climate will be like in 40 years.	6	DR. CHARLIE FEIN: Originally, I think it was a
7	Why would we invest that? Because in 45 years	7	lease issue with the University of Hawaii.
8	or 50 years, we will have been through two sunspot cycles	8	MR. MIKE MABERRY: No.
9	and we will have better ways to study the sun.	9	DR. CRAIG FOLTZ: In any event, if we wrote that
10	And the maintenance costs what kills us, as a	10	into the MOA the reason we haven't published the final
11	funding agency, is we have lots and lots of historical	11	EIS is we would like to be able to include the mitigation
12	sites. I mean that from the point of view of the history	12	steps like that in the EIS as well so it would appear.
13	of astronomy. We have Kitt Peak, we have Cerro Tololo.	13	DR. CHARLIE FEIN: I would like to make a
14	Telescopes cost a lot to run. And at some point one has	14	comment about Reber Circle, because it's illustrative of
15	to make the agonizing decision that the marginal return,	15	the way the state system works.
16	scientific return on these old telescopes, is it worth the	16	In 2002, that became a historic site, regardless
17	operations funds.	17	of whether the university had removed it before then or
18	And we have gone through a very agonizing	18	not. Not the issue. But once it becomes a historic site,
19	process in the Astronomy Division, which you have probably	19	it then has to be listed, which it is, and there is a
20	seen, since you are such a careful reader, or seen the	20	restoration plan which has been approved by the State
21	review, which is the first time that we have asked for	21	Historic Preservation Office for removal of it whenever
22	advice as to how we should close telescopes down. And we	22	funding is available to do that. So there is an approved
23	will close them down. And why will they close them down?	23	plan to restore that.
24	Because they are simply too expensive to keep running.	24	DR. CRAIG FOLTZ: To remove
25	And, you know, there actually have been	25	DR. CHARLIE FEIN: The ring of Reber Circle.
	39		41
1	telescopes that have been closed down. A number of radio	1	DR. CRAIG FOLTZ: That could be included in a
2	astronomy facilities have been shut down, including	2	general plan.
3	national facilities. It just costs too much to maintain	3	MS. ANNELLE AMARAL: Could be included in the
4	them.	4	DR. CRAIG FOLTZ: In terms of specifically in
5	So the answer is, a signatory can help with	5	the issue of restoration of other parts of the site.
6	enforcement.	6	MR. KIOPE RAYMOND: I have one other question,
7	And we also believe that, in 45 to 50 years, we	7	but would reserve, if this is the ongoing discussion, the
8	will have better techniques. And those techniques may be,	8	right to ask in the future.
9	for example, a solar telescope on the moon or a very, very	9	MS. ANNELLE AMARAL: Yes.
10	large solar telescope in space. Which is beyond our	10	MR. KIOPE RAYMOND: Well, it is maybe a little
11	ability to do in the foreseeable future, but, looking at	11	long, but it is has to do with the study of the sun
12	50 years, it's not beyond the question.	12	itself and the solar physics that people want to
13	MS. ANNELLE AMARAL: So let me ask the question.	13	undertake. And I appreciate that. It is very interesting
14	In your Draft EIS, does it say there's an intention to	14	science.
15	close this site down and remove everything, and you are	15	I could perhaps be directed to this in the
16	saying that possibly in the MOA you could affirmatively	16	future. I did not see in any of the documentation any
17	request that time or request that closing down?	17	reference to whether or not actual magnetic the things
18	DR. CHARLIE FEIN: Yes.	18	that are going to affect satellites can by studying
19	I'm sorry. I am Charlie Fein, the environmental	19	this, can we stop them?
20	consultant.	20	DR. CRAIG FOLTZ: No. But in order to predict,
21	We do, in fact, give a lifespan in the Draft	21	to prepare and to mitigate against them, we need to
22	Environmental Impact Statement. I believe it was 2039,	22	understand them. And we don't understand them. And we
23	was the first end point. That was original end point in	23	don't understand the impact of solar activity on climate.
24		0.4	
2 1	the DEIS.	24	Of course, climate now, it's interesting to me that,
25	the DEIS. DR. CRAIG FOLTZ: That's one solar cycle.	24	you know, the historical records show that the lack of

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	42		44
1	solar activity leads to a general cooling. The track	1	DR. CRAIG FOLTZ: Or to compensate.
2	we're on, in other ways, leads to a general warming.	2	MS. CAROLINE BLANCO: To compensate is a good
3	Obviously, climate is an enormously complex system.	3	word. Yes.
4	No, it will not stop it. But what you don't	4	DR. CRAIG FOLTZ: Because the difficulty I have
5	know can hurt you.	5	is between mitigation and minimization. And I even look
6	It is a far more practical application of	6	at a situation like a finite lifetime, in some sense, that
7	science than most of the astronomy that we study. And,	7	minimizes, right, integrated over time. But we call it
8	you know, the probabilities of a significant impact in our	8	mitigation. So I think that one of the things that is
9	lifetime are significant. Not overwhelming, but	9	allowed by the definition of mitigation is to compensate
10	significant.	10	for harm.
11	MR. KIOPE RAYMOND: Thank you.	11	MS. CAROLINE BLANCO: And it can be onsite and
12	MS. ANNELLE AMARAL: Thank you, Kiope.	12	it can be offsite as well. So that may help you.
13	MS. CAMILLE KALAMA: I am actually going to ask	13	And I think at some point I would be interested
14	Mikahala if she wants to go first, because both these	14	to also hear from you and Kiope about any other ideas that
15	individuals have been involved a lot longer. And I am	15	have not been proposed. But if there is anything else
16	actually representing their interests. So I will let her	16	that you think might be of value for us to consider, it
17	go.	17	would be most welcome.
18	MS. MIKAHALA HELM: I just had a question.	18	MS. MIKAHALA HELM: Thank you.
19	MS. ANNELLE AMARAL: Mikahala	19	And, you know, in working together on this over
20	MS. MIKAHALA HELM: I'm sorry. My name is	20	the past few years, an overwhelming response from not only
21	Mikahala Helm, M-I-K-A-H-A-L-A, last name H-E-L-M.	21	people from our own island, people from all of Hawaii, and
22	Well, first of all, Annelle, I wanted to ask you	22	mainland and other countries, are, you know, waiting to
23	if, on that first page, where they say, first bullet,	23	see the EIS. But the response that I know of at all the
24	parties as consulted, mailing to them, and have the date,	24	hearings or the meetings that you have held has been
25	underneath that, could you be able to add that in as a	25	overwhelmingly in support of avoidance of this ATST.
	43		45
1	second bullet perhaps that from September 2006 to the end	1	MS. CAROLINE BLANCO: Right.
2	of 2006, additional, you know, approximately 59	2	MS. MIKAHALA HELM: And so when we are here
3	individuals requested to be Section 106 consultants. And	3	today, and you say that the purpose is for consultation on
4	that I am really wanting asking for more information on	4	mitigation, I ask what is mitigation? Because unless you
5	if they were officially added to the list and then	5	have a full view of the adverse effects, how can we
6	eliminated from the list. I just want to be sure that	6	possibly discuss mitigating those effects?
7	they were included in the list.	7	So that's my mana'o.
8	MS. ANNELLE AMARAL: Okay.	8	MS. CAROLINE BLANCO: I think that's a very
9	MS. MIKAHALA HELM: Thank you.	9	helpful comment. I have noticed in the various pieces of
10	And my question was, the definition of mitigate.	10	correspondence coming from the Advisory Counsel, the SHPO,
11	We have been at this for a while, all of us here, yeah.	11	it's a bit concerning to me and, also, the park
12	And I just wanted to ask about the definition of	12	because I am not sure we all see these issues, even the
13	mitigation, since this meeting is focusing on mitigation	13	definitions, regardless of point of view in position. I
14	consultation. I just have some conflict about what	14	am not sure we see these definitions in the same way.
15	mitigation is. I want to make sure I have the correct	15	We've interpreted avoidance as we can't avoid adverse
16	understanding. And then I can ask you something else.	16	effects because if the project is going to go forward,
17	MS. CAROLINE BLANCO: What is your understanding	17	it's going to have adverse effects. So we are trying to
18	of how it works? Regulations specifically define it, as	18	be honest about it, in saying there are going to be
19	far as the term mitigation. But I will double-check here.	19	adverse effects that can't be avoided if the project is to
20	It's not in the official in the regulations	20	be approved.
21	themselves, it's not a defined term. But, I mean,	21	Minimization. I personally have interpreted
22	basically, we've looked at this as ways in which you can	22	that as, well, for scientific reasons, it has to be this
23	try to reduce the impacts, the adverse impacts, try to	23	tall. We can't minimize the project and the impacts to
24	make them more manageable or reduce them as much as possible.	24	reduce it. But what we can do is mitigate, we can
25		25	compensate, we can look at different ideas, is there some

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	46		48
1	way to, you know, to clean up the site, to make it better,	1	obviously aware that it's been expressed by different
2	is there a way to limit the lifespan, is there a way to,	2	groups and different agencies that, as you've said, this
3	you know, perhaps engage in some programs with Native	3	is this site is the only alternative, according to the
4	Hawaiians that would be helpful to the community, some	4	studies that you folks have done. And so that this
5	ways in which we could, as Craig said, compensate for the	5	it's been a foregone conclusion, you know, that avoidance
6	harm that is being done.	6	and minimization is just not an option.
7	And so we want to express the point that we are	7	And, to me, it's really concerning that the
8	very open to different and creative ideas that might be	8	consulting parties may not feel like this is real
9	able to be helpful here. If that's at all instructive to	9	consultation. You know, as the law requires, we need to
10	your question.	10	have meaningful consultation prior to any approval. Or,
11	MS. MIKAHALA HELM: Thank you.	11	actually, prior to the expenditure of any federal funds.
12	MS. CAROLINE BLANCO: It is sort of a unique	12	And that these different agency directors have said they
13	situation in that, in many 106 processes for example, a	13	feel as though there hasn't been opportunity for
14	federal highway, you can change the alignment and still	14	meaningful consultation, because of this limiting to the
15	accomplish the same goals. So alternatives, that makes a	15	discussion to mitigation and what has been called
16	lot of sense in that context. You can go through this	16	mitigation.
17	neighborhood, that neighborhood, or this area, or that	17	And I am not sure at this point that can really
18	area, and still accomplish the needs of the project.	18	happen because, you know, as you've said over and over,
19	Here, it's very different. There are certain	19	this is the only alternative.
20	scientific criteria that need to be met. And so the	20	And I find that troubling, too, because, you
21	alternatives become much more limited because they fail to	21	know, I know that you have said other projects have
22	meet the objectives. And that has been a different	22	alternatives and this is a different kind of thing. But
23	situation than many other agencies face.	23	there are many projects that have been proposed in Hawaii,
24	So, often, we are faced with a situation of	24	and have been said, you know, Hawaii, this is the only
25	either we go forward with the project as it's proposed or	25	place, this is the only site that this can possibly
	47		49
1	we don't go forward with it at all. And that's very	1	happen. But as we've seen, and one of the directors
2	different.	2	notified in a letter, you know, the same thing happened in
3	I think you can see that point from different	3	another telescope issue and they did find an alternative
4	alignments of a highway.	4	site.
5	MS. MIKAHALA HELM: Okay.	5	And so what I am saying is I find it hard to
6	MS. ANNELLE AMARAL: Thank you.	6	believe sometimes that there really is one site. I think
7	MS. CAMILLE KALAMA: Camille Kalama, I am an	7	it may be the best site, it may meet the goals, you know,
8	attorney with the Native Hawaiian Legal Corporation. I am	8	to the best of the ability, that there may be other sites
9	here on behalf of Kilakila o Haleakala.	9	that may not be quite as good, but I don't believe that
10	And as you know from Kiope's involvement from	10	that means there is no alternatives.
11	the beginning, I believe, the group has the same concerns.	11	MS. CAROLINE BLANCO: If I could ask you a
12	And it is focused, you know, on avoidance. And, really,	12	question. If you think the process has been flawed
13	not mitigation really isn't an option. But I am still	13	because there are limited alternatives and that there are
14	here today to, you know, express some concern for the	14	two alternatives on top Mount Haleakala and no action
15	record on behalf of their group.	15	alternative, how would you propose it be changed?
16	And one of the things	16	What would be the correct process based on your
17	MS. ANNELLE AMARAL: Express concerns on	17	position?
18	avoidance?	18	MS. CAMILLE KALAMA: At this point, I think it
19 20	MS. CAMILLE KALAMA: About the process.	19	would be difficult to go back because the consulting
20	MS. ANNELLE AMARAL: About the consultation	20 21	parties are aware that's the position of the NSF.
22	process? MS. CAMILLE KALAMA: Yes.	21	But to me, at the beginning, you know, that at least alternatives be considered and be open to the
23	MS. CAMILLE RALAMA. Tes. MS. ANNELLE AMARAL: Oh, please.	23	parties for consultation. Or just you know, I am not
24	MS. CAMILLE KALAMA: All right. And I am little	24	exactly sure how to talk about it at this point because
25	concerned, you know, in reading the letters. You are	25	we're so far down the road, if you know what I mean.
23	concerned, you know, in reading the fetters. Tou are	23	were so far down the foad, if you know what I likall.

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	50		52
1	MS. CAROLINE BLANCO: Well, I think maybe the	1	gathered at the meetings and there was a lot of community
2	question might be said, if it's a science-driven project,	2	testimony, it came to a certain point, and I requested
3	whether it be ATST or another project, and that the	3	that oral testimony be included in the documentation about
4	alternatives selected are to be considered based on	4	this project. And that did not start at the very
5	whether or not they meet certain scientific criteria, how	5	beginning. They did it afterwards. But this was after
6	would you suggest you manage that with 106?	6	the fact.
7	MS. CAMILLE KALAMA: I think it's, you know, a	7	And, you know, for Hawaiian people, oral you
8	difficult goal. But I don't I understand that it's	8	know, being able to present things orally is important.
9	science-driven, I understand that there's goals. But you	9	It's not all going to be written.
10	know what I am saying is that there may be a site that	10	And so if you really wanted to document the
11	maybe the best possible site, but what I am still saying	11	feedback of the community and people who love Haleakala
12	is it may not be the only site. Once the funding is put	12	and have reasons about what it means to them and to our
13	towards a specific site, I think it's already limiting the	13	culture, then including those documentation would have
14	choices in that direction.	14	given a full I mean, if you are asking us to
15	MS. CAROLINE BLANCO: And the other piece of it	15	backtrack I mean, this is backtracking, but that would
16	is you have the scientific community with the expertise in	16	have been something that I hope in all processes, when you
17	this particular area going through a peer review process,	17	ask for this kind of feedback, is included.
18	that is, has gone through all of the sites, and it has	18	MS. CAROLINE BLANCO: If I could ask Charlie to
19	taken, you know, years to accomplish and looked at 72	19	just comment on what has transpired with regard to oral
20	sites, whittled it down to six, continued to do studies.	20	comments.
21	And the scientific community, not the federal agency per	21	DR. CHARLIE FEIN: All oral testimony has been
22	se, but the independent scientific community, has	22	recorded from the very beginning by a stenographer. And
23	determined this is where it is, if it's going to happen.	23	all of the transcripts were made public and available to
24	How do you take that? Perhaps it's helpful to know that	24	anybody who wanted them. Also, in the DEIS.
25	these proposals are given to NSF and that's the proposal	25	So I am not quite sure what you mean by oral
	51		53
1	that is being considered.	1	testimony was not available.
2	I mean, do you think it's practical to	2	MS. MIKAHALA HELM: I'm sorry. My
3	completely reopen it to another peer review, peer-reviewed	3	understanding and correct me if I am wrong was that
4	study of locations, when the very group with the expertise	4	you may have a stenographer taking record, but when you
5	has already conducted that?	5	had the printed material
6	I am trying to understand your position on that	6	DR. CHARLIE FEIN: Yes.
7	and how you think it could have been done better.	7	MS. MIKAHALA HELM: only those that were
8	MS. CAMILLE KALAMA: You know, I don't know that	8	submitted in writing were initially documented. The
9	I can that I would be able to say exactly. I mean, I	9	others may have been on this kind of stuff and available
10	understand that a lot of study has gone into this site and	10	if you asked for it.
11	that a lot of other sites have been considered. And in	11	But I purposely asked for it at one time. And
12	other cases, maybe that's not always happened. And that	12	then I know and I think Bijan was there, I am not too
13	they may have done a lot of careful study, but, you know,	13	sure. I am getting the dates mixed up. But my
14	still, at some point, if you are really consulting with	14	understanding is that then it was available. My concern
		15	
15	the communities, there has to be an openness to		is that it's available in the printed documentation, not
15 16	the communities, there has to be an openness to considering avoidance, considering minimization.	16	available for request, but printed in there.
15 16 17	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or	16 17	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would
15 16 17 18	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no	16 17 18	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word
15 16 17 18 19	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no action alternative, and serious consideration of that	16 17 18 19	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word that's ever been spoken will appear as part of the
15 16 17 18 19 20	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no action alternative, and serious consideration of that alternative.	16 17 18 19 20	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word that's ever been spoken will appear as part of the appendix of the EIS.
15 16 17 18 19 20 21	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no action alternative, and serious consideration of that alternative. MS. MIKAHALA HELM: I have something that could	16 17 18 19 20 21	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word that's ever been spoken will appear as part of the appendix of the EIS. MR. KIOPE RAYMOND: Every word the stenographer
15 16 17 18 19 20 21 22	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no action alternative, and serious consideration of that alternative. MS. MIKAHALA HELM: I have something that could support how it could have been better.	16 17 18 19 20 21 22	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word that's ever been spoken will appear as part of the appendix of the EIS. MR. KIOPE RAYMOND: Every word the stenographer caught.
15 16 17 18 19 20 21 22 23	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no action alternative, and serious consideration of that alternative. MS. MIKAHALA HELM: I have something that could support how it could have been better. MS. CAROLINE BLANCO: Yeah.	16 17 18 19 20 21 22 23	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word that's ever been spoken will appear as part of the appendix of the EIS. MR. KIOPE RAYMOND: Every word the stenographer caught. DR. CHARLIE FEIN: Every word the stenographer
15 16 17 18 19 20 21 22	the communities, there has to be an openness to considering avoidance, considering minimization. You know, I know it's either it goes forward or not, but, as you said, the other alternative is a no action alternative, and serious consideration of that alternative. MS. MIKAHALA HELM: I have something that could support how it could have been better.	16 17 18 19 20 21 22	available for request, but printed in there. DR. CHARLIE FEIN: Yes. And it certainly would be in the final environmental impact statement, every word that's ever been spoken will appear as part of the appendix of the EIS. MR. KIOPE RAYMOND: Every word the stenographer caught.

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APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

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	1 DEIS? I know at one point it was not available.	1	to the table as well.
	2 MS. SHARON LOANDO-MONRO: It wasn't available in	2	Did you want to make some, Camille, last
	3 the DEIS because we didn't know that was something that	3	comments for Kilakila o Haleakala?
	4 would be requested.	4	MS. CAMILLE KALAMA: Sure. Yeah, just two quick
	5 MS. MIKAHALA HELM: Yes.	5	comments.
	6 MS. SHARON LOANDO-MONRO: Typically, we do that	6	But, you know, as far as the consultation
	7 because it's for our administrative record. But since you	7	process, I was kind of surprised at this open-ended open
	8 requested it, we honored that and gave you the copies and	8	house forum because it seems to me, you know, consultation
	9 decided to put it in the final. So it will be included,	9	with all the consulting parties should have everybody
1	0 all of them that we have.	10	present together so that, you know, there can be a real
1	1 MS. MIKAHALA HELM: I appreciate that.	11	discussion and a dialogue. I understand you are trying to
1	2 And I am just clarifying for her because what	12	accommodate, but, you know, for the more meaningful
1	3 she is asking, you know, backtracking, what would we have	13	discussion.
1	4 done differently. And my suggestion is if we are going to	14	MS. CAROLINE BLANCO: If I can respond to that.
1	5 think back like that, then that would have been	15	I had the same sort of thoughts as well. And there was a
1	6 something that if you wanted the full picture that	16	lot of discussion that we had.
1	7 would have been something that we started from when the	17	And we opted on this format with a more
1	8 initial meetings began. I mean, I	18	open-ended, you know, opportunity for people to make it.
1	9 MS. CAROLINE BLANCO: I guess my question was	19	We were concerned people may have to take off of work,
2	0 targeted in particular at this issue of scientific	20	people may have to, you know, travel and so forth. So we
2	1 alternatives and how to deal with that.	21	wanted to be able to allow a large amount of time during
2	2 I appreciate your comments on that and on other	22	which people could come in and voice their opinions.
2	3 aspects of it.	23	But tomorrow is a much more structured
2	4 But the alternatives issue is of concern to, you	24	traditional type of meeting. This is more of an
2	5 know, several comments or several consulting parties. And	25	opportunity to receive ideas from the consulting parties.
	55		57
	1 when you are faced with scientifically-driven	1	And I think I left that on the voicemail message
	 alternatives, and trying to include consulting parties, 	2	that I left for you.
	 3 you can't say, just move this road this way and move this 	3	Tomorrow, from 10:00 until 2:00, there will be
	 4 one this way, and still be able to meet the objectives in 	4	actual discussion, negotiation in the beginnings of the
	 this situation. And, of course, there is still a no 	5	drafting of the MOA. So that will be an opportunity that
	 action alternative. 	6	is more of a traditional meeting in a sense.
	7 It may be that, you know, the input that we've	7	We tried to do both.
	8 received that, you know, this alternative is not okay, we	8	MS. CAMILLE KALAMA: And the last, just on
	9 don't believe this is all right because there were too	9	behalf of Kilakila o Haleakala, that mitigation, in our
	 many adverse impacts that can't be avoided or minimized, 	10	view, really should be directly related to the harm that
1		11	has been caused. And I understand, you know, the
	 factor into the decision. So from that standpoint, it is 	12	difficulties trying to differentiate between minimization
	3 still a very open process. And it is a meaningful one as	13	and mitigation, but, to me, offsite mitigation doesn't
	4 well in that those comments are being considered and taken	14	really make sense, you know, that it really I mean, I
	5 into consideration.	15	guess it's compensation in a way, but, to me, that's not
1		16	necessarily mitigation. And that, you know, even though
	7 MS. ANNELLE AMARAL: I wonder if I can sort of	17	the group isn't really considering mitigation, that if
1		18	there is any mitigation planned that it address the harm
	people have come into the room. I want to give them an	19	directly.
	 opportunity, also, to speak. 	20	DR. CRAIG FOLTZ: Could I just ask whether any
	1 And so I am wondering, if you have some last	21	of you have any other suggestions for onsite mitigation?
	2 comments you need to make and these are not last	22	I mean, are there other steps that could be taken?
	 because you can continue to speak, but I wanted to give 	23	We are open to hearing that.
	4 other people an opportunity to speak as well. So I am	24	MR. KIOPE RAYMOND: Miki, because I do.
	5 inviting you to remain in the room and to bring the others	25	MS. MIKAHALA HELM: Go ahead.
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^{15 (}Pages 54 to 57)

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1	MR. KIOPE RAYMOND: I have pointed out some. I	1	DR. CRAIG FOLTZ: We remember.
2	know Mike has seen my powerpoint presentation, that it's	2	MR. KIOPE RAYMOND: You remember, okay.
3	it would be nice to begin to get a better feel for the	3	So the tenor of the meeting was very clear. The
4	amount of Hawaiians who could be educated about the	4	Hawaiian community was upset. Remains upset.
5	ability to access the 18 acres.	5	But, again, we are talking about something. And
6	DR. CRAIG FOLTZ: Right.	6	I just wanted that clarification because that doesn't
7	MR. KIOPE RAYMOND: Should these mitigation	7	appear on the record. There is no way to, what did people
8	plans should the NSF decide to move forward with	8	feel that night, if you just got it in black and white and
9	memoranda with the Hawaiian community, then inserted would	9	you don't get everything. Because I've seen the what
10	be an enabling process for Hawaiians to know more about a	10	Charlie and Sharon have kindly sent on the CDs, the
11	respectful way, respecting the needs of the IFA, but the	11	actual the copies. A lot wasn't captured. And I
12	IFA also respecting their needs. Fully appreciating that	12	remember distinctly, wait a minute, there was lots more
13	the IFA has worked with Charles Maxwell to create two	13	that was said. But you just can't capture it all, much
14	shrines. In the future, that may or may not be the best	14	less the feeling of the evening.
15	place. The 28,000 square feet that has been given in	15	MS. ANNELLE AMARAL: What would make it better
16	perpetuity. Perpetuity means for as long as the IFA has	16	would be some audio-visual record as well. But, of
17	their executive order.	17	course, that
18	MR. MIKE MABERRY: Yes.	18	MR. KIOPE RAYMOND: That's
19	MR. KIOPE RAYMOND: It does not include the	19	MS. ANNELLE AMARAL: Once you put it in writing,
20	east-facing tower which is 80 feet away from or	20	it's, you know, lost again.
21	east-facing shrine which is 80 feet away from the proposed	21	MR. KIOPE RAYMOND: The other thing goes back to
22	ATST. Looking toward some way to enable Hawaiians.	22	that point that was originally brought up, science-driven.
23	The signage I have made a point. Due to	23	And I'm sorry, as far as I can see from the letters of
24	circumstances beyond their control, most Hawaiians cannot	24	November 8, subsequent letters from you, Craig, that no
25	read Hawaiian, but the sign is in Hawaiian. I respect the	25	one really tried to address that. I informally did. I
	59		61
1	fact that it was put in Hawaiian, but it doesn't educate	1	know I did. I tried to address the fact that the
2	Hawaiians that they are invited to come in to pay respects	2	theoretical solar physics, it's up here, and everyone
3	to their ancestors or to engage in ceremony. If there is	3	vetted that process. We created something and everyone
4	some way that the IFA, NSF, Hawaiian community could work	4	said, let's discuss that.
5	out a plan so that halau might be able to access it, all	5	Most of us, by the same way that I hope that
6	those kinds of things.	6	people are respecting, that you don't know as much about
7	Then in addition to that, the I would like to	7	Hawaiian culture or feeling as Hawaiians, we don't know as
8	switch back. I would like to go off of what could we do	8	much about the science. But there wasn't that kind of a
9	to mitigate the harm, otherwise I will lose my train of	9	lot of dialogue, because the scientists did their thing
10	thought on what had just been brought up by Caroline's	10	and they did the vetting process. And it took a long time
11	question to Camille that kind of shifted away to	11	and there were lots of meetings.
12	Mikahala's. And I wanted the NSF and I know, Craig,	12	MS. CAROLINE BLANCO: Are you saying that it
13	you were there, everyone, Jeremy, everyone was there that	13	would have been helpful to have more of an explanation of
14	night.	14	the science for most people so that they could gain a
15	And when we are talking about what was captured	15	better understanding
16	on the record, that's why I interjected, with all due	16	MR. KIOPE RAYMOND: I think so.
17	respect to court stenographers, what they were able to	17	MS. CAROLINE BLANCO: of the whole process of
18	capture. They can't capture the tenor of the meeting.	18	site selection?
19	And when Camille I'm sorry, Charisse	19	MR. KIOPE RAYMOND: Yeah. But I understand that
20	Carney-Nunes made it clear to the audience that they would	20	they are not driven to do that. This is just all after
21	be that we were there to listen, but does not mean we	21	the fact, gee, I wish.
22	are going to concur. I think the tenor of the meeting	22	MS. CAROLINE BLANCO: It's helpful to know,
23		23	though. Because I suspect that I mean, NSF really
1 [~]	changed and everyone understood, what the neck are we	20	mough. Decause I suspect that I mean. INSPIEARLY
24	changed and everyone understood, what the heck are we doing here. And I am using nice words because I could	24	
24 25	doing here. And I am using nice words because I could hear from the back of the room a lot of	1	wants to do this right. MR. KIOPE RAYMOND: I understand.

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APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

	62		64
1	MS. CAROLINE BLANCO: And wants to be open and	1	MR. KIOPE RAYMOND: My brother-in-law is going.
2	follow a process that is meaningful. And my concern is	2	Remember, I told you my brother-in-law is an
3	that, you know, having seen many, many other agencies in a	3	astrophysicist at MIT. And he is going to be in
4	long federal career before coming to NSF, NSF is unique in	4	Marseille. And I saw that and I thought I wonder if
5	this science-driven, you know, alternative situation. And	5	oh, Jeremy's name
6	your feedback is very helpful to me to try to understand	6	MR. JEREMY WAGNER: I am not, but ATST will be
7	that.	7	represented.
8	MR. KIOPE RAYMOND: Also, though	8	MR. KIOPE RAYMOND: All of that is about the
9	DR. CRAIG FOLTZ: Go ahead, please.	9	machinery. That's a science of its own. It's wonderful.
10	MR. KIOPE RAYMOND: is that again, I am	10	But it just starts to consume.
11	glad Annelle is here because it could be the stepping on	11	Annelle, the point I am making is that it's
12	toes that we referred to earlier.	12	it consumes more than I am getting on my return as a
		13	
13	It is just my perspective that some of this with		Hawaiian.
14	the proposed ATST is less science-driven than	14	MS. ANNELLE AMARAL: Yes.
15	economic-driven. And that is just my perspective on it,	15	MR. MIKE MABERRY: If I may, I am Mike Maberry,
16	on all the reading that as	16	I am Assistant Director for the Institute for Astronomy.
17	MR. JEFF BARR: Why would you say	17	I will wait until he comes back. I am waiting
18	economic-driven?	18	for Kiope.
19	MR. KIOPE RAYMOND: When I am looking where	19	MS. ANNELLE AMARAL: You do that. Because you
20	Wayne Van Citters has now moved over, I think you the	20	started to speak, I am sure that's the reason why.
21	science and the big things that scientists want to build,	21	MR. KIOPE RAYMOND: Sorry about that.
22	astronomers want to build, are driven by a different set	22	MR. MIKE MABERRY: I want to quickly address
23	of rules, if you will. If you want to do something of a	23	some very important things that he said earlier on with
24	certain magnitude, you have to follow a whole new kind of	24	regards to onsite mitigation. I think it's something that
25	a process. And it's just my perspective on it. I am just	25	we need, but something I also want to but if you would
	63		65
1	sharing my personal perspective. That it seems that, for	1	like me to take a break, I will take a break.
2	the last three or four years, in reading the reports out	2	MS. ANNELLE AMARAL: I want to be sensitive
3	of the NSF, there is this understanding. Everyone has	3	to there's at least one person that has to leave, is
4	come to an understanding that the facilities are not	4	that correct? People are motioning to me in the back of
5	lasting maybe as long. I am just grabbing for words here.	5	the room.
6	And people are saying, well, how are we going to solve the	6	MS. NANCY McMAHON: No. We are here for a short
7	science we want to do in the future. Well, let's go big,	7	time. We are here for a little while.
8	let's super size, super size me. And that's just	8	MS. ANNELLE AMARAL: Are you having to leave
9	again, I am allowed	9	shortly?
10	DR. CRAIG FOLTZ: Sure.	10	MS. CAROLINE BLANCO: Maybe a quick break and go
11	MR. KIOPE RAYMOND: I think, to share my	11	say hello.
12	personal perspective	12	MS. ANNELLE AMARAL: We can take a bit of a
13	DR. CRAIG FOLTZ: Sure. Sure.	13	break and let you come to the table, the person that needs
14	MR. KIOPE RAYMOND: on how a taxpaying person	14	to leave come to the table.
15	sees how some of this might have gone.	15	(Recess.)
16	And, yet, I also understand that there has	16	MS. ANNELLE AMARAL: What we are going to do now
17	been and I want to make it clear for the record that I	17	is just sort of finish off this set.
18	respect the vetting process. It's all online. It's all	18	Kiope, just as you left the room, Mike was
19	available, it is quite fabulous, with the fabrication of	19	saying that he wanted to make some comments. And so we
20	what is going to happen.	20	will let Mike make those comments. We will see if you
20	You are going to Marseille, France, aren't you?	20	have any further comments, not too long.
22		21	
22	MR. JEREMY WAGNER: No. No. I canceled that to	22	MR. KIOPE RAYMOND: Oh, I would appreciate
	come here.		hearing them. I had to take a call from my daughter.
24 25	DR. CRAIG FOLTZ: We can't afford it. Too much	24	Thank you.
20	time.	25	MS. ANNELLE AMARAL: I noted that Sol came into

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1	the room next. So he will be the next speaker I will	1	small, just a little larger than a one-lane, road that
2	bring up. Then DLNR came into the room next, so they will	2	goes in and out of the area. And very little area to turn
3	be the next. Then looks like I have another speaker back	3	around in.
4	there, too.	4	And because the park attracts some 1.7 million
5	Mike.	5	tourists a year, without any signage to reduce or restrict
6	MR. MIKE MABERRY: Thank you very much for your	6	the flow of vehicles into the area, it would create a
7	suggestions for consideration for onsite mitigation.	7	considerable problem and congestion. And that's why, when
8	I felt that it would be important just to share	8	you enter the site, you will notice that it says that no
9	some information with regards to the history that would	9	private vehicles are allowed.
10	possibly help, if there is some more formal process and	10	And just to take a step back, because DLNR is
11	vetting out those possibilities of onsite mitigation.	11	here, if they are not familiar with it, under the
12	The west-facing ahu was a way of asking for	12	executive order, the identified use of the Haleakala High
13	forgiveness. And to try to address the fact that there	13	Altitude Observatory Site is for observatory purposes. So
14	was a loss of a viewplain site from where the AEOS	14	there is no recreational or commercial component usage to
15	facility was built as you are aware, that was developed	15	that site. Therefore, there is signage at the entrance to
16	by Billy Fields and his people. And they chose the site	16	the site restricting private vehicles into the area.
17	within that area.	17	And it was suggested by Native Hawaiians that
18	That area that Kiope referenced as being set	18	signage be put up inviting the Native Hawaiians into the
19	aside was set aside because it had the largest	19	site in their own language. Again, to help target those
20	concentration of archeological features within the 18	20	who are receiving the invitation, and to help, again, keep
21	acres that is temporarily under the stewardship of the	21	us from running into a problem with too many vehicles in
22	University of Hawaii.	22	the area.
23	While at the summit and while working on that	23	So we are very open to looking at all those
24	west-facing ahu, we were asked by Billy Fields and his	24	things that Kiope addressed. Again, I just thought this
25	people, his crew, what we were looking at for the future,	25	background from my information might be helpful as we look
	67		69
1		1	
1 2	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST,	1 2	how to approach this.
	possibly looking at for the future. And when we discussed		
2	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST,	2	how to approach this. DR. CRAIG FOLTZ: You would be willing to accede
2 3	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST, they asked us to show them where it would be.	2 3	how to approach this. DR. CRAIG FOLTZ: You would be willing to accede that we have not thought of all possibilities?
2 3 4	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST, they asked us to show them where it would be. So we took them over to the site and showed them	2 3 4	how to approach this. DR. CRAIG FOLTZ: You would be willing to accede that we have not thought of all possibilities? MR. MIKE MABERRY: Absolutely.
2 3 4 5	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST, they asked us to show them where it would be. So we took them over to the site and showed them where the two proposed sites were. The preferred site and	2 3 4 5	how to approach this. DR. CRAIG FOLTZ: You would be willing to accede that we have not thought of all possibilities? MR. MIKE MABERRY: Absolutely. DR. CRAIG FOLTZ: There might be better ways,
2 3 4 5 6	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST, they asked us to show them where it would be. So we took them over to the site and showed them where the two proposed sites were. The preferred site and the alternative site.	2 3 4 5 6	how to approach this. DR. CRAIG FOLTZ: You would be willing to accede that we have not thought of all possibilities? MR. MIKE MABERRY: Absolutely. DR. CRAIG FOLTZ: There might be better ways, too. And I think Kiope put it well, an enabling process,
2 3 4 5 6 7	possibly looking at for the future. And when we discussed with them that there might be a possibility of the ATST, they asked us to show them where it would be. So we took them over to the site and showed them where the two proposed sites were. The preferred site and the alternative site. And it was suggested that we be proactive and	2 3 4 5 6 7	how to approach this. DR. CRAIG FOLTZ: You would be willing to accede that we have not thought of all possibilities? MR. MIKE MABERRY: Absolutely. DR. CRAIG FOLTZ: There might be better ways, too. And I think Kiope put it well, an enabling process, to enable visits to the site.
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18 (Pages 66 to 69)

	70		72
1	everyone an opportunity to speak at least once before we	1	beginning of writing a memorandum of agreement tomorrow.
2	return back to people who have already spoken.	2	So we are taking comments.
3	So thank you very much.	3	And because we are moving throughout the day
4	MS. CAROLINE BLANCO: And, also, probably to	4	with different audiences, we are writing down the
5	reiterate that tomorrow, between 10:00 and 2:00, we would	5	comments. So as people come in, they can see what others
6	also welcome your participation.	6	have already said, just to give them some context.
7	MS. MIKAHALA HELM: You know my name is	7	In part, as we were discussing today's
8	Mikahala Helm I am sorry I am not able to attend	8	consultation, it's acknowledged that what we are talking
9	tomorrow, tomorrow's meeting.	9	about is, quite frankly, mitigation of the proposed site.
10	And due to the cumulative and adverse effects of	10	There have been questions about what exactly do we mean by
11	this proposed ATST, I remain in support of avoidance of	11	mitigation. And quite broadly, we speak of it, as ways to
12	this project.	12	reduce adverse impact or compensate for adverse impact or
13	And I would like to ask Annelle, that I know, up	13	effects or harm that can be done both onsite and offsite.
14	there, there is something about that all testimony be	14	It's been acknowledged that certain things
15	allowed. And, actually, you know, on the bottom of that	15	cannot be mitigated. The site itself, for reasons that
16	second one and, actually, it's all testimony be allowed	16	have already been articulated in the Draft EIS plan, the
17	and documented in printed materials. I'm sorry. You	17	height, the color, and certain subcategories of
18	know, the last sentence. Not just "allowed," but "and	18	construction, of digging, for the purpose of laying
19	documented."	19	foundation and building the structure. Again, as
20	MS. CAROLINE BLANCO: It's up at the top of the	20	articulated already in the Draft EIS.
21	next one, "Request that all testimony be"	21	But at this point, Sol, I invite you to come to
22	MS. ANNELLE AMARAL: "Be available in print."	22	the table. There are different resource people in the
23	MS. CAROLINE BLANCO: "Available in print."	23	room, Sol.
24	MS. MIKAHALA HELM: Beautiful. Thank you very	24	And from time to time and this is really
25	much.	25	intended to be a conversation in the main. And as you ask
	71		73
1	71 MS. CAROLINE BLANCO: Thanks so much for coming.	1	73 questions, you will see different people leap up to try to
1 2		1 2	
	MS. CAROLINE BLANCO: Thanks so much for coming.		questions, you will see different people leap up to try to
2	MS. CAROLINE BLANCO: Thanks so much for coming. MS. CAMILLE KALAMA: I would just like to thank	2	questions, you will see different people leap up to try to answer. If it gets really distracting because the
2 3	MS. CAROLINE BLANCO: Thanks so much for coming. MS. CAMILLE KALAMA: I would just like to thank you for letting Kilakila o Haleakala be a consulting	2 3	questions, you will see different people leap up to try to answer. If it gets really distracting because the majority of them who are answering are behind you, we will
2 3 4	MS. CAROLINE BLANCO: Thanks so much for coming. MS. CAMILLE KALAMA: I would just like to thank you for letting Kilakila o Haleakala be a consulting party. I know there's a concern for a finality of the	2 3 4	questions, you will see different people leap up to try to answer. If it gets really distracting because the majority of them who are answering are behind you, we will make them come to the front so that you can see who they
2 3 4 5	MS. CAROLINE BLANCO: Thanks so much for coming. MS. CAMILLE KALAMA: I would just like to thank you for letting Kilakila o Haleakala be a consulting party. I know there's a concern for a finality of the process, but, as a group, you need to know that the	2 3 4 5	questions, you will see different people leap up to try to answer. If it gets really distracting because the majority of them who are answering are behind you, we will make them come to the front so that you can see who they are that are answering the questions. But it really is a
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1	74		76
	MS. ANNELLE AMARAL: And we were hoping, I	1	program of science, technology, engineering, math students
2	think, that tomorrow that will take place, that all	2	that are at the college level. And that there would be a
3	concerned parties would then be in the room and there	3	path, perhaps, from the community college to move it up,
4	would be consultation with all parties involved as much as	4	and, also, to bridge, I think, the K to 12 within the
5	we can.	5	public schools and private schools, charter schools, as an
6	Having heard, however, that Mikahala is not	6	opportunity to encourage, especially Native Hawaiians who
7	going to be able to be here tomorrow	7	are underrepresented in these fields, to participate in
8	MR. KIOPE RAYMOND: I am not going to be here.	8	STEM program. So, to me, that was, I think, an area that
9	MS. ANNELLE AMARAL: And Kiope.	9	I thought was necessary and beneficial. And I wanted to
10	MS. PUA AIU: And we are not going to be here.	10	be able to support that.
11	MR. SOL KAHO'OHALAHALA: So is today the day,	11	What became clear to me is, when I looked at the
12	then?	12	STEM program itself, that there was a mitigation proposal
13	MS. PUA AIU: It's kind of difficult, so I	13	that was submitted by Maui Community College as part of
14	think especially if we are not going to be here.	14	the result of these ongoing proceedings. And I had not
15	MS. ANNELLE AMARAL: Yes. Perhaps we should	15	been a part of those proceedings at all. But having now
16	then take full advantage of you all being in the room as	16	looking having now to look at the STEM program itself,
17	much as we can today to do as close to the pencil and	17	see how it would be connected now to the mitigation
18	paper exercise we were headed for tomorrow, and to get	18	proposal, now really brings me to this juncture where now
19	comments back and forth. That certainly tests my skill as	19	we are looking at the ATST proposed project.
20	a facilitator, but this is why I get the big bucks.	20	So I've sort of tried to make sure that I was
21	MR. SOL KAHO'OHALAHALA: Are you going to make	21	informed about what took place along the way so that I
22	sure you allow for all of the things to happen while we	22	wasn't just getting involved into something that I wasn't
23	are still	23	really clear about.
24	MS. ANNELLE AMARAL: Absolutely. Absolutely.	24	So having said that, I can only say that I have
25	Then let us keep it is going to drive the	25	gone back, and, thanks to the availability of that
	75		77
1	court stenographer crazy, so let us keep this process in	1	
		1	information online, have been able to look at all of the
2	mind, then. As people are speaking, and if you have	1 2	information online, have been able to look at all of the proceedings and looked at most of the information that is
2 3	mind, then. As people are speaking, and if you have comment, raise your hand. We're going to take it slower.		proceedings and looked at most of the information that is
		2	
3	comment, raise your hand. We're going to take it slower.	2 3	proceedings and looked at most of the information that is available to understand what had occurred in the past
3 4	comment, raise your hand. We're going to take it slower. We're going to slow this down. Because before you speak,	2 3 4	proceedings and looked at most of the information that is available to understand what had occurred in the past couple years in this process. So trying to get myself
3 4 5	comment, raise your hand. We're going to take it slower. We're going to slow this down. Because before you speak, then, we would ask you identify yourself for the court	2 3 4 5	proceedings and looked at most of the information that is available to understand what had occurred in the past couple years in this process. So trying to get myself into understanding so that it's clear to me where I am now
3 4 5 6	comment, raise your hand. We're going to take it slower. We're going to slow this down. Because before you speak, then, we would ask you identify yourself for the court stenographer, and then you can make your comment, she can	2 3 4 5 6	proceedings and looked at most of the information that is available to understand what had occurred in the past couple years in this process. So trying to get myself into understanding so that it's clear to me where I am now at versus what has already occurred.
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20 (Pages 74 to 77)

	78		80
1	those junctures and be able to do so as Hawaiians and to	1	entity, that this is not just a scientific initiation of a
2	be able to do so respecting one another as Hawaiians.	2	project, but it is one that has to somehow integrate the
3	And so with that, Kiope, that's who I am, and, I	3	Hawaiian part of it.
4	think, why I am here.	4	And if, I think, we can have that kind of
5	And knowing that now this has become an issue	5	discussion, that you acknowledge that these things are a
6	that is important, I want to just share, I think, a little	6	part of the process, then I think we can, hopefully, agree
7	bit of my perspective and why I think it would be	7	to continue these discussions and move forward.
8	incumbent on us to participate as Hawaiians. So I agree	8	So it's that part of me that makes it important
9	that all of these positions are based on, I think, the	9	to be here.
10	best that we can understand given the best information	10	Now, as a Hawaiian, I have been supportive in
11	that we have at the moment, and, in part, trying to	11	organizations. And one of the olelo no'eau that we use is
12	understand and anticipate what are going to be some of the	12	(Hawaiian). Just so you understand, it is that we have a
13	outcomes here.	13	value that talks about Hawaiians being able to move
14	And in looking at ATST and the proposed	14	forward but mindful of their past. So they want to be
15	construction of a telescope at Haleakala, I agree with all	15	able to not make gaps in that past, or carry on the
16	of the reports that have been put out by the archeological	16	knowledge or the practice of your history and your kupuna
17	review that these are significant places. And all of the	17	and your culture, so that your presence will allow you to
18	input that you have had from Native Hawaiians about the	18	decide what is your future.
19	sacredness of this place, I agree with them all. And I	19	And with that concept, it means that in the
20	think that is why the Native Hawaiians have a stake in	20	Hawaiian and I accept this as part of my
21	these discussions and have to come and participate.	21	responsibility is to acknowledge that our kupuna have
22	As a Hawaiian, while I agree that these are	22	given us a tremendous amount of knowledge and experience.
23	important components, you have to also acknowledge the	23	And for those who are fortunate enough to have been with
24	fact that we have a history now that compounds these	24	kupuna and who have actually learned these things in
25	issues before us today, that really bring out in all of us	25	all facets I am talking, not just one, but in all facets
	79		81
1	the hurt, really, that's been a part of how we see things	1	of Hawaiian that we are probably the last generation
2	that are impacting Hawaiian cultural places, Hawaiian	2	that is here today that have had those kinds of
3	cultural sites and Hawaiian cultural resources.	3	connections with kupuna that have been living.
4	And if you add a history that has, you know,	4	So I was privileged to have had time spent with
5	many documented kinds of processes and procedures that	5	my tutus, tutus, on the island of Lana'i. They lived to
6	have bypassed Native Hawaiian input, even to the fact that	6	be in their mid-nineties. And it is that part, I think,
7	the overthrow is still another component of this that adds	7	that I hold some responsibility to ensure that their hopes
8	to that hurt, that Hawaiians carry all of those examples	8	and their knowledge and their practices is the malama
9	of past practices and experiences. So that when we look	9	hope, the things of the past. So in capturing and being
10	today at what is happening before us in a proposed	10	responsible to malama, to care for that, then the real
11	construction of a telescope at Haleakala, which is, in our	11	next question is then how do we move that forward, okay,
12	view, a sacred place, we can only see this as one more	12	into the next part.
13	example of that kind hurt that's being, I guess, generated	13	I think we are being challenged right now with
14	again.	14	those kinds of responsibilities.
15	So you have to allow us that opportunity to have	15	And I want to acknowledge that the kupuna have
16	those feelings and to have an opportunity to say that we	16	been awesome in their accomplishments of our past. And
17	view this as just another example and a continuation of	17	you need only look back into everything from the
18	that history of hurt.	18	recitation of the kumulipo, and then look at all of the
19	The thing that I think that we need now to	19	awesome accomplishments, whether they are in olelo,
20	have and that's why I would like to be a part of those	20	whether they are in navigation, whether they are in
21	discussions is be able to say and acknowledge that	21	construction and engineering, whether they are in botany
22	these things are in fact a part of our own cultural and	22	and biology, whether they are in engineering for
23	historical experience as Hawaiians. And then look at the	23	construction of auwai systems as well as massive
24	presentation of NSF, and try to understand and make clear	24	structures like Piilanihale, as an example. That
25	that this is not a process that's driven only by one	25	Hawaiians were innovative and they were critical in their

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	82		84
1	thinking in trying to find solutions.	1	of navigation that is as innovative in its time as that of
2	And had it not been for that kind of ability	2	the space shuttle in its navigation into these new times.
3	that we have embraced as Hawaiians through our kupuna's	3	So there is a link here in who we are in terms
4	actual practices and accomplishments, I think many of us,	4	of being creative, being innovative, and being the kind of
5	we wouldn't be here today. We would not exist in Hawaii	5	critical thinkers that I think Polynesians and Native
6	today without those kinds of practices.	6	Hawaiians are, that allow us to continue to still find
7	But I want to give acknowledgment to these	7	ways.
8	practices as not just relegated to kahiko, that these	8	So if these tools were available then to my
9	practices may have begun in the time of kahiko, but they	9	kupuna, I would ask the question as to whether or not they
10	are the they are the examples that we have to hold and	10	would have excelled in their own way, having to come to
11	they are the examples that we have to carry and project	11	understand what these modern innovations and technologies
12	where we want to be, where we want to go. So I want to	12	are, what their uses are for. And could they be as
13	give credence to that as a Hawaiian and say that we have	13	innovative as to decide how best to use these kinds of
14	an inheritance of these kinds of abilities. And whether	14	technologies to continuously refine and improve and
15	it's within our own genes today, I think we have to	15	advance, I think, who we are as Hawaiians.
16	consider that where we go is as important as where we have	16	And so I come into this process not because I
17	come from.	17	think there is a right way and a wrong way. And I come
18	So the where-we-go part now is going to involve	18	into this process not because I want to side with one who
19	these times when I think, before us today, are innovations	19	is for or one who is against. But I come into this
20	and developments and research and technology that were not	20	process because I think, as a Native Hawaiian, I should be
21	available when my kupuna lived in their time. But	21	involved in these processes and I should be given that
22	nonetheless, their accomplishments still speak to these	22	kind of acknowledgment, by all parties that are seated at
23	innovations. And that their accomplishments are many.	23	the table, to not diminish the value and the quality of
24	We don't talk about the fact that they were	24	the Native Hawaiian in all aspects and in all regard.
25	engineers and had built auwai systems that were able to	25	It's that I have a history that speaks to these things.
	83		85
1	distribute water to every single lo'i and still allow for	1	And I want to be able to now, as a Hawaiian today,
2	that same water to go back into the stream and into the	2	anticipate how best to utilize the technologies that are
3	loko i'a. Who creates or thinks about that?	3	available to us for the benefit of finding the (Hawaiian),
4	We don't talk about innovations like creating	4	finding now what are the innovations that we need to be a
5	aquaculture in Hawaii, which is found nowhere else in the	5	participant in as a Hawaiian so that we can partner and we
6	Pacific except here in the Hawaiian Islands, and who took	6	can move forward.
7	the time to develop these systems that would produce food	7	Because I think we are dynamic. We are not a
8	to sustain the people in Hawaii, and to understand the	8	stagnant people. We never have been. Because had we been
9	microcosms of this system so that the fingerlings could be	9	stagnant, I don't think we would have accomplished any of
10	fed properly as well as the adult ae'o, so we could have	10	these things in our past to be able to speak of today.
11	food.	11	So it's with that passion that I have as a
12	We are happy of the accomplishments of Hokulea's	12	Hawaiian. And I wanted to consider what is you know,
13	sails, of which I am proud to have been a crew member of.	13	what is, I think, my responsibility as a Hawaiian.
14	But it has helped me to understand that we can still today	14	And when I saw that this was an issue, I thought
15	carry on those practices of celestial navigation or	15	that what in this lends Hawaiian its voice, what in this
16	non-instrument navigation in these modern times.	16	lends to science. Some of the directions that I think
17 18	Even so much so that we were innovative enough	17 18	Hawaiians could contribute, and what in this now comes to the point that we can look at Hawaiians as not only being
	to do sails on Hokule's that linked the canoo to the space	1 U	the point that we can fook at mawanans as not only being
	to do sails on Hokule'a that linked the canoe to the space		examples of its past, but Hawaiians that continue to be
19	shuttle, to the classrooms, in a continuous loop, to allow	19	examples of its past, but Hawaiians that continue to be contributors of its future of our future
19 20	shuttle, to the classrooms, in a continuous loop, to allow the children in the classroom to understand that voyaging	19 20	contributors of its future, of our future.
19 20 21	shuttle, to the classrooms, in a continuous loop, to allow the children in the classroom to understand that voyaging and navigation, in what is perceived as ancient for	19 20 21	contributors of its future, of our future. So I don't know if I am making sense to you, but
19 20 21 22	shuttle, to the classrooms, in a continuous loop, to allow the children in the classroom to understand that voyaging and navigation, in what is perceived as ancient for Hawaiian accomplishments, is no different than the	19 20 21 22	contributors of its future, of our future. So I don't know if I am making sense to you, but that is how I mean, I began simply by looking at trying
19 20 21 22 23	shuttle, to the classrooms, in a continuous loop, to allow the children in the classroom to understand that voyaging and navigation, in what is perceived as ancient for Hawaiian accomplishments, is no different than the voyaging of the space shuttle, of which L.C. Veitch	19 20 21 22 23	contributors of its future, of our future. So I don't know if I am making sense to you, but that is how I mean, I began simply by looking at trying to be supportive with the STEM program that I thought
19 20 21 22	shuttle, to the classrooms, in a continuous loop, to allow the children in the classroom to understand that voyaging and navigation, in what is perceived as ancient for Hawaiian accomplishments, is no different than the	19 20 21 22	contributors of its future, of our future. So I don't know if I am making sense to you, but that is how I mean, I began simply by looking at trying

22 (Pages 82 to 85)

	86		88
1	behold, it brings me now to this juncture. And then I had	1	MS. CAROLINE BLANCO: I would like to start.
2	to really take a moment to consider what is it that is	2	DR. CRAIG FOLTZ: Please.
3	happening at this juncture.	3	MS. CAROLINE BLANCO: I really appreciate your
4	As I said, having spent time going back and	4	comments.
5	understanding the process, I think simply what I want to	5	And I think that NSF would view mitigation as a
6	say is that here is an opportunity, I believe, that the	6	way to move forward in the direction that you have just
7	National Science Foundation, with the development of a	7	described. And if there are, I guess, some specifics,
8	telescope, could perhaps consider taking a closer look at	8	some ideas, either concepts or specifics, that you had in
9	the cultural components that are important in moving	9	mind to try to bridge this gap, if there is one, to try to
10	forward. And that is, is there a way for us to sit down	10	move forward, that would be consistent with the concerns
11	as science and as Hawaiians, understanding that we have	11	of Native Hawaiians, that would be extremely valuable.
12	something to contribute here, and be able to now integrate	12	MR. SOL KAHO'OHALAHALA: Well, you know, I have
13	and bring these ideas together that would lend support to	13	been involved with Hokule'a for over 30 years. I was very
14	the Hawaiians and to lend support to the idea of science	14	fortunate to have been introduced to the canoe in 1975.
15	and advancement in science.	15	And the canoe has actually opened up, for me, new
16	Because I think we are the same, we are the	16	horizons, if you want to call it that. And it's also
17	people who have who have that in our history, to be	17	challenged, I think, me personally to consider what
18	participants and to be at least to acknowledge that.	18	voyaging really meant.
19	And if there is a way to integrate and a way to bring this	19	Because if you take that same concept of the
20	together, to me that would be important. And that would	20	canoe and looking at horizons as not places to be fearful
21	be the reason why I would sit at this table.	21	of, but places to discover, that, to me, is what the canoe
22	I think, you know, we could find many, many	22	represents. And in that, had the Hawaiians or Polynesians
23	examples of what might be wrong about this process or this	23	not considered horizons as new places with potentially new
24	project. And, at the same time, I would like to think	24	discoveries, we would not have advanced Polynesia to being
25	that while we are looking at those challenges might we not	25	the largest nation of islands in the largest ocean on
	87		89
1	might we not consider how we might internalize that and	1	earth.
2	look at them from a Hawaiian cultural perspective and find	2	But it is that part of it, to me, that opened up
3	ways to bridge, to build, to make better what are	3	areas that I had never thought about as a Hawaiian. One
4	perceived challenges, and allow that to be placed before	4	was to finally acknowledge that the canoe is the most
5	this body, before this group, and to be given true	5	efficient design of a seafaring vessel, even in these
6	consideration.	6	modern times. That the double-hull canoe has already been
7	Because if not, then we have made no headway in	7	demonstrated, even by computer-generated models, of what
8	terms of allowing the Hawaiians to truly participate in a	8	is the most efficient design of a vessel on the open seas.
9	project that is of this scale and is a project that is	9	And it came out with a double hull. So that innovation,
10	involving such an important place for Hawaiian people.	10	to me, is partly the kind of innovation, and I am critical
11	So it's with that, that I come forward to be	11	thinking and planning, that I think Polynesians should be
12	able to participate. And I am able to tell you that's who	12	agreed with and that Hawaiians should be acknowledged for
13	I am.	13	that dynamics.
14	But I thank you for this opportunity.	14	But in having participated on this, I was
15	And I am looking forward to having those	15	allowed an opportunity to now sail throughout Polynesia.
16	discussions where we could talk really nitty gritty about	16	So I have been on several voyages through the Society
17	what those challenges are, whether they are perceived	17	Islands, to the Cook Islands. And even have now been able
18	challenges or whether or not they are real challenges, and	18	to be a part of these islands in Polynesia to now
19	then be able to now have a broader discussion that will	19	recognize that culturally, even by our language and by our
20	help to figure out how we can resolve those kinds of	20	practices, we are definitely the same group of people.
21	challenges. And then lend Hawaiians an opportunity to	21	Now, having been on the canoe, I was now going
22	have input on that so that it's one that is inclusive.	22	to be introduced to the idea of seafaring. So here is
23 24	MS. ANNELLE AMARAL: Sol, are you open to some questions and dialogue?	23 24	where we have an opportunity now on the canoe as the perceived ancient vessel to try and teach navigation. And
24	questions and dialogue?		here is where, I think, we all learned how to put back
25	MR. SOL KAHO'OHALAHALA: Yeah.	25	hara is whara I think we all laornad how to put book

23 (Pages 86 to 89)

	90		92
1	into some order and understanding how we will navigate our	1	know.
2	canoe, north, south, east or west.	2	Is there an opportunity that science and culture
3	When I look at Haleakala, and I look and read	3	can come together, considering these kinds of ideas that I
4	about some of the cultural sites that have been part of	4	think are not old ideas?
5	Haleakala, it's clear to me and I am sure all Hawaiians	5	You know, I just want to add just a little bit.
6	would agree that it is of such significance that the	6	When I said that we are a dynamic people, I want to
7	Hawaiians themselves went to the summit of Haleakala to	7	embrace the idea the dynamics is that, as a Hawaiian, I
8	have built their sites. And whether or not the practice	8	think I am still able to create. No different than me
9	is recorded or known, nonetheless, the sites speak to the	9	having to write a song about what occurred at this time
10	fact that Polynesians and Hawaiians understood that these	10	and place, I should be able to allow some of the cultural
11	are important places and perhaps one of the best places to	11	practices to also be created in this time and this place.
12	have learned or taught navigation you know, taught	12	And that we should be responsible for the creation of
13	navigation.	13	these things because we are dynamic.
14	If we had to consider some of the future uses of	14	To say that everything ends and we can only
15	a place like Haleakala, can that future also include those	15	refer to them as kahiko, to me doesn't speak to who I am
16	things that are cultural? So is there a place at	16	as a Hawaiian. I want to be able to say I have my task in
17	Haleakala where we might once again allow for the teaching	17	which I want to embrace and acknowledge and understand so
18	of navigation?	18	that I can discern the conditions of these times. But I
19	So I am looking at, well, you are looking at	19	also, as a Hawaiian, accept the fact that I am also
20	innovations of studying the sun and, at the same time,	20	creative and I have the ability as a Hawaiian to be as
21	would we not consider the importance of Hawaiians using	21	innovative as my kupuna have been, and that I should be
22	the same place to study their own skills at celestial	22	able to create and move forward with the idea that we are
23	navigation, you know? I am not sure. But I would think	23	continuously dynamic and we are still a living people. So
24	that we have a responsibility as Hawaiians to ensure that	24	we don't just end at one place.
25	our cultural practices are going to be left intact for the	25	So what is our future?
20			
	91		93
1	future. And even though they might be relegated as	1	And I think that we need to encourage Hawaiians
1 2	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial	1 2	And I think that we need to encourage Hawaiians to participate in the future and allow them those
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2	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial understanding, it is still at the place that it probably may have been located in our times of kahiko.	2	And I think that we need to encourage Hawaiians to participate in the future and allow them those practices. So it's not just looking at innovations of a project that is scientific that is looking toward the
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2 3 4	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial understanding, it is still at the place that it probably may have been located in our times of kahiko.	2 3 4	And I think that we need to encourage Hawaiians to participate in the future and allow them those practices. So it's not just looking at innovations of a project that is scientific that is looking toward the future, but it's also one that is going to embrace the idea that Hawaiians are as innovative and creative in
2 3 4 5	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial understanding, it is still at the place that it probably may have been located in our times of kahiko. So does the future allow us now the same	2 3 4 5	And I think that we need to encourage Hawaiians to participate in the future and allow them those practices. So it's not just looking at innovations of a project that is scientific that is looking toward the future, but it's also one that is going to embrace the
2 3 4 5 6	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial understanding, it is still at the place that it probably may have been located in our times of kahiko. So does the future allow us now the same opportunity to continue this practice?	2 3 4 5 6	And I think that we need to encourage Hawaiians to participate in the future and allow them those practices. So it's not just looking at innovations of a project that is scientific that is looking toward the future, but it's also one that is going to embrace the idea that Hawaiians are as innovative and creative in
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2 3 4 5 6 7 8	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial understanding, it is still at the place that it probably may have been located in our times of kahiko. So does the future allow us now the same opportunity to continue this practice? And so when you are asking me is there a way to bridge, well, one of my thoughts is that, well, allow	2 3 4 5 6 7 8	And I think that we need to encourage Hawaiians to participate in the future and allow them those practices. So it's not just looking at innovations of a project that is scientific that is looking toward the future, but it's also one that is going to embrace the idea that Hawaiians are as innovative and creative in their future, too. So they should be allowed the same practice or exercise as Hawaiians to continuously move
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	future. And even though they might be relegated as ancient ways of teaching and of acquiring celestial understanding, it is still at the place that it probably may have been located in our times of kahiko. So does the future allow us now the same opportunity to continue this practice? And so when you are asking me is there a way to bridge, well, one of my thoughts is that, well, allow perhaps the sites at Haleakala to embrace once more cultural practitioners so that they, too, can continue the teaching of ancient practices. Our star compass that we use for navigating Hokule'a, and what we have all learned is understanding the movement of the sun from its position, from the equinox to the solstice, and the degree of movement that the sun goes. And we have created our star compass to allow for the degree of change and movement of the sun across the year. Even to the point that we understand the houses in which constellations will rise and how they set. We do this to help us understand that these are the tools	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	And I think that we need to encourage Hawaiians to participate in the future and allow them those practices. So it's not just looking at innovations of a project that is scientific that is looking toward the future, but it's also one that is going to embrace the idea that Hawaiians are as innovative and creative in their future, too. So they should be allowed the same practice or exercise as Hawaiians to continuously move forward. So in that, and given these conditions, given these ideas, is there room for this kind of dialogue to allow for both? MS. CAROLINE BLANCO: I think the short answer is, yes, there is an opportunity. And that is how we've looked at mitigation, as an opportunity, both for onsite, offsite. If there is some sort of educational program you had in mind, or if there is access to the mountain that would allow practitioners to participate, exercise some of their cultural traditions, any of those types of things. I think it's more appropriate coming from you as far as
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24 (Pages 90 to 93)

	94		96
1	interrupt your train of thought.	1	finish my question. Sorry. That's because my mind
2	But, Annelle, this is a separate issue, if	2	lapses.
3	that's all right. I would like to ask it to Caroline.	3	But in the context, then, of what you are saying
4	It's specifically to terminology that is used.	4	here, building the bridge, moving forward, with the
5	I may or may not have heard you correctly speak,	5	dynamic thing that the culture is, do you see the Maui
6	addressing Sol as representing all Hawaiians. And I am	6	Community College proposal as that effort, or are you in
7	here as a consulting party, just for myself. There are	7	fact putting something else on the table here? Is this
8	organizations who are represented here. Sol is here as a	8	speaking to something else?
9	consulting party. But none of us as consulting parties	9	MR. SOL KAHO'OHALAHALA: Let me just say this
10	are speaking for all Hawaiians.	10	much. I do believe that what we are talking about is the
11	Is that correct?	11	-
12	MS. ANNELLE AMARAL: That is correct.	12	ATST project. And that the mitigation proposal that I am aware of that was submitted by Maui Community College is
13		13	
	MR. KIOPE RAYMOND: And I am not sure if you heard yourself addressing what would all Native Hawaiians	14	really a mitigation process that occurs after you've resolved the ATST. That's how I understand it.
14		14	
15	want up there. And I would just be real careful about		I am asking for whether or not we can allow
16	that. Because I've just expressed that, as far as I know,	16 17	these discussions to occur. That when you have resolution
17 18	there is I won't speak for all Native Hawaiians in the	18	to it. Does a mitigation proposal now that's being proposed now fit into this, you know?
10	room. I am not speaking for Sol. But many Native Hawaiians, the preponderance, the majority of Native	19	Does that make sense?
20		20	
	Hawaiians, but not all, have already expressed that they		MS. CAROLINE BLANCO: I think perhaps it would
21 22	don't want this up there.	21 22	be helpful to clarify how we perceive this.
	We are just here in the capacity of consulting		If we are able to find ideas for mitigation and
23	parties. We are not speaking for all Hawaiians. Both	23 24	we are able to offer onsite mitigation, offsite
24	sides need to understand that.	24	mitigation, different ideas that would be memorialized in
25	MS. CAROLINE BLANCO: And I accept that comment.	20	a memorandum of agreement. That is our hope, that we
	95		97
1	I appreciate that comment.	1	would be able to find something that is acceptable for the
2	What I was trying to do was just be responsive	2	Advisory Counsel, State Historic Preservation Office, the
3	to his perspective.	3	National Science Foundation, and any other consulting
4	MR. KIOPE RAYMOND: Okay.		
		4	parties that would wish to participate in this way. That
5	MS. CAROLINE BLANCO: Within that context.	4 5	parties that would wish to participate in this way. That would be memorialized in the agreement, the memorandum of
5 6	MS. CAROLINE BLANCO: Within that context. MR. SOL KAHO'OHALAHALA: All I was going to say		
_		5	would be memorialized in the agreement, the memorandum of
6	MR. SOL KAHO'OHALAHALA: All I was going to say	5 6	would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a
6 7	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for	5 6 7	would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have
6 7 8	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for this to occur. Because, you are right, I am not here to	5 6 7 8	would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have been submitted.
6 7 8 9	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for this to occur. Because, you are right, I am not here to speak for all Hawaiians. But if we are able to allow for	5 6 7 8 9	would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have been submitted. They wouldn't actually go into effect unless the
6 7 8 9 10	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for this to occur. Because, you are right, I am not here to speak for all Hawaiians. But if we are able to allow for these kinds of discussions to occur, it is my hope that is	5 6 7 8 9 10	would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have been submitted. They wouldn't actually go into effect unless the National Science Foundation decided to approve funding for
6 7 8 9 10 11	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for this to occur. Because, you are right, I am not here to speak for all Hawaiians. But if we are able to allow for these kinds of discussions to occur, it is my hope that is what my contribution is.	5 6 7 8 9 10 11	would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have been submitted. They wouldn't actually go into effect unless the National Science Foundation decided to approve funding for the ATST. And then construction would go forward.
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for this to occur. Because, you are right, I am not here to speak for all Hawaiians. But if we are able to allow for these kinds of discussions to occur, it is my hope that is what my contribution is. MS. ANNELLE AMARAL: So I need to back up a little bit. Because I think we are talking about sort of the beginning of the pencil and paper exercise of the memorandum of agreement, with some specific suggestions to mitigate. And I know that it was represented that you are the signatory of the Maui Community College proposal that has been put as a mitigating proposal, is that correct? MR. SOL KAHO'OHALAHALA: I don't know if I am the signatory to that, but I do know that was a document	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have been submitted. They wouldn't actually go into effect unless the National Science Foundation decided to approve funding for the ATST. And then construction would go forward. If that decision happened, the memorandum of agreement would be combining and would be implemented at that point. So the way it would be drafted is, the memorandum of agreement that is to say, would be if the proposed funding is approved, these are the steps we would agree to, this is the mitigation we would all agree to undertake. So this is the opportunity to put forward some of these specific ideas. This is part of the purpose of this meeting today, also tomorrow. As I've said several times before, there will be opportunities, if we are able
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. SOL KAHO'OHALAHALA: All I was going to say before, Kiope, was that my hope is that we can allow for this to occur. Because, you are right, I am not here to speak for all Hawaiians. But if we are able to allow for these kinds of discussions to occur, it is my hope that is what my contribution is. MS. ANNELLE AMARAL: So I need to back up a little bit. Because I think we are talking about sort of the beginning of the pencil and paper exercise of the memorandum of agreement, with some specific suggestions to mitigate. And I know that it was represented that you are the signatory of the Maui Community College proposal that has been put as a mitigating proposal, is that correct? MR. SOL KAHO'OHALAHALA: I don't know if I am the signatory to that, but I do know that was a document that had already been submitted. I am aware of it and I know what it is seeking to do as a mitigation proposal.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 would be memorialized in the agreement, the memorandum of agreement. That may potentially include adoption of a part, all of, any of the mitigation proposals that have been submitted. They wouldn't actually go into effect unless the National Science Foundation decided to approve funding for the ATST. And then construction would go forward. If that decision happened, the memorandum of agreement would be combining and would be implemented at that point. So the way it would be drafted is, the memorandum of agreement that is to say, would be if the proposed funding is approved, these are the steps we would agree to, this is the mitigation we would all agree to undertake. So this is the opportunity to put forward some of these specific ideas. This is part of the purpose of this meeting today, also tomorrow. As I've said several times before, there will be opportunities, if we are able

25 (Pages 94 to 97)

	98		100
1	for their review and comment. And then it would be a	1	resolves those issues.
2	process where everybody would be engaged in that and try	2	MS. CAROLINE BLANCO: If I can just
3	to, you know, work with that and come up with perhaps	3	MR. SOL KAHO'OHALAHALA: It could be one of the
4	another innovation. And depending what the outcome is, of	4	documents, should you resolve all of those other layers,
5	course. But this is the opportunity to provide specific	5	that now comes about with an opportunity that says that
6	mitigation measures that could be considered.	6	there is a program that could help support the community
7	MR. SOL KAHO'OHALAHALA: Okay. I guess my only	7	in terms of education, K to 12, that allows for these
8	other comment is that the MCC Mitigation Proposal is not	8	kinds of studies to occur within the schools and the
9	the proposal or the document that should take precedence	9	community colleges, that lead to perhaps work in the field
10	over this process. It is something that is supportive of	10	of astronomy. That's what I see the mitigation proposal
11	this should the outcome be that they would allow for these	11	as.
12	kinds of programs to be initiated. But it's not the	12	So it's one component that at least tries to set
13	document that precedes these processes is what I wanted to	13	in place a track that would allow Native Hawaiians at
14	share.	14	least to participate here. And it could become a part of
15	MS. CAROLINE BLANCO: I am not sure I am	15	the entirety of this, but it's not the document that
16	following that.	16	resolves all those things.
17	Because the way I see it is let's say, for	17	MS. CAROLINE BLANCO: Is it fair to characterize
18	example, if NSF were to decide that the MCC proposal would	18	it as a mechanism through which these other ideas can be
19	be sufficient mitigation for this, and the consulting	19	realized?
20	parties, or some of them, agreed, and the SHPO agreed, the	20	MR. SOL KAHO'OHALAHALA: It would cover a part
21	Advisory Counsel agreed, we memorialized that in a	21	of it. But I think, in what I am hearing from the earlier
22	memorandum of agreement, that is how it would play out.	22	discussions, that there are several other layers that need
23	Then if there were a decision to go ahead and fund, that	23	to be resolved.
24	memorandum of agreement would be part of that decision.	24	MS. CAROLINE BLANCO: Okay.
25	It would have to be included in a decision. So any	25	MR. SOL KAHO'OHALAHALA: So I don't want to say
	99		101
1	decision to fund would have to incorporate that memorandum	1	this is going to take care of all of those.
2	of agreement and become enforceable.	2	MS. CAROLINE BLANCO: Right.
3	MS. ANNELLE AMARAL: There is another comment.	3	MR. SOL KAHO'OHALAHALA: It's not.
4	DR. CRAIG FOLTZ: I think I understood Sol's	4	MS. CAROLINE BLANCO: Right.
5	comment different.	5	MR. SOL KAHO'OHALAHALA: But it would be a
6	MS. CAROLINE BLANCO: Okay.	6	component. But there still needs to be all of these other
7	DR. CRAIG FOLTZ: That was in terms of	7	levels of
8	precedence, in terms of trying to mitigate the harm, that	8	MS. ANNELLE AMARAL: I wonder if I can clarify.
9			j.
9	what you are proposing take precedence over the MCC	9	As I came into this, which was just this morning, what I
10	proposal, not necessarily supplant it.	9 10	As I came into this, which was just this morning, what I heard was there are some things that cannot be changed.
	proposal, not necessarily supplant it. MR. SOL KAHO'OHALAHALA: Correct.		As I came into this, which was just this morning, what I heard was there are some things that cannot be changed. By virtue of the project that is being brought forward and
10	proposal, not necessarily supplant it. MR. SOL KAHO'OHALAHALA: Correct. DR. CRAIG FOLTZ: And it could be part of it,	10	As I came into this, which was just this morning, what I heard was there are some things that cannot be changed. By virtue of the project that is being brought forward and that has been discussed for the past three years, there
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10 11 12 13 14 15 16 17 18 19 20 21 22	proposal, not necessarily supplant it. MR. SOL KAHO'OHALAHALA: Correct. DR. CRAIG FOLTZ: And it could be part of it, that the traditional Hawaiian astronomical practices could be incorporated in a curriculum that would be developed, for example, but that doesn't supplant or replace the suggestion that you made. Am I closer to it? MR. SOL KAHO'OHALAHALA: Closer. I don't see that the MCC Mitigation Proposal is the document that says that this project has resolved these issues through this proposal. MS. CAROLINE BLANCO: Okay.	10 11 12 13 14 15 16 17 18 19 20 21 22	As I came into this, which was just this morning, what I heard was there are some things that cannot be changed. By virtue of the project that is being brought forward and that has been discussed for the past three years, there are certain things that are immutable, that cannot change, the site, the height, the color, the construction. Little subcategories of construction, depth, foundation, things like that. In an acknowledgment that this has adverse impact or effect on Native Hawaiians, Native Hawaiian culture, there is an attempt to minimize that impact or effect, or mitigate that impact or effect. And today's discussion is about minimizing or mitigating that adverse impact or effect. That is not to say that this is a trade-off for,

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1	muffle, to try to work out the hard thing about this	1	process would allow for.
2	project coming up and its effect on the Native Hawaiians.	2	MS. CAROLINE BLANCO: Yes. The answer is, yes,
3	MR. KIOPE RAYMOND: I think you have may I?	3	we are open to those ideas.
4	I think you've recapped it, but the November 8th letter, I	4	I guess I am, in all candor, trying to translate
5	would just clarify, that avoidance and minimization are	5	that into something concrete to be included in a
6	not part of it. It's only mitigation, although semantics	6	memorandum of agreement. I would defer to you and others
7	of minimization.	7	in the room who have some ideas about how those goals
8	MS. CAROLINE BLANCO: Other than the park.	8	could be accomplished.
9	MR. KIOPE RAYMOND: Other than the park. Thank	9	MR. KIOPE RAYMOND: I have a question for Sol.
10	you.	10	Have you seen Uncle Charlie's proposal?
11	MS. ANNELLE AMARAL: Right, other than the park.	11	MR. SOL KAHO'OHALAHALA: Yeah, I saw Uncle
12	MS. CAROLINE BLANCO: Are there some specific	12	Charlie's proposal.
13	ideas you had that we ought to consider maybe including in	13	MR. KIOPE RAYMOND: I just wondered.
14	an MOA?	14	MR. SOL KAHO'OHALAHALA: And I guess the way I
15	MR. SOL KAHO'OHALAHALA: Well, I think I used	15	want to answer your question is that because I do not want
16	the example of the star compass as an idea.	16	to be perceived as speaking for all Hawaiians, that what I
17	And as I said, that may be one of many other	17	am hoping is that there will be discussions with Native
18	ideas that have not yet been placed on the table for	18	Hawaiians and organizations who are interested, where we
19	consideration or discussion.	19	can put these ideas before each other and begin to talk
20	But is NSF open to allowing these kinds of at	20	about how they view these ideas as part of, you know,
20		21	mitigation. And is that something that collectively they
22	this juncture	22	could come to any kind of agreement about, then that would
23	MS. CAROLINE BLANCO: Absolutely. MR. SOL KAHO'OHALAHALA: to allow for these	23	allow see, I could go down a whole list of things that
23	kinds of discussions or ideas to emerge and come forth?	23	I think, you know. But that is not going to do you any
24	That is my point, is allowing for so I can say I am trying	24	justice. It's not going to do the Hawaiian community any
2.5	That is my point, is anowing for so I can say I am trying	23	Justice. It's not going to do the Hawanan community any
	103		105
1	to open an opportunity here where there might be	1	justice by me just going down the list.
2	consideration by NSF to take look at how cultural concerns	2	What I am saying is that the ideas that I hope
3	might be integrated in trying to resolve and move forward.	3	will emerge is ideas that I think would come about from
4	Okay.	4	those discussions within the Hawaiian community. And the
5	It's clear to me that if you just look at some	5	timeframe is what I am not very clear about.
6	of the sites that are at Haleakala, by the reports, they	6	MS. CAROLINE BLANCO: Right. I think therein
7	have already been destroyed. They have already been	7	lies part of the issue. I think that there are always
8	dismantled. And some of them don't exist any longer. But	8	opportunities that may exist.
9	how do you resolve those kinds of issues, you know?	9	For purposes of the 106 consultation process,
10	I am not proposing that we go back and	10	our hope was to include certain mitigation measures in a
11	reconstruct them, you know, but I am open to the idea of	11	memorandum of agreement. And our hope is that this stage
12	considering what Hawaiians might want to propose in terms	12	of our process will begin to put those things in a
13	of, I guess, mitigation, you know.	13	memorandum of agreement.
14	Are you open to those ideas that would allow	14	MR. SOL KAHO'OHALAHALA: Then let me ask a real
15	Native Hawaiians to have that kind of input, you know?	15	quick question.
16	Because when we get back to some of the cultural	16	Given what you just said now, is it the
17	concerns, those hurts are already there. They have been	17	expectation that the participants that are here, that are
18	done.	18	participating in these consultation processes, is where
19	The question is, can you allow for Native	19	you expect those ideas for the MOA are going to be
20	Hawaiians to find ways to mitigate or find remedy or ideas	20	rendered from?
21	that help to rebuild or and I am not talking rebuild	21	MS. CAROLINE BLANCO: The list of all of the
22	the site, but I am talking an opportunity to allow for	22	consulting parties. I mean, only a small number are
2.2	rebuilding from a Hawaiian perspective.	23	represented here today.
23			
23 24	If you are open to those ideas, then I think	24	But, again, as I've said, I mean, the outreach

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1	come up with here would be sent out for review and comment	1	MR. KIOPE RAYMOND: I will.
2	by the whole list of 26, 28 I forget the number now	2	MS. ANNELLE AMARAL: Yes, then.
3	consulting parties in the process.	3	MR. KIOPE RAYMOND: One of the things that I
4	MR. SOL KAHO'OHALAHALA: Okay. Then the only	4	noticed and I can only I can anecdotally share is
5	thing I can say is, for me, personally, is if you can come	5	there was a public scoping process. Someone in the room
6	about with some of those suggestions today from those	6	remembered the former director, Wayne Van Citters, came
7	people who are participating, within this day or two,	7	and there was a meeting at the Haiku Community Center.
8	then, hopefully, it comes about because there is at	8	And a microphone was set up as if it were going to be an
9	least there's been discussions about it and there is some	9	official public scoping meeting. And people from the
10	consensus about any one idea that might be offered to be	10	community went to that and offered heartfelt testimony
11	included in an MOA.	11	that night.
12	Short of that and I think there may be other	12	And I remember the night very clearly because
13	ideas that are still sort of out there. And those won't	13	Former Director Van Citters I had read a letter from
14	be identified unless there are more opportunities for	14	him and I was referring to him and somebody from the
15	discussions within the community.	15	back of the room said, well, that's him right there,
16	DR. CRAIG FOLTZ: I think we can allow for some	16	that's Wayne. And he said, "Hey, glad to meet you." So
17	openness. The difficulty is we can't establish a sense	17	that is how come I remembered the night.
18	that we can do everything.	18	The point I am making is that the process needs
19	But we could, for example, think about trying to	19	to be a little bit more clear about which nights were
20	undertake a study as to what other types of mitigation	20	official, which nights were public scoping, official,
21	might be possible arising from the Native Hawaiian	21	which nights were just, hey, let's share some thoughts.
22	community and have those included for planning purposes	22	And that very first night, there was some very
23	later on in the project.	23	compelling testimony that I recall and it would have to
24	You know, by putting something in an MOA that we	24	be anecdotal against the telescope, but it was never
25	will do the following, we will close down the telescope	25	official. Therefore, it was never part of the record,
	107		109
1	after 45 years, the signatory can hold us responsible for	1	never going to be something that KC Environmental
2	that.	2	publishes. And I think, in the future, that needs to be
3	If we say we will establish a group that will	3	much more clear.
4	investigate other cultural mitigation, onsite and offsite,	4	MS. CAROLINE BLANCO: Charlie, if you want to
5	such as your proposal for the star compass which I	5	respond to that, I am not sure that
6	think is absolutely excellent NSF is not going to sign	6	MR. KIOPE RAYMOND: I saw him eat something. I
7	off on something that says, and then we will do what we	7	saw him put it in his mouth. That's why I brought it up.
8	are told to do, because that might include something that	8	MS. CAROLINE BLANCO: I am not sure this is
9	is completely out of our ability to fund.	9	viewed the same way by everybody. Maybe Charlie could add
10	So you see where the tension is?	10	input after he is done.
11	And I would defer to counsel here as to whether	11	DR. CHARLIE FEIN: I'm sorry. I am eating one
12	there is some way that we can include reference to an	12	of those
13	activity that will be supported to develop.	13	DR. CRAIG FOLTZ: All his dental work is done.
14	MS. CAROLINE BLANCO: I think that there can be	14	MR. KIOPE RAYMOND: I saw him put it in his
15	some instruction.	15	mouth, too. That's why.
16	Also, I would defer the SHPO is here. And	16	DR. CHARLIE FEIN: Thanks a lot.
17	they have a lot of experience with helping agencies to try	17	The meeting to which Kiope is referring was an
18	to develop probably very similar things. And I think	18	informal meeting that was requested. We had a lot of
19	their guidance would be incredibly welcome on this point.	19	comments that said we need more information. So even
20	MS. ANNELLE AMARAL: Kiope.	20	though it wasn't part of the official NHPA process, we set
21	MR. KIOPE RAYMOND: Caroline, before they start,	21	up a meeting, an additional meeting, to inform the public.
22 23	could I bring up something that I forgot to share when I was sharing about what might help NSF in the future when	22 23	And that meeting did produce a number of comments. Every comment we've ever gotten has or will be
23 24	they take testimony from people?	23	addressed in the final environmental. There is nothing
24	MS. ANNELLE AMARAL: Will you be brief?	25	MR. KIOPE RAYMOND: That's heartening to hear
Ĺ			$\frac{29}{1000000000000000000000000000000000000$

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1 because ther has here no record hereordore of anyone 1 scorep is relatively narrow. 2 having sid anything that night. 2 MS. NNFLI F. AMARAL: Pua, what I neel – 3 addressed, that's all 1 need. 3 MS. PUA AIU: Pua Aiu, Administrator of the 4 MS. CAROLINE BLANCO: 1 think part of it is we 3 So our scope is relatively narrow. 6 of it, but it's – 3 So our scope is relatively narrow. 4 7 MR. KOPIE RAYMOND: 1 think one oper end it is poing to try and stay within our scope. 5 Noney McMahon, she's a deputy. 6 11 addresses propic were coming that night. 9 site, the height, the color or the construction. It's very problematic for us. We are joined in this by the Narro Incenting were not incenting. We made sure it we sidthar, because the with wasn't. 10 We are concernadout the 'ACHP here in case 12 construction incenting. We may not formal. 21 We have concernadout the 'ACHP here in case 13 scoreptice inclustely and were oblegating. 10 We are concernadout the 'ACHP here in case 14 MRS MARON ID ANDO OMORO: If I could just adi 10 We have construction. And our letter. 14		110		112
3 addressed, thar's all need. 3 MS, PUA AUU: Pua Au, Administrator of the 4 MS, CAROLINE BLANCO: Lihnik part of it is we 5 State Historic Preservation Division. And with me is 6 of it, but it's - 6 State Historic Preservation Division. And we're 7 MR, KIOPE RAYMOND: Lihnik some people	1	because there has been no record heretofore of anyone	1	scope is relatively narrow.
4 MS. CAROLINE BLANCO: I think part of it is vere as till in the middle of the process, or toward the end 4 State Historic Preservation Division. And with me is 5 are still in the middle of the process, or toward the end 5 Nancy McMahon, she's a deputy. 7 MK, KIOPE RAYMOND: I think some people - all I 7 80 our scope is claitively narrow. And we're 9 believing it was part of the public scoping, they were 9 site, the height, the color or the construction. It's 10 DR. CHARLIE TEN: We did say, right at the 10 Not have the letter from the ACHP. 11 DR. CHARLIE TEN: We did say, right at the 10 other people didty git, We also have our letter. 14 MS. SHARON LOANDO-MONCO: If could just add 14 We have concerns about the timing issues as had 15 something, at ma blarom. The informal meetings were not 13 Halekada. 16 MR. KIOPE RAYMOND: That's the confirmion an appendic to bar. 17 regard to the impact on the cultural properties of 17 meetings that we had planned to do - 17 regard to the impact on the cultural properties of 18 addressing and shring with the ST. That a some point. 10 Halekada.	2	having said anything that night. So if it's going to be	2	MS. ANNELLE AMARAL: Pua, what I need
5 are still in the middle of the process, or toward the end 5 Nancy McMahon, she's a deputy. 6 of it, but it's So our scope is relatively narrow. And we're 7 MR. KIOPE RAYMOND: 1 think some people all I So our scope is relatively narrow. And we're 8 was saying is some people were coming that night, 9 9 believing it was part of the philos conjug, they were 9 10 Standing at the microphone, giving testimony. 10 11 DR. CHARLE HEIN: We did say, right at the 11 12 outset, that is not a formal meeting. Were was not 14 13 outset, that is not a formal meeting. Were not 13 14 MS. SHARON I. OANDO-MONRO: If I could just add 14 15 meeting that we had planned to do 17 16 recorded because they were not formal. All formal 16 17 meeting that we had planned to do 17 18 MR. KIOPE RAYMOND: That's the condusion I am 18 19 addressing and sharing with the NSF. That some point. 19 10 when yee test were hormal. All formal. 19 11 movis a list latit latit bo to	3	addressed, that's all I need.	3	MS. PUA AIU: Pua Aiu, Administrator of the
6 of it, but its 6 So our scope is relatively narrow. And we're going to try and stay within our scope. 7 MR. KIOPE RAYMOND: 1 think some peopleall 11 7 going to try and stay within our scope. 8 was string is some people were coming that night, but were concremend that we cannot mitigate the site, the height, the color or the construction. It's very problematic for us. We are joined in this by the 10 10 standing at the microphone, giving testimony. 10 11 DB. CHARLIF FBN: We did say, right at the 10 10 12 outset, that this is not a formal meeting. We made sure 11 10 14 MS. SHARON LOANDO-MONRO: If I could just add 15 10 15 something. 1 and Sharon. The informal meetings were not 11 10 10 16 meetings that we had planned to do - 11 10 17 meetings that we had planned to do - 11 10 18 Haleakakau. 10 10 Nak I file falt to be talking about i 10 most so that in the KNF. That at some print, within to 20 solut it, either with an MOA in band, 20 charlie has just charified it will be addressed, 3 111 111 11 really inportant. 111 111 112 112	4	MS. CAROLINE BLANCO: I think part of it is we	4	State Historic Preservation Division. And with me is
7 MR. KIOPE RAYMOND: I think some people all I 7 going to try and stuy within our scope. 8 was saying is some people were coming that night. 8 10 standing at the microphone, giving testimony. 10 11 DR. CHARLIE FEIN: We did say, right at the 11 12 outset, that this is not a formal meeting. We mad sure 12 13 we said that, because we knew it wasnit. 13 14 MS.SHARON LOANDO-MONRO.FI I could just add 14 15 something. I am Sharon. The informal meetings were not 16 16 recorded because they were not formal. All formal 16 17 meetings mad sharing with the NST. That a some point, 16 18 MR. KIOPE RAYMOND: That's the confusion I am 18 19 addressing and sharing with we by know that the sale masc how and the cultural properties of 17 24 because I have two or three people say, whatever 24 18 24 public, maybe needs to be a lifely bit more clear. 23 And we have copies of that letter for a woll. 24 really important. 111 111 111	5	are still in the middle of the process, or toward the end	5	Nancy McMahon, she's a deputy.
9 was saying is some people were coming that night, 8 We are concerned that we cannot mitigate the site, the height, the color or the construction. It's the construction. It's 9 believing it was part of the public scoping, they were standing at the microphone, giving testimony. 9 site, the height, the color or the construction. It's someting. Lam Sharon Children in the construction. It's someting. Lam Sharon. The informal meetings were not recorded because they were not formal. All formal 11 Not have concerns about the timing issues as had been recorded because they were not formal. All formal 10 MR. KIOPE RAYMOND: That she contusion I an addressing and sharing with the NSF. That at some point, diverspect to Sharon and Charlie, that the public – what 11 Halewala. 11 really important. 11 And it's a little late to be talking about it now if you have already decided that you can't change the the public, maybe needs to be a little bit more clear. 11 11 really important. 11 11 11 really important. 11 12 MR. KIOPE RAYMOND: Thas was rearrand that was over said, even in informal. 11 12 MR. KIOPE RAYMOND: Thas was rearrand. 11 13 how you want to go about it, either with an MADA in hand, and you discuss that, or without an MAOA. But there seems avereything that was ever said, even in informal.	6	of it, but it's	6	So our scope is relatively narrow. And we're
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	25	MS. PUA AIU: We only have a few comments. Our	25	will have part of them here tomorrow.

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29 (Pages 110 to 113)

	114		116
1	I think for our scope of what we can do, that's	1	And I guess, lastly, you know, my thought is all
2	about all we have to say, that we think that the 106	2	the consulting parties, even though if you provided
3	process has not been followed in terms of timing,	3	documentation like an EIS, they still need to be brought
4	basically.	4	together to hear each other out.
5	And I will let Nancy go.	5	And, perhaps, the western concept of these open
6	MS. NANCY McMAHON: We have a lot of other	6	houses or scoping meetings isn't what is needed, it needs
7	partners that are concerned, Historic Hawaii, ACPH, the	7	to be more looked at. Because the impacts are Hawaiian in
8	National Park Service and their concerns. And part of	8	nature. And having a session, honoponopono session, with
9	their concerns are, I guess, when this even this	9	the Hawaiians together is another process, another way to
10	meeting. And it goes back to what Kiope said about your	10	maybe look at having another type of setting that these
11	scoping meetings and your informal consultations.	11	people can get together. And we can hear everybody out.
12	When I saw the open house and this is exactly	12	Because, as I said, there will be some Hawaiians
13	how the partners saw that the open house is typically	13	very much for it, there will be some Hawaiians with
14	what the military do here. And they have stations set	14	different perspectives of it, there will be some Hawaiians
15	around in an area, and people walk around them. And I	15	trying to mitigate things. I think everybody needs to
16	think I heard this when I first walked in. It doesn't	16	hear everybody's perspective.
17	give any of the consultant parties a time to hear each	17	MS. CAROLINE BLANCO: If I can respond to some
18	other out.	18	of this.
19	I think if they knew we could sit here and talk	19	What happened is I joined NSF in September. And
20	at a table like this today, I think they would have been	20	I spoke with Martha Catlin of the Advisory Counsel in
21	here.	21	October of 2007. And I said you know, given my strong
22	I didn't know that, either. We thought we were	22	background in historic preservation, I teach law school
23	going to have to walk around and pull you guys to the side	23	classes in it, written books on it, very dedicated to this
24	and talk to you informally, on the side, and raise our	24	field, I want to be sure that we do this right. This is
25	concerns. And that kind of confuses things.	25	the reason I was hired. I am very committed to this. And
	115		117
1	The other issue is that we got told we cannot	1	I said to her, we would like to meet with you to find out
1 2	The other issue is that we got told we cannot mitigate this. And it seems like we are going and we	1 2	I said to her, we would like to meet with you to find out what you think as the federal agency charged with
	-	1	-
2	mitigate this. And it seems like we are going and we	2	what you think as the federal agency charged with
2 3	mitigate this. And it seems like we are going and we still haven't looked at the avoidance perspective, we	2 3	what you think as the federal agency charged with providing guidance to other federal agencies and dedicated
2 3 4	mitigate this. And it seems like we are going and we still haven't looked at the avoidance perspective, we haven't looked at other mitigation. And looking at other	2 3 4	what you think as the federal agency charged with providing guidance to other federal agencies and dedicated to the 106 process, what you think we need to do.
2 3 4 5	mitigate this. And it seems like we are going and we still haven't looked at the avoidance perspective, we haven't looked at other mitigation. And looking at other proposed sites that should be looked at versus the lengthy	2 3 4 5	what you think as the federal agency charged with providing guidance to other federal agencies and dedicated to the 106 process, what you think we need to do. And after a long discussion, in which I outlined
2 3 4 5 6	mitigate this. And it seems like we are going and we still haven't looked at the avoidance perspective, we haven't looked at other mitigation. And looking at other proposed sites that should be looked at versus the lengthy timeframe it's going to take to do this project.	2 3 4 5 6	what you think as the federal agency charged with providing guidance to other federal agencies and dedicated to the 106 process, what you think we need to do. And after a long discussion, in which I outlined to her this concern about alternatives, and said this is a
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30 (Pages 114 to 117)

118

	118		120
1	We didn't receive anything from the Advisory	1	go through a turnaround, with losing our administrator.
2	Counsel until their January 17th letter. Their January	2	At that point in time, a transition team took over.
3	17th letter said, we are trying to find out who from the	3	I think the Advisory Counsel, for the last three
4	SHPD's office would be our contact, we have been	4	years, has tried to pick up for us because we weren't
5	investigating this issue with the park and some other	5	responding to a lot of projects.
6	organizations, and we understand you will be getting some	6	So I think part of it also, as you recall, when
7	letters in the next couple of weeks, and we don't think it	7	the Advisory got we lost the Western Regional Office
8	would be advisable, basically, to meet until then.	8	from the Advisory Counsel
9	We got letters from your office and from the	9	MS. CAROLINE BLANCO: Right.
10	park around February 11th.	10	MS. NANCY McMAHON: it greatly affected
11	Dr. Foltz had an injury and was unable to	11	Hawaii, particularly the western states, because most of
12	schedule a time to come out here. We wanted to meet in	12	those people that worked in that office were people, like
13	person here and meet with folks. And, unfortunately, that	13	Tom King, Claudia Leslie, who had experience in the
14	had to be delayed because the injury.	14	Pacific. Their dissertation work were done on the Pacific
15	And we had heard nothing from the Advisory	15	Islands. So they were very familiar with the cultures of
16	Counsel.	16	the Pacific Islands. And I think when it switched to
17	We sent out a letter in May, explaining our	17	Washington, D.C., we lost that connection. We lost that
18	position on this, again seeking a meeting with them to	18	connection with them. They started responding for us.
19	find out how to do this in the way they perceived was the	19	And maybe were waiting for us to come on board
20	correct way. No meeting. And, instead, they sent their	20	and get our act together in the transition period. And we
21	letter of June 12th, I believe it was, telling us that	21	did didn't get the administrator on board until May.
22	they didn't think we did it correctly.	22	So I don't know if that's the lag time. I
23	If an agency is trying to do the right thing, is	23	cannot answer to the Advisory Counsel why they didn't
24	making several trips over the course of three years to try	24	answer you directly.
25	to do things right, to try to work with the community, in	25	I got involved because the Park Service was very
	110		101
	119		121
1	dealing with a challenging project from the standpoint of	1	concerned and had talked to me to find out some of the
2	alternatives and they wouldn't be, let's redirect the	2	letters that were in the file at the time and respond to
3	road this way or this way or let's do something different,	3	that, which is the February letter that I wrote at that
4	but it's either go forward with the science or not, and	4	point. So that is kind of where we are at with it.
5	onsite mitigation can include things other than the	5	I don't know other than I might my advice to
6	project itself but could include providing access to	6	you and my advice to the Advisory Counsel is I still think
7	people. And there is already mitigation set forth in the	7	we need to go don't go the step of an MOA yet and tell
8	Draft EIS, which is articulated in my November 8th letter.	8	me that's where you are at. Yet, I think you can look at
9	My question to you and your partners, which we	9	alternatives and get some opinions of them. But I don't
10	hope would be our partners as well, is how does a federal	10	think we should be pressured into making that we are ready
11	agency move forward in this if there is no response back	11	to go there. I am not saying that we don't want to
12	about here is how we need you to go forward?	12	drag out the timeframe. I don't know what your tame
13	And this is now June. That was November.	13	timeframe is. I don't know where we are at.
14	This is highly problematic. And I am trying to	14	MS. CAROLINE BLANCO: I think at this point
15	find out a direction, a way forward, to concluding this	15	there is some confusion about what the steps are, the
16	process and trying to do it right. And I am asking your	16	specific steps that need to be taken. Especially when we
17	help.	17	are sort of at a wall on the alternatives issue. You
18	MS. NANCY McMAHON: If I can speak to November	18	know, I think we want to be honest about alternatives. It
19	8th. Like you, I came into this process rather late. I	19	would be disingenuous for us to say, oh, let's consider
20	have been with the Department of Land and Natural	20	another one over whatever when that inquiry has already
21	Resources Historic Preservation Division for 20 years, but	21	been made by the scientists and determined that, for
22	I was on Kauai. I usually get brought into very tense	22	scientific reasons, if you are going to build this
23	situations, very late in the game, and don't have all the	23	particular telescope, it needs to meet certain criteria.
24	facts before me, either.	24	And there are only a few places where that could happen.
25	At a time in November, our office was going to	25	And the reasonable place is Mount Haleakala.

31 (Pages 118 to 121)

	122		124
1	And if that's the case, how would we do an	1	to have their input and they need to be on the record,
2	alternatives analysis there in that sense?	2	especially if they are not in agreement.
3	It would really be either, you know, seriously	3	MS. CAROLINE BLANCO: But if the Royal Order
4	consider an action and seriously consider no action	4	is I mean, they are a consulting party. And I am just
5	alternative.	5	concerned that if we send out these letters and nobody
6	And so, you know, I sort of view the MOA process	6	responds or they decide not to show up, what in your mind
7	as, you know, this is in the event that the action	7	is the federal agency's obligation?
8	alternative were adopted. This is what the package would	8	MS. PUA AIU: Part of the problem with this is
9	look like.	9	the format. Because we are all used to the Army saying,
10	It doesn't necessarily mean, even with an MOA,	10	oh, we're having an open house. And believe me, those are
11	that the agency is committed to funding it. It could	11	the most bogus things. They are a waste of time. You
12	still decide, no, it's not going to go forward. And that	12	don't go there to consult, so why waste your time going
13	is the perspective that we bring here.	13	there. We're all busy people. We don't really want to
14	MS. PUA AIU: Concerning the timing of this	14	walk around and be shown this is the site location, this
15	thing is a very difficult thing, especially because we	15	is what we are going to do, blah, blah, blah.
16	don't know who the signatories are. If you are	16	We have in the past, when we did the
17	negotiating a MOA, you normally are under the impression	17	consultation, they brought us all into a room, it was
18	that you are going to move forward, that your EIS is done,	18	pretty miserable negotiations, but we did it for several
19	that you are going to move forward on it. So you are	19	days and several times. And it wasn't happy. But we were
20	mitigating because you are going to move forward.	20	able to pound out some things in those negotiations
21	In this case, you have a lot of people who, one,	21	because everybody could sit there and talk about where
22	feel like they haven't been properly consulted, and, two,	22	they could go. You could get movement on some people.
23	still think that the no action alternative is the better	23	But they were in a different place, you know. They had
24	thing.	24	gotten their right and they were going to proceed, so I
25	And this has happened before, where you then	25	think they were in a different place.
	123		125
1	take the MOA and say, look, everybody agrees. But,	1	MS. CAROLINE BLANCO: And I had a conversation
2	actually, half, or more than half, of the parties who are	2	with Betsy Merritt of the Trust, several of them,
3	consulted don't agree.	3	conversations, about this. And she asked me, are you done
4	And so maybe, Sol, I will use you as an example.	4	with your NEPA work. I said no, because we were looking
5	You have Sol and you have Uncle Charlie, and	5	at this as sort of a combined process, trying to do things
6	they agree, and you let them be signatories, whatever, but	6	hand in hand. She said, oh, good, one of the biggest
7	you haven't actually completed the very difficult process	7	concerns is that people finish their NEPA process before
8	of consultation. Which our concern is that that process	8	they are done with an NHPA, and this is great.
9	isn't near complete yet. And we are not the SHPD is	9	MS. PUA AIU: True.
10	not ready to say the no action alternative, we prefer the	10	MS. FOA AIO: True. MS. CAROLINE BLANCO: So we have been continuing
11	no action alternative, or we don't prefer the no action	11	along based on that. So that's why, I am not sure I
12	alternative. We do not believe that consultation is	12	suspect there needs to be more guidance from the Advisory
13	complete. And that if you were to put forward an MOA that	13	Counsel in carrying out processes in this regard. But
14	the timing is correct.	14	nevertheless, we have what we have. And that is why we
15	MS. CAROLINE BLANCO: And how would you, in your		chose this way of moving forward. In other words, not
16	opinion, what would complete look like from this	16	completing the Final EIS until we were able to I mean,
17	standpoint?	17	my thought was if we were able to negotiate an MOA, for
18	MS. PUA AIU: I think you need to consult with	18	example, that would be weaved into the Final Environmental
19	the people behind me, the Native Hawaiian groups. I think	19	Impact Statement, it would be included in the discussion
20	a lot of them aren't here. OHA is not here. I think Kirk	20	on cultural resources impacts, and mitigation and so
21	should be added because when they do ceremonies on	21	forth. Then it would be all consistent. And then the
21	Kaho'olawe, seeing the sun come up over Haleakala is very	22	record of decision would reflect that.
23	important to those ceremonies. You might need to consult	23	MS. PUA AIU: But you would still have the
	important to mose ceremonies. Tou night need to consult		1915. I OTTTIO, Dut you would still liave the
	with hula groups who are not here. The Royal Order is not	2.4	problem of more than half of your consultants disagree
24 25	with hula groups who are not here. The Royal Order is not here. All of those groups need to be consulted and need	24 25	problem of more than half of your consultants disagree. And that needs to go into the record.

32 (Pages 122 to 125)

	126		128
1	MS. CAROLINE BLANCO: Oh, it would go into the	1	all the consulting parties in addition to tomorrow?
2	final. For example, if 75 percent of the consulting	2	MS. PUA AIU: At least one more. I think one is
3	parties disagreed, the whole process would be outlined in	3	probably not enough.
4	the final, and it would say, you know, 75 percent of the	4	MS. CAROLINE BLANCO: I'm sorry?
5	consulting parties thought an alternative site ought to	5	MS. PUA AIU: I think you will need more than
6	have been chosen and the project shouldn't have gone	6	one.
7	forward. And that would be articulated there.	7	MS. CAROLINE BLANCO: So tomorrow plus
8	I mean, I am not sure what else we would be able	8	MS. PUA AIU: Well, I think you have tomorrow
9	to say about that. But it certainly would be honestly	9	and, you know, you will see who is able to come tomorrow.
10	reflected. The record is the record. And certainly we	10	But then you might need up to three more because I am
11	wouldn't run away from it in that sense, or in any sense.	11	hearing today and there is only, what, two groups
12	So I am trying to put some structure on this. I	12	here nobody can come tomorrow. And that there is
13	am trying to figure out how to from your perspective,	13	MS. VERNA KAIULANI NAHULU: I am coming
14	how to move forward. Are you thinking that another	14	tomorrow. I am not a nobody.
15	meeting with all of the consulting parties or at least	15	MS. PUA AIU: Auntie is coming tomorrow.
16	tomorrow is an attempt to do that, maybe if we are not at	16	You haven't been up yet.
17	MOA stage exactly, but it certainly is a meeting of which	17	Especially among the Hawaiians, if you are going
18	we have set times, 10:00 to 2:00, to meet with everybody	18	to have to mitigate for the effect on Hawaiian practices.
19	to try to see where we are at.	19	And there is not there is not even close to a meeting
20	MS. PUA AIU: That was unclear, too, because it	20	of minds on that. And you might be sitting there,
21	said the 17th, if needed.	21	thinking, that's not my issue, but it is.
22	MS. CAROLINE BLANCO: But then the follow-up	22	MS. CAROLINE BLANCO: Oh, I am sure it is. This
23	letter made that more clear. And we put some structure on	23	is all part of it. We have to try to reach agreement if
24	that.	24	we can.
25	We hadn't received any mitigation proposals from	25	MS. PUA AIU: So I think you need more than one
	127		129
1	anybody. And so we said we will meet here in an open	1	meeting. I think that you need more meetings that is
2	house forum.	2	really helpful, maybe three.
3	Again, it's hard because I wasn't aware of the	3	MS. NANCY McMAHON: I have one question. Are
4	military format. In candor, we were just trying to be	4	you recording this? Are you going to send the minutes of
5	accommodating. So it's unfortunate that some people	5	this out?
6	misunderstood that. You know, it's unfortunate they	6	MS. CAROLINE BLANCO: Sharon, are we going to
7	didn't ask us questions if they thought otherwise. But	7	post the meeting minutes?
8	nevertheless, today is as it is. And tomorrow, we decided	8	MS. SHARON LOANDO-MONRO: Oh, yeah. We will put
9	to put some structure, 10:00 to 2:00, to begin discussion	9	it on the
10	about how to deal with some of these adverse effects.	10	MS. CAROLINE BLANCO: That's what they typically
11	MS. NANCY McMAHON: And we do appreciate the	11	do.
12	fact that you have opened it up to let Historic Hawaii and	12	MS. PUA AIU: Then you need to be moving
13	some other organizations come back into the process and be	13	documents back and forth in between those meetings. So
14	consulting parties. So we appreciate that part.	14	that every time you have a meeting, hopefully you are
15	MS. CAROLINE BLANCO: Sure. And I called Betsy	15	getting closer to where
16	this morning she is out, I guess, until the 20th and	16	MS. NANCY McMAHON: Consensus on where
17	told her we would let the Trust in as well.	17	MS. PUA AIU: You can get a consensus. And you
18	But I am sure you understand, too, there is a	18	are not going to get a consensus with everybody, but at
19	need for finality in any process. This one has been going	19	least show good faith consultation.
20	on for so long. And, unfortunately, there have been	20	MS. SHARON LOANDO-MONRO: If I can say
21	changes made in the Office of General Counsel and the	21	something. I believe that we did put the transcripts on
22	guidance of the process has, you know, been longer because	22	the NSO website of all the meetings we've had in the last
23 24	of that and not quite as compact.	23 24	three years, with Section 106, DEIS, scoping meetings. MS. PUA AIU: Even the informal ones?
Ζ4	But am I hearing you correctly in thinking that	L 24	wis, r UA AIU. Even the informationes?
25	we should have, from your perspective, another meeting of	25	MS. SHARON LOANDO-MONRO: No. The informal ones

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we didn't do that because they were informal meetings. It	1	that's what it is, you can't you know, it's either
was just something that people wanted, you know, said,	2	going to be action or no action. And that is an
hey, can we have another meeting, so we scrambled and go	3	understandable position, if you have gone through, you
get another meeting for everybody. I took notes at those	4	know, the consideration of various alternatives and you've
meetings, to listen if there was something different from	5	whittled them down based on whether or not they meet
what we've heard.	6	scientific objectives. That is a legitimate position to
MS. PUA AIU: The thing is, is it just open like	7	take. And so based on that information and advice, that's
meetings or are you moving toward a negotiation? Because	8	how we moved forward.
those are two different things. People just come up and	9	And so assuming that we continue along that path
say what they say, that's one thing. If you are sitting	10	and we do try to work with our consulting parties to find
there, saying, okay, look, we are looking at mitigation,	11	out how do we deal with adverse effects, what can we do,
we are looking at what we are going to do, we are trying	12	what can we do at the site itself without changing the
to move towards something. That's two different things.	13	telescope structure, what can we do on the site to make
MS. CAROLINE BLANCO: Right. I think, at this	14	things better, what can we do offsite to make things
stage, we are moving towards something, toward finality.	15	better, that is something we want to have. We want to
We have adverse effects.	16	have that discussion. We want to move forward and see
One big concern about the direction of documents	17	what can be accomplished there.
is that we are routinely copying all of the consulting	18	And if we are able to do that in these
parties. Your office has not, the Advisory Counsel has	19	consultation meetings, do you foresee an MOA signed by, at
not, the park has not. And, you know, those three	20	a minimum, the Advisory Counsel, NSF, the SHPD? Do you
partners have also included people who were not consulting	21	think that is possible?
parties. And it doesn't help, I think, to establish a	22	MS. PUA AIU: You want odds or do you want a yes
very good cooperative, trusting relationship with	23	or no?
everybody.	24	MS. CAROLINE BLANCO: I want feedback.
And I would like to see from this point forward	25	MS. PUA AIU: I think it's going to be difficult
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that we do that so that we are all on the same page and we	1	because the things that matter we are not allowed you
move forward in a way that is honest and open and working	2	are saying we can't mitigate.
together. If there are concerns, let's vet those concerns	3	DR. CRAIG FOLTZ: It's not that you are not
and move forward. Because at this point it's not really	4	allowed to.
taking shape. It hasn't really taken shape. It needs to	5	MS. PUA AIU: It says, "Cannot mitigate."
take shape. We need to move forward and we need to	6	DR. CRAIG FOLTZ: There is a difference between
conclude a process.	7	being allowed to and can, being able to or being allowed
It's not right to taxpayers to drag a process	8	to.
out for over three years. We need to move forward on	9	MR. JEREMY WAGNER: I think we may be missing
this.	10	something here. We looked at over 70 sites.
And I think if what you are saying is, in	11	MS. PUA AIU: Yeah. But you didn't look at them
addition to tomorrow, we need possibly up to two more	12	in terms of the effect on traditional cultural properties.
additional meetings with the consulting parties I know	13	MR. JEREMY WAGNER: Let me finish for a second.
we are meeting with the Park Service on August 22nd you	14	We looked at them.
know, perhaps we could combine that with another meeting.	15	The height, we made it as short as we could and
I am not sure. I will have to talk with some of my	16	meet the science requirements.
colleagues here. And maybe two days of meetings or so	17	The color, the way we mitigated that was the two
	1	

there, or, you know, fit in whatever you think makes some sides. sense. If you put it on the Mees side, it's essentially Do you foresee that, in theory, provided we have not seen for most of the areas on the island. If you put those meetings, that it is still possible, even though we it at Reber Circle, it's much more visible. So that's why have this alternatives issue -- that I am not sure how to we preferred the Mees side. work around that unless you have ideas. I mean, I am You can't change the color, but you can hide it certainly open to hearing ideas about this. behind the AEOS telescope, behind the topography. Martha had said, well, if that's what it is, The construction, the subcategories like the

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	foundation, we tried to put in as a little of a hole as we	1	better site for solar astronomy than Mauna Kea is. So
	2 had to, to make the foundation as small as possible.	2	this was an extremely refined objective process that
	3 So those minimizations have already been done.	3	involved a number of scientists, both interested in the
	4 Those were based on what we needed to do, what we wanted	4	project and not interested in the project. People who are
	5 to do, which drives cost and such. We don't want to make	5	expert on telescope siting, both for daytime telescopes
	the structure any bigger than we have to. And the public	6	and nighttime telescopes. It went on for approximately
	7 said the same thing, they don't want to see it and they	7	four years.
	8 want it to be small. So we tried to do that.	8	MR. JEFF BARR: Something like that.
	9 The Mees site, for example, isn't visible from	9	DR. CRAIG FOLTZ: It involved innumerable
1	<u>^</u>	10	meetings and trips. And it narrowed down to one.
1	-	11	And let me be perfectly honest. If there were
1		12	another, it would go there.
1		13	There is one.
1	· –	14	So what Caroline has said before and you have
1		15	all discussed that there is a go, no go option. That
1	* -	16	is what the NSF would face.
1		17	I want to say one more thing. We are funding
1		18	this project. This is not our project. We do not work in
1		19	a proactive way. We are not like the Department of
2	, , , , , , , , , ,	20	Defense. We are not like the Department of Energy. We do
2		21	not sit down together and say, what is the direction that
2		22	we are going to take science and what are the projects
2		23	that we want to do. Everything that the NSF does is
2	-	24	reactive. That is, it reacts to the community.
2		25	That is not in response to anything that has
_	· · · · · · · · · · · · · · · · · · ·		
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	standards a full cultural assessment of what the	1	been said, but I want to make it clear that the NSF
	2 impacts were. But it was not a non-issue in terms of the	2	this project is the project of the U.S. and international
	3 feasibility studies.	3	solar and space physics community. If it moves forward,
	4 MR. JEREMY WAGNER: When we took on looking for	4	the NSF will fund it and the NSF will fund its operation.
	an environmental contractor to help advise us and push	5	
	this process forward we considered that Are they	1	But in a very real sense, this is not an NSF project.
	6 this process forward, we considered that. Are they	6	MS. PUA AIU: So I think the important thing for
	sensitive to cultural issues, do they have experience,	6 7	MS. PUA AIU: So I think the important thing for us is that it's a very special site for you, it's a
	sensitive to cultural issues, do they have experience,local experience, are they cognizant of the kinds of	6 7 8	MS. PUA AIU: So I think the important thing for us is that it's a very special site for you, it's a very special site for us we want the same consideration
	 sensitive to cultural issues, do they have experience, local experience, are they cognizant of the kinds of issues that Native Hawaiians and the locals on Maui would 	6 7 8 9	MS. PUA AIU: So I think the important thing for us is that it's a very special site for you, it's a very special site for us we want the same consideration for the history and the culture, and particularly the
1	 sensitive to cultural issues, do they have experience, local experience, are they cognizant of the kinds of issues that Native Hawaiians and the locals on Maui would be concerned about. That drove that process as well, when 	6 7 8 9 10	MS. PUA AIU: So I think the important thing for us is that it's a very special site for you, it's a very special site for us we want the same consideration for the history and the culture, and particularly the culture, that you give to science. And that's our bottom
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11 11 11 11 11 11 11 11 11 11	 sensitive to cultural issues, do they have experience, local experience, are they cognizant of the kinds of issues that Native Hawaiians and the locals on Maui would be concerned about. That drove that process as well, when we went out looking for those kinds of consultants. So it was considered. As soon as Haleakala was on the list, it started to be considered by us. MS. PUA AIU: Okay. I still think it's going to be difficult. DR. CRAIG FOLTZ: Let me finish my sentence. When I said you can't mitigate, if you make this smaller, it will not work. If you paint it brown, it will not work. If you put it on any one of the other 71 sites that were considered, it will not work. That is how special this site is with respect to the purpose and need for such a telescope. We did not capriciously say, we like Maui, we think it will be easier to put it on Haleakala than it 	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS. PUA AIU: So I think the important thing for us is that it's a very special site for you, it's a very special site for us we want the same consideration for the history and the culture, and particularly the culture, that you give to science. And that's our bottom line. MS. CAROLINE BLANCO: And I completely understand that. I am trying to sort of weave back a bit to given what has been said about the height, color, construction, site, et cetera, how would you anticipate being able to if you were to redo this process entirely, if you were to direct it, what would you say we do that? MS. PUA AIU: Well, thank God I am not in your seat, first of all. I understand you have a hotter seat than I do. But I think that, you know, the issue is going

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APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

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1	affect what they do, how is it going to affect the people	1	those, what can we do about those. And there is an honest
2	behind them, how is it going to affect the other people	2	openness with the NSF with regard to what can we do to try
3	who are practitioners. Because that's you say, okay,	3	to mitigate those effects as best as possible. And our
4	well, you make it shorter, you can't practice your	4	hope was to have some concrete suggestions come to the
5	astronomy. Well, I don't know, maybe you put this up, and	5	table today, and before today. Well, before today. When
6	they can't practice whatever they practice. So that's the	6	those postcards were sent out in 2006, the hope was that,
7	question and that's what you have to answer. And whether	7	you know, we would hear some concrete suggestions.
8	you can mitigate that or not is the question on the table.	8	MS. ANNELLE AMARAL: I need to give the
9	MS. CAROLINE BLANCO: I think we have at least	9	stenographer a break. She's been going for two hours
10	made efforts along those lines in that we already have set	10	without a break. So is that okay, if we take ten minutes?
11	out what adverse effects there are and acknowledged there	11	Are you ready to take your lunch break now? Are
12	are adverse effects. So going through the first initial	12	we going to lose these guys?
13	one of it's either go or no go with regard to building	13	MS. CAROLINE BLANCO: I think
14	this, what I am concerned about is I think I am hearing	14	MS. PUA AIU: If we go to lunch, you will lose
15	from you is that you think that we have not followed the	15	
16	process because we can't figure out alternative sites.	16	MS. ANNELLE AMARAL: Then we won't let you go to
17	MS. PUA AIU: I haven't seen the documentation	17	lunch. Let's take ten to give the stenographer a break.
18	saying, okay, this is going to affect these practitioners	18	(Recess.)
19	in this way. I haven't. I mean, maybe it's there, I just	19	MS. CAROLINE BLANCO: First of all, I just want
20	haven't seen it.	20	to say I really appreciate the frank conversation. I
21	MS. CAROLINE BLANCO: I don't think those	21	think this is the way we actually can work forward toward
22	particulars are in the letters. They are more in the	22	resolving some things.
23	cultural resources studies.	23	There is one point of clarification I want to
24	Correct, Charlie?	24	make about past meetings that have happened, because I
25	DR. CHARLIE FEIN: That's right.	25	think the history is not known. There have been a lot of
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1	MS. CAROLINE BLANCO: And articulated in the	1	players that have changed. So it's probably helpful for
2	Draft Environmental Impact Statement, which is all part of	2	the whole group to understand what happened.
3	the same thing. There were two separate studies that were	3	Charlie, I will ask him to speak in a moment.
4	done. And with, again, an effort to try to	4	Then the other thing is to just say that, in
5	MS. PUA AIU: No, not together.	5	light of your suggestion, I think we can all arrange our
6	MS. CAROLINE BLANCO: with an effort to try	6	schedules so that around the time of the meeting with the
7	to really make this as comprehensive as possible.	7	park, on August 22nd, we can have a meeting, another
8	So I am asking, I guess, a fairly direct	8	consulting party meeting. And maybe do it over two days
9	question in that if I mean, do you see a way in which	9	or so.
10	we can have a discussion about alternatives if, in	10	MS. PUA AIU: Okay.
11	reality, from a scientific perspective, there is no other	11	MS. CAROLINE BLANCO: Then, at that point,
12	place to carry this project forward?	12	really sit down, have a solid negotiation over what could
13	MS. PUA AIU: You may or you may not. Because	13	be in an MOA to mitigate adverse effects.
14	what you are doing and what you guys and the Army and	14	And with regard to the question of who the
15	Mauna Kea does all the time is say, well, we can't	15	signatories are, I think other than the Advisory Counsel
16	practice what we do unless you give up what you do. And	16	and the SHPD and NSF, it's uncertain to me right now
17	that is where the rub is.	17	because I don't know who is interested in doing that, in
18	So I can't answer your question until I read	18	being a signatory. I know the park has expressed an
19	your cultural facts. And I'm sorry, I haven't read it, so	19	interest. But a lot will depend on, you know, what the
20	I can't answer the question.	20	nature is of it. So it's sort of almost a cart before the
21	MS. CAROLINE BLANCO: To me, where I see the	21	horse question at this juncture.
22	valuable discussion coming into play is on mitigation.	22	I did want to take a moment out and have Charlie
23	Because at this point we've acknowledged there are adverse	23	talk about what has transpired to date in terms of
24	effects. I think everybody has concurred there are	24	consultation meetings.
25	adverse effects. So the question is what do we do about	25	I don't want to mislead folks into thinking we
	autorise erreets. So the question is what do we do about		I don't want to misicaa forks mto umiking we

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1	have only had, you know, two hearings in the past and that	1	correspondence that's out there, you folks haven't been
2	is the end of it and now, suddenly, we're pushing	2	doing anything, why haven't you been doing anything, or
3	everybody into an MOA. Because that's really not where	3	when are you going to start having these meetings. And
4	things are at.	4	these meetings have been going on all along.
5	Charlie.	5	MS. CAROLINE BLANCO: And that's part of the
6	DR. CHARLIE FEIN: Right. So, of course,	6	concern that NSF has, is that we have been having many,
7	beginning in 2005, in July of 2005, we had our scoping	7	many meetings, lots of formal, informal consultation
8	meetings, which identified historic and cultural issues	8	meetings, or meetings with consulting parties, in trying
9	right off the bat. And during the DEIS process, we held	9	to get a real feel for what the effects are. And the
10	meetings of all kinds, 13 altogether, in small venues,	10	supplemental first, the cultural resources study, then
11	large venues, in private offices. We held meetings	11	the supplemental one.
12	sometimes with only two or three people, sometimes with as	12	Could you explain what that process was, the
13	many as 50 or 60, all designed to discuss Section 106	13	supplemental one?
14	issues.	14	DR. CHARLIE FEIN: Yes. Sure.
15	For example, we met with OHA twice that I am	15	MS. CAROLINE BLANCO: That would be helpful,
16	aware of. We met with the public. A public invitation	16	too, for folks to know.
17	was issued for three formal meetings right after the	17	DR. CHARLIE FEIN: The original cultural
18	scoping process. And then three more formal meetings to	18	resource evaluation, which was done by Kahu Maxwell, was
19	discuss Section 106 issues after the DEIS was published.	19	very specific about certain impacts, cultural historic
20	And so there have been meetings in which certain	20	impacts, that this project might have on the site.
21	individuals have participated over and over again	21	However, Kahu Maxwell did not elaborate insofar as having
22	Kiope, for example from day one. Then there have been	22	discussed this with many other people in the community.
23	other individuals that have come in and out of the	23	He has very strong personal opinions about the site and so
24	process. There have been some who never responded. There	24	on.
25	have been some who have given written testimony, some who	25	But the comments that we received from Kiope and
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1	gave only written testimony, and others who gave written	1	others concerning potential cultural impacts to Native
2	and oral testimony.	2	Hawaiians, from this project, was sufficient for us to
3	Everything that was given to us was incorporated	3	seek additional research.
4	into the process so that, in the Final Environmental	4	So we engaged Cultural Surveys Hawaii. And
5	Impact Statement, anything that anybody said up until this	5	those folks went out into the community and spent weeks
6	point about the Section 106 process that is unique and not	6	talking to people. And they prepared a cultural resource
7	the same has to be addressed. It must be addressed in	7	evaluation, a supplemental cultural resource evaluation.
8	accordance with the federal law. And we intend to do	8	And to be frank with you, the conclusion was not
9	that.	9	terribly different from the first, that there would be
10	In that regard, for example, we received very	10	impacts to the cultural resources at the site and those
11	detailed comments from Kiope concerning the history and	11	impacts would be significant. This is not different from
12	cultural legacy of Haleakala along with comments about	12	what we concluded in the DEIS. This is not different from
13	lack of detailed information concerning the site. We	13	what we concluded early in the process when there was
14 15	commissioned a study which includes what I would consider the equivalent of at least a bachelor's thesis on	14 15	communication between NSF and SHPD.
16	<u>^</u>	16	So the supplemental cultural resource evaluation
17	Haleakala. It's 15 pages of history and so on, incorporated along with the study that was done to further	17	is part of the FEIS process, but was released to the public so that anybody could read it. Sort of an unusual
18	identify issues and to get people to speak about their	18	situation. There is no law that says we had to do that,
19	feelings concerning the summit and the use of the summit	19	but we did want other people to read that evaluation. So
20	and what this project would mean with respect to their	20	we released it shortly after it was completed.
21	practice.	21	MS. CAROLINE BLANCO: Thank you.
22	So we have been doing this. We have been doing	22	DR. CHARLIE FEIN: Thank you.
23	this for three years now. And I know it's always	23	MS. CAROLINE BLANCO: Other thoughts about the
24	difficult when you come in for the first time to say,	24	process from here on out?
25	well, it looks like you haven't based on some of the	25	MS. PUA AIU: No. I think the meeting I mean

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1	do you have a thought?	1	were held and were noticed. And they made a special
2	MS. NANCY McMAHON: No. No. I was just going	2	effort to have one of the meetings at Waiehu, which is in
3	to get into specifics a little bit. We've run into lately	3	the Hawaiian Homes area, specifically to get Hawaiian
4	a lot of a number of federal agencies that try to tell	4	peoples inputs. And these are meetings that, actually, I
5	us they cannot mitigate and their only alternative is	5	testified in two of them. And so these are things that
6	offsite mitigation. And we don't think that is an answer.	6	have happened.
7	MS. CAROLINE BLANCO: And what types of site	7	How much more do we need? How many more do we
8	mitigation could you see here?	8	need? Thirteen have happened.
9	MS. NANCY McMAHON: Without hearing what the	9	That's my comment.
10	concerns are from the cultural practitioners, I couldn't	10	MS. PUA AIU: Go ahead.
11	tell you. But perhaps providing them resources that might	11	MR. KIOPE RAYMOND: No. Go ahead.
12	be available other places, I am not sure, and seeing what	12	MS. PUA AIU: No. I think there is a difference
13	some of those people have. I don't think offsite is	13	when you sit down to negotiate an MOA versus just hearing
14	fine. I just don't think it should be the only thing that	14	feedback.
15	should be looked at.	15	I would take a wild guess here, but most of the
16	MS. CAROLINE BLANCO: Right. And I don't think	16	feedback was negative.
17	we're saying offsite is not the only option. We are open	17	MS. CAROLINE BLANCO: I think you raise a very
18	to suggestions for onsite mitigation as well, provided, of	18	good point. I think that there is often confusion about
19	course, the scientific objectives will still be met.	19	what does consultation mean. I think certainly, from my
20	So if I understand this correctly, then as far	20	perspective, consultation has to include feedback from the
21	as the process goes, in addition to tomorrow, we will have	21	community to find out what the concerns are. I mean, you
22	two more days of meetings in addition to the meeting with	22	can't negotiate over how to address those concerns until
23	the park in late August. And during those meetings, we	23	you know what the concerns are, in the first instance.
24	will try to continue to draft an MOA to address adverse	24	So it strikes me that it was appropriate to go
25	impacts.	25	through this effort. And from my look at the history of
	147		149
1	I am also going to make an effort to try to I	1	it, it seemed like it was a pretty significant effort that
2	left a message with Betsy Merritt of the National Trust		n, n seemeu nke n was a pietty significant enon mat
3		2	was undertaken for a long pariod of time
	Historic Preservation and said that we would be	2	was undertaken for a long period of time.
	Historic Preservation, and said that we would be interacted in meeting with her in Washington. So we will	3	But we are at this stage now where we've
4	interested in meeting with her in Washington. So we will	3 4	But we are at this stage now where we've acknowledged the adverse effects. And we're trying to
4 5	interested in meeting with her in Washington. So we will try to make that effort as well, reach out to her.	3 4 5	But we are at this stage now where we've acknowledged the adverse effects. And we're trying to move forward and address those.
4 5 6	interested in meeting with her in Washington. So we will try to make that effort as well, reach out to her. We will renew our request for a meeting with the	3 4 5 6	But we are at this stage now where we've acknowledged the adverse effects. And we're trying to move forward and address those. Yes.
4 5 6 7	interested in meeting with her in Washington. So we will try to make that effort as well, reach out to her. We will renew our request for a meeting with the Advisory Counsel. Hopefully, they will see fit to meet	3 4 5 6 7	But we are at this stage now where we've acknowledged the adverse effects. And we're trying to move forward and address those. Yes. MS. MIKAHALA HELM: I just wanted a
4 5 6 7 8	interested in meeting with her in Washington. So we will try to make that effort as well, reach out to her. We will renew our request for a meeting with the Advisory Counsel. Hopefully, they will see fit to meet with us as well and recognize the efforts we are trying to	3 4 5 6 7 8	But we are at this stage now where we've acknowledged the adverse effects. And we're trying to move forward and address those. Yes. MS. MIKAHALA HELM: I just wanted a clarification, Charlie, because you mentioned 13 meetings
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1	MR. MIKE MABERRY: Yes.	1	I really appreciate Sol's input here. He spoke
2	DR. CHARLIE FEIN: We had gotten a suggestion	2	for a lot of us. But I appreciate that he talked about
3	that we actually go knock on doors and talk to people one	3	the hurt of the Hawaiians. And I acknowledge that, but I
4	on one or twos and threes. So we did that. So I include	4	also feel that we have to go beyond the hurt in order to
5	all of those as Section 106.	5	come to some kind of conclusion and not be hurting all
6	MR. KIOPE RAYMOND: The one in the library was	6	over the place and causing delays a lot.
7	not a Section 106.	7	I would like to go beyond the hurt and realize
8	MS. CAROLINE BLANCO: But, again, these two	8	the educational value of what we are talking about. And I
9	processes are joined together, so it has informed it.	9	would also like to speak for some of the children that are
10	But I think there was another comment. Do you	10	not here, for their generation.
11	want to make a comment before you, yes, before they	11	I am a teacher who can see a scientific future
12	took off?	12	for our children in their own future. That they own their
13	MS. VERNA KAIULANI NAHULU: No. I will speak	13	future. And they are not they are not at any of our
14	after.	14	meetings. So here all the old people are talking and we
15	MS. ANNELLE AMARAL: If there are no further	15	are so into our past and we're into everything that has
16	comments, are we ready to release DLNR, since this is the	16	gone on before, and sometimes we don't want to move past
17	last call?	17	that.
18	Thank you very much for coming. Appreciate it.	18	So I want to move past that and, yet, know that
19	Just a reminder, before you speak, we need you	19	our cultural lives are partly based on the fact that all
20	to oh, Warren needs to sign, too identify yourself	20	of our ancestors traveled by canoes. And the skies were
21	for the court stenographer so she knows your name. And	21	extremely important to them, extremely important. In
22	then, you know, you get to make your comments.	22	fact, they showed the way forward, for our canoes to go to
23	This is a different structure than a public	23	where we wanted to go. So the skies are still extremely
24	hearing. This is, as you can see, more of a conversation.	24	important. We still are traveling by canoes, some of us.
25	And lots of people get involved in this conversation. So	25	And our children have to know the past
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1	if there are any people who want to speak that are behind	1	information of our skies, they have to know our present
2	the speakers, we ask that you wave at me so that I will	2	and our future information about the skies. And these
3	acknowledge somebody wants to ask a question, we will call	3	people are here to contribute something towards the future
4	on them. Otherwise, you know, it will be pretty free	4	of the education of our skies for the future generations,
5	flowing.	5	for the present generations who are here and their
6	And we ask that, once you are recognized and you	6	children and their grandchildren.
7	are going to speak, beyond the person who has just	7	And so I want to move forward. And still
8	identified themselves, you've got to identify yourself for	8	appreciating our ancestors, but moving forward, to be with
9	the court stenographer. So before you speak, give your	9	the children who are steeped in technologies, steeped in
10	name.	10	technologies of their own present and future. And moving
11	I am monitoring to make sure everybody is kind	11	towards the help that we can give them to advance, to
12	to one another and behaving.	12	advance into the world they are going to live in.
13	DR. CRAIG FOLTZ: So far so good.	13	And so it's very important for me as a teacher
14	MS. ANNELLE AMARAL: Yes. We have had a very	14	to consider that our future generations of children have
15	kind group.	15	to be part of the equation. And since they are not, there
16	Please, you were here first, so I am going to	16	are teachers like me who understand the feelings of our
17	let you begin.	17	children. And we can probably go forward in that.
18	MS. VERNA KAIULANI NAHULU: Thank you.	18	I think science and the culture of our Hawaiians
19	My name is Verna Kaiulani Nahulu. I am a Native	19	can come to a harmonial and reuniting of feeling among the
20	Hawaiian kupuna, retired teacher, resident of Keokea	20	people and go forward in our lives as Hawaiians, but as
21	Hawaiian Homestead.	21	Hawaiians with a future. As the children that we have
22	And I would like to take another slant. I see	22	and the children that we have in our islands, we have
23	us going horizontal all the time in all these meetings.	23	to help them to go forward into the future that they own.
24	And there is nothing vertical happening. So I would like	24	We will not be here forever, but our children are coming,
25	to inject a more vertical point of view.	25	our grandchildren are coming, our great grandchildren are

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1	coming. And they need the possibility of growing in their	1	about pardon me if I just prod along here but I
2	future.	2	thought about this when you were talking about going up
3	And the fact that we have come from someplace in	3	and experiencing the sky. Because, you know, I've taught
4	our past should not negate our children's future. And	4	astronomy and been an astronomer for 30 years. The thing
5	this is what I am here for, to help to see that we can	5	that I like best I used to take guest to our
6	have a structural situation where our children can grow	6	observatories in Arizona. The thing that I liked best is
7	and our children can learn, and their children, too.	7	explaining the sky, standing out as the sun goes down and
8	And so it is very important for me to see some	8	explaining the sky. There is where the planets are,
9	kind of vertical point that we can come to, to come to	9	that's where the sun goes. You know, that's the sort of
10	some kind of conclusion, instead of wandering	10	thing that you can do from my heritage or from your
11	horizontally. Maybe if we can take a few baby steps and	11	heritage. And in the end, you end up with somebody who
12	then bigger steps to go forward.	12	has an understanding of the way the sky works.
13	So that is what I have to say today.	13	It's not simple. It's not something you just
14	And so are there any questions?	14	learn in an hour and-a-half. You know, you need to sit
15	DR. CRAIG FOLTZ: I have a question. Verna, do	15	under it, you need to watch it. Whether you watch it from
16	you think that we can actually and I ask this question	16	the dome of a telescope or whether you watch it with an
17	of Sol, too, and Warren, and anyone else do you believe	17	elder who is teaching in a different perspective, that's
18	that we can integrate modern technology and respect for	18	what you need to learn in order to be equipped to work at
19	historical practices and culture?	19	an observatory. Even if you are working at an observatory
20	MS. VERNA KAIULANI NAHULU: It has always	20	as a programmer or as an engineer or technician or
21	happened. And it needs to happen now, again and again.	21	telescope operator or an astronomer. That's the sort of
22	You know, you look at Europe, you know, and they come from	22	thing that I see.
23	a very, very big past. But they go forward, too.	23	You know, if we want to tap into the economic
24	DR. CRAIG FOLTZ: I agree with that. It's not	24	and I am talking economic because that's in many ways
25	the articulation I would put it, but in the realization	25	that's what you are talking about, too.
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1			
1	MS. VERNA KAIULANI NAHULU: Exactly.	1	MS. VERNA KAIULANI NAHULU: Exactly.
2	DR. CRAIG FOLTZ: that I have trouble. I	2	DR. CRAIG FOLTZ: The economic potentials of the
3	look at these islands and, you know, we've asked, been	3	resources that you have here, does this mitigate the hurt?
4	asked many times about the economic impact of ATST, how	4	I don't think it does. I think we have to do that another
5	many jobs will you bring. And that's an important	5	way. I think we have to work on other things. But that
6	question. And, really, my sense is that the important	6	is what allows people to live a good life, maintain the
7	thing is to fill those jobs with people who live here.	7	connection to the past.
8	Because people who live here like to live here. People	8	MS. VERNA KAIULANI NAHULU: Right.
9 10		0	-
	who come here from the mainland don't stay very long for a	9	DR. CRAIG FOLTZ: Maintain a connection to their
	variety of reasons.	10	DR. CRAIG FOLTZ: Maintain a connection to their culture and their practices, and still live where they
11	variety of reasons. And if you look at that opportunity in the	10 11	DR. CRAIG FOLTZ: Maintain a connection to their culture and their practices, and still live where they were planted.
12	variety of reasons. And if you look at that opportunity in the context of all of the astronomy of Hawaii, and not just	10 11 12	DR. CRAIG FOLTZ: Maintain a connection to their culture and their practices, and still live where they were planted. MS. VERNA KAIULANI NAHULU: Yes.
12 13	variety of reasons. And if you look at that opportunity in the context of all of the astronomy of Hawaii, and not just the ATST I mean, you have how many telescopes on your	10 11 12 13	DR. CRAIG FOLTZ: Maintain a connection to their culture and their practices, and still live where they were planted. MS. VERNA KAIULANI NAHULU: Yes. DR. CRAIG FOLTZ: That's the sort of mitigation
12 13 14	variety of reasons. And if you look at that opportunity in the context of all of the astronomy of Hawaii, and not just the ATST I mean, you have how many telescopes on your mountain, how many employees work on Haleakala right now?	10 11 12 13 14	DR. CRAIG FOLTZ: Maintain a connection to their culture and their practices, and still live where they were planted. MS. VERNA KAIULANI NAHULU: Yes. DR. CRAIG FOLTZ: That's the sort of mitigation that I see that's a real mitigation. In addition to the
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12 13 14 15 16 17 18 19 20 21 22	 variety of reasons. And if you look at that opportunity in the context of all of the astronomy of Hawaii, and not just the ATST I mean, you have how many telescopes on your mountain, how many employees work on Haleakala right now? MR. MIKE MABERRY: About 100. DR. CRAIG FOLTZ: If you ask how many work in Hilo and Waimea, on the Big Island, and the top of Mauna Kea, it must be another 300. MR. MIKE MABERRY: Easy. DR. CRAIG FOLTZ: And when I look at a possibility for going forward and there are certain types of talents that are needed at observatories. And 	10 11 12 13 14 15 16 17 18 19 20 21 22	DR. CRAIG FOLTZ: Maintain a connection to their culture and their practices, and still live where they were planted. MS. VERNA KAIULANI NAHULU: Yes. DR. CRAIG FOLTZ: That's the sort of mitigation that I see that's a real mitigation. In addition to the onsite stuff, and in addition to a commitment to take it all away when we are done with it. But I still have that problem. I still have that problem of how do we do that, how do we make that linkage. And I think that's the work that we would have ahead of us. MS. VERNA KAIULANI NAHULU: I totally agree. And I think it will come to pass, you know, if we keep

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1	Haleakala, at the point where it would be the best place.	1	And this is a great opportunity, as my previous
2	And you have already said which point is the very best	2	colleague mentioned. Here is a chance to provide for an
3	place. And I think it is very intelligent, considering	3	opportunity to grow, not only internationally, not only
4	all the possibilities I mean, it's behind the Mees,	4	for national, not only for Hawaii, but for Maui, too.
5	it's not like it's not like a blue, brown structure and	5	Here is that chance. Let's do it.
6	everything has been so delicately put together. And I	6	I also want to mention that, yes, this is a
7	completely am in favor of it.	7	delicate and very touchy situation. We are trying to
8	And I think if 1,000 children were with me, I	8	restore and build the cultural heritages of the Hawaiians.
9	think they would be in favor of it, too. Because we	9	Respectfully, we're trying to do this.
10	oldsters, we like to stay with our past, you know. And	10	Maui's Haleakala was the home and I say
11	it's the children who want to go forward with their	11	was was the home of Pele. Pele has since moved to
12	future.	12	Kilauea.
13	And I think we should allow the children their	13	However, that doesn't mean that Haleakala is
14	future and not stick with the past that is like so, so	14	less than Kilauea. It's still revered. The sacred wahi
15	we've already lived the past, you know. In the present, I	15	pana, this area is a sacred area of the demigod Maui, as
16	think we have to provide for our children's future. And	16	you know.
17	it is not being discussed.	17	And there are other gods and goddesses, 40,000
18	DR. CRAIG FOLTZ: Thank you.	18	of them, all in this area floating above this area called
19	MS. ANNELLE AMARAL: Thank you.	19	Wao Akua where the gods reside. And, yes, you will be
20	Warren.	20	looking through this area.
21	MR. WARREN SHIBUYA: Thank you. I am Warren	21	It's sensitive, yes, because, if you apply it to
22	Shibuya. I am a private resident.	22	our today's culture, we're peeping through a neighbor's
23	And this is my fifth time, I believe, that I am	23	house, we're invading their privacy. But we are not
24	meeting with you people. So in comment in retrospect to	24	really looking at them, we are looking at the sun.
25	the couple previous Dr. Aiu, with all due respect to	25	So, yes, there is going to be this conflict
	159		161
1	her that there was inadequate opportunity to express,	1	here. Today, it's misdemeanor, called peeping into your
2	to provide comments, to provide mitigation, I think there	2	neighbor's privacy. But we are not looking at the
3	was more than enough opportunity to do that.	3	neighbors' privacies.
4	But here I am. I am retired from the Space &	4	So here is an opportunity for both the National
5	Missile Systems Center in El Segundo, California. I have	5	Science Foundation, perhaps and, Craig, we talked about
6	been passionate for 32 years in science. And we did lots	6	this in one of our meetings. That I ask that the National
7	of satellites. And I am very proud of that.	7	Science Foundation consider, and the Institute of UH
8	And I hope this pride can be brought over and	8	Astronomy, and the State contribute to a workforce
9	shared with the people of Maui, even to Hawaii. And this	9	development type program on Maui, and hire residents, Maui
10	opportunity does not come every day. This is one of a	10	as well as Hawaii, to work on the ATST project. Not only
11	kind, one-time shot, folks.	11	the OJT, on-the-job, type training, but programming,
12	MS. VERNA KAIULANI NAHULU: Right.	12	educational funding, supporting the studies of
13	MR. WARREN SHIBUYA: And we're going to do it.	13	mathematics, physical and gaseous sciences, solar physics,
14	Let's do it right. And I think we can do it because you,	14	thermal and plasma dynamics, engineering, and Hawaiian
15	NSF, the astronomy people at UH, worked with this and	15	culture.
16	tried to work issues to make it as acceptable as possible.	16	This proposal needs the joint community, State
17	Yes, Craig, I believe the hurt is always going	17	and business support.
18	to be there.	18	The State to provide the land, facilities and
19	Looking back at the 18th Century culture where	19	faculty. And create a four-year university college of
20	you have Kolekole, which is the summit area, which is	20	sciences, technology, engineering on Maui. And I believe
21	where the Kahuna Po'o, the high priest, consulted with the	21	that is the Maui Community College that is making that
22	gods and goddesses to answer questions and delve into	22	proposal, or will be making that proposal.
23	tough questions and issues. Yes, this is the same	23	The second would be the ATST is to employ Maui
24	Kolekole that today we are now considering building a	24	residents as much as possible and develop the ATST
25	project that will be a promise for our youth.	25	workforce through a close working relationship among the

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APPENDIX C(3): TRANSCRIPTS SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 16, 2008

	162		164
1	NSF, NSO, UH, State, Maui County and the Council.	1	I am also asking that the UH Institute of
2	And the contributions of the private and	2	Astronomy remove most of the remaining historical radio
3	business partners, this would be in terms of having the	3	telescope structures that were used in the 1950s by the UH
4	funds to construct and staff a long-term commitment that	4	professor, Dr. Grote Reber.
5	is a mentoring program, like a bootstrap, to bring the	5	It's not being used today. So why have it
6	people from today's level of expertise or knowledge to a	6	there? Start cleaning it up.
7	higher level.	7	This helps mitigate some of the problems that we
8	The third would be to initiate and suggest, as	8	have and allow for less scientific, so to speak, or
9	Uncle Charlie Maxwell mentioned, that ATST establish a	9	technical junk up there, to allow for more space for
10	Maui Solar and Hawaiian Culture Center. I believe the	10	worshiping and to appreciating the sacredness of this
11	land has been acquired through a private donor. And that	11	summit area.
12	this center would be a cultural center to show the people	12	The site number 5443 would be restored to its
13	of the United States as well as internationally that the	13	original pu'u, that's a heiau, 24-feet height, from
14	Hawaiian culture has pride. They have programs in which	14	required ATST excavation surcharge. That's when you
15	they can explain and provide more information on, as well	15	excavate for the ATST, you would restore that pu'u to 24
16	as explain the online solar images and solar disturbance	16	feet height.
17	impacts on earth and satellite communications.	17	And I think that would help the people, make
18	Making these connections is the most important	18	this a little bit more acceptable. We are trying to
19	aspect. And here is that center that will help bring lots	19	restore, we are trying to bring back. And this sunset
20	of data points together and bring pride to Maui, bring	20	clause not only apply to ATST, but set the precedent for
21	pride to Hawaii.	21	UH, as well as the Mees Observatory, as well as for the
22	MS. VERNA KAIULANI NAHULU: Absolutely.	22	Air Force Space Surveillance Programs, all of these have
23	MR. WARREN SHIBUYA: Thank you.	23	specific time limits in which they will be restored. That
24	So this is very important. Our astronauts in	24	you would not add to any more that you already have.
25	space need this type of information because if you had	25	Thank you.
	163		165
1	solar storms coming out, there's tremendous amount of	1	DR. CRAIG FOLTZ: Thank you, Warren.
2	radiation. And I think people on Maui as well as the rest	2	MS. ANNELLE AMARAL: Thank you very much.
3	of the world are not fully aware of this. What types of	3	MS. CAROLINE BLANCO: Thank you.
4	rays hit us?	4	MS. ANNELLE AMARAL: Does anyone wish to
5	And we start talking in terms of global warming.	5	inquire?
6	Well, is it really global warming or is the sun getting	6	DR. CRAIG FOLTZ: I would just like to say I
7	hotter, or is it radiating more? We need to study it,	7	appreciate it that you have a number of very specific well
8	folks. That's what we need to know.	8	thought out points. And I think that, in many ways, they
9	The fourth would be ATST adopt and enter a	9	mesh with other part of what we have ahead of us is
10	written contract and I call this a sunset clause for	10	taking suggestions such as yours and merging them with
11	the ATST structure and program and I realize that this	11	suggestions such as we heard from Sol earlier.
12	may not be very friendly and proactive, but I would say	12	MR. WARREN SHIBUYA: Sure.
13	that here is an opportunity to return the land to the	13	DR. CRAIG FOLTZ: I think that's kind of the
14	Hawaiians for their sacred worshiping. And it will not	14	challenge ahead. And to take issues of like science,
15	happen in my lifetime or the next generation, but at least	15	technology, education, workforce development programs and
16	for four cycles of the sun, which is 22.5 years each	16	merge them with Maui Community College sorts of proposals,
17	cycle, I believe.	17	I think you have given us the nub of a lot of really good
18	DR. CRAIG FOLTZ: It's either eleven and-a-half	18	ideas. And I appreciate that.
19	or 22, depends on whether you count it once or twice.	19	MR. WARREN SHIBUYA: Thank you. Thank you for
20	MR. WARREN SHIBUYA: Yes. And then they will be	20	this chance.
21	for approximately 90 years, is that okay? That sort of	21	MS. ANNELLE AMARAL: Thank you.
22	thing.	22	MR. WARREN SHIBUYA: I will be listening to
23	After the 90 years, the sunset clause strikes in	23	others.
24	and save that ATNUE to remove the structures and restore	24	MS. VERNA KAIULANI NAHULU: Warren has been a
25	and says that ATST is to remove the structures and restore used summit grounds to original sacred configuration.	25	very eloquent person in our discussions. And I really

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	100		168
	166		108
1	appreciate his input because he is a forward moving	1	
2	person.	2	
3	I would like to say, what I didn't include in my	3	
4	presentation, is that a lot of us teachers and people like	4	
5	Warren who want to go forward because we haven't been	5	
6	able to and we are going around in circles, people like me	6	
7	have just begun writing books for the children. And I	7	
8	have written a book introducing physics to	8	
9	three-year-olds. And in the next ten years, I will be	9	
10	writing textbooks for grade one physics, grade two	10	
11	physics, like it should have been from the very beginning.	11	
12	And I was inspired to do this when Mike took me	12	
13	to the summit and showed me around, what facilities we	13	
14	have up there. And it just struck me that each of us has	14	
15	to do something. And writing is where I am coming from.	15	
16	And I am contributing on that part.	16	
17	Because all the way up, from three years old all	17	
18	the way up, our children need to be they need to have	18	
19	something. And I have grown up in Hawaii where, you know,	19	
20	the children have said, go out and play, go, go out and	20	
21	play, where there is no structure for them to get a hold	21	
22	of and learn from. And so I depend on my books to do it.	22	
23	And I am going to be doing some film work just	23	
24	to be able to share with children the possibility of the	24	
25	future they should own.	25	
	· · · · · · · · · · · · · · · · · · ·	25	
	167		169
1	Thank you so much.	1	CERTIFICATE
2	MS. ANNELLE AMARAL: Nice. Thank you. Thank	2	
3	you very much.	3	
4	Do you think we could take a bit of a break?	4	
5	DR. CHARLIE FEIN: Yes. Take a bit of a break.	5	
6	We have some pizzas coming.	6	
7	MS. ANNELLE AMARAL: I think we get to take at	7	I, TONYA MCDADE, a Court Reporter of the State
8	least an hour's rest. No, not an hour?	8	of Hawaii, do hereby certify that the proceedings
9	DR. CHARLIE FEIN: Well, we have	9 10	contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided
10	MS. ANNELLE AMARAL: Keeping an eye open for	11	transcription; that the foregoing represents, to the best
11	people coming in, so don't go far. But at least the	12	of my ability, a true and accurate transcript of the
12	stenographer knows she can stop for a little while.	13	proceedings had in the foregoing matter.
13	(Recess.)	14	I further certify that I am not an attorney for
14	MS. CAROLINE BLANCO: The remaining consulting	15	any of the parties hereto, nor in any way concerned with
15	parties, and NSF, the ATST project team remained in the	16	the cause.
16	room to summarize the events of the morning and developed	17	
17	a list of potential MOA issues. And we can say Warren	18	DATED this day of, 2008.
18	Shibuya, Verna Nahulu, and Sol Kaho'ohalahala left the	19	
19	room.	20	Signature on File
20	And, after which, the remaining parties, NSF and		
21	the ATST project team and the facilitator, awaited the	21	Tonya McDade, RPR, CRR, CBC
22	arrival of any additional consulting parties until 8:00		Hawaii CSR #447
		22	
23	PM.		
23 24	PM. And no consulting parties arrived or attended	23	
23 24 25	PM. And no consulting parties arrived or attended. (Adjourned at 8:01 PM)	23 24 25	

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Appendix C(4): Transcripts Section 106 Meeting, UH IfA, Maikalani Facility, June 17, 2008

Held at University of Hawaii Institute for Astronomy, Maikalani Facility, 34 Ohia Ku Street, Pukalani, Maui, Hawaii, commencing at 10:01 A.M., on JUNE 17, 2008.

REPORTED BY: TONYA MCDADE, RPR, CRR, CBC, CSR #447

	2		
1		1	
1 2	ATTENDANCE NATIONAL SCIENCE FOUNDATION	1	I would note some things. And that is, because
2	Dr. Craig Foltz, ATST Program Officer	2	it is a dialogue, we need to sort of respect when one
3	Ms. Caroline Blanco, Assistant General Counsel	3	person is speaking. We will let them finish what it is
4	NATIONAL SOLAR OBSERVATORY	4	they have to say. You have a thought, you want to say
5	Mr. Jeremy Wagner, ATST Project Manager	5	something, raise your hand. Soon as they are done, w
÷	NATIONAL OPTICAL ASTRONOMY OBSERVATORY	6	will recognize you, identify yourself, then you can spe
6	Mr. Jeff Barr, ATST Project Architect	7	Because it is a dialogue, we expect that we are
7	UNIVERSITY OF HAWAII INSTITUTE FOR ASTRONOMY Mr. Mike Maberry, Assistant Director	8	all going to listen closely to one another, respect one
8	with white watching, Assistant Director	9	another, treat one another with respect. There is no no
	KC ENVIRONMENTAL, INC.	10	for us to be hostile or to be negative with each other.
9	Dr. Charlie Fein, Vice President	11	However, sometimes there are difficult things to
10	Ms. Sharon Loando-Monro, Planning Projects Manager	12	say. And that being said, if you have something diffic
	MEETING FACILITATOR	13	to say, I would offer that you could address that
11	Ms. Annelle Amaral	14	difficult thing to the facilitator. And we can note it,
12	OTHER ATTENDEES: Mr. Sol Kaho'ohalahala	15	we can process it that way, rather than saying hostile
13	Mr. Hinano Rodrigues	16	
	Ms. Tonia Moy		things to one another. Which often causes things to
14		17	escalate and makes communication difficult.
15 16		18	This is the second day of discussion. And so
17		19	these notations that you see all over the wall are as a
18		20	result of the first day of discussion. However, before
19 20		21	get into what it is you see on the wall, we would like
21		22	give some context to what it is we are discussing.
22		23	And I would like to have it opened up by
23		24	Caroline first, I think, to provide us with some contex
24 25		25	Caroline, you want to introduce yourself, too?
	3		
1	NATIONAL SCIENCE FOUNDATION	1	MC CAROLINE DI ANCO, Sura Thoriza Ann
		1	MS. CAROLINE BLANCO: Sure. Thanks, Ann
2	SECTION 106 MEMORANDUM OF AGREEMENT MEETING	2	I am Caroline Blanco. I am Assistant General
3	JUNE 17, 2008	3	Counsel for the National Science Foundation, responsib
4	TRANSCRIPT OF PROCEEDINGS	4	for environmental matters, including cultural property la
5	MS. ANNELLE AMARAL: I think, at least with	5	issues.
6	respect to my watch, it's close to 10:00. So if the	6	And just by means of background, I came to NSF
7	notice was that we would begin at 10:00, we will try to	7	in September. And I am very dedicated to the field of
8	end at 2:00. So we would like to see if we can't begin on	8	cultural resources law, I teach law school, written some
9	time.	9	books on it. And been involved when I was at the
10	We note that Sol Kaho'ohalahala is in the	10	Department of Justice for many years before this. So I a
11	building taking a phone call. So he will join us when he	11	very, very much looking forward to trying to see what w
12	can. And is one of the consulting parties.	12	can accomplish here and try to make sure we follow the
13	Before we begin, aloha, my name is Annelle	13	process in the best way possible.
14	Amaral. I will be facilitating today.	14	To also provide some context as far as the
15	And as people speak you know, of course,	15	process goes, even though I wasn't involved in it, based
16	there is a court reporter here. So as you are about to	16	on my understanding in reading the correspondence,
17	speak, we would ask you to say your name clearly. She's	17	yesterday was probably the 14th consultation meeting th
18	asked you to sign in, those of you that are going to be	18	took place, or Section 106 meeting, shall we say. There
19	speaking. That way, she can note who the speaker is as		· · ·
19 20		19	were some public hearings involved. They started in Ju
211	she is taking notes.	20	of 2005. The process between the NHPA compliance,
	This is very much a conversation. It's very	21	National Historic Preservation Act compliance, and the
21			Netional English and all Dalian Act NEDA and after and
21 22	different from public hearings where there is no	22	-
21 22	discussion, it's sort of one-way communication. Today's	23	hand-in-hand.
21			National Environmental Policy Act, NEPA, sort of went hand-in-hand. The agency, NSF, had expanded the cultural

2 (Pages 2 to 5)

	6		8
1		1	
1	resources involved here. And so even though it's a		So that is why we have moved beyond avoidance in
2	process that has been joined, it also has been expanded	2	terms of what other alternatives are there to consider.
3	upon on the 106 side. So that's why you will see in the	3	You can see up at the white board there, for the
4	whole process, if you look at it historically, there were	4	proposed site, we are really focused on mitigation. We
5	additional meetings on 106 that weren't necessarily part	5	are completely open to ideas about ways in which things
6	of NEPA.	6	can be mitigated both at the site not in terms of the
7	So that being said, what happened back in 2005,	7	height of the telescope or the color of it, because those
8	2006, letters went out to the consulting parties at that	8	things are certain requirements to meet the science
9	time who were people who were identified as having an	9	objectives for this proposed project. If you lowered it,
10	interest. Since NSF had acknowledged this doesn't	10	it wouldn't work.
11	always happen with federal agencies, but NSF acknowledged	11 12	And we have folks here who can help describe
12	that there were cultural resources that would be impacted,		that a little bit better than I can.
13	and the impact would be that it would have an adverse	13	And so that's the reason why we have moved
14	effect. And so rather than focus on or dispute that	14	forward to mitigation. We are also very interested in
15	issue, we just move forward to how can we resolve them,	15	offsite mitigation. And we can go through some of the
16	can we resolve them.	16	things that were identified yesterday as possibilities and
17	And so questions were asked of people who were	17	ways in which to try to work this through.
18	interested in the process, how can these impacts be	18	Because, also moving to the process again
19	resolved, these effects be resolved. There was not much	19	yesterday, when the SHPD folks were here, there seemed to
20	of a response. There had been some responses throughout	20	be, I think, some confusion where they did recognize that
21 22	the process, including as of late, that focused on alternative sites.	21 22	they were there has been a lot of I am sure you can
23	And the problem here and we are sort of in a	23	speak to it a lot of changeover of personnel and continuity. So there was some misunderstanding about what
23	unique situation, I think, compared to most other federal	23	had transpired early on.
24	agencies, certainly based on my experience and what I have	24	And, also, they were unfamiliar with the Draft
2.5	agencies, certaining based on my experience and what I have	23	And, also, they were unraining with the Draft
	7		6
			9
1	seen NSF deals with cutting-edge science. And so when	1	9 Environmental Impact Statement and all of the work that
1 2		1 2	
	seen NSF deals with cutting-edge science. And so when		Environmental Impact Statement and all of the work that
2	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for	2	Environmental Impact Statement and all of the work that has been done this far.
2 3	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as	2 3	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there
2 3 4	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as though you are building a highway and you could move the	2 3 4	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there should be more alternatives looked at. But I think,
2 3 4 5	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as though you are building a highway and you could move the highway this way or this way or this way to avoid impacts	2 3 4 5	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there should be more alternatives looked at. But I think, hopefully, we explained that. The same situation about
2 3 4 5 6	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as though you are building a highway and you could move the highway this way or this way or this way to avoid impacts on cultural resources or minimize the impact.	2 3 4 5 6	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there should be more alternatives looked at. But I think, hopefully, we explained that. The same situation about the science-driven reasons for choosing the sites as being
2 3 4 5 6 7	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as though you are building a highway and you could move the highway this way or this way or this way to avoid impacts on cultural resources or minimize the impact. This is very unique in that in order to meet the objective of the project, the science objectives of the project, alternatives need to be identified that can meet	2 3 4 5 6 7	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there should be more alternatives looked at. But I think, hopefully, we explained that. The same situation about the science-driven reasons for choosing the sites as being alternative sites. And, also, the no action alternative. And, hopefully, that was better understood yesterday.
2 3 4 5 6 7 8	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as though you are building a highway and you could move the highway this way or this way or this way to avoid impacts on cultural resources or minimize the impact. This is very unique in that in order to meet the objective of the project, the science objectives of the project, alternatives need to be identified that can meet that criteria. And so this is problematic.	2 3 4 5 6 7 8	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there should be more alternatives looked at. But I think, hopefully, we explained that. The same situation about the science-driven reasons for choosing the sites as being alternative sites. And, also, the no action alternative. And, hopefully, that was better understood yesterday. So we made a copy of the entire correspondence
2 3 4 5 6 7 8 9 10 11	seen NSF deals with cutting-edge science. And so when we look at this project, this proposed project, for funding, it's an interesting situation. It's not as though you are building a highway and you could move the highway this way or this way or this way to avoid impacts on cultural resources or minimize the impact. This is very unique in that in order to meet the objective of the project, the science objectives of the project, alternatives need to be identified that can meet that criteria. And so this is problematic. And as I said, in other 106 situations, you	2 3 4 5 6 7 8 9 10 11	Environmental Impact Statement and all of the work that has been done this far. And their position was, as you know, that there should be more alternatives looked at. But I think, hopefully, we explained that. The same situation about the science-driven reasons for choosing the sites as being alternative sites. And, also, the no action alternative. And, hopefully, that was better understood yesterday. So we made a copy of the entire correspondence file for them, left it with them yesterday. And, also, we
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1	Then I think it might have gone down to three,	1	resources we are still looking at. Since that was
2	even.	2	identified as something in the February letters from the
3	DR. CRAIG FOLTZ: That's correct.	3	SHPD and, also, the park as a request to broaden the scope
4	MS. CAROLINE BLANCO: And this took place over	4	of the area potential effects, we responded and said we
5	the course of many years, to try to determine whether or	5	would accept that and we would go forward and look at
6	not certain sites were identifiable or could be identified	6	impacts to the road.
7	as potential viable sites from a scientific perspective.	7	So we are looking at avoidance, minimization and
8	That was what was presented to the National	8	mitigation, the whole suite of options there, because
9	Science Foundation. And so it really is a unique agency	9	there may be some way to avoid some impacts. There may be
10	from the standpoint that it's either an action or no	10	some ways to mitigate.
11	action alternative if it's going to be built. And the	11	It's not the same analysis as would be done with
12	action alternative, there are two sites that are under	12	this science-driven project in terms of location. So it
13	consideration.	13	is a bit difficult.
14	MR. JEFF BARR: Both on Haleakala.	14	When I asked the question yesterday to the SHPD,
15	MS. CAROLINE BLANCO: Both on Haleakala, yeah.	15	how would you do this in terms of choosing alternatives
16	So, hopefully, that will help to answer some of	16	I mean, we wouldn't want to be disingenuous and say, well,
17	the questions you may have had about the process. And we	17	we will pick something else out, even though we know it's
18	hope to have a continual dialogue.	18	not viable. It just wouldn't be honest and that would not
19	Because of some of the concerns yesterday about,	19	be right.
20	I think, quite honestly, some confusion about the efforts	20	So in terms of looking at scientifically viable
21	that had been made to try to reach out to different	21	sites, that has been done by the scientific community.
22	consulting parties, and more process and so forth. There	22	Not NSF, but, you know, the world community in terms of
23	have been a lot of correspondence over the course of the	23	astronomy. And they were the ones who picked that out,
24	years. And we haven't received a whole lot back. We have	24	those site selections out. So there has been a
25	only received three written proposals that all the	25	peer-reviewed analysis that had been done to identify
	11		13
1	consulting parties have had.	1	sites.
2	And I know you came to the process a little late	2	So yesterday, we had a long meeting, 9:00 in the
3	in the game.	3	morning until 8:00 at night. Most of the discussion
4	And there are the proposals out there as	4	happened the first half of the day. And Annelle had so
5	handouts in the back of the room, if you are interested in	5	kindly written many, many notes on the discussion.
6	looking at those.	6	Once there was a break, rather than doing
7	But because the SHPD thought that it would be	7	nothing, we decided we would try to summarize the events
8	helpful to have more consultation meetings, we asked them	8	of the morning and try to figure out what types of
9	what they thought would be advisable, you know, what would	9	concrete identifiable proposals for mitigation could we
10	be a good way of doing this. And they said at least two	10	take from these notes. And as you see up there, MOA
11	more consultation meetings in addition to today, making a	11	issues in the black and red, there were several proposals
12	total of three more. And so we agreed to that since they	12	that were put forth that we started discussing.
13	said that would be sufficient for them.	13	And we could take a moment out to take a look at
14	They thought that would be a good idea and	14	some of those.
		15	One was site cleanup at the site, removal of
15	satisfy the process.		-
16	So we are looking at August 27th and 28th.	16	Reber Circle and all remnants of it. And, you know, some
16 17	So we are looking at August 27th and 28th. Because we have a meeting with the National Park Service	16 17	Reber Circle and all remnants of it. And, you know, some thoughts were by other consulting parties, I think the
16 17 18	So we are looking at August 27th and 28th. Because we have a meeting with the National Park Service Superintendent, Marilyn Parris, on August 22nd, to discuss	16 17 18	Reber Circle and all remnants of it. And, you know, some thoughts were by other consulting parties, I think the IFA
16 17 18 19	So we are looking at August 27th and 28th. Because we have a meeting with the National Park Service Superintendent, Marilyn Parris, on August 22nd, to discuss impacts on the road. So we thought that we would time it	16 17 18 19	Reber Circle and all remnants of it. And, you know, some thoughts were by other consulting parties, I think the IFA Right, Mike? You had thought that maybe it
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16 17 18 19 20 21 22	So we are looking at August 27th and 28th. Because we have a meeting with the National Park Service Superintendent, Marilyn Parris, on August 22nd, to discuss impacts on the road. So we thought that we would time it around that time we would be coming back out, some of us from Washington, and try to combine it with that trip. And those would be the final consultation meetings we	16 17 18 19 20 21 22	Reber Circle and all remnants of it. And, you know, some thoughts were by other consulting parties, I think the IFA Right, Mike? You had thought that maybe it might be an opportunity to urge the partners to also clean it up as well. Was that part of it? And, also, promote proper and respectful access

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	14		16
1	community, a way of accessing the site and so forth.	1	So a lot of productive ideas came out of
2	There was also a suggestion about building a	2	yesterday. And we look forward to hearing your thoughts
3	star compass at the site. And having the navigators	3	on those ideas and any additional ideas you might have.
4	design it, not NSF. Having the Native Hawaiian community,	4	MS. ANNELLE AMARAL: I wanted to also find out
5	the navigation community, try to go up there, after	5	if Craig wanted to speak a bit more about the science
6	being given a proposed design of the site, to try to	6	objectives or give more context before we
7	identify a place that might satisfy the requirements for a	7	DR. CRAIG FOLTZ: Sure. I can do that. Or I
8	star compass.	8	could ask Jeff to do it.
9	Also, there was discussion about a finite	9	My name is Craig Foltz. I am the Acting
10	lifetime for the telescope. Interestingly enough,	10	Director for the Division of Astronomical Sciences at the
11	depending how you define the terms avoidance,	11	National Science Foundation. I have been in that position
12	minimization, mitigation, and, to some extent, there was	12	for roughly two months, and, hopefully, not too many more,
13	some overlap there, this could be looked at maybe a	13	as they find a replacement.
14	minimization for the actual telescope. Instead of having	14	But before that, I was the so-called program
15	it up there indefinitely, one idea was to maybe limit it	15	manager for this project. And so I have been the NSF
16	to 50 years. That was a possibility.	16	responsible party for the oversight of the proposal and
17	I think one of our consulting parties, Warren	17	the review of the proposal and the interactions with the
18	Shibuya had that will be interesting for the court	18	proposers, the PIs.
19	reporter, to try to put what everybody said, you know	19	And I just want to start out by saying that, to
20	anyway, he had suggested maybe a lifetime of 90 years.	20	just make it clear what NSF's role is, we are not a
21	And NSF, Dr. Foltz, had responded perhaps we could even	21	proactive agency. We are not like NASA, we are not like
22	look at 50 years, so reduce that, with a commitment to	22	DOE or DOD. We don't sit in a dark room and decide what
23	deconstructing man-made objects.	23	the direction of science should be. And we don't decide,
24	And another one was let's see. And use	24	for example, this would be a really good time to build a
25	MS. ANNELLE AMARAL: And create a new Hawaiian	25	telescope or to build an accelerator or to build an ocean
	1 -		10
	15		17
1	usage as appropriate.	1	observatory. What we do is to react to the community, to
2	usage as appropriate. MS. CAROLINE BLANCO: Right.	2	observatory. What we do is to react to the community, to be responsive to the scientific community.
2 3	usage as appropriate. MS. CAROLINE BLANCO: Right. MS. ANNELLE AMARAL: Onsite.	2 3	observatory. What we do is to react to the community, to be responsive to the scientific community. And they express their priorities and their
2 3 4	usage as appropriate. MS. CAROLINE BLANCO: Right. MS. ANNELLE AMARAL: Onsite. MS. CAROLINE BLANCO: Right. There also is	2 3 4	observatory. What we do is to react to the community, to be responsive to the scientific community. And they express their priorities and their desires in a number of ways. National academy studies,
2 3 4 5	usage as appropriate. MS. CAROLINE BLANCO: Right. MS. ANNELLE AMARAL: Onsite. MS. CAROLINE BLANCO: Right. There also is moving to the second or the third, I guess, piece of	2 3 4 5	observatory. What we do is to react to the community, to be responsive to the scientific community. And they express their priorities and their desires in a number of ways. National academy studies, other independent studies, and eventually through
2 3 4 5 6	usage as appropriate. MS. CAROLINE BLANCO: Right. MS. ANNELLE AMARAL: Onsite. MS. CAROLINE BLANCO: Right. There also is moving to the second or the third, I guess, piece of paper there. There was the Maui Community College	2 3 4 5 6	observatory. What we do is to react to the community, to be responsive to the scientific community. And they express their priorities and their desires in a number of ways. National academy studies, other independent studies, and eventually through proposals to us. Because, essentially, what we do is
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	18		20
1	collaboration, who we went through.	1	to work.
2	And we have funded the design of this telescope	2	So, you know, a perfect example, I could build a
3	for at least the last seven years. The telescope is	3	ten-meter nighttime telescope. It would be a wonderful
4	designed to study the sun in exquisite detail.	4	thing. If I located it in Central Park, it wouldn't work
5	We understand a lot about the sun. We know how	5	because of the sky is too bright.
6	old it is. We know how it creates its energy. We know	6	So in the case of this solar telescope, what you
7	more or less how that energy gets out.	7	need is a site that has low water vapor above it, all
8	What we don't understand is solar activity, the	8	right, so it's dry it's called precipitable water
9	existence of sunspots, why do we have sunspots. And those	9	vapor. That's actually an easy criterion to meet for most
10	sunspots are clearly tied to very energetic phenomena, the	10	mountain sites.
11	sun.	11	It needs to have a very stable atmosphere above
12	Let me say I am not a solar physicist. I am an	12	it. If you think about driving down the road in the
13	observation cosmologist, my training. Now I am a	13	afternoon when the road has been heated, or looking over a
14	bureaucrat.	14	campfire, the image that you see, it's distorted. And
15	So we need to understand the solar activity	15	that is caused by turbulence in the earth's atmosphere.
16	which is magnetic I don't want to go into a long	16	Different cells of air with different temperature rising
17	lecture. It's magnetic in origin and it can lead to very	17	through your field of view. So you need to have a very
18	explosive phenomena on the sun which affect the life on	18	stable air condition.
19	earth, things like solar flares, coronal mass ejections,	19	And you also need to have and this needs a
20	which are truly impressive events which spew billions of	20	bit of explanation. You need a dark daytime sky. Now,
21	tons of material out from the sun at very high speeds.	21	what I mean by that yeah, I know. What I mean by that
22	We also believe that there is an intrinsic	22	is you need to have very low dust and sort of haze
23	connection between solar activity, the level of solar	23	conditions.
24	activity, and the climate on earth. We have historical	24	So if you were to go out Mike can show us
25	records that date back well before 1600, in the case of	25	some pictures, then, if you really want to see it. If you
	19		21
1	the Chinese who actually did see sunspots before Galileo	1	were to go outside from ground level in Maui, in fact this
2	discovered them.	2	morning, sort of hold your hand up over the sun. Don't
3	And from associated tree ring data that the sun	3	look at the sun, it's not wise. Galileo did and he went
4	has periods of inactivity where there isn't sometimes	4	blind. So, you know, hold your fingers up over the sun.
5	they are quite long. Sometimes they are hundreds of years	5	You can see that the sky around your finger is bright and
6	long. And these are correlated this is a bit	6	it's bright because there's scattering in the atmosphere.
7	circumstantial because we don't know the connection.	7	It's due to dust, it's due to water vapor and so on.
8	These are correlated with extreme climate changes on	8	What you really need to study the outer layers
9	earth.	9	of the sun, which are very tenuous and very low contrast,
10	So, for example, the little ice age which	10	is you need to have not much of that haze.
11	occurred in the beginning of the 17th Century and extended	11	In fact, if you go on many days to the top of
12	out for about 150 years was a time of extreme cold and	12	Haleakala, as well as some other sites, and hold your
13	extreme famine, and, I think, Black Death. That was also	13	fingers up over the sun, you will see that the sky right
14	a time when the sun showed no activity. And we don't	14	around your fingers is as dark as it is anywhere else.
15	understand why that is the case.	15	That's very important. And that means the low dust
16	Okay. Long story.	16	content in the air.
17	What do you need to study solar activity? And	17	So, essentially, the 72 sites which were
18	that's what this telescope is for, to try to understand	18	whittled down to six based on a number of site
19	the root causes of solar activity. Not to prevent them,	19	characteristics some of them were quantitative, some of
20	not to stop it, but what we don't know can hurt us. And	20	them were a bit more qualitative. The quantitative ones
21	the first steps in understanding how we might predict	21 22	were the average clear sky fraction, the amount of
22	solar activity is to understand its root cause.	22	rainfall, strong seasonal trends and climate. Also, the presence of infrastructure, the ability to get to the site
·) ·)		1 2 3	presence of minastructure, the admity to get to the site
23	This telescope is designed for that purpose. In order to do that, it needs to be of a certain design. And	24	
23 24 25	order to do that, it needs to be of a certain design. And it also needs to be on the site that can allow that design	24 25	and so on factored into that. Six sites were then instrumented. So identical

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6 (Pages 18 to 21)

	22		24
1	instruments were put at each site to measure the	1	the telescope. And so that is where we get the height.
2	precipitable water vapor, the turbulence in the atmosphere	2	If we could build it shorter, we would build it
3	and the sky brightness.	3	shorter because it would be cheaper.
4	Those measurements were taken for a year, am I	4	The color of the dome is established by the fact
5	right?	5	that the sun not only heats the ground, but it would heat
6	MR. JEFF BARR: That's about right. Sorry.	6	the building. If the building were black or if it were
7	MR. JEREMY WAGNER: A little over that.	7	painted brown, it would get hotter. It would transfer
8	DR. CRAIG FOLTZ: And they were compared against	8	that heat to the air around it. It would drive
9	objective criteria that were established. That is, the	9	turbulence. And it would render the telescope unusable at
10	scientific community said if this telescope is going to	10	the limit at which we need to use it.
11	work, it has to have a certain design, furthermore it has	11	So somewhere over here, we said we cannot
12	to have a site that has good conditions for a certain	12	mitigate the site, the height, the color, what we meant by
13	fraction of a time. So of those six, three were thrown	13	that was, if we put it on a different site, it won't work.
14	out.	14	If we build it lower, it won't work. If we paint it
15	And the remaining three were Big Bear Lake in	15	brown, it won't work.
16	California, La Palma in the Canary Islands, and Haleakala.	16	And so that is really where we are. I mean, we
17	Those were then they continued to be measured for at	17	are, in some sense, in a very small box. If we are unable
18	least another year.	18	to go with the telescope on this site with this design, we
19	MR. JEFF BARR: Another year.	19	would not spend federal money on the construction of it.
20	DR. CRAIG FOLTZ: Then, again, all the data were	20	That was probably more than you wanted to hear.
21	analyzed and the data were compared against objective	21	MS. CAROLINE BLANCO: No. I think that's really
22	criteria that were established before the sites began.	22	helpful. I mean, it should be understood. It's not an
23	And I think that's an important issue. This was not a	23	unwillingness. It's just whether or not it would work.
24	capricious choice. Of the three sites, Big Bear Lake	24	And that is, hopefully, something that folks will
25	they all passed precipitable water vapor. They all had	25	understand and work with us on.
	23		25
1			
1	dry air above them.	1	Because if we can't do anything about that, what
2	dry air above them. Big Bear Lake was too turbulent. And because	1 2	Because if we can't do anything about that, what can we do? What are we able to do? And that is where
			• •
2	Big Bear Lake was too turbulent. And because	2	can we do? What are we able to do? And that is where
2 3	Big Bear Lake was too turbulent. And because it's located east of LA, the sky was too bright. There is	2 3	can we do? What are we able to do? And that is where mitigation comes into play. And that's where we can look at and see, is there something that we can do that can really benefit the Native Hawaiian community, is there
2 3 4	Big Bear Lake was too turbulent. And because it's located east of LA, the sky was too bright. There is just too much haze.	2 3 4	can we do? What are we able to do? And that is where mitigation comes into play. And that's where we can look at and see, is there something that we can do that can
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7 (Pages 22 to 25)

	26		28
1		1	
	MS. TONIA MOY: Okay.		Now you might put a telescope somewhere else and
2	DR. CRAIG FOLTZ: What you need to do with this	2	get lucky. And you might make an individual measurement.
3	telescope for its principal science-driver is you need to	3	But an individual measurement and you might get really
4	be able to resolve features on the sun that have the size	4	lucky and you might be able to do a few measurements in a
5	of about 20 miles. We could go there with a ruler and	5	row and try to get some evolution. But in order to really
6	measure it. No. The sun is 93 million miles away. So	6	make the telescope work, it needs to have conditions that
7	that requires exquisite detail.		are stable in time relative to the use cases.
8	If you put it somewhere else and what you	8	It would work less well.
9	need to do is you need to watch those that feature,	9	Let me make one more point.
10	which is a little magnetic feature. It's a little bundle	10	I know. I mean, I apologize. I am lapsing in
11	of magnetism which will interact with other bundles of	11	my native tongue.
12	magnetism. Sometimes they grow into sunspots this is	12	The detail that an optic can see and this
13	what we think sometimes they nullify each other. You	13	includes your eye or it includes a telescope or
14	need to watch that evolve.	14	binoculars is a function of its size. It's linear, the
15	So what the designers of this telescope did is	15	size of its lens or the sizes of its mirror. This
16	they literally sat down and said, let's set up a bunch of	16	telescope has a four-meter diameter, 154-inch diameter
17	use cases. We want to observe the development of the	17	mirror, which is not a big mirror. I mean, it would sort
18	field and the photosphere, or we want to watch the field	18	of fit in this room. It's small compared to some of the
19	on a fibral which this is solar physics talk. And I	19	nighttime telescopes. You need that to be just able to
20	know just strut my stuff and I don't really know what it	20	observe details of 20 miles, seen from a distance of 93
21	means. No, I do. So you can look at that and say, well,	21	million miles. That's what you got to get to. So we
22	what does that mean. Over how many hours do I expect	22	design right to the margin. We don't over-design things
23 24	something to change. You know, if I have a flare, how	23 24	because we're trying to minimize costs, we're trying to
24	long does it take for that flare to evolve, how frequent are the flares.	24	minimize size. We have very good reason, we know that, from physical principles, that is the size. We don't need
2.5	are the flates.	2.5	from physical principles, that is the size. We don't need
	27		29
1	Suppose I have a telescope that I want to see a	1	to worry about sizes smaller than that.
2	flare, and a flare goes off, hope it doesn't happen at	2	If it doesn't work at its limit, then it won't
3	night. Okay. I mean, that's a real fundamental	3	answer the questions that it would be put to.
4	limitation. It works when the sun is up.	4	I make that statement unequivocally. And I
5	So you can ask yourself what is the probability	5	don't mean it to be completely unequivocal. But, you
6	of a flare. And let me compare that against the number of	6	know, we are basing our funding decision on the ability of
7	clear hours that you have in a year. And you can do the	7	the telescope to solve the problems that are laid out in
8	probability. You know, they just sort of multiply. And	8	the use cases. So, therefore, it is sort of a convolution
9	you say what's the probability we will have a flare during	9	of the design of the telescope, the properties of the
10	good conditions if I had my telescope in New Orleans. And	10	telescope, the properties of the site.
11	the answer would be zero, essentially.	11	So if the site could not deliver that again,
12	You can also say, suppose I want to watch a	12	if the site can't deliver it, we wouldn't build it.
13	feature evolve. And I know how long it takes for those	13	Because this is expensive, \$250 million. We are not the
14	features to evolve. I just can't see them in the detail	14	Department of Defense, nor are we NASA. NSF has roughly a
15	that I need. And you might say, I need to be able to	15	\$6 billion a year budget that supports all sciences except
16	observe that thing for a period of four or five hours,	16	the life sciences the health sciences. We support life
17	say. So that's a use case. I want to study the	17	sciences. So this would be a substantial investment.
18	development of the magnetic field in a certain kind of	18	MS. ANNELLE AMARAL: Did you want to ask any
		19	other questions with respect to what has been said so far?
19	feature in the solar photosphere, and I need to do that		
20	for four hours. And so that factors in to the conditions	20	MS. TONIA MOY: I guess I had one more, though.
20 21	for four hours. And so that factors in to the conditions for the site.	21	MS. ANNELLE AMARAL: Please, yes.
20 21 22	for four hours. And so that factors in to the conditions for the site. So if you look at the detailed condition for the	21 22	MS. ANNELLE AMARAL: Please, yes. MS. TONIA MOY: Because, I mean, I am just
20 21 22 23	for four hours. And so that factors in to the conditions for the site. So if you look at the detailed condition for the site, they are very detailed. So many periods with the	21 22 23	MS. ANNELLE AMARAL: Please, yes. MS. TONIA MOY: Because, I mean, I am just getting all of this
20 21 22	for four hours. And so that factors in to the conditions for the site. So if you look at the detailed condition for the	21 22	MS. ANNELLE AMARAL: Please, yes. MS. TONIA MOY: Because, I mean, I am just

8 (Pages 26 to 29)

 consultation issue clarified for mc. And you guys night a have clarified it yesteday, but, you know, fait it was consulting party, and then I read, you know, that it was consulting party, and then I read, you know, that it was consulting party, and then I read, you know, that it was consulting party, and then I read, you know, that it was consulting party, and then I read, you know, that it was consulting party, and then I read, you know, that it was consulting party, and then I read, you know, that it was consulting party. Laws Belsy think: Vend I know show consulting party. Laws Belsy things. Merrit ut he Trust. And I have ilabed ther about this project and this situation, oh, since far fail, on and off. And I know she doesn't have the entire record of thing Vend I know she back to look at, hum yguess is you didn't look at 2005 2006. MS. CANOLINE BLANCO: And the Draft HIS. There are many fhings that may be helpful to you as you consider proposals three years go, we asked for proposals two party sites is because this process has been going on for so long. And from our perspective, we asked for proposals stary were have, radin than you helpful to you as you consider proposals stary were have, radin than you helpful to you as you consider proposals stary were have. Fraght in May, anglin, And ther bash' been a lot fortheoming offer than process. on for so long. And from our perspective, we asked for proposals stary were have. Fraght in May, anglin, And ther bash' been a lot fortheoming other than perspective, we asked for proposals stary were have. Fraght in May, anglin, And ther bash' been a lot fortheoming other than process. So allowing that Kinge Raymond was here May and the final than and than and than than base on due to native peoples. How at You to build it on Mount Haleakala. Hoerself, and than was then provided to him. How at You have, and an than finale on it would have an i		30		32
3 consolution issue clarified for me. And you goys might quie get it. Like National Trust has been asked to be a consulting party, and then 1 read, you know, that it was sort of the there's this cutoff date of na allowing any more consulting party, and then 1 read, you know, that it was sort of the there's this cutoff date of na allowing any more consulting party. And so I warn all that1 3 will have a chance to meet with her and brief her on this dui a more fail way. 8 sort of the there's this cutoff date of na allowing any more consulting party. And so I warn all that1 7 will area chance to meet with her and brief her on this dui a more fail way. 10 MS. CANOLINE II ANCO: Sure. We've allowed the think I would like that part clarified. 7 will area chance to meet with her and brief her on this duit to come in as a consulting parties. 11 Trust to come in as a consulting party. Linow Betsy things. 1 To add to it, and as you have already been told, there will be two more with expan to meet for more one with there and brief her on this 11 Trust to come in as a consulting party. Linow Betsy things. 1 To add to it, and as you have already been told, there will be two more with there all there will be two more with expan to more sole and the part to the sole of the participact. 12 Merrit at the trust. And to that the all fall, on and there with there all to exponenting thom sole and the part to the sole of the reprosenting the one does of the trust to the sole of the reprosenting the reaw with there all to the there the sole of the reprosenting the	1	most of it on the plane over.	1	some back and forth emails, voicemail exchanges with
4 have charified it ysterchy, but you know, 1 still don't 4 and in a more full way. 5 quite get it. Like National Trust has been asked to be a consulting parties. The thought was to use for consulting parties. And so I want all that -1 MS. ANNELLE AMARAL: The thought was to use for proposals for an MOA and to get your input, the input from consulting parties. National Trust is come in as a consulting partie. I know Beby MS. CAROLINE BLANCO: Sure. We've allowed the form and in a more full way. 10 MS. CAROLINE BLANCO: Sure. We've allowed the form and the situation, on, since has full, on and more consulting parties. I know Beby 11 rough that the Trust. And I have inliked to her about this 12 Before we do that, what I feed to know from the form and this situation, on, since has full, on and 13 two of you that have just arrived, and you werent here 12 off. And I know she doesn't have the entire record of 14 two of you that have just arrived, and you werent here 13 didn't hook 2005.2006. 15 To porty, by the way. 16 14 researce you may not, either. I am not sure 17 porty, by the way. 18 14 researce you may not, either. I am not sure 17 porty, by the way. 18 15 MS. CAROLINE BLANCO: And the Druft EIS. 17	2	So National Trust has I guess I want that	2	Betsy. And, hopefully, when we get back to Washington, we
5 quite get it. Like National Trust has been asked to be a 5 MS. ANNEL JF AMARAL: The thought was to use to day to be able to go through some of the specific proposals for a MOA and to get your input, the input from more consulting parties. And so I want all that - 1 8 more consulting parties. And so I want all that - 1 7 10 MS. CAROLINE BLANCO: Sure. We've allowed the first input the input from and to get your input, the input from and to get your input, the input from and to and you have already been told. 11 Trust to come in as a consulting partie. And so i, since tast fall, on and the first. There and this input. The what correspondence you housed at, but my guess is you didn't look at 2005-2006. 10 The part eag at the did you it as yeatenday. 12 more on subing parties. NMM NY: 1 just got something from 2006. 10 NS. CAROLINE BLANCO: And the Druft ITS. There are many things that may be helpful to you as you consider anythings that may be helpful to you as you consider anythings parties is process. 10 NS. CAROLINE MLANCO: And the Druft ITS. There are many things that may be helpful to you as you consider anythings parties is process. 11 Consulting parties. 11 21 on for so long. And from our perspective, we asked for proposals tare years ago, we askede for proposals tare years ago,	3	consultation issue clarified for me. And you guys might	3	will have a chance to meet with her and brief her on this
6 consulting party, and then 1 read, you know, that it was row or of like there's this catoff date of not allowing any more consulting parties. And so 1 ward 11 that - 1 in there's this catoff date of not allowing any more consulting parties. And so 1 ward 11 that - 1 in thick I would like that part clarified. in thick I would like that part clarified. 9 thick I would like that part clarified. in thick I would like that part clarified. in the two more days of seeking informatin from consulting parties. 12 Merritt at the Trust. And I have tailed to ber about this project and this situation, on k, since kat full, on and in the two more days of seeking informatin from 16 I suspect you may not, either. I am not sure in this. TONIA MOY: I just got something from 2006. in the sum more togo through these poorly-written notes? 17 what correspondence you looked at, but my guess is you in the reason Why NSF was trying to limit in 18 didn't look at 2005-2006. in in 19 MS: CANOLINE BLANCO: And the Draft EIS. There ideas for mitigation or consider your position with regard in 21 on for so long. And from our perspective, we asked for proposals hare years ago, we asked for proposals two iyears ago, we ask	4	have clarified it yesterday, but, you know, I still don't	4	and in a more full way.
7 sort of like there's this cudoff due of not allowing any proposals for an MOA and to get your input, the input from 8 more consulting parties. And so I want all that -1 think think consulting parties. 10 think to dol like that part clarified. to dol like that part clarified. 11 Trust to come in as a consulting partie. Now Betty to add to it, and as you have already been told, 12 Merritt at the Trust. And I have talked to her about this project and this situation, oh, since last fall, on and 13 project and this situation, oh, since last fall, on and two of you that have just artived, and you weren't here 14 vester consulting parties. two do you that have just artived, and you weren't here 14 vester consulting parties. two do you that have just artived, and you weren't here 15 twink correspondence you looked at, but my guess is you two do you that have just artived, and you weren't here 16 Ms. CAROLINE BLANCO: And the Draft FIS. There two for easoled part possition with regard 17 proposals fair November, again in May, again. And there two for proposals bas November, again in May, again. And there 18 to this process. this process als for proposals tair November, again in May, again. And there	5	quite get it. Like National Trust has been asked to be a	5	MS. ANNELLE AMARAL: The thought was to use
8 more consulting parties. And so I want all that1 8 consulting parties. 9 think I would like that part clarified. 10 Mst. CAROLINE BLANCO: Sure. We've allowed the 11 Trust to come in as a consulting parties. And so I wave already been told. 10 there will be two more days of seeking information from the 12 Merrit at the Trust. And I have talked to her about this 11 To add to it, and as you have already been told. 14 off. And I know she doesn't have the entire record of 11 two of you that have just arrived, and you weren't here 15 bings. I suspect you may not, either. I am not sure 12 16 I suspect you may not, either. I am not sure 12 Before we do that, what I need to know from the 17 what correspondence you looked at, but my guess is you 16 To add to the op through these poorly-written 18 DS. CAROLINE BLANCO: And the Druft EIS. There 18 DR. CAROLINE BLANCO: and the propeosals that were may thing that may be helpful to you as you consider 12 consulting parties is because this process has here going 21 MS. ANNELLE AMARAL: No. They don't pay me anything to read it then. 12 consulting parties is because this process has	6	consulting party, and then I read, you know, that it was	6	today to be able to go through some of the specific
9 think I would like that part clarified. 9 To add to it, and as you have already been told, 10 MS. CAROLINE BLANCO. Sure. We've allow the 10 there will be two more days of seeking information from 12 Merritr at the Trust. And I have talked to ber about this 12 there will be two more days of seeking information from 13 project and this situation, ob, since last fall, on and 13 two of you that have just arrived, and you weren't here 14 vestered, because SO was here all day with us yesterday, would you like me to go through these poorly-written 16 I suspect you may not, either. I am not sure 15 inotes? They pay me a great deal of money to write this 17 what correspondence you looked at, but my guess is you 16 MS. CAROLINE BLANCO: And the Draft IDS. There 18 idents for mitigation or consider your position with regard 17 NG. ANNELLE AMARAL: No. They don't pay me anythings that may be helpfol to you as you consider 18 18 14 restered. 20 So let me try to go through it as quickly as I 21 21 consulting party: Lisk got someshing from 2005 21 23 23 21 on for so long. And from ou	7	sort of like there's this cutoff date of not allowing any	7	proposals for an MOA and to get your input, the input from
10 MS. CAROLINE BLANCO: Sure. We've allowed the 10 there will be two more days of seeking information from Consulting parties towards the creation of an MOA. 11 Trust to come in as a consulting part. I know Betsy 11 13 project and this situation, on, since last fall, on and 12 14 off. And I know she doesn't have the entire record of 14 15 two of you that have jists arrived, and you weren't here 16 I suspect you may not, either. I am not sure 16 17 what correspondence? you nook ole stat, but my guess is you 17 18 what correspondence? you nook ole stat, but my guess is you 18 19 MS. TONIA MOY: I just got something from 2006. 18 12 are many things that may be helpful to you as you consider 18 16 to this process. 20 17 proposals that way be neason why NSF was trying to limit. 21 22 so the reason why NSF was trying to limit. 21 23 on for so long. And from our perspective, we asked for proposals that were made. 18 24 no for so long. And from our perspective, we asked for proposals that were made. 19 7 forthe dev/ts, full stath and	8	more consulting parties. And so I want all that I	8	consulting parties.
11 Trust to come in as a consulting party. Iknow Betsy 11 consulting parties towards the creation of an MOA. 12 Merritt at the Trust. And I have talked to her about this 11 Before we do that, what I need to know from the 13 project and this situation, oh, since last fail, on and 13 Before we do that, what I need to know from the 14 off. And I know she doesn't have the entire record of 14 Before we do that, what I need to know from the 15 things. 15 would you like me to go through these poorly-written 16 Tsuspect you may not, either. I am not sure 16 noses? The yap we a great deal of money to write this 17 what correspondence you looked at, but my guess is you 18 idea for mitigation or consider your position with regard 19 it. 18 didn't look at 2005-2006. MS. CAROLINE BLANCO: And the Draft ELS. There 20 MS. CAROLINE BLANCO: And the Draft ELS. There 21 MS. CAROLINE BLANCO: And the proposal stare argo, we asked for proposals argo argo, we asked for proposals argo, we asked for the proposals argo, we asked for the reasons Dr. Foltz outlined, 11 representing himself, as Kiope speaks, his comments go to som of the proposals argo, we asked for proposals ar	9	think I would like that part clarified.	9	To add to it, and as you have already been told,
12 Merritt at the Trust. And I have talked to her about this 13 project and this situation, ch, since last fall, on and 14 off. And I know she doesn't have the entire record of 15 things. 16 1 suspect you may not, either. I am not sure 17 what correspondence you looked at, but my guess is you 18 didn't look at 2005-2006. 19 MS, TONIA MOY: I just got something from 2006. 10 MS, CAROLINE BLANCO: And the Draft ELS. 21 are many things that may be helpful to you as you consider 22 consulting parties is because this process. 23 consulting parties is because this process has been going 21 on for so long. And from our perspective, we asked for proposals hat Kore maa, we asked for proposals hat were made. He notes that he harm that has been done to naive peoples. 21 on for so long. And from our perspective, we asked for proposals hat November, again in May, again. And there the ana to from the reasons Dr. Foltz outlined, 23 for saying, if it's to be built, then we can't avoid the impacts. And so that is may we now, to allow the Historic 24 keep adding new parties to it, it will take on a life of the assone. 25 Since you all agreed to respect that processin in that as seen. dono thathew we thendison in. And	10	MS. CAROLINE BLANCO: Sure. We've allowed the	10	there will be two more days of seeking information from
13 project and this situation, oh, since last fall, on and 13 two of you that have just arrived, and you weren't here 14 off. And 1 knows she doesn't have the entire record of 14 stress of was here all day with us yesterday, because Sol was here all day with us yesterday, because Sol was here all day with us yesterday, because Sol was here all day with us yesterday, because Sol was here all day with us yesterday, because Sol was here all day with us yesterday. 16 I suspect you may not, either. I am not sure 16 17 what correspondence you looked at, but my guess is you 16 18 MS. TONIA MOY: I just got something from 2006. 17 20 MS. CAROLINE BLANCO: And the Draft ELS. There 18 21 are many things that may be helpful to you as you consider 21 22 ideas for mitigation or consider your position with regard 22 23 consulting parties is because this process has been going 23 31 on for so long. And from our perspective, we asked for 24 y years ago, we asked for proposals two 25 so allowing that kitope speaks, his comments go to 31 reprosals hat November, again in May, again. And there 24 34 hopful there is a better understanding of NSF's reaxon 34	11	Trust to come in as a consulting party. I know Betsy	11	consulting parties towards the creation of an MOA.
14 off. And I know she desen't have the entire record of 14 yesterday, because Sol was here all day with us yesterday, would you like me to go through these poorly-written 15 Issupect you may not, either. I am not sure 16 notes? They pay me a great deal of money to write this 18 didn't look at 2005-2006. 18 DR. CRAIG FOLTZ: We don't pay you much to read 19 MS. CANOLINE BLANCO: And the Draft EIS. There 21 anything to read it then. 22 20 MS. CANOLINE BLANCO: And the Draft EIS. There 21 anything to read it then. 22 21 ideas for mitigation or consider your position with regard 22 So let me try to go through it as quickly as 1 can. And it sort of flows with the way people spoke 24 So the reason why NSF was trying to limit 22 So allowing that Kiope Raymond was here 33 10 on for so long. And from our perspective, we asked for proposals three years ago, we asked for proposals two 24 so allowing that kope speaks, his comments go to 10 proposals last November, again in May, again. And there 34 The harm that has been done to native peoples. 10 for the reasons Dr. Foltz outlined, 14 He acknowledges, too, that he has some 16 11 <th>12</th> <th>Merritt at the Trust. And I have talked to her about this</th> <th>12</th> <th>Before we do that, what I need to know from the</th>	12	Merritt at the Trust. And I have talked to her about this	12	Before we do that, what I need to know from the
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17 what correspondence you looked at, but my guess is you 17 poorly, by the way. 18 didn't look at 2005-2006. 18 19 MS. TONIA MOY: I just got something from 2006. 18 20 MS. CAROLINE BLANCO: And the Draft EIS. There 18 21 are many things that may be helpful to you as you consider 20 22 ideas for mitigation or consider your position with regard 21 23 to this process. 22 24 So the reason why NSF was trying to limit 22 25 So allowing that Kiope Raymond was here 26 on for so long. And from our perspective, we asked for proposals tay ear ago, we asked for proposals as year ago, we asked for proposals as year ago, we asked for proposals as year ago, we asked for missing from Uncle Charlie Marren Shibulya's notation of trying to repair 7 And for the reasons Dr. Foltz outlined, 8 Ho acknowledges that he supports the cleaning up 9 oft way in this to to built, then we carit avoid the 10 ingwarts to this will it not our therstanding of NSF's reason 9 for saying, if it's to be built, then we carit avoid the 11 this process in indefinitely, it won't have an end. If we 12 keep ad	15	things.	15	would you like me to go through these poorly-written
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	25	So the Trust is involved in it. And hopefully I've had	1	and a plan on removing the debris or the ring itself.

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9 (Pages 30 to 33)

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1	When he is pau talking, then Mikahala Helm then	1	Haleakala, the sacredness of the place, but also asserts
2	speaks.	2	the need to integrate science and Hawaiian cultural
3	MS. CAROLINE BLANCO: Was it up there?	3	knowledge. And that although often Hawaiian cultural
4	MS. ANNELLE AMARAL: This comes from SHPO.	4	practice is seen as something in the past, that, quite
5	Yeah, at least I can read my notes.	5	frankly, the knowledge of Hawaiians, inherited knowledge,
6	Mikahala Helm speaks, quite frankly, wanting a	6	is also something that can be looked towards the future.
7	definition of mitigation.	7	And that perhaps the partnership in this endeavor could
8	It's answered by saying that mitigation refers	8	utilize Hawaiian cultural knowledge in a forward-looking
9	to ways to reduce adverse effects, adverse impacts, or	9	manner, preparing us and using Hawaiian knowledge to
10	compensate for adverse effects or impact or harm. It can	10	advance cultural values and cultural practices.
11	be onsite or offsite.	11	There is discussion, also, from Verna, Verna
12	Her comment in response, then, is not knowing	12	Nahulu. Substantially, her comments go to the need to
13	the full effect of adverse impacts, she is then reluctant	13	support the children and the education of the children.
14	to share comments on mitigation of those.	14	That truly this project is about preparing for the future
15	What is offered to her is then, perhaps, that we	15	generation, providing them with opportunities that, in her
16	would be open to creative ideas, any creative ideas she	16	assertion, have not been addressed by comments in public
17	may have. She declines.	17	hearings heretofore.
18	Camille is here, then, from Kilakila o	18	Warren Shibuya has a list of proposals that he
19	Haleakala, and offers comments with respect to the	19	gives, including workforce development, including
20	consultation process. Asserting that it is in fact not	20	partnerships with businesses to enhance the work that's
21	real consultation, that there are no alternative sites	21	taking place up at Haleakala, including the removal of
22	being proposed, that the project is flawed.	22	debris that is not being utilized and the setting
23	A question is asked, if that were true, do you	23	precedent for other users in the future.
24	have some suggestions on how to change the process. Her	24	So I think like that, that sort of the summary.
25	response is that she does not, that we should simply	25	Then Department of Land and Natural Resources
	35		37
1	consider alternative sites.	1	arrived. And that was Pua and Nancy that were here.
2	So, quite frankly, the substance of her remarks	2	
3		2	They had concerns about the timing of the
5	go to having other sites be taken into consideration	3	They had concerns about the timing of the consultation that is taking place. They felt that there
4	rather than and if there are some mitigation measures,	1	
	rather than and if there are some mitigation measures, it should go directly to the harm that is caused, the harm	3	consultation that is taking place. They felt that there was not significant consultation to bring us to this point of now being to discuss the MOA.
4	rather than and if there are some mitigation measures, it should go directly to the harm that is caused, the harm that is created.	3 4	consultation that is taking place. They felt that there was not significant consultation to bring us to this point of now being to discuss the MOA. And so, you know, you have heard Caroline begin
4 5	rather than and if there are some mitigation measures, it should go directly to the harm that is caused, the harm that is created. And she acknowledges that if there is offsite	3 4 5	consultation that is taking place. They felt that there was not significant consultation to bring us to this point of now being to discuss the MOA. And so, you know, you have heard Caroline begin to address this.
4 5 6 7 8	rather than and if there are some mitigation measures, it should go directly to the harm that is caused, the harm that is created. And she acknowledges that if there is offsite mitigation, then we should consider things like the number	3 4 5 6 7 8	consultation that is taking place. They felt that there was not significant consultation to bring us to this point of now being to discuss the MOA. And so, you know, you have heard Caroline begin to address this. There was some criticism about the publicity or
4 5 7 8 9	rather than and if there are some mitigation measures, it should go directly to the harm that is caused, the harm that is created. And she acknowledges that if there is offsite mitigation, then we should consider things like the number of Hawaiians that would benefit from this offsite	3 4 5 6 7 8 9	consultation that is taking place. They felt that there was not significant consultation to bring us to this point of now being to discuss the MOA. And so, you know, you have heard Caroline begin to address this. There was some criticism about the publicity or the letters that went out with respect to yesterday's
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10 (Pages 34 to 37)

	38		40
1	as Caroline has indicated, that the proponents in fact	1	mean maybe you can fill me in before, you know, we get any
2	allow for more MOA discussions.	2	further. But according from this from the paper
3	And so the agreement was made when asked how	3	trail I got, there was a Draft EIS, right, in 2005 or
4	many more do we need, the suggestion was at least two	4	2006?
5	more, bringing this to a total of three. And it was	5	MS. CAROLINE BLANCO: 2006. Charlie, it was
6	agreed that around or after August 22nd, there would be at	6	2006?
7	least two additional consultation meetings.	7	DR. CHARLIE FEIN: I'm sorry?
8	You see here the discussion, the litany of how	8	MS. CAROLINE BLANCO: The Draft EIS.
9	many meetings there were. And I don't think we need to go	9	DR. CHARLIE FEIN: The Draft EIS was issued in
10	into that.	10	September of 2006.
11	Sometimes I am making note of things here that	11	MS. TONIA MOY: Okay.
12	make no sense to me whatsoever.	12	MS. CAROLINE BLANCO: Public comments were
13	DR. CRAIG FOLTZ: I am just impressed you can	13	received on it.
14	find your direction.	14	MS. TONIA MOY: There is a letter from the SHPO,
15	MS. ANNELLE AMARAL: Going around here.	15	right? There was a letter. So they did see it and they
16	And then you see, I guess, there were some	16	did respond.
17	comments from Warren Shibuya. This seems to bring to an	17	MS. CAROLINE BLANCO: I think different people
18	end the discussion of DLNR.	18	there. I think it was Melissa Kirkendale and, also, David
19	So that is a quick summary of what my	19	Brown before. So the continuity has not quite been there.
20	goodness. Oh, no, I didn't lose you. It wasn't that	20	DR. CHARLIE FEIN: I am Charlie Fein, the
21	boring.	21	environmental consultant.
22	DR. CRAIG FOLTZ: Could I make one observation?	22	MS. TONIA MOY: The one that did this?
23	MS. ANNELLE AMARAL: Yes.	23	DR. CHARLIE FEIN: Yeah. And in talking to Pua
24	DR. CRAIG FOLTZ: There was essentially no	24	yesterday, I was showing her some things in the DEIS. She
25	discussion of the park resources.	25	said, "I guess I should read it." She had not read it as
	39		41
1	MS. ANNELLE AMARAL: Yes.	1	of yesterday.
2	DR. CRAIG FOLTZ: Just so that's clear. There	2	MS. TONIA MOY: So did it ever get into final?
3	is nothing being hidden here. This was concentrated on	3	MS. CAROLINE BLANCO: No. What we have done
4	the issue of whether this could be mitigated.	4	and, in fact, this was an interesting point of discussion
5	MS. ANNELLE AMARAL: Yeah.	5	with Betsy Merritt of the Trust. You know, the advice I
6	MS. CAROLINE BLANCO: Even though the option	6	have been given is to not conclude the FEIS process.
7	certainly was there for people to we outlined as well	7	Because it is a joint process.
8	that those were the two basic topics of discussion. And	8	MS. TONIA MOY: To include all this in it.
9	the only focus really was on the proposed site.	9	MS. CAROLINE BLANCO: It seems to me to make
10	MS. TONIA MOY: Parks wasn't here, were they?	10	sense to resolve the Section 106 issue so that that could
11	MS. CAROLINE BLANCO: They were not. They said	11	be put into the final EIS. And then, ultimately, a record
12	they would not be available to meet with us.	12	of decision, whatever direction that decision goes. So it
13	DR. CRAIG FOLTZ: We have arranged for a meeting	13	would be wrapped in. To me, it seems like it would be
14	on August 22nd.	14	premature to issue the final before we've concluded this.
15	MS. TONIA MOY: Oh, okay.	15	MS. TONIA MOY: Okay.
16	DR. CRAIG FOLTZ: Which was really almost the	16	MS. CAROLINE BLANCO: And Betsy had said, back
17	earliest time the superintendent was available.	17	then, that's a great thing. Most agencies don't do that,
18	MS. CAROLINE BLANCO: They had also indicated to	18	which is fine.
19	us in some I believe email traffic it was that they	19	MS. TONIA MOY: I guess, you know, there are a
20	would be sending us some sort of document for discussion.	20	lot of issues from the EPA as well as SHPO that is that
21	And we should have received it by now, but we have not.	21	being addressed through this? So that's trying to be
22	DR. CRAIG FOLTZ: As of yesterday, we have not	22	addressed now, before
0.0		0.0	
23	received it.	23	MS. CAROLINE BLANCO: Through the MS. TONIA MOV: Through this consultation
23 24 25	received it. MS. TONIA MOY: So I guess as far as my paper trail is concerned, which isn't extensive, I know so I	23 24 25	MS. CAROLINE BLANCO: Through the MS. TONIA MOY: Through this consultation process is when

11 (Pages 38 to 41)

	42		44
1	MS. CAROLINE BLANCO: Those were, I think, in	1	other agencies in my past where they didn't think they
2	response to the Draft EIS, correct, comments on the NEPA	2	should follow the process or wanted to follow the process.
3	process?	3	And I won't mention those agencies now. But I will say
4	DR. CHARLIE FEIN: Right. The EPA comments were	4	NSF has really, really tried to do this right.
5	on the NEPA process. Those will be responded to in the	5	And we can't force people to show up for
6	FEIS.	6	meetings. We can't force people to respond to letters and
7	MS. TONIA MOY: Then the comments from the SHPO	7	requests for proposals.
8	is trying to be resolved now at this consultation?	8	There were outreach efforts made to the Royal
9	MS. CAROLINE BLANCO: We're trying to. And I	9	Order. Mike had even made an effort last week to try to
10	think that there may have been with perhaps the Advisory	10	invite them to these meetings. And they didn't decide to
11	Counsel.	11	come.
12	One thing I also mentioned to Nancy and Pua	12	So there are certain limitations in that
13	yesterday was that we have made several requests of the	13	respect. It has to be a two-way interaction.
14	Advisory Counsel to meet with us. They are in Washington.	14	So all of that being said, our hope is that the
15	It's easy for us to go over the river and meet with them.	15	Advisory Counsel will meet with us when we get back to
16	And they have not agreed to meet with us.	16	Washington. And we do hope to meet with the Trust and see
17	We requested it in the November 8th letter,	17	how that goes before the August meetings.
18	which followed a conversation I had with Martha Catlin,	18	MS. TONIA MOY: Okay. Then I guess I just have
19	the program analyst. And I had said, what do you need us	19	one other comment.
20	to do at this point, we want to do this right.	20	MS. ANNELLE AMARAL: Yes, please.
21	MS. TONIA MOY: Yeah.	21	MS. TONIA MOY: So, you know, talking about the
22	MS. CAROLINE BLANCO: She said, write this	22	alternatives and stuff, when you explain it, it's great.
23	letter. She said, in the letter, request the meeting. I	23	But I guess for the general public maybe and this is
24	asked her, you know, would she give us quick attention on	24	just a suggestion for the final EIS.
25	it. She said, yes.	25	MS. CAROLINE BLANCO: Please, yeah.
	43		45
1	And so I wrote the letter. We did not hear a	1	MS. TONIA MOY: You know, you have the 72 sites,
2	response back.	2	you list them all out, you list out the criteria and how
3	I flagged it again toward the end of December.	3	it scored. I mean, I am sure you guys kept data. Or is
4	She said sorry for the delay, we're still working on it.	4	it in there?
5	We didn't get a response until January 17th.	5	DR. CRAIG FOLTZ: It's in the draft.
6	And that letter said that they didn't think it was	6	MS. TONIA MOY: It's in the draft?
7	advisable to meet at that time, they were trying to find	7	DR. CRAIG FOLTZ: Color-coded.
8	out who their contact was at the SHPD. They were trying	8	DR. CHARLIE FEIN: Very large section.
9	to gather information from the park and other people, and	9	MS. CAROLINE BLANCO: Do you have a copy?
10	that letters would be forthcoming. And that after that,	10	MR. MIKE MABERRY: Only of the last six. But I
11	you know, they might be in a better position to talk about	11	do have the last six here, if you just wanted to see it.
12	it.	12	But, yeah, the 72 sites is in the final.
13	The letters came in February, mid-February. We	13	DR. CHARLIE FEIN: There's a very detailed
14	still did not hear from the Advisory Counsel. We wrote	14	discussion of each and how the selection process occurred
15	them again in mid-May, again requesting the meeting, and	15	and what the results were and comparisons between sites.
16	telling them about this meeting. They did not agree to	16	And ultimately
17	meet with us.	17	MS. TONIA MOY: And the criteria and why the
18	They sent us another letter June 12th, basically	18	criteria was chosen?
19	saying that the project needed more alternatives and we	19	DR. CHARLIE FEIN: Yes.
20	hadn't followed the process.	20	DR. CRAIG FOLTZ: We realize that's a complex
21	It's a bit frustrating as an agency when we are	21	argument. And it's not one you want to address in normal
22	trying to do things right and really, really trying to do	22	life. We tried to discuss the turbulence, the sky
23	things right, and not getting the response from the	23	brightness and
24 25	agencies charged with making sure the process works correctly. And so it's difficult. I mean, I have seen	24	MS. TONIA MOY: The scientific
· / ``	CORRECTIVE AND SOLIS OTTICULT I MEAN I NAVE SEEN	25	DR. CRAIG FOLTZ: The science drivers.

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12 (Pages 42 to 45)

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1	MS. TONIA MOY: Practical issues.	1	Advisory Counsel that you made me. Maybe we should make
2	MS. CAROLINE BLANCO: That's, frankly, one of	2	another one for our records. I can hand this to you now.
3	the reasons why we wanted to meet with the Advisory	3	This is some of the 106 correspondence. This is what I
4	Counsel, to help them understand that.	4	gave to Nancy yesterday.
5	I do think NSF is a unique federal agency in	5	That might be helpful for you to look at. You
6	that regard. Because the whole reason to do it is to	6	can have that copy.
7	accomplish, you know, cutting-edge science, to fund	7	MS. ANNELLE AMARAL: I think some of the
8	cutting-edge science. And it's not as though you have	8	frustration, at least I heard yesterday as the
9	choices to accomplish the goal as you might in another	9	facilitator, was Pua and Nancy asserting that it wasn't
10	situation.	10	sufficient understanding of cultural impact or cultural
11	Did you need further documentation or the	11	significance. And then, I guess, because of transitions
12	website?	12	of people coming in and going out, they were not aware
13	I think, Sharon and Charlie, maybe you can point	13	that there was cultural impact study and then a
14	her to the website where there is additional information.	14	supplemental cultural impact study to deal with the
15	DR. CHARLIE FEIN: Yes. The DEIS is on the	15	concerns that were written about the original cultural
16	website.	16	impact study.
17	MS. TONIA MOY: Okay.	17	So I hear challenges to issues. And then what I
18	DR. CHARLIE FEIN: It can be found at	18	hear, also, is that there are documents that can be
19	atst.nso.edu. And you will find Draft Environmental	19	referred to that perhaps explain the positions that are
20	Impact Statement and all of the appendices, supporting	20	taken now.
21	documentation that goes with it.	21	So we are all sort of catching up on
22	MS. CAROLINE BLANCO: Aren't, also, the	22	information. But that's fine, we're happy to play
23	transcripts of all the hearings on that website?	23	catch-up.
24	DR. CHARLIE FEIN: No.	24	In the meantime, let me ask sort of a process
25	MS. SHARON LOANDO-MONRO: The transcripts, it	25	question. Understanding that we would like to see if we
	17		49
	47		
1	was requested by some of the public, comments that we have	1	can move forward a bit with respect to at least some MOA
2	had, they will be in the FEIS. But if you would like, I	2	issues, are the consulting parties comfortable,
3	can have that put on the website now. I checked it this	3	sufficiently comfortable, for me to walk through some of
4	morning, because I wasn't certain yesterday.	4	the points that have been raised to date for consideration
5	MS. CAROLINE BLANCO: I think in response to	5	in a memorandum of agreement? And can we have a
6	some of the	6	discussion of, yes, this makes sense, no, this doesn't
7	MS. SHARON LOANDO-MONRO: Let's put them on	7	make sense, and, if it doesn't make sense, this is why,
8	there?	8	then I can make note? Are you comfortable with us using
9	MS. CAROLINE BLANCO: Let's put them on so	9	the next couple of hours to do that? Yes?
10	people have access to that.	10	And you all are comfortable with it? Okay.
11	MS. ANNELLE AMARAL: Certainly some of the	11	Then let's proceed.
12	testimony is on because I read it before I came here.	12	Starting with perhaps one of the easiest issues
13	MS. SHARON LOANDO-MONRO: It was on the website?	13	in the MOA, and that is a memorandum of agreement, should
14	MS. ANNELLE AMARAL: Testimony, written	14	contain some provision for site cleanup or general cleanup
15	testimony was on. Also, even those form letters, I	15	of the area. Do we have any disagreement with that, any
16	support or I oppose, with the signatures, written comments	16	reservations about that?
17	of people were on the website because I read them.	17	DR. CRAIG FOLTZ: Since the IFA is a consulting
18	MS. SHARON LOANDO-MONRO: That might have been	18	party, they may want to speak to that.
19	in the DEIS.	19	Mike, sorry to put you on the spot.
20	MR. JEREMY WAGNER: In the appendix.	20	MR. MIKE MABERRY: Hi, I am Mike Maberry. I am
21	MS. SHARON LOANDO-MONRO: I am talking about	21	Assistant Director for the University of Hawaii Institute
22	transcripts from meetings.	22	for Astronomy. So I will be representing the IFA as a
23	MS. CAROLINE BLANCO: Sharon, I wonder if we can	23	consulting party.
24	get another copy. I mean, this is an extra. I could give	24	And the Institute for Astronomy, as the entity
25	this to her. Then I think you have one here for the	25	that has stewardship under the executive order for the

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13 (Pages 46 to 49)

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1	site, first off, definitely believes that the impacts can	1	MR. MIKE MABERRY: It was not specific. And,
2	and should be mitigated. And that site cleanup issues	2	therefore, I am not prepared to address anything that's
3	related a little background on this probably would be	3	not specific.
4	useful specifically.	4	This was the only thing that was identified
5	The first telescope experiment that was ever	5	specifically.
6	undertaken up on Pu'u Kolekole there were experiments	6	MS. ANNELLE AMARAL: Yeah.
7	done before that time on Ulaula, Red Hill and the national	7	MR. MIKE MABERRY: We're more than happy to
8	park. But the first observations really undertaken at	8	well, it kind of goes beyond this, on to the konohiki. If
9	Pu'u Kolekole were done by a gentleman named Grote Reber.	9	we actually have someone to consult with at some point in
10	It was a radio telescope. There are remnants of that	10	time that is accepted in the community as a kupuna with
11	telescope mount still at the site. And they have been	11	kuleana for Haleakala, and we work together and look at
12	identified.	12	other things. I mean, we would certainly be willing to
13	DR. CHARLIE FEIN: Because they are more than 50	13	entertain it.
14	years old, they are historic resources. It has been given	14	MS. ANNELLE AMARAL: These two seem to be
15	a state number. And a removal plan has been approved by	15	connected. There is also some recommendation that not
16	SHPO in the event that it needs to be removed.	16	only are we talking about the immediate area, but a larger
17	MR. MIKE MABERRY: It hasn't, obviously, been	17	area where partners sited up at Haleakala could be engaged
18	implemented. And it hadn't really been discussed up until	18	in larger cleanup projects. Yes?
19	yesterday.	19	DR. CRAIG FOLTZ: I think that was a bit of some
20	MR. JEFF BARR: Just to add a little bit. It's	20	cross signals there. I think the March date related to
21	not quite just because they were 50 years old. Also, they	21	the transmission towers.
22	have some contributing cultural and scientific merit as	22	MS. CAROLINE BLANCO: Encourage the removal of
23	artifacts of an experiment.	23	five broadcast towers, and ancillary junk is what we
24	MR. MIKE MABERRY: He is considered the father	24	called it.
25	of radio astronomy worldwide.	25	DR. CRAIG FOLTZ: Ancillary junk.
	51		53
1	So yesterday was the first time we had heard a	1	MR. MIKE MABERRY: That's not really on property
1 2	So yesterday was the first time we had heard a suggestion of removing that. And it's something we	1 2	MR. MIKE MABERRY: That's not really on property that is under our stewardship. It's on DLNR property.
2	suggestion of removing that. And it's something we	2	that is under our stewardship. It's on DLNR property.
2 3	suggestion of removing that. And it's something we definitely can entertain.	2 3	that is under our stewardship. It's on DLNR property. Without bringing up video, there is a group of
2 3 4	suggestion of removing that. And it's something we definitely can entertain. MS. CAROLINE BLANCO: I think that was made by	2 3 4	that is under our stewardship. It's on DLNR property. Without bringing up video, there is a group of television and what was a radio broadcast tower that is
2 3 4 5	suggestion of removing that. And it's something we definitely can entertain. MS. CAROLINE BLANCO: I think that was made by Kiope and others.	2 3 4 5	that is under our stewardship. It's on DLNR property. Without bringing up video, there is a group of television and what was a radio broadcast tower that is adjacent to the site that we have stewardship of. And it
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14 (Pages 50 to 53)

	54		56
1	cultural practices. And that is for Hawaiians to come	1	going to be.
2	together to identify, by genealogy and lineal descendants	2	If we apply true ancient Hawaiian standards,
3	and practice, proper konohiki and develop protocols. And	3	well, the answer is really simple. It's not the Native
4	would all the parties involved be willing to then yield to	4	Hawaiian community that is going to decide who the
5	that cultural practice?	5	konohiki is. The question is going to be in which moku is
6	We think it's simple enough, don't we, Sol?	6	this property located, in which ahupua'a is this property
7	MR. SOL KAHO'OHALAHALA: Well, I think it comes	7	located, in which ili is this property located. So you
8	about because our discussions were focused on the fact	8	narrow it down from the Native Hawaiian community to the
9	that the signage was in 'olelo, Hawaii, and that there are	9	lineal descendants of this specific parcel of property.
10	Hawaiians that may not understand 'olelo themselves. So	10	And then it gets a little bit easier there because then
11	that was a proper problem.	11	you know like how you went from 72 to six, we might go
12	And the other was a concern for signage. You	12	from 200,000 Native Hawaiians down to five.
13	keep adding signs to clarify. And then you keep it in	13	MS. CAROLINE BLANCO: Well, okay. That's
14	'olelo, Hawaii, do you put it in English.	14	helpful.
15	So I think from that I think the idea of maybe	15	MR. HINANO RODRIGUES: Just getting through that
16	what we should be doing is reconsidering the signages is	16	process itself is going to be
17	the way we want to prepare and help people to understand.	17	MR. SOL KAHO'OHALAHALA: But that, like Hinano
18	Would it now be appropriate to consider someone	18	says, refines it so that
19	like a konohiki who is responsible for the sites that are	19	MS. CAROLINE BLANCO: Is it manageable, though?
20	there, that are considered to be special, and that they	20	Is this a realistic idea?
21	would be the ones to impart what protocol might be?	21	MR. HINANO RODRIGUES: Yes. And I like it. We
22	So leaving a lot of that kind of decisions to	22	are really going out on a limb here, but I think that, in
23	the Hawaiian community to determine so that we are not	23	Hawaii, we are making changes that take us back to our
24	here trying to decide which sign is more appropriate.	24	ancient practices rather than utilizing western law. The
25	And, you know, so that's how I think that idea or	25	perfect example is the ahumoku process. We decided
	55		57
1		1	
1 2	55 suggestion has come about. MS. CAROLINE BLANCO: If I could add to that.	1 2	57 that we are the preliminary stage at this point. We decided that our natural resources shall be managed in the
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15 (Pages 54 to 57)

	58		60
1	decides who gets to go into this area.	1	level, what Craig is saying is not understanding the
2	We are not accustomed unless you are truly	2	process in the konohiki, and how that would operate, is
3	Hawaiian on the inside, you are not accustomed to one	3	that there is this idea that science and astronomy and the
4	person making a decision for you.	4	workers would be now restricted from carrying on their own
5	DR. CRAIG FOLTZ: Right.	5	responsibility within the facility. And I don't see that
6	MR. HINANO RODRIGUES: You want to go and open	6	necessarily as a problem.
7	up Hawaii Revised Statutes, and say, wait a minute, I am a	7	But the other part is that I see that there
8	citizen of this state, I am one of the 1.2 million, I have	8	would be a need for an exchange or familiarization so
9	a right. But then if you applied the Hawaiian law, well,	9	astronomy has a sense and understanding of what the
10	no, you really don't because you are not from my island,	10	responsibilities of the Hawaiian people, through a
11	you are not from my moku, you are not from my ahupua'a,	11	konohiki, are and how that operates, as well as vice
12	you are not from my ili, you stay on your side and let me,	12	versa, they understand what the parameters of the
13	on my side, decide what happens in my back yard.	13	astronomy's needs are. And then in that will be how you
14	DR. CRAIG FOLTZ: Thank you.	14	manage to work with both.
15	MS. CAROLINE BLANCO: So this could be a way in	15	DR. CRAIG FOLTZ: I've talked to Sol about this
16	which to create a model working with the ancient way, and	16	before. I think this is important. And we haven't
17	then, in addition, in bringing it into 2008 with regards	17	actually captured it.
18	to	18	We have other observatories that are in special
19	MR. SOL KAHO'OHALAHALA: You are not recreating.	19	places. And one of them is Kitt Peak National
20	You are just reimplementing a past practice.	20	Observatory, which is on a sacred mountain, a mountain
21	MS. CAROLINE BLANCO: A past practice in a	21	that is sacred to the Tohono O'odham Tribe, who are in
22	modern context, is that sort of the	22	Southern Arizona and Northern New Mexico. It is one
23	MR. SOL KAHO'OHALAHALA: Yeah.	23	tribe, one, the Tohono Nation's land.
24	The other part, Hinano, that I thought would be	24	And there are hundreds and hundreds of
25	important, is, in a small measure, sort of empowerment.	25	astronomers who visit every year, and there are 28
	59		61
1	Instead of the Hawaiian community having gone through this	1	telescopes and so on. And I was a frequent user before I
1 2	Instead of the Hawaiian community having gone through this process, understanding that this would be the process in	1 2	telescopes and so on. And I was a frequent user before I came to the NSF.
2	process, understanding that this would be the process in	2	came to the NSF.
2 3	process, understanding that this would be the process in which they would be managers of the property, it's an	2 3	came to the NSF. And as an observer there, you were not an
2 3 4	process, understanding that this would be the process in which they would be managers of the property, it's an empowerment to that, that they feel that there is	2 3 4	came to the NSF. And as an observer there, you were not an observer who goes there doesn't understand that land is
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16 (Pages 58 to 61)

	62		64
1	talking about with this konohiki who would have a	1	archeology and all that.
2	long-term role with what we've identified as the cultural	2	Your cultural monitor probably has more
3	monitor during construction, and whether or not there	3	experience in standing out there and, let's say, seeing
4	could not be some overlap or might be more appropriate to	4	the backhoe hits something and go, woah, wait a minute, I
5	try to find somebody who is more culturally attuned or	5	see a profile, I see a burial pit profile, you know,
6	acceptable to the Native Hawaiian community as the	6	like
7	legitimate representative of the native culture on the	7	MR. JEFF BARR: Uh-huh.
8	mountain, earlier on. Because certainly that five-year	8	MR. HINANO RODRIGUES: So he probably will catch
9	period of construction will be some of the most disruptive	9	those stuff better than a konohiki would.
10	activity and some of the most greatest potential for, you	10	MR. JEFF BARR: Well, maybe there's a
11	know, conflicts of access, and all kinds of other	11	relationship, though, between the cultural monitor and the
12	potential cultural issues. Rather than us going out and	12	konohiki. And maybe the konohiki should be established
13	contracting a cultural monitor the way we would, you know,	13	before construction.
14	somebody to do the plumbing up there, or something else	14	MR. HINANO RODRIGUES: That would be ideal.
15	like that.	15	MR. JEFF BARR: The cultural monitor can be a
16	So, to me, I mean and it's not a trivial	16	representative and, you know, sort of more answer to
17	issue, the cultural monitoring in itself. It's	17	MR. SOL KAHO'OHALAHALA: That would have been my
18	incorporated well, I think, into the long-range	18	comment, is don't merge the two because they are not
19	development plan.	19	necessarily by labeling or assuming the konohiki means
20	I am giving Mike a little bit of heartburn over	20	all this.
21	there because it's a well worked out arrangement. But it	21	MR. JEFF BARR: By the way, I am also not trying
22	seems to be more appropriate somehow to have that early	22	to assert that we wouldn't properly compensate the
23	input and have somebody who is, as I say, maybe considered	23	cultural monitor.
24	to be the more legitimate representative of the native	24	MR. SOL KAHO'OHALAHALA: You are demonstrating
25	culture there during the construction, not just during the	25	that you are going to be responsible for cultural
	63		65
1	operation.		
	operation.	1	monitoring?
2	MR. SOL KAHO'OHALAHALA: Do you want my two	1 2	monitoring? MR. JEFF BARR: Yeah.
2 3	-		
	MR. SOL KAHO'OHALAHALA: Do you want my two	2	MR. JEFF BARR: Yeah.
3	MR. SOL KAHO'OHALAHALA: Do you want my two cents?	2 3	MR. JEFF BARR: Yeah. MR. SOL KAHO'OHALAHALA: You are also going to
3 4	MR. SOL KAHO'OHALAHALA: Do you want my two cents? Go ahead.	2 3 4	MR. JEFF BARR: Yeah. MR. SOL KAHO'OHALAHALA: You are also going to allow for this konohiki as a manager?
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17 (Pages 62 to 65)

	66		68
1	not necessarily compatible and you can't necessarily	1	that the konohiki would identify that person or that we
2	switch off from them. And for some of us talking about	2	would identify the project team?
3	konohiki, just the thought of konohiki starts to create	3	MR. MIKE MABERRY: Let me share a little bit
4	this immense thing, the potential is so huge and exciting,	4	what has been done historically. I think that would
5	that it doesn't pop, at least in my mind, when I think of	5	probably help. Because I am not sure how familiar you
6	cultural monitors. Cultural monitors, I think of	6	are. We did a long-range development plan in 2004. It
7	something very finite and limited.	7	was called a long-range development plan rather than a
8	So if you truly are talking about collaboration	8	master plan, which it really is, in effect. We did
9	and sensitivity with the Hawaiian culture, konohiki is a	9	everything that you would do for a state EIS and for a
10	potential to create that awesome collaboration and	10	master plan.
11	empowerment for the culture in a way that cultural monitor	11	Because there are over 27 different entities
12	is not.	12	with stewardship responsibilities from above 6,000 feet
13	I am not explaining it well, Caroline.	13	elevation to the summit, it was inappropriate for us,
14	MS. CAROLINE BLANCO: Would it be helpful to	14	being responsible for only 18 acres, 18 acres of that
15	maybe say we would identify a cultural monitor in	15	area, to call it a master plan and have it maybe confuse
16	consultation with the konohiki? No?	16	the public that it's a master plan for the whole summit.
17	MR. SOL KAHO'OHALAHALA: I think it's more	17	Okay.
18	important to establish that as part of the process you	18	Over the period of several years of talking with
19	will have someone who will be monitoring.	19	people in the community and kupuna, we developed the
20	MS. CAROLINE BLANCO: Right. That's different	20	elements of the long-range development plan that are
21	than a konohiki.	21	related to construction or any activity that would trigger
22	MR. SOL KAHO'OHALAHALA: Let it stand as that.	22	Chapter 13 of Department of Land and Natural Resources
23	Then, also, now, acknowledge that you are open to the idea	23	Conservation District Use Regulations. It's Title 13, not
24	of creating this idea of konohiki.	24	Chapter 13.
25	MS. CAROLINE BLANCO: So don't link the two?	25	And what some of those elements were and in
	67		69
1	MR. MIKE MABERRY: That the university would;	1	the past construction had used an archeologist, would have
2	not the project. The project doesn't have the kuleana.	2	
3	The entite that is men an either the the the strength in is	1	an archeologist on staff. And, you know, they typically
5	The entity that is responsible that has the stewardship is	3	would make pop inspections. And jump in here any time you
4	the institute that	1	would make pop inspections. And jump in here any time you want. It was suggested that, no, you really need somebody
	the institute that MR. SOL KAHO'OHALAHALA: I think all we're	3 4 5	would make pop inspections. And jump in here any time you want. It was suggested that, no, you really need somebody up there all the time. So we did make it a requirement,
4 5 6	the institute that MR. SOL KAHO'OHALAHALA: I think all we're trying to do is be cautious about making assumptions about	3 4 5 6	would make pop inspections. And jump in here any time you want. It was suggested that, no, you really need somebody up there all the time. So we did make it a requirement, and it has been implemented, it has been used on a couple
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18 (Pages 66 to 69)

	70		72
1	construction people are required to.	1	MS. CAROLINE BLANCO: How about this? Again
2	And then the cultural monitor is up there, opens	2	thinking in terms of provisions, how about if we have a
3	the day with a pule, you know, is there throughout the	3	provision just saying that we will have a cultural monitor
4	day, there for consultation, anything specific. Like you	4	and archeologist onsite, and then the IFA would work with
5	say, watching for anything special that may require and	5	the Native Hawaiian community to identify a konohiki and
6	I've seen where they have liked stopped construction, make	6	the tasks to be undertaken?
7	a couple of phone calls, talk to kupuna, and then come	7	MR. HINANO RODRIGUES: Right. We keep it
8	back and make a decision as to how to proceed.	8	totally separate.
9	So that is what Jeff is referring to, he is	9	MS. CAROLINE BLANCO: Okay.
10	talking about.	10	MR. MIKE MABERRY: Please.
11	So the university has done a project since this	11	MS. CAROLINE BLANCO: IFA is the right entity?
12	has been implemented in 2004, that has utilized the	12	Does that sound good? Okay.
13	cultural monitor, in fact a couple, as well as the Air	13	MR. MIKE MABERRY: The three of us, at least,
14	Force. The Air Force used a different cultural monitor	14	know it will be controversial because there are kupuna who
15	than we did.	15	already feel they have the kuleana. If you actually go
16	I just felt, in order to kind of bring this	16	back and look at the genealogy, that's not going to be the
17	together here, I would explain a little bit about what has	17	case. So it's going to it may not be in place and
18	been going on.	18	DR. CRAIG FOLTZ: Rough waters ahead.
19	MR. HINANO RODRIGUES: I think maybe, because	19	MR. MIKE MABERRY: Yeah, any time soon.
20	some of us are involved in archeology, that we already	20	MS. CAROLINE BLANCO: It sounds like a very
21	have our own definition of what a cultural monitor's role	21	MR. JEFF BARR: We may not be building any time
22	is and others don't. So, yeah, I think you kind of	22	soon, either.
23	clarified that.	23	MS. CAROLINE BLANCO: And there may be a
24	To make it really easy, the stage at which a	24	decision not to build at all. Who knows? But at least
25	cultural monitor is involved is different from when a	25	MR. MIKE MABERRY: That being said, the
		2.0	-
	71		73
-			
1	konohiki becomes involved. So that is why Sol is saying	1	institute is interested in this regardless whether this
2	keep it totally separate.	2	institute is interested in this regardless whether this project goes forward or not.
2 3	keep it totally separate. DR. CRAIG FOLTZ: Yes.	2 3	institute is interested in this regardless whether this project goes forward or not. MR. SOL KAHO'OHALAHALA: Aside from the project
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19 (Pages 70 to 73)

	74		76
1	the ball is you called this an open house. Maybe if you	1	creation of the star compass utilizing sites on Haleakala
2	had called it a talk story session, more people would have	2	and, as another way of engaging the skills of the Hawaiian
3	showed up.	3	community, for learning, for traditional knowledge. It
4	MS. CAROLINE BLANCO: Huh.	4	moved to the larger issue of that perhaps there are
5	MR. HINANO RODRIGUES: Because, again, we have a	5	proposals by the larger Hawaiian community similar to
6	different perspective.	6	something like what was proposed for the star compass. I
7	We think people who know not much about the	7	am wondering if these two are in fact one provision that
8	Hawaiian culture think talk story is just chitchat. It's	8	needs to be made in the MOA, or do we want to talk about
9	not. It's for all of us to come into the same room and,	9	it as two separate provisions?
10	to use local lingo, for me to check you out. And what	10	Is the star compass so singularly important that
11	happens in that process is you create a trust	11	it needs to be pulled out and discussed separately from
12	relationship. Once you create the trust relationship,	12	seeking proposals from the Native Hawaiian community for
13	then you start to move on and everybody works together.	13	additional learnings and cultural sensitivity?
14	Unless you get to that point and I share your	14	MR. SOL KAHO'OHALAHALA: Well, again, my
15	frustrations with you. Unless you get to that point, you	15	thought and the reason I introduced that as a
16	will be frustrated all the way because you haven't created	16	suggestion is that, obviously, at Haleakala, in
17	the trust relationship. So from that that's why 2005	17	reference to the la, the sun, the compass itself, in terms
18	until now, you know, you don't get much response.	18	of teaching navigation through Hokule'a and through Nainoa
19	MS. CAROLINE BLANCO: Right.	19	and through Mau have always been focused on the rising
20	MR. HINANO RODRIGUES: Because you didn't quite	20	sun, moon, constellation, and the location. There are
21	jump that first hurdle yet. So, again, this is an example	21	very it's very important to have a clear view of the
22	where, in the Hawaiian culture, it's a Hawaiian issue, you	22	horizons if you are going to be able to teach you know,
23	got to approach it the Hawaiian way. If not, you will	23	the best conditions for teaching.
24	ultimately fail in that process.	24	If you are looking at the fact that the
25	MS. ANNELLE AMARAL: Uh-huh.	25	telescope is looking for the best location for observing
	75		77
1	MR. HINANO RODRIGUES: Our whole culture is	1	the la, then shouldn't you be able to acknowledge the fact
2	process.	2	that the Hawaiians also seek the best location for
3	MS. CAROLINE BLANCO: I so greatly appreciate		
		3	teaching. And this might be a location where we might
4	those comments. The next time we're in Hawaii, we're	3	teaching. And this might be a location where we might consider bringing culture and its teaching and its
4 5	calling you.		teaching. And this might be a location where we might
5 6	calling you. MS. ANNELLE AMARAL: I wonder if I could step in	4 5 6	teaching. And this might be a location where we might consider bringing culture and its teaching and its practice at a same location where science would like to advance its thinking and its research as well.
5	calling you. MS. ANNELLE AMARAL: I wonder if I could step in here. We have been going at this for more than two hours	4 5	teaching. And this might be a location where we might consider bringing culture and its teaching and its practice at a same location where science would like to
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20 (Pages 74 to 77)

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1	ATST. Specific proposals like this I think are very good.	1	rather than try to define something up front? And then
2	I spent quite a bit of time last night reading	2	MR. HINANO RODRIGUES: Well, maybe and I will
3	about the compass. It's very interesting. Very exciting,	3	leave this up to Caroline craft the language such that
4	actually.	4	it makes it very clear that the Hawaiian community is
5	MR. SOL KAHO'OHALAHALA: Perhaps you can	5	involved in this, and then maybe come up with a couple
6	participate in the Hawaiian learning center	6	more examples of how they could be involved in this.
7	MR. JEREMY WAGNER: Sure.	7	MR. SOL KAHO'OHALAHALA: Let me just add to
8	MR. SOL KAHO'OHALAHALA: for astronomy.	8	this, is that Nainoa and I have had these discussions for
9	But I think that would be the reason why this	9	a long, long time. Even so much so that they felt it
10	would be a standalone, because I know in discussion with	10	would be appropriate that each island have a location
11	Nainoa, the society has always been seeking to find a	11	where a star compass is placed. So that the people on
12	place, you know, which would be conducive to the teaching.	12	that island will have an opportunity to also be oriented
13	And, again, there's a difference between teaching the	13	to the celestial bodies.
14	constellations and the positions of the sun and the moon	14	So what I am trying to say is that this is not a
15	versus that of being on the sea. So this location is	15	void of any discussion, these are discussions we've had
16	specific for the teaching of the celestial bodies versus	16	for and as I told you, there is only one notation that
17	the other part of it which would be actually on the sea	17	I know of where this compass has actually been
18	itself, you know. So	18	implemented. And that's Hualalai, you know.
19	MS. CAROLINE BLANCO: If I can ask reactions	19	MR. JEREMY WAGNER: Sol, is there a Hawaiian
20	from some of the other consulting parties, too, to this.	20	name for the compass? I mean, star compass, but is there
21	I think it sounds like a fabulous idea.	21	a Hawaiian name? I couldn't find one. I was looking last
22	MR. HINANO RODRIGUES: I think from a more	22	night.
23	dynamic approach, you need to find a way to involve the	23	Just an aside. Sorry.
24	Hawaiian people and make this their project, also. And I	24	MR. SOL KAHO'OHALAHALA: I know that all of the
25	think that's what Sol is doing right here.	25	components of the compass is named in Hawaiian. You could
	79		81
1	And I hate to say this, because I used to teach	1	call it something, I guess.
2	at the university, also. And I was accused of, oh, yeah,	2	MR. JEREMY WAGNER: I just wondered.
3	you guys in your ivory tower kind of thing. I am quite	3	MS. CAROLINE BLANCO: From a logistical
4	sure that the Maui community or the Native Hawaiian	4	standpoint this is clearly the western side of me
5	community looks at this in the same way. So there needs	5	coming out, right how do you approach that? Is it
6	to be that attitude adjustment, no, you are a part of us,	6	that
7	also. The Hawaiian culture is ever-exclusive versus, in	7	MR. SOL KAHO'OHALAHALA: Okay. What I was going
8	certain ways, the western culture which is more I mean	8	to say is that one of the things I am considering and
9	Hawaiian culture is more inclusive. Western culture is	9	planning to do now is to, again, meet with Nainoa.
10	somewhat exclusive in that everybody is put in a	10	Because, as I said, that the compass itself is a good
11	cubbyhole, and this is you, this is your label and all	11	idea. And in a location, I think, they would agree would
12	that.	12	be an appropriate place. But as the navigators, I would
13	So with the Hawaiian people, you need to make it	13	like their collective input, because there are many
14	perfectly clear to them, this is about you and we want you	14	navigators today. At a time there were none. Okay. But
15	involved. And so projects like the star compass I am	15	get Nainoa to help to participate or spearhead the
16	assuming I know what it is, I am not too sure. But based	16	gathering of the navigators, even to the point that they
17	on the discussion, I can guess what it is. Now the people	17	would come and assemble here at Haleakala to actually look
18	are involved in it.	18	at the site and look at what is being proposed in the
19	You know, the Hokule'a and Nainoa Thompson and	19	project to understand how they would consider integrating
20	all that, that has had such a great impact on the	20	in terms of design, location.
21	self-esteem of the Native Hawaiian people. So let's run	21	And we're talking about some of these things
22	with the ball, you know. This is it.	22	right now, which is good. So that there are other bits of
23	MR. JEFF BARR: Excuse me. Are you saying that	23	information that would be helpful to them as navigators.
	we should leave it more onen anded until there is this	24	But that would be the next step that I am planning to do.
24 25	we should leave it more open-ended until there is this kind of grass roots buy-in and proposal from the community	25	MS. CAROLINE BLANCO: And maybe one thought

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21 (Pages 78 to 81)

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1	tell me what you think about this, because I certainly	1	And so it's not something that would be used during the
2	don't want to sound presumptuous in any of this. Much	2	day because the sun will take off all, you know, other
3	like what we are talking about with the konohiki, maybe	3	orientations of constellations. But the rising sun and
4	another way to do this, for purposes of putting this in a	4	the setting sun and the nighttime is the use. So the
5	document, is to have the IFA work with the Native Hawaiian	5	early morning, early evening, and then through the night.
6	community to find a location for the star compass. Would	6	That is the time that the compass is used.
7	something like that work?	7	MS. ANNELLE AMARAL: So you wouldn't have too
8	I mean, I hate to box it in too much because I	8	much competition, then, for the site or interference with
9	want the flexibility of that development to go on. But,	9	the
10	yet, I want some assurance, at least, so, you know, people	10	MR. SOL KAHO'OHALAHALA: It would be like
11	can look at this and know what the expectation is and make	11	talking about the compass, but you couldn't really
12	them comfortable with that.	12	demonstrate how it applied, the compass.
13	I am trying to translate it into a provision	13	MR. JEFF BARR: As I was mentioning to you
14	again. It's that lawyer thing again.	14	yesterday, there are some nighttime activities at the
15	DR. CRAIG FOLTZ: I also wanted to add I	15	observatory, preparing for the next day. But I wouldn't
16	think we talked about this a bit yesterday is that if	16	see any
17	there are other support facilities now, I mean, we're	17	DR. CRAIG FOLTZ: However, there are other
18	not going to build dormitories, stuff like that but if	18	nighttime observatories there.
19	there are modifications to building that would allow for a	19	MR. JEFF BARR: That's right.
20	warm place, a safe place, a place to get out of the	20	MR. MIKE MABERRY: Eleven other observatories
21	weather, a place to use the restroom facilities, that's	21	working at night.
22	something that we, the project, would need to iterate.	22	DR. CRAIG FOLTZ: We can't go up and set off a
23	And it's not specific to the design of a	23	flare.
24	compass, but having some understanding of how many people	24	MR. JEFF BARR: Lots of astronomical
25	will be there, what happens if it snows, you know, where	25	observatories, including Kitt Peak, accommodate a very
	83		85
1	do we put people, that sort of thing. So that actually	1	robust visitor program.
2	factors into the planning.	2	MS. ANNELLE AMARAL: I am getting very excited
3	It may be premature for that. I mean, I think	3	because one of the other things I facilitate is a landfill
4	that it's got to be cooperative in that sense because we	4	over in Nanakuli. That's very exciting, I know. Talk
5	don't want I will express my western leanings and	5	about getting screamed at, that's one of those places.
6	thinking about liability, we want to make sure that this	6	But I bring that up because when you talk about the star
7		7	
8	is a safe experience. MR. JEFF BARR: And there are a lot of other	8	compass, you talk about other islands, other locales, I don't know if you are aware of it, but Nanakuli has lots
9		9	-
10	astronomical observatories that build in very nice visitor facilities.	10	of Maui stories. And, you know, you have the reclining
		11	Maui in Wai'anae, you have the Cave of Hina, the mother of Maui, in Nanakuli. Just as I think about it, and I think
11	MR. MIKE MABERRY: Galleries.		
12	MR. JEFF BARR: Galleries and facilities. So	12	about sending the navigators out to find another site,
13	people can get up close to look at the telescopes and also	13	Wai'anae, the place where there isn't a whole lot of pride
14	appreciate the sites for the spiritual and cultural	14 15	in being Hawaiian, this could be one of the sources of
15	values.	16	pride as you think about this being the model and then
16	So it wouldn't be new. We could certainly		taking it out to other sites. It could be quite exciting.
17	incorporate some of that kind of infrastructure.	17	MR. SOL KAHO'OHALAHALA: I mean I think talking
18	In fact, for some of the other six sites that we	18	about the you know, gaining sense of place once more
19	looked at, that was very much on the table. Because they	19	and gaining the kind of respect and esteem that I think
20	were very much sort of visitor-oriented, whereas Haleakala	20	Hawaiians surely could use a lot more of, that if you
21	observatory has been open in the ways that it's been open,	21	bring them to Haleakala and you allow them to now be a
22	but it's never really been a big important part of the	22	part of this mountain, that that in itself is already a
23	program.	23	major accomplishment in terms of having them access the
24	MR. SOL KAHO'OHALAHALA: The other thing is that	24	summit and being able to talk about the sun, the moon and
25	the star compass is really most usable during the night.	25	the stars and to be able to teach them alongside, I think,

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1	with new innovative technologies and sciences. That is	1	representation of the star compass.
2	the kind of, I think, preparing that gives empowerment and	2	But, basically, you don't need anything except a
3	gives use and practice once more in a very significant	3	level place with a circle of stones and then different
4	place.	4	stones that represent different constellations at
5	DR. CRAIG FOLTZ: Those are programs.	5	different seasons, you know. I mean, that's basically how
6	Certainly, we could develop programs. I mean, obviously,	6	it works.
7	there are limits as to numbers.	7	But perhaps we might want to be more creative in
8	MR. SOL KAHO'OHALAHALA: Right. Right.	8	these times to allow for a compass that would be as
9	DR. CRAIG FOLTZ: For your information, all of	9	magnificent as the telescope. No. Just kidding.
10	the observatories that we fund and there are a large	10	DR. CRAIG FOLTZ: We will make it out of glass.
11	number all are required to have education, public	11	MR. SOL KAHO'OHALAHALA: But, you know,
12	outreach programs and internships and research experience	12	Hawaiians are very, very simple. And they only wanted to
13	for undergraduates and for teachers and so on. So if	13	know that these are the simple tools that help to teach
14	there were a way to integrate the activities in the ATST,	14	the concepts. So
15	which are all going to happen after sun, with these sort	15	DR. CRAIG FOLTZ: Thank you.
16	of activities you are talking about, to not exclude them.	16	MS. ANNELLE AMARAL: Any more discussion about
17	Maybe they don't perfectly integrate, but they are both	17	the star compass? Are we pau with that? Okay.
18	cool.	18	Proposals from
19	MR. SOL KAHO'OHALAHALA: I know, but I think	19	MR. SOL KAHO'OHALAHALA: Just one more comment.
20	being side by side and allowing for that overlap is what	20	I think what we are steering toward is that I
21	we are trying to achieve here. So you can pull them in	21	have heard it asked several times what benefit is this
22	out of the star compass and then look at the ATST	22	to the Native Hawaiian community, you know, what do the
23	telescope and see some of the things that are being done	23	Hawaiian people gain from this project, the ATST project.
24	with the telescope is to bring to them possibilities, you	24	And I am hoping that what we are trying to do is
25	know, for their own	25	demonstrate and we're trying to build some of the ideas
	87		89
1	DR. CRAIG FOLTZ: Sure.	1	that are beneficial so that we can talk about what are
2	MR. SOL KAHO'OHALAHALA: careers, perhaps.	2	some of the beneficial outcomes in the project like this
3	And that is what, I think, this is intended, in part, to	3	that is going to collaborate with Hawaiian input, with
4	do, you know. So that would be wonderful.	4	Hawaiian support, and for education, for practices, and
5	DR. CRAIG FOLTZ: Just a question. And being a	5	even for a compass like this. So I hope that this answers
6	Harvard kind of guy. Would you build this out of stone?	6	some of those questions. And that we're leading toward
7	Would you build it out of how would you construct it?	7	these kinds of directions, that will help to bring to the
8	Do you have an image of it?	8	table these kinds of things that would be beneficial to
9	MR. SOL KAHO'OHALAHALA: Again, the only	9	the Hawaiian community who perceive of a compass
10	resources Hawaiians had was sticks and stones. So the	10	telescope as something that doesn't benefit any Hawaiian,
11	compass itself was really just tiny ahu of stone in a	11	you know.
12	circle. And those ahu represented the rising, and, on the	12	MS. CAROLINE BLANCO: That's great.
13	opposite side, the corresponding setting. So standing	13	MS. ANNELLE AMARAL: Nice. That's a nice one.
14	there in the middle, you could use Pohaku as your point.	14	Other proposals from the Native Hawaiian
15	And that's how we would measure the movement of the sun's	15	community, I don't remember how that got up there or what
16	path.	16	the thought was. Do you recall?
17	DR. CRAIG FOLTZ: Sure.	17	MR. SOL KAHO'OHALAHALA: Well, I think what we
18	MR. SOL KAHO'OHALAHALA: And eclipses.	18	were talking about is it was commented yesterday as to
19	DR. CRAIG FOLTZ: Get your latitude.	19	whether or not Sol spoke for the Hawaiian people.
20	MR. SOL KAHO'OHALAHALA: I mean the solstice and	20	MS. ANNELLE AMARAL: Oh, that was it.
21	equinox. So they are marked and it's stone.	21	MR. SOL KAHO'OHALAHALA: I made very clear that
22	The compass that's on Hawaii island, that I	22	I wasn't speaking for the Hawaiian people, but that this
23	The compass that's on Hawaii island, that I talked to you about, is all made out of slab blue rock.	23	is an example of an idea. And I used the compass as an
	The compass that's on Hawaii island, that I		

23 (Pages 86 to 89)

	90		92
1	open that opportunity up. And I think the idea of the	1	MR. SOL KAHO'OHALAHALA: And my personal feeling
2	further leanings that are being planned is to help get	2	is that I am not necessarily supportive of the idea of
3	some of that. So if there are other organizations and	3	restoration, but I would like to consider that if we were
4	other individuals or entities that would like to put on	4	Hawaiians today looking toward the future, as a Hawaiian
5	the table some of these things, that there is an	5	cultural practice, should I be allowed the same exercise
6	opportunity for that. So	6	to create today something for tomorrow, or am I only
7	MS. ANNELLE AMARAL: So perhaps that would be as	7	relegated to the fact that I can only restore what was
8	sort of a note in the correspondence that goes out for	8	there. So there's two tracks. You can look at the
9	future MOA meetings, is that we would welcome a discussion	9	restoration of sites because, from your archeological
10	or proposal, other proposals, from the Hawaiian community.	10	studies, you show that the Hawaiian site that existed
11	DR. CRAIG FOLTZ: I think this was I'm sorry.	11	there no longer is there. Except we have the reports that
12	MS. CAROLINE BLANCO: Go ahead.	12	give you the measurements of the site. And if you were to
13	DR. CRAIG FOLTZ: First of all, I think Sol was	13	restore that, then, simply, you would be putting in place
14	being very modest. I mean, he presented the star compass	14	something that is documented as having been there.
15	idea. It's a fabulous idea. But he did, I think, want to	15	One of the things that I would be cautioned is
16	allow for other ideas.	16	whether or not that site, while it's restored, would also
17	MS. CAROLINE BLANCO: Right.	17	come with the knowledge and the practice that's associated
18	DR. CRAIG FOLTZ: And certainly that is very	18	with the site.
19	reasonable.	19	On the flip side, if I had an opportunity to
20	And, obviously, we are eventually constrained as	20	create as a Hawaiian, and I am going to go back to the
21	to how many things that we can do. This is a beautiful	21	compass, should I be able to create a compass here that
22	one. I mean, I think it's beautiful from its conception.	22	has purpose and has use that's forward movement, or should
23	It's also beautiful from its economy, to be honest,	23	I just relegate the Hawaiian culture and practice to its
24	speaking as a funding agency.	24	past and in that the restored site, which has not
25	MR. SOL KAHO'OHALAHALA: Wait. Wait. Don't	25	necessarily the same purpose or use today, you know. So I
	91		93
1		1	
1	limit me there. I can be creative.		am trying to make a distinction between restoration and
2	MR. MIKE MABERRY: Because you're going to have	2	the ability for Hawaiians to be creative and not relegate
3 4	to buy Ulaula from the park. MS. CAROLINE BLANCO: I think there was	3	cultural practice only to its past. DR. CRAIG FOLTZ: You are talking specifically
4 5	another	4 5	
-	DR. CRAIG FOLTZ: The park would do well to	6	about a site that does not exist anymore. MR. JEFF BARR: We are talking about
6 7	*	7	DR. CRAIG FOLTZ: This is not an issue of
8	support this. MS. CAROLINE BLANCO: They would.	8	preservation.
9	There was another point under the other	9	MR. JEFF BARR: You are saying where Reber
10	proposals from the Native Hawaiian community that I had in	10	Circle was built?
11		11	MR. SOL KAHO'OHALAHALA: Right.
12	my notes. MS. ANNELLE AMARAL: Okay.	12	MR. SOL KATO ONALAMALA. Right. MS. CAROLINE BLANCO: You are saying that, for
13	MS. CAROLINE BLANCO: It was this idea of create	13	example, one of the thoughts was this came, I think,
14	an opportunity for a new site, not just restore a	14	within the context of restore the site, the Reber Circle.
15	destroyed one, and to allow for a living practice. And I	15	MR. SOL KAHO'OHALAHALA: I think that was a
16	apologize for not remembering your Hawaiian name for	16	comment, somebody said that, you know, we should restore
17	the	17	the sites that were
18	MR. SOL KAHO'OHALAHALA: Pu'u.	18	MR. JEFF BARR: Put back the pu'u.
19	MS. CAROLINE BLANCO: I was afraid to say it. I	19	MS. CAROLINE BLANCO: Right. And we wouldn't
20	didn't want to get it wrong. Wasn't that one of the	20	just leave a hole. We would do something with it. What
21	discussion points?	21	you are saying is maybe find even another location for it,
22	MR. SOL KAHO'OHALAHALA: You might want to	22	or not restore the old one? Create something new is what
23	comment, because yesterday it was it was brought up by	23	I am hearing.
24	one of the consultants about restoration of sites.	24	MR. SOL KAHO'OHALAHALA: I would like us to
25	MS. CAROLINE BLANCO: Right.	25	allow for Hawaiians to still have the ability to create
2.5	mo, cristella delativo, inglit.		anow for flawalians to suit have the ability to clean

24 (Pages 90 to 93)

	94		96
1	sites that are new sites. And then there's the other part	1	So there is an element to it versus a restoration of a
2	of it that says you can preserve and restore old sites.	2	site that has really very little knowledge of practice,
3	Okay.	3	you know.
4	MR. MIKE MABERRY: Which is the case with the	4	MS. CAROLINE BLANCO: So any thoughts on how we
5	two ahu. The two ahu are new, they are not restorations	5	translate this into sort of a provision, or is there an
6	of previous ahu. The Native Hawaiians chose those sites	6	idea here that we want to pursue? Is there something that
7	and they developed, built the ahu.	7	might just be another conceptually similar
8	DR. CRAIG FOLTZ: These are on the mountain,	8	MR. SOL KAHO'OHALAHALA: If you wanted to just
9	recently built?	9	generalize it and say that part of this is an
10	MR. SOL KAHO'OHALAHALA: What are your thoughts?	10	acknowledgment of the dynamics of the people, so you can
11	MR. HINANO RODRIGUES: Those are issues that I	11	put it in that context, without being so specific that you
12	face every day at work, Monday through Friday, 8:00 to	12	are saying that this and this is what you can do and this
13	5:00. Good question.	13	is what you cannot do. But an acknowledgment that the
14	I think, my personal opinion not my SHPD	14	culture is dynamic and that we would be supportive of.
15	opinion, my personal opinion is only recreate or we	15	You know, I don't know if that's too broad or too scary.
16	can't say recreate. Only create if you have to, yeah. So	16	MR. JEFF BARR: That's pretty broad.
17	with reference to a specific example of the star compass,	17	MS. CAROLINE BLANCO: Again, the idea is, you
18	we have to. So we have to do it, you know. But if you	18	know, long after we're gone, I mean, somebody can look
19	have a site that needs to be restored, and you have many	19	back at this MOA and say this is what was intended, and so
20	examples of that specific site, let's say a heiau, no need	20	there is an understanding of expectations and to try to be
21	to, no need to. Because the whole process of actually	21	able to clarify this as best as possible. So
22	building the heiau 400 years ago, the feeling is not here	22	MR. SOL KAHO'OHALAHALA: Well, you are
23	today. It's not that you have a site, a heiau site, and	23	supporting the ideas of recreating, let's say, a star
24	you have the rocks there. It was what was put in it. And	24	compass. You are supporting the ideas of allowing for the
25	that, we cannot recreate. So let's not attempt to	25	idea of konohiki.
	95		97
1	recreate that.	1	MS. CAROLINE BLANCO: Right. Right.
2	But, you know, the thing about art it's kind	2	MR. SOL KAHO'OHALAHALA: If you take those
3	of like art, right? What is beautiful to one person is	3	things and you're saying that you know, in an MOA, that
4	not to the other. So it's the same thing here, you know.	4	we acknowledge that these things are cultural practices of
5	You can look at somebody who practices his	5	importance and that the idea of allowing them to I
6	culture. Then you're going to have the purist who is	6	don't know. Can you pick up on these examples as an
7	going to do things only one way. And then you have the	7	acknowledgment to show that
8	one that needs to move on. You know, because life is not	8	MS. TONIA MOY: Can I?
9	static, even within our own culture. How they built the	9	MS. CAROLINE BLANCO: Yeah.
10	heiau in 1200 is not the same as how they built it in	10	MS. TONIA MOY: I think if you have it in the
11	1500. How we spoke Hawaiian in 1200 is not the same	11	whereas, whereas, you know, the dynamic of the Hawaiian
12	Hawaiian that we speak today. It's dynamic. It's not	12	culture, dah, dah, dah, then the provisions are
13	static.	13	MS. CAROLINE BLANCO: That's interesting.
14	So as educated people, we need to understand	14	MR. MIKE MABERRY: Yeah. Yeah, it is. Good
15	that.	15	idea.
16	MR. SOL KAHO'OHALAHALA: And that, I think, idea	16	MS. CAROLINE BLANCO: Good idea. Thank you.
17	of being dynamic is what I am really asking is that you	17	DR. CRAIG FOLTZ: I just think differently.
18	still allow for that opportunity within the culture so	18	MR. JEFF BARR: I know. She started writing
19	that culture can see that they are not static and that	19	when she said "whereas."
20	there is some room for this.	20	MS. CAROLINE BLANCO: Well, that's the
21	Like you described the ahu that were placed	21	traditional thing in an MOA. She knows exactly.
22	there, it is a dynamic implementation or practice that	22	MR. SOL KAHO'OHALAHALA: Provided that.
23	comes with some purpose. And I would look at the compass	23	MS. CAROLINE BLANCO: Very good. And a
	as perhaps another expression of that in the dynamic To	21	"beretofore" is good
24 25	as perhaps another expression of that in the dynamic. To allow but it's living and it's using and it's teaching.	24 25	"heretofore" is good. DR. CRAIG FOLTZ: Don't stipulate.

25 (Pages 94 to 97)

	98		100
1	MS. CAROLINE BLANCO: I want to work with you to	1	years. And you really want to study over two. Because
2	come up with that language to sort of since you	2	you would really like to know are the observations of the
3	suggested it. If we could find something that is	3	
	responsive, you know, and reflective of the		first one unique.
4		4	Now what happens if they are different the
5	acknowledgment, I think that we want to make sure we	5	second time around? Well, you know, you'll cross that
6 7	get that one right. It's important.	6	bridge when you come to it.
	DR. CRAIG FOLTZ: The big ones.		We also believe sorry.
8	MS. ANNELLE AMARAL: Now comes the provision	8	MS. TONIA MOY: You will need another 23 years.
9	that there is a finite lifetime for telescopes, that the	9	DR. CRAIG FOLTZ: I think that if you look at
10	MOA would reflect that time and would make provisions for	10	the progress of astronomical technology and one thing I
11	the commitment to deconstruct this expensive piece of	11	never said before is going to space doesn't help us. You
12	machinery, remove all man-made objects.	12	know, people have said just launch your telescope.
13	MS. TONIA MOY: You guys feel technology is	13	If you put a telescope in space, you get outside
14	going to	14	of the atmosphere, but you still need this really big
15	MR. MIKE MABERRY: You did a really good job	15	telescope.
16	yesterday.	16	Now, in 45 years, we may have telescopes on the
17	MS. TONIA MOY: Sorry. Again, got to repeat	17	moon. Now that's where you put a solar telescope. That's
18	everything.	18	where you put the big, big wonderful solar telescope. We
19	DR. CRAIG FOLTZ: We support long-range	19	can't do it now. It's absolutely precluded. We can't
20	facilities and we have observatories that we have been	20	send anything to the moon.
21	running for almost 50 years. And there is always a reason	21	But we are willing to say, in 45 years, or 50,
22	to keep them going, and because there's always	22	give us a little margin because it will take a little
23	astronomical facilities. This isn't true of like physics	23	while to get it going, but in the order of 50 years of
24	colliders and accelerators and things like that, but even	24	operation, this telescope will do its scientific mission.
25	the very small telescopes. The one-meter telescopes, in a	25	And we could keep it running and we could do good science.
	99		101
1	world of eight and ten-meter telescopes a ten-meter	1	And we could do that. But I think that out of respect
2	telescope has 100 times the collection area of a one-meter	2	from the point of view of planning for the long-term, it
3	telescope. I am on nighttime telescopes now. There are	3	is entirely sensible for us to require that the project
4	still uses for them. They are great.	4	plan for, put in escrow for, before request of funds at
5	But in some sense they continue to cost money	5	the end of the lifetime, in order to take the facility
6	and their existence hamstrings us a little bit in terms of	6	down and remove all traces of it. Now I won't say restore
7	the discretionary money that we spend. They get in the	7	the site.
8	way of being able to really dedicate yourself to moving	8	MR. MIKE MABERRY: Anymore.
9	forward on some of the new things.	9	DR. CRAIG FOLTZ: Yeah. And what happens to
10	I am not saying that this one will, but what I	10	that site is something that we could discuss. But that is
11	am saying is that in roughly 45 years or so, in a 45-year	11	something that the NSF is perfectly comfortable signing
12	period, we will observe the sun go through two very	12	off on.
13	important cycles. The sunspot cycle is you know, if	13	MR. MIKE MABERRY: Or the university could make
14	you just sit and count the number of sunspots every day,	14	it a condition of the lease. And, you know, we could give
15	over an eleven-year period it goes from low to high and	15	them a lease for only 50 years.
16	then back down to low again. That's the sunspot cycle,	16	DR. CRAIG FOLTZ: So, you know, this whole issue
17	it's half of what is called the Hale cycle.	17	of mitigation and minimization, this is where we've had
18	What happens is the magnetic field of the sun	18	discussions which are just of academic interest. In some
19	flips, so what was the North Pole becomes the South Pole	19	interest, it's a minimization because if you integrate
20	every 11 years, then it flips again. We don't know why.	20	over time the impact of the telescope over a 100-year
	We have these really cute theories that you can draw on	21	period, well, it's gone, you know. So we sort of
21	we have mese really cute meones that you can draw on		windowing the many set is in the 10 The stands do in the termination
22	the board with flux tubes become bouyant, all this stuff,	22	minimized it, we cut it in half. I don't think there's
	the board with flux tubes become bouyant, all this stuff, migrating to the poles. But really, in order to	22 23	much else to discuss on it other than we will do it, we
22	the board with flux tubes become bouyant, all this stuff, migrating to the poles. But really, in order to understand this is all about magnetic activity, you	1	
22 23	the board with flux tubes become bouyant, all this stuff, migrating to the poles. But really, in order to	23	much else to discuss on it other than we will do it, we

26 (Pages 98 to 101)

	102		104
1	I understand it.	1	Coronal loop.
2	MS. TONIA MOY: Yes.	2	DR. CRAIG FOLTZ: Have you got a coronal mass
3	MR. JEFF BARR: Very new to astronomical	3	ejection?
4	observatories, that they have a finite lifetime and that	4	We are sort of off the point here, but everybody
5	they are taken down at the end of it. Which they do tend	5	is eating.
6	to collect dust after a while.	6	MR. MIKE MABERRY: That's pretty cool.
7	DR. CRAIG FOLTZ: And this telescope, over 50	7	MR. JEREMY WAGNER: Is it? Okay.
8	years, with construction and operations, will cost \$1	8	DR. CRAIG FOLTZ: What you got?
9	billion. Most of that is not in construction, most of	9	MR. JEREMY WAGNER: I don't know. All kinds of
10	that is you know, three quarters of that or so will be	10	videos.
11	in operation.	11	MR. SOL KAHO'OHALAHALA: So, Craig, the ATST
12	MR. MIKE MABERRY: What you were talking	12	telescope, you are saying, will give you an image that's
13	about	13	going to be 20 miles versus
14	DR. CRAIG FOLTZ: I forgot what I was talking	14	DR. CRAIG FOLTZ: Yeah. Versus 100 or 200. It
15	about.	15	depends on the wavelength. It will improve that picture
16	MR. MIKE MABERRY: What the sun does, what we	16	by at least a factor of five.
17	are trying to see.	17	Down at the finest scales, at the 20-mile
18	Computer not working. Can you see that?	18	scales, there's other processes that are forcing
19	MR. SOL KAHO'OHALAHALA: That's the surface of	19	everything into equilibrium. They are forcing things to
20	the sun?	20	be the same over like a 20-mile scale. That's the photon
21	DR. CRAIG FOLTZ: You want to talk, Mike, or you	21	mean free path. That's the distance that a typical photon
22	want me to?	22	travels. And photons are a little bundle of light. So
23	MR. MIKE MABERRY: Go ahead.	23	that sort of keeps things in equilibrium.
24	DR. CRAIG FOLTZ: This is the photosphere. This	24	That's the pressure scale height. That's the
25	is where the light comes from. The sun doesn't have a	25	distance over which pressure doesn't change by much. So
	103		105
1	surface, it's gaseous. If you were to fall into it, you	1	given the temperatures and the radiation environment, and
2	would burn up long before you fell into it. But there is	2	the pressure, below 20, you expect everything is going to
3	no surface, you would just fall into it. The temperature	3	be the same, right. So that's kind of where
4	is about 6,000 degrees centigrade.	4	And that's beautiful. That's beautiful. So
5	And what you see here is the surface of the sun	5	there's a sunspot moving. Again, to calibrate, you can
6	is turbulent, sort of boiling. This is just away from the	6	see the granulation around the outside. Again, these
7	sunspot. And you can see these sort of turbulent cells	7	blobs are like the size of Texas.
8	that come and go. It's like, you know, slow boiling where	8	This is a sunspot first discovered in the
9	blobs of gas rise up from below.	9	western world by Galileo, who got into serious trouble.
10	And to give you some idea, a typical size of one	10	You could easily this is called the umbra of the
11	of these blobs since it's moving it's hard, but you get	11	sunspot. It's an analogy to a shadow. This is the
12	some idea that's about the size of Texas. And what you	12	penumbra. You can easily drop the earth into this. This
		13	is the base of an active region.
13	see is that I love this word at the interstices of		
14	the convective cells, sometimes you see these little	14	And what we know is the reason that this looks
14 15	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's	15	dark is it's not dark. It turns out it's just dark in
14 15 16	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of	15 16	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And
14 15 16 17	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale.	15 16 17	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong
14 15 16 17 18	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the	15 16 17 18	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to
14 15 16 17 18 19	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the best we can do. It's the best we can do from the ground.	15 16 17 18 19	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to pressure. Pressure times temperature in an equilibrium
14 15 16 17 18 19 20	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the best we can do. It's the best we can do from the ground. It's equivalent to the best we can do from space. And you	15 16 17 18 19 20	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to pressure. Pressure times temperature in an equilibrium situation is constant. So the pressure in here times the
14 15 16 17 18 19 20 21	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the best we can do. It's the best we can do from the ground. It's equivalent to the best we can do from space. And you are resolving here 200 to 300 miles. So you are off by	15 16 17 18 19 20 21	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to pressure. Pressure times temperature in an equilibrium situation is constant. So the pressure in here times the temperature in here is equal to the pressure out here
14 15 16 17 18 19 20 21 22	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the best we can do. It's the best we can do from the ground. It's equivalent to the best we can do from space. And you are resolving here 200 to 300 miles. So you are off by almost a fact of a tenth, maybe a little less.	15 16 17 18 19 20 21 22	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to pressure. Pressure times temperature in an equilibrium situation is constant. So the pressure in here times the temperature in here is equal to the pressure out here times the temperature out here. Since the pressure is
14 15 16 17 18 19 20 21 22 23	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the best we can do. It's the best we can do from the ground. It's equivalent to the best we can do from space. And you are resolving here 200 to 300 miles. So you are off by almost a fact of a tenth, maybe a little less. What else you got on this? You got the	15 16 17 18 19 20 21 22 23	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to pressure. Pressure times temperature in an equilibrium situation is constant. So the pressure in here times the temperature in here is equal to the pressure out here times the temperature out here. Since the pressure is higher, the temperature is lower.
14 15 16 17 18 19 20 21 22	the convective cells, sometimes you see these little bright points. See these sort of bright areas? That's the field being gathered. And the action there is sort of on a 30 kilometer or 20-mile light scale. But what you are resolving here this is the best we can do. It's the best we can do from the ground. It's equivalent to the best we can do from space. And you are resolving here 200 to 300 miles. So you are off by almost a fact of a tenth, maybe a little less.	15 16 17 18 19 20 21 22	dark is it's not dark. It turns out it's just dark in contrast to the bright photosphere. This is cooler. And it's cooler get ready because there's a strong magnetic field here. Magnetic fields contribute to pressure. Pressure times temperature in an equilibrium situation is constant. So the pressure in here times the temperature in here is equal to the pressure out here times the temperature out here. Since the pressure is

27 (Pages 102 to 105)

	106		108
1	DR. CRAIG FOLTZ: The brightness varies as the	1	sure that signatories to the MOA would have the leverage
2	temperatures of the fourth power. So the brightness is a	2	to say, no, you said you would take it down, take it down.
3	strong factor to function of the temperature. So this is	3	MR. SOL KAHO'OHALAHALA: Okay. I just want to
4	dark because it's cool.	4	kind of toss in another idea. Is that not only the
5	Why is it cool? Because there's a huge mass of	5	potential for divesting it to a Native Hawaiian, but is
6	magnetic field that has been bundled in here. And it's	6	there a potential for it to have some economic value to
7	supporting in here.	7	Native Hawaiians? Because at some point, if they chose to
8	And so in the umbra, the field lines are coming	8	be the owners of a facility that would allow continuous
9	out toward you. In the penumbra, it's bent over. It's	9	use, that there would be an opportunity for it to have an
10	just beautiful. You look at this, you say there's got to	10	economic
11	be flow, there's got to be stuff coming out. And in some	11	DR. CRAIG FOLTZ: There is always potential.
12	of these movies, you can see this.	12	What I would say is that if I take any telescope that was
13	What is wonderful about this is these things	13	built 50 years ago, and a telescope that was built 50
14	come in pairs typically. So you will have another sunspot	14	years ago and take the Palomar 200-inch, great
15	nearby, opposite polarity. And over those is where the	15	monument, beautiful thing, fabulous machine, you wouldn't
16	field is strong, the field interacts, the field it's	16	build another one like it now. And you might find people
17	usually a matter of energy. A magnetic field has	17	to buy some of the time. But we have such better
18	intrinsic energy.	18	technology now. And I believe that that will probably
19	If you release that energy by some process, that	19	continue.
20	I do not understand because when they talked about this	20	We could certainly allow that. I mean, we will
21	stuff when I was studying physics, astrophysics, I decided	21	iterate the language, but we will make sure that there is
22	I am not going to do solar. This is magnetohydrodynamics.	22	some possibility, should it be of value to Native Hawaiian
23	I don't understand a word of it.	23	groups, that value could be realized.
24	So this is where the active sun, that's where	24	MR. JEFF BARR: How were you thinking that
25	it happens. That's so cool. I love that.	25	what kind of economic value were you imagining?
	107		109
1	And that's done with a National Solar	1	DR. CRAIG FOLTZ: You could sell time.
2	Observatory telescope in New Mexico. And it uses a	2	MR. JEFF BARR: Well, that is a possibility.
3	technique called adaptive optics, which I won't talk	3	MR. SOL KAHO'OHALAHALA: Remember what Mike
4	about.	4	said, that, in 50 years, it's going to be Hawaiian
5	We should be back to mitigation here.	5	sovereign lands?
6	MR. JEREMY WAGNER: Sure.	6	MR. MIKE MABERRY: Well, it's ceded land.
7	MS. ANNELLE AMARAL: So with respect to the	7	MR. SOL KAHO'OHALAHALA: The Hawaiians would
8	deconstruction of the telescope, we have no comments,	8	have an interest in understanding how their own lands will
9	concerns, we're going to leave the language to	9	have some economic value for use. So I am just trying to
10	DR. CRAIG FOLTZ: We will write it.	10	say that, in the future, should there be an opportunity
11	MS. ANNELLE AMARAL: All right. Okay.	11	for Hawaiians to consider what economic value there might
12 13	MR. SOL KAHO'OHALAHALA: Wasn't it brought up in	12 13	be in the use of these lands of which they will be
13	that discussion that what if the Native Hawaiians wanted	13	responsible for maintaining or operating or whatever, that's an opportunity, I guess.
14	now to own and operate it? DR. CRAIG FOLTZ: We can talk about either the	14	MS. CAROLINE BLANCO: So are you referring to
16	deconstruction or the divestment. And the divestment in	16	the telescope or the underlying plans?
17	the case of the Native Hawaiians. And I know that Clyde	17	MR. MIKE MABERRY: Telescope.
18	is sensitive to this. And I think that we would just	18	MR. SOL KAHO'OHALAHALA: Telescope and the
19	allow for that to happen. We could even say divestment to	19	lands.
·			
2.0		20	MR. MIKE MABERRY' BUI INSIS DOLVOUT ISSUE
20 21	Native Hawaiian interests.	20 21	MR. MIKE MABERRY: But that's not your issue. MS. CAROLINE BLANCO: I think that is beyond the
20 21 22	Native Hawaiian interests. I think what we would want is if the NSF were	21	MS. CAROLINE BLANCO: I think that is beyond the
21	Native Hawaiian interests. I think what we would want is if the NSF were prepared to tear it down, and somebody else came in and		MS. CAROLINE BLANCO: I think that is beyond the scope of this MOA.
21 22	Native Hawaiian interests. I think what we would want is if the NSF were	21 22	MS. CAROLINE BLANCO: I think that is beyond the
21 22 23	Native Hawaiian interests. I think what we would want is if the NSF were prepared to tear it down, and somebody else came in and said, no, you know, I am here from the University of	21 22 23	MS. CAROLINE BLANCO: I think that is beyond the scope of this MOA. MR. SOL KAHO'OHALAHALA: But the facility.

28 (Pages 106 to 109)

	110		112
1	MS. ANNELLE AMARAL: So some provision made in	1	DR. CRAIG FOLTZ: I would rather not right now.
2	the language of the MOA not only with respect to the	2	Because it will be on the record. And I haven't read it
3	deconstructing of the telescope, but provisions for it to	3	in a while and I don't want to get it wrong.
4	be divested to Native Hawaiian interests, or, should there	4	MS. CAROLINE BLANCO: Okay. Maybe we can just
5	be a potential of economic use, either of the equipment or	5	talk about workforce development programs, educational
6	some other future use of it, that language would be	6	programs.
7	provided for the MOA for that. Understanding, of course,	7	DR. CRAIG FOLTZ: Internship programs.
8	that the use is limited in time.	8	MS. CAROLINE BLANCO: Internship programs.
9	Michael, can you raise this?	9	That's the kind of thing.
10	MR. MIKE MABERRY: I'm sorry. Excuse me.	10	DR. CRAIG FOLTZ: One of the things that we
11	DR. CRAIG FOLTZ: She could have written all	11	support on Maui through one of our other centers is a very
12	over your nice new screen.	12	successful internship program which tries to address two
13	MS. ANNELLE AMARAL: I would be happy to do	13	needs. One is the need for technical expertise, technical
14	that, but Michael would not be happy with me.	14	adept workforce here on Maui, because it's the high-tech
15	MR. MIKE MABERRY: No.	15	industry on Maui, of which there is substantial finds
16	MS. ANNELLE AMARAL: That was this reference,	16	that it's tremendously expensive to bring people from the
17	then, to use by Hawaiians as appropriate.	17	mainland and the resident's time here is short, typically
18	Let's see. Moving on to number three, the MCC	18	two years. And so the relocation costs and the training
19	proposal I mean, page three, MCC proposal and	19	and so on makes it expensive.
20	integrating Hawaiian knowledge and Hawaiian science and	20	Furthermore, the other role was to provide
21	Hawaiian practices with the science curriculum. That	21	internships for Hawaiian, and not necessarily Native
22	DR. CRAIG FOLTZ: It's a very broad proposal.	22	Hawaiian, but for Hawaiian students, to let them know that
23	It has workforce development through internships,	23	if they were interested in a technical, science,
24	internships at a variety of levels, it has curriculum	24	technology, engineering or mathematic, type of career that
25	development. And it is something that we will have to	25	there are places for them to work here. So it tries to
	111		113
1	negotiate. It is entirely consistent with the NSF's	1	fight sort of two countervailing forces. One, the sense,
2	mission, which is the integration of training and	2	you know, if you grow up on Maui and you love computers,
3	research.	3	that somehow you're going to have to move to California.
4	And as I said, we support education, public	4	And the other is the difficulty in recruiting talented
5	outreach, et cetera, directly. And we also support it at	5	workforce to come to Maui. This has been a very
6	our federally-funded observatories.	6	successful program.
7	I think at this point I would like to not	7	MS. ANNELLE AMARAL: I'm sorry here, but I
8	discuss this too openly because it's a subject that we	8	wonder, as the facilitator, if you could give me a moment
9	need to have more discussion on. It is an expensive	9	for me to take a break and I can come back in about five
10	mitigation. And we, the NSF, need to continue to talk to	10	minutes?
11	MCC. And we also at NSF need to talk to ourselves, which	11	DR. CRAIG FOLTZ: Sure. I understand that.
12	we do so well.	12	MR. MIKE MABERRY: And you haven't eaten yet.
13	MS. CAROLINE BLANCO: Could we, though, Craig,	13	MS. ANNELLE AMARAL: And I haven't eaten yet,
14	talk in concepts?	14	either. Just give me five minutes.
15	DR. CRAIG FOLTZ: Sure.	15	(Recess.)
16	MS. CAROLINE BLANCO: As far as	16	DR. CRAIG FOLTZ: Let me clarify my previous
17	DR. CRAIG FOLTZ: I am not taking it off the	17	position, about not wanting to discuss this in detail.
18	table. I am just saying not everybody has read it and	18	The issue is that, you know, I don't want to misspeak.
19	I mean, I don't want to discuss it in detail here. We	19	Then, Clyde, perhaps you can talk about it
20	could certainly say the components of workforce	20	MR. MIKE MABERRY: Sol, representing Clyde. I
21	development.	21	am just kidding.
22	MS. CAROLINE BLANCO: Why don't you go through,	22	DR. CRAIG FOLTZ: I apologize.
23	just for their knowledge, so everybody is on the same page	23	This is an area that NSF is very active in.
	with it to maybe talk about the various components of it?	24	It's very active in that we have lots of buzzwords on
24 25	with it, to maybe talk about the various components of it? Then we can maybe	25	creating the workforce of the 21st century, we have a lot

29 (Pages 110 to 113)

	114		116
1	of emphasis on reaching out to underrepresented groups,	1	DR. CRAIG FOLTZ: And furthermore, the community
2	both for education and for workforce development. And	2	college is developing some four-year programs.
3	this is an area I think where things come naturally	3	MR. SOL KAHO'OHALAHALA: So the potential
4	together.	4	DR. CRAIG FOLTZ: And they are technical
5	The other thing that is an issue is the recently	5	programs. And they are working on developing
6	passed American Competes Act, specifically talks about the	6	electrooptics curriculum, which is very much aligned with
7	roles of community colleges.	7	the sort of technical needs of observatories and so on.
8	So, Sol, maybe you want to just summarize.	8	So it all plays well.
9	MR. SOL KAHO'OHALAHALA: Well, basically, I	9	The details and the funding level, the funding
10	think what this proposal does is it creates like a bridge	10	requirements, are yet to be negotiated.
11	program that is not only looking at the community college	11	MS. ANNELLE AMARAL: Okay. Good. Yes.
12	level, but it's looking at the K to 12, you know, an	12	MS. TONIA MOY: Is it a good time now?
13	opportunity to introduce STEM programs, you know, to allow	13	MS. ANNELLE AMARAL: Yes.
14	our keiki, our children, to be involved in these kinds of	14	What we wanted to do, because we're sensitive to
15	fields of interaction and study so that as they are	15	the time constraints here and you have to leave to
16	seeking higher education that they already have some	16	catch a flight so we are going to pull away right now
17	familiarity with the field of science, technology,	17	from this next proposal. We're going to stop here for a
18	engineering and math. So it's sort of a bridge into the	18	moment in order to raise an additional point. So we are
19	community college level.	19	going to be off track a little bit.
20	Then on the opposite end of the spectrum, we	20	MS. TONIA MOY: I just wanted to make a point,
21	already are collaborating with the akamai program which	21	because it's not up there right now for any of the park,
22	puts in place college students in an intern program in	22	the national park. Because there is a road, right,
23	those fields of science, technology, engineering and math.	23	there's the 1930s road. And I don't really know and I
24	And so we see it as complimenting, so that there	24	think National Park Service is actually the ones who
25	will be a clear path perhaps that a student can begin that	25	should be discussing what the mitigation is because I am
	115		117
1	as early as kindergarten and can continue on into higher	1	not as familiar. All I know is that there's a road. And
2	education, and then allow for all of these things to be	2	I am sure there's other sites within the park that the
3	put in place.	3	tower will have a visual impact for.
4	It was, I think, offered as a proposal for	4	DR. CHARLIE FEIN: We can address that.
5	mitigation, seeing that the telescope is really one of the	5	If you don't mind, I would like Jeff to talk a
6	tools, that kind of enhancement for students who are	6	little about what has been done with respect to the road
7	seeking careers. And if we are intending now to look at	7	and what is left to be done. Then I will talk about the
8	creating a workforce here at home, then we better start as	8	visual impact.
9	early as we can. So this is an opportunity to introduce a	9	MS. CAROLINE BLANCO: Okay. If we can have her
10	proposal for mitigation where we would be creating sort of	10	finish her thought, too, that would be great.
11	a bridge program that creates a path for these kinds of	11	MS. TONIA MOY: No. Well, I just wanted to make
12	things.	12	sure that there is someplace in the MOA for all of that.
13	DR. CRAIG FOLTZ: Thank you. I think that's it.	13	It is just that it hasn't been mentioned yet. I know you
14	MR. SOL KAHO'OHALAHALA: That's why I got	14	guys are going to talk to National Park Service.
15	involved, yeah.	15	MR. JEFF BARR: Yes. And we have been
16	DR. CRAIG FOLTZ: There are potential curriculum	16	attempting, really, to elicit some commentaries and some
17	development issues and laboratory, you know, development	17	useful dialogue with the park regarding specifically the
18	issues and so on. But it really is an attempt to build on	18	road and protection of it as, as you say, a potentially
19	our previous successes and add to them and to extend them	19	historic element of the park, 1930s WPA project, to
20	to K-12.	20	construct the road. And there are several specific
21	MR. SOL KAHO'OHALAHALA: And it did seem the	21	elements of the road, a bridge which has like rock
22	other thing, I guess, at the community college level, that	22	railings and embankments, and several culverts that were
23	was a good progression from K to 12 into the community	23	made with the native rock from the site. And they are
24	college. Then further on into the four-year university if	24	contributing elements to the character of the road as
25	you want to continue.	25	potentially listable as a historic place on the national

30 (Pages 114 to 117)

	118		120
1	register.	1	Again, I mean, it's a bit of a tangent, but it
2	And, frankly, we weren't aware of that until the	2	certainly is one of the big concerns for the park. And we
3	park pointed it out to us after their review of the Draft	3	do intend to engage in discussion with them. They weren't
4	EIS. And so becoming aware of that and the park at the	4	able to make these meetings, but we are going to be
5	time had also, previous to this, knowing that the project	5	meeting with them in August on that.
6	was coming in, that their review of the Draft EIS and that	6	DR. CHARLIE FEIN: Thank you, Jeff.
7	the telescope project was being proposed, on their own and	7	I am going to talk about viewplain and visual
8	sort of proactively, contracted with the National Highways	8	impact level. The facility, the proposed facility, this
9	Association for a study of the condition of the pavement	9	is a rendering of what it would look like from the Red
10	of the road and what impact construction traffic for ATST	10	Hill overlook. And what you are looking at, this is the
11	would have on it. Then eventually they shared that report	11	Air Force facility, AEOS, the Advanced Electrooptical
12	with us after the release of the Draft EIS.	12	System. This building is 117 feet tall. It currently is
13	And that report was a bit inconclusive in terms	13	visible from the valley, on other places on Maui.
14	of how much impact ATST construction traffic might have.	14	This is the Maui space surveillance complex with
15	It was very specific about the exact condition of the	15	its two 48-foot diameter domes.
16	pavement. And, again, this gets a little bit into sort of	16	Over on this side, the University of Hawaii
17	technical details here that I am not sure is useful. And	17	facilities, which are currently present, Panstars One and
18	what would be necessary in terms of a refurbishment	18	Magnum facility, some other facilities back here.
19	project for the road, either before or after ATST. And	19	And this is what ATST would look like from Red
20	then some aspects of the road that were totally	20	Hill. Now, from Red Hill, it is visible. There is no
21	independent of ATST. There's certainly a lot of traffic	20	doubt about it, that is a park resource.
22	on the road already.	22	•
23	And so it recognized all the traffic that	23	When visitors come up to the national park and stand on the west side of Red Hill, this is what they see.
23 24	yeah, here are a couple of examples. That's a picture of	23	And in fact, there is a large plaque there describing
24 25	the bridge. Then there's a picture of the culvert there.	24	astronomy and the dark skies on Haleakala and so on.
2.5	the bridge. Then there's a picture of the curvert there.	25	astronomy and the dark skies on Haleakala and so on.
	119		121
1	I don't know if we have the other pictures, or just	1	Perhaps you've seen that. It was put up about a year ago
2	generally the road. But the condition of the road	2	or so by the national park.
3	yeah. Here we go.	3	With respect to visibility within the park
4	This was a lava tube under the road here on the	4	itself where did we go? To the right. The Draft
5	left that had collapsed.	5	Environmental Impact Statement had a viewplain analysis
6	Again, all of this is obviously independent and	6	which used software, GIS maps, GPS locations, overlays,
7	not really related to ATST construction in general.	7	topography and so on. And in a DEIS, the National Park
8	But in general, the condition of the pavement	8	Service superintendent was not satisfied with that
9	and the park's concern that ATST, especially construction	9	particular viewplain analysis.
10	traffic, but also, to some extent, operational traffic,	10	So in the interim, in the time since, we have
11	would have an impact and would have an impact on their	11	gone out into the field, we have sent folks out into the
12	obligation to maintain the road and how they act as proper	12	field with GPS locators, photography equipment, and so on.
13	stewards of this potentially cultural resource as well as	13	And using the viewplain software and GIS overlays, Google
14	just, obviously, a facility for public use.	14	Earth, every kind of overlay you can think of, we
15	So I am not sure what all else Charlie had in	15	calculated a model of what you would see from the national
16	mind.	16	park. This being the crater area. This would be the
17	Oh, also, at this point we are expecting to	17	location of ATST at its primary site next to the Mees
18	contract for an engineering assessment of this bridge and	18	observatory.
19	the culverts because they were pointed out specifically by	19	As you can see from all and each of these
20	the park as potentially being subject to damage by heavy	20	points represents a photographic and GPS point. In other
21	loads from ATST.	21	words, the engineers stood at that point, took a
22	So we want to find out, get better information,	22	photograph back in that direction, and got a GPS location,
23	really, to find out what potential there really is for	23	and then it was all overlaid on GIS mapping.
24	damaging these things and how we would go about protecting	24	In that location, ATST would not be visible from
25	them.	25	anywhere in the crater, on any of the trails anywhere in

31 (Pages 118 to 121)

1 the crater. 1 DR. CRAIG FOLTZ: Pick one, Charlie. 2 Now, in its alternative location, the alternative site, Roher Cruels – DR. CHARLIE FEIN: This is for the site in the Roher Cruels site. Now, Roher Cruels is a limit bit higher. If is also a limit bit in the Roher Cruels site. Now, Roher Cruels is a limit bit higher. If is also a limit bit in the site. This is where it would be a limit bit in the Roher Cruels site. Now, Roher Cruels is a limit bit higher. If is also a limit bit in the site of the reater. Iooking back toward the park overlook. These red areas are what you as places from minde facility. DR. CHARLIE FEIN: This is the entrance to the initianal park, right so the cruet is now if the cruet. Iooking back toward the ration index on the reater. Iooking back toward the ration index on the reater. Iooking back toward the ration index on the route. DR. CHARLIE FEIN: This is the entrance to the initianal park, right. So this is that you would to a limit bit in red area represents what you as efform initide in the reater. Iooking back toward the ration index on the route. DR. CHARLIE FEIN: This is the entrance to the initianal park, right. So the site the reater is the AT Force facility. 21 If the reater is old park overlook. These red areas are what you as places from which you can see the two would not be size into a reater. DR. CHARLIE FEIN: This is the onternation park. The first is most in the reater. 22 you can see from the park overlook right at the creater. Iooking back toward the reater veal the reater.<		122		124
3 alternative site, Reher Circle a- DR. CRAIG FOLTZ: Charlie, just to clarify, the green areas are places where you could see it? 3 that's from Kihel. So it would be most visible from the 6 DR. CRAIG FOLTZ: See any pant of it. DR. CRAIG FOLTZ: See any pant of it. DR. CRAIG FOLTZ: See any pant of it. 7 DR. CRAIG FOLTZ: See any pant of it. DR. CHARLE FEIN: This its alternative site. DR. CHARLE FEIN: This is where it would be 11 DR. CHARLE FEIN: This is there it would be its betwee it. MR. JEREMY WAGNER: Which one? 13 Intel bit higher. It's also a little bit further 10 MR. CRAIG FOLTZ: Take your fingers off the 14 MR.MIKE MABERRY: Nrth. 15 DR. CHARLIE FEIN: to the north and east. 16 15 DR. CHARLIE FEIN: to the north and east. 15 DR. CHARLIE FEIN: to the north and east. 16 16 So you can see that it would be a little bit 15 DR. CHARLIE FEIN: 17 18 the park overlook inside the park overlook inside the arrance to the antional park, the first time you would appear as 17 18 18 the carker places from which you can see from the park overlook inside the carker any magnification. 18 DR. CHARLIE FEIN: Or course, that lo	1	the crater.	1	DR. CRAIG FOLTZ: Pick one, Charlie.
3 alternative site, Reher Circle a- DR. CRAIG FOLTZ: Charlie, just to clarify, the green areas are places where you could see it? 3 that's from Kihel. So it would be most visible from the 6 DR. CRAIG FOLTZ: See any pant of it. DR. CRAIG FOLTZ: See any pant of it. DR. CRAIG FOLTZ: See any pant of it. 7 DR. CRAIG FOLTZ: See any pant of it. DR. CHARLE FEIN: This its alternative site. DR. CHARLE FEIN: This is where it would be 11 DR. CHARLE FEIN: This is there it would be its betwee it. MR. JEREMY WAGNER: Which one? 13 Intel bit higher. It's also a little bit further 10 MR. CRAIG FOLTZ: Take your fingers off the 14 MR.MIKE MABERRY: Nrth. 15 DR. CHARLIE FEIN: to the north and east. 16 15 DR. CHARLIE FEIN: to the north and east. 15 DR. CHARLIE FEIN: to the north and east. 16 16 So you can see that it would be a little bit 15 DR. CHARLIE FEIN: 17 18 the park overlook inside the park overlook inside the arrance to the antional park, the first time you would appear as 17 18 18 the carker places from which you can see from the park overlook inside the carker any magnification. 18 DR. CHARLIE FEIN: Or course, that lo	2	Now, in its alternative location, the	2	DR. CHARLIE FEIN: Yeah, that's good. Well,
5 green areas are places where you could see it? 5 DR. CRAIG FOLTZ: Score app and to fit. 6 DR. CHARLIE FEIN: In this one, the purple is 6 7 DR. CRAIG FOLTZ: Score app and to fit. 7 8 DR. CHARLIE FEIN: In this one, the purple is 7 9 where you would be able to see it. 7 10 MR. CHARLIE FEIN: In this is where it would be 10 11 MR. CHARLIE FEIN: In this alternative site. 10 12 DR. CHARLIE FEIN: This is there it would be 11 13 hitle bit higher. It's also a little bit further - 11 14 MR. MIKE MABERRY: North. 10 15 DR. CHARLIE FEIN: - to the north and east. 10 16 So you can see that it would be alittle bit 10 17 more visible. Athough, still not visible for many of the 11 18 the crater, looking back toward the park overlook. right at the crater, a 11 19 is right on the cade of Kolckole. And this is what ATST 20 red areas are what you see, places from which you can see 21 you can see from the park overlook right at the crater, a 21 the crater, looking back toward the park overlook right at the crater, a 21 you can see from the park overlook right at the crater, a	3		3	-
5 green areas are places where you could see it? 5 DR. CHARLIE FEIN: Where you could see it. 6 DR. CHARLIE FEIN: This one, the purple is where you would be able to see it. 5 DR. CHARLIE FEIN: This is, where it would be able to see it. 10 MR. MIKE MABERRY: In its altermitive site. 0 MR. JEREMY WAGNER: Which one? 11 DR. CHARLIE FEIN: This is where it would be able to see it. 0 MR. JEREMY WAGNER: Which one? 12 With you would be able is see. 0 MR. JEREMY WAGNER: Which one? 0 13 little bit higher. It's also a little bit further 10 MR. CANCINE BLANCO: The tone. That's a good 14 MR. MABERRY: In it's where it would be a little bit further 10 DR. CHARLIE FEIN: This is the entrance to the attainal park, the first time you would appear as 15 DR. CHARLIE FEIN: This is the park overlook inside the crater. A man-made facility. 10 be able to see it. 10 Now, curiously if we put up the next one 10 10 MR. MIKE MABERRY: That is the armance to the attainal park, the first time you would appear to would appear to act materian the system the arter. 10 Now, we'no done these weight and starts of the asson the system the crater. 10 10 11 11 12 12 12 12<	4	DR. CRAIG FOLTZ: Charlie, just to clarify, the	4	Kihei
6 DR. CHARLIE FEIN: Mere you could see it. 6 DR. CHARLIE FEIN: This is more any part of it. 7 DR. CHARLIE FEIN: In this one, the purple is 7 man. 8 DR. CHARLIE FEIN: In this one, the purple is 7 man. 9 where you would be able to see it. 10 MR. MIKE MABERY: In its is more, when the outh of the bottom one. 11 12 wisble at the Reber Circle site. Now, Reber Circle is at 10 mR. MIKE MABERY: North. 11 15 DR. CHARLIE FEIN: This is where it would be 11 maional park, right. So this is how it would appear as 16 more visible. Although, still not visible for many of the 15 DR. CHARLIE FEIN: The the north and cast. 16 red arear represents what you see from miside 10 be able to see it. Thre is the Air Force facility which 19 all of this red arear represents what you see, places from which you can see 10 mR. MIKE MABERY: Mais is and so on. 22 red arear apresents what you see from miside 12 would look like. 24 looking out, visible form almosd anywhere in the crater. 24 through himocalum. Because with the nakel eye, they are 11	5		5	DR. CRAIG FOLTZ: Stop that.
7 DR. CHARL IF FEIN: In this one, the purple is man. 10 MR. MIKE MABERRY: In its alternative site. MR. CAROLINE BLANCO: The bottom one. Charlie, the bottom one. 11 DR. CHARL FEIN: This is where it would be MR. CAROLINE BLANCO: The bottom one. Charlie, the bottom one. 12 Visible at the Reber Circle is it. Now, Reber Circle is at MR. CAROLINE BLANCO: The bottom one. Charlie, the bottom one. 13 Inthe bit higher. It's also a little bit further MR. MIKE MABERRY: North. 16 So you can see that it would be a little bit trails. DR. CHARL FEIN: - to the north and east. 16 So you can see that it would be a little bit trails. DR. CHARL FEIN: - to the north and east. 17 all of this red area represents what you see from inside The order facility which is is how it would appear as 18 read eras are what you see, places from which you cans as The order facility which is is how? 18 the rank overlook inside the carter. A man-made facility. The final image, the blue areas represent what 19 so with respect to ATST wisbillity, because of The final image, the blue areas represent what 10 It would be visible from almost any-where in the crater, a man-made from may of the sis whot you would lack. 11 <th>6</th> <th></th> <th>6</th> <th></th>	6		6	
B DR. CHARLIF FEIN: In this one, the purple is where you would be able to see it. MS. CAROLINE BLANCO: The bottom one. Charlie, the bottom one. 9 Where you would be able to see it. MS. JERRAW WAGNER: Which one? 11 DR. CHARLIE FEIN: This is where it would be 12 Will able MBERRY: In its alternative site. 12 Visible at the Reber Circle site. Now, Reber Circle is a 13 Iffit bit higher. It's also a little bit further - 14 MR. JERRAW WAGNER: Which one? 13 DR. CHARLIE FEIN: - to the north and cast. DR. CHARLIE FEIN: - to he north and cast. DR. CHARLIE FEIN: - to sit balk for any of the 14 16 To you can see that it would be a little bit 17 DR. CHARLIE FEIN: - to know prove the sit balk for a first time you would 18 To the first time you would 19 New, curously if we put up the next one 20 MR. MIKE MABERRY: That is ten X magnification. 10 DR cort one is is daries a dar way you see, places from which you can see 20 The final image, the blue areas represent what 21 The final image, the blue areas represent what 22 MR. MIKE MABERRY: That is ten X magnification. 11 You can see from the park overlook right at the crater. 123 Now, we've done these viewplain studies from all 23 124 12 You can see from the park overlook right at the crater. 123 Now, y	7	-	7	
9 where you would be able to see it. 9 the bottom one. 10 MR. MIKE MABERRY: In its alternative site. 10 MR. JEREMY WAGNER: Which one? 11 MR. CARALLE FEIN: This is where it would be 11 MS. CAROLINE BLANCO: That one. That's a good 12 visible at the Reber Circle sire. Now, Reber Circle is a 11 MS. CAROLINE BLANCO: That one. That's a good 13 little bit higher. It's also a little bit further 12 0 DR. CHARLE FEIN: This is the outmance to the mational park, right. So this is how it would appear as 10 more visible. Although, still not visible for many of the trains. 16 DR. CHARLE FEIN: This is the atternate to the mational park, right. So this is how it would appear as 10 nore visible. Although, still not visible for many of the trains. 16 DR. CHARLE FEIN: This is the atternate to the mational park, right. So this is how it would appear as 11 nore visible. Although, still not visible form any ore the mational park. the first time you would be be be areasen as end wary ous explaces from which you can see are whary you see, places from which you can see are whary you see, places from which you can see are whary you see, places from which you can see are not saying that the 123 125 12 you can see from the park overlook right at the crater. 1 125 126 12	8	• •	8	MS. CAROLINE BLANCO: The bottom one. Charlie,
10 MR. MIKE MABERRY: In its alternative site. 10 MR. EREMY WAGNES: Which one? 11 DR. CHARLE FEIN: This is where it would be 11 MS. CAROLINE BLANCO: That one. That's a good 13 little bit higher. It's also a little bit further 12 one. 14 MR. MIKE MABERRY: North. 14 keybard. 15 DR. CHARLE FEIN: - to the north and cast. 15 DR. CHARLE FEIN: This is the entrance to the national park, right. So this is how it would appear as you drow into the national park, the first time you would 16 So you can see that it would be a little bit traits or darce approxems what you see, floares from which you can see 10 be able to see it. There is the Air Force facility which 19 Now, curiously if we put up the next one 10 10 MR. MIKE MABERRY: That is ten X magnification. 21 the cark overhook night at the park overhook. These 10 MR. MIKE MABERRY: That is lowing the max-made facility. 22 thow and overhook inside the carter. 12 00 Now. we've done these viewplain studies from all 12 you can see from the park overhook right at the crater. 12 over the island. We have photographs and we've had 14 thow and be visible from 110 overthe island. We have photogr	9		9	the bottom one.
11 DR. CHARLIE FEIN: This is where it would be 11 MS. CAROLINE BLANCO: That one. That's a good 12 visible at the Reber Circle site. Now, Reber Circle is a 12 one. 14 MR. MIKE MABERRY: North. 13 DR. CHARLIE FEIN: This is the entrance to the 15 DR. CHARLIE FEIN: - to the north and east. 15 DR. CHARLIE FEIN: This is the entrance to the 16 So you can see that it would be alittle bit 16 national park, right on the edge of Kolekole. And this is what ATST 18 more visible. Although, still not visible for many of the 17 you drove into the national park, right on the edge of Kolekole. And this is what ATST 19 Now, curiously if we put up the next one 10 BR. CHARLIE FEIN: That is ta max magnification. 10 red area; nooking back toward the park overlook. These 12 MR.MIKE MABERRY: That is ta max magnification. 12 the park overlook inside the crater. A man-made facility. 12 DR. CHARLIE FEIN: This is from all 12 the park overlook inside the crater. A man-made facility. 12 The one from Maked ease, they are visible form almost anywhere in the crater. a 11 toyout asee from the park overlook right at the crater, a 12 This one from Maalaea Harbor. Wow, I mean, you <th>10</th> <th>•</th> <th>10</th> <th>MR. JEREMY WAGNER: Which one?</th>	10	•	10	MR. JEREMY WAGNER: Which one?
12 visible at the Reber Circle site. Now, Reber Circle is a 12 one. 13 little bit higher. It's also a little bit further - 13 DR. CRAIG FOLTZ: Take your fingers off the 14 MK. MIKE MABERRY: North. 14 keyboard. 15 DR. CHARLIE FEIN: - to the north and cast. 15 DR. CHARLIE FEIN: This is the entrance to the 16 so you can see that it would be a little bit 16 national park, right. So this is the valued appear as 17 more visible. Although, still not visible for many of the 17 you drow into the national park, the first time you would 18 be able to see it. There is the Air Force facility which 18 be able to see it. There is the Air Force facility which 19 Now, curiously if we put up the next one 10 18 be able to see it. There is the Air Force facility which 21 the crater, looking back toward the park overlook. These 12 19 Now, we've done these wither anter A man-made facility. 22 the park overlook right at the crater, a 11 110 123 124 12 you can see from the park overlook right at the crater, a 111 125 125 13 you can see from the park overlook	11		11	MS. CAROLINE BLANCO: That one. That's a good
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32 (Pages 122 to 125)

	126		128
1	That's the alternative site. So the one on the right, the	1	different for different environmental protocols. So when
2	preferred site, it would not be visible from the main	2	we say cumulative impact, does that impact relate solely
3	park.	3	to the site, does it relate to include the national park.
4	DR. CHARLIE FEIN: So we are not saying that the	4	And in the case of the road, it certainly does, as we've
5	facility is invisible or that it has no visual impact.	5	agreed, that the cumulative impact of this project would
6	What we are saying is that, one, the visual impact is	6	extend to the national park road and its historic nature.
7	subjective, it depends on who is looking and from where	7	And so there are varying degrees of region of
8	they are looking, and, secondly, the visual impact from	8	influence and how cumulative impact needs to be addressed.
9	the most visited part of the national park, from the	9	And we are doing that.
10	crater, is there is no impact from that location anywhere	10	MS. TONIA MOY: But I guess the concern is, like
11	in that location.	11	this has a little bit of impact, and the next people are
12	MS. TONIA MOY: Thank you.	12	going to say, well, you let that one go, so we can build
13	MR. JEREMY WAGNER: In terms of avoidance,	13	this one, and the next one, well, you let this go, so you
14	minimization, mitigation, one of reasons that's our	14	got to let this one go.
15	preferred site is because it does minimize the impact.	15	DR. CHARLIE FEIN: Yes. Tonia, that raises
16	MS. CAROLINE BLANCO: I think another way to	16	I'm sorry. I didn't mean to cut you off.
17	look at this is, from what you have heard today, you	17	MS. TONIA MOY: So that's
18	probably were already understood this, but steps were	18	DR. CHARLIE FEIN: That raises an issue about
19	taken from early on in selecting these sites to already	19	the University of Hawaii Haleakala observatories in
20	avoid, already minimize to the extent possible. So if	20	general that is discussed in the long-range development
21	that is helpful.	21	plan. There are only a couple of sites
22	MR. MIKE MABERRY: Because we did meet early on	22	MS. TONIA MOY: Left.
23	with Kahu Maxwell and others when some of these issues	23	DR. CHARLIE FEIN: left. That 18 acres
24	were brought up. So they were already built in when doing	24	cannot be host to ten more facilities, even three more
25	the Draft Environmental Impact Statement.	25	facilities, after ATST, unless something is removed and
	127		129
1	MS. TONIA MOY: The other thing that was in here	1	replaced. There just isn't any undeveloped property left.
2	somewhere was, is there opportunity or because it's not	2	The two sites we've used as alternatives are the
3	only up to NSF but a way to do like an LRDP for the	3	two sites available. ATST could not really be put
4	you know, so that I mean, I think one of the comments	4	anywhere else on Haleakala observatories. There is no
5	was, well, okay, yeah, that has a minimal impact, then		
6		5	land available that's appropriate for that facility.
_	this one will have a minimal. So when are you going to	6	That question was raised in meetings, you know,
7	stop it from, you know	6 7	That question was raised in meetings, you know, why does it have to be there, why can't you move it 500
8	stop it from, you know MR. MIKE MABERRY: Cumulative impact?	6 7 8	That question was raised in meetings, you know, why does it have to be there, why can't you move it 500 feet that way, or whatever. Okay?
8 9	stop it from, you know MR. MIKE MABERRY: Cumulative impact? DR. CHARLIE FEIN: Cumulative impact.	6 7 8 9	That question was raised in meetings, you know, why does it have to be there, why can't you move it 500 feet that way, or whatever. Okay? MS. TONIA MOY: Okay.
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33 (Pages 126 to 129)

	130		132
1	MR. MIKE MABERRY: Okay. Well, I thought I	1	And we did take some actions, just to throw in,
2	heard him explaining. That's why we did the LRDP that	2	based on input from the draft LRDP. It was requested that
3	identified the maximum build-out of the area with regards	3	we take action on some alien species, for example. And we
4	to cumulative impact.	4	did do that and we documented, at the request of the
5	MS. TONIA MOY: So has the LRDP been sort of	5	community, and removed some alien species.
6	is it a public document?	6	MS. ANNELLE AMARAL: So let me
7	MR. MIKE MABERRY: Yeah, it's on the web. It	7	MR. MIKE MABERRY: Also I'm sorry we
8	had almost a one-year comment period. And it was highly	8	talked early on about some of the things that we've
9	publicized. It was on the front page of the newspaper.	9	implemented as far as culture goes with regards to the
10	In fact, also, in Honolulu as well.	10	LRDP. But, also, with regards to endangered species and
11	DR. CHARLIE FEIN: It was also presented in	11	the environment, we are requiring, for example, when
12	public meetings.	12	instruments are brought in or shipments come in for
13	MR. MIKE MABERRY: Yeah, it was presented in	13	equipment that they are bug-bombed before they leave their
14	public meetings. It's in the libraries. And, yeah, like	14	place of origin, and it's redone again once we retrieve
15	I said, it had almost a whole year worth of comment	15	them at the harbor, or whatever, before it's brought to
16	period.	16	the top. So we are being a lot more conscious of the
17	MS. TONIA MOY: Okay.	17	potential impact of our operations at the summit.
18	MR. MIKE MABERRY: We did receive comments from	18	MS. TONIA MOY: I am just wondering if that
19	the park and from the Friends of Haleakala National Park	19	could be like a stipulation, another stipulation, that,
20	and others that were all included in the final. And the	20	you know, the LRDP is going to be as approved at this
21	final is on the web.	21	point in time.
22	In fact, since then, for example, you will see	22	DR. CHARLIE FEIN: It actually says that in the
23	sort of a couple of sections at the bottom relative to	23	DEIS, that the LRDP will apply, the provisions will apply
24	stormwater management that grew out of that. So we did	24	to the construction and operations of the facility. But I
25	additional studies even after the FEIS.	25	guess we could put it
	101		1.00
	131		133
1	MS. TONIA MOY: Okay.	1	MS. CAROLINE BLANCO: We might also include that
2	MS. TONIA MOY: Okay. MR. MIKE MABERRY: Like I touched on very	2	MS. CAROLINE BLANCO: We might also include that in the whereas clause, you know, at the beginning.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS. TONIA MOY: Okay. MR. MIKE MABERRY: Like I touched on very briefly, early on, even though we didn't do and publish an EIS, we did the studies at the same level. I mean, we did a complete archeological, biological, geological survey of the entire 18 acres. And then since then, for other areas that we I mean, we went back and did even more detailed study of them. Specifically, the two sites that are being looked at for this project. DR. CHARLIE FEIN: Botanical surveys, entomological surveys. MR. MIKE MABERRY: Right. Then we did supplements to those, too. DR. CHARLIE FEIN: Supplements and additional surveys specific through the two sites, walking over the same ground, but focusing just on the small acreage that would be involved in construction. DR. CRAIG FOLTZ: But you identified only two remaining sites? MR. MIKE MABERRY: Only two remaining sites. Then again, like I think I heard him say, we could look at recycling.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS. CAROLINE BLANCO: We might also include that in the whereas clause, you know, at the beginning. Because it's sort of setting the you love the legal terms, I know but sort of setting out the whole upfront, you know, this is a presumption, this is a presumption, this is a presumption and so forth, then these are some of the additional ones. So it recognizes some areas of concern. Just as an idea. I mean, I don't have any objection to putting it in elsewhere as well, but I think that we might think about whether or not that addresses the issue. MS. TONIA MOY: Or that future LRDP will be you know, will be specifically handed out to any of the consulting parties. MS. CAROLINE BLANCO: That's a good idea. That's a very good idea. MS. TONIA MOY: If it's updated and they want to add five more, then those consulting parties will be specifically contacted. MS. CAROLINE BLANCO: Are you comfortable with that, the IFA?

34 (Pages 130 to 133)

	134		136
1	then, in the actual terms, we would say that	1	long-range development plan.
2	MS. TONIA MOY: The future LRDP or whatever will	2	MR. MIKE MABERRY: And our intention is for it
3	be	3	to be not a project specific management plan, but for all
4	DR. CRAIG FOLTZ: The other issue with respect	4	the area under our responsibility.
5	to the LRDP is the mitigation issues that are laid out	5	MS. TONIA MOY: That is how it should be.
6	there, not all of which have we spoken about. But they	6	MR. MIKE MABERRY: Yes. It is not the guidance
7	can presumably be included by reference or specifically.	7	we have been given in the past, but it is what it will be.
8	MS. TONIA MOY: Include it in the LRDP.	8	MS. ANNELLE AMARAL: Let me ask. So with
9	MS. ANNELLE AMARAL: The LRDP applies to the	9	respect to the MOA, I heard one addition of language with
10	cumulative impact on	10	respect to the LRDP.
11	DR. CHARLIE FEIN: No.	11	MS. CAROLINE BLANCO: That is where the whereas
12	MS. CAROLINE BLANCO: management of the	12	clauses
13	summit.	13	MS. ANNELLE AMARAL: A provision that future
14	DR. CHARLIE FEIN: It's the management of the 18	14	MS. CAROLINE BLANCO: That's right. Two
15	acres.	15	different things, yeah.
16	MR. MIKE MABERRY: Of the 18 acres; not of the	16	MS. ANNELLE AMARAL: Future LRDP will be
17	summit.	17	provided to the consulting parties.
18	MR. JEFF BARR: Did you want to talk about how	18	MS. CAROLINE BLANCO: The future one, or do you
19	it's being more formalized now in terms of the	19	want it as I was trying to wonder if it's notice or if
20	comprehensive management plan process that you guys are	20	it's the actual amendment that would be provided to you.
21	going through?	21	MS. TONIA MOY: How do you guys usually send
22	MR. MIKE MABERRY: No. Actually, the LRDP will	22	out?
23	be more comprehensive than the true comprehensive plan.	23	MR. MIKE MABERRY: Well, we have been since
24	MR. JEFF BARR: I know. What I am saying is I	24	the web is so nice these days, we have been pretty much
25	think the question is, is that public and is that an	25	we haven't really well, I take that back.
	135		137
1	official document. And in a sense, the LRDP was certainly	1	There has been additional appendices made
2	a public document, but hasn't been adopted by any agency	2	available, but we haven't republished the whole thing
3	other than	3	since the final. There is just additional emendious that
4	MR. MIKE MABERRY: Okay. That's not entirely		since the final. There is just additional appendices that
		4	are available on the web. And we sent out notices to the
5	true, because it was adopted by the board of regents.	4 5	
			are available on the web. And we sent out notices to the
5	true, because it was adopted by the board of regents.	5	are available on the web. And we sent out notices to the sister agencies, you know, when that has been added.
5 6	true, because it was adopted by the board of regents. MR. JEFF BARR: Okay.	5 6	are available on the web. And we sent out notices to the sister agencies, you know, when that has been added. I understand what you are trying to do. And,
5 6 7	true, because it was adopted by the board of regents. MR. JEFF BARR: Okay. MR. MIKE MABERRY: Which is the ultimate	5 6 7	are available on the web. And we sent out notices to the sister agencies, you know, when that has been added. I understand what you are trying to do. And, unfortunately, I am not thinking of how to word it.
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35 (Pages 134 to 137)

	138		140
1	MS. TONIA MOY: And not everybody is going to	1	consulting parties will be notified of proposed
2	know when it comes out.	2	modification, proposed/draft modification, along with the
3	MS. CAROLINE BLANCO: Right. So if that is the	3	public, right? Along with public notice?
4	way if it is normally a public process, what I am	4	MR. MIKE MABERRY: Other state agencies or
5	thinking about is if you normally would then publish the	5	whatever.
6	draft, maybe it would definitely we would commit to	6	DR. CRAIG FOLTZ: All this does is put the
7	or if you are comfortable committing to having notice be	7	consulting parties on the list.
8	provided at that juncture, specific notice to the	8	MS. CAROLINE BLANCO: Right. So they don't have
9	consulting parties	9	to search for it.
10	MS. ANNELLE AMARAL: Of intent?	10	MS. TONIA MOY: Right. Right.
11	MS. CAROLINE BLANCO: Of a draft modification,	11	MS. CAROLINE BLANCO: Okay.
12	right.	12	MS. ANNELLE AMARAL: So with respect to LRDP, in
13	MS. TONIA MOY: And how to get it, you know,	13	addition to normal public notice, when proposed
14	or	14	modification is to take place, notice shall be provided to
15	MS. CAROLINE BLANCO: Yeah.	15	consulting parties? Does that sort of
16	MR. MIKE MABERRY: I would definitely, you know,	16	MS. TONIA MOY: Yeah, to this MOA.
17	imagine that we would end up doing public meetings again.	17	MS. ANNELLE AMARAL: Okay.
18	I mean, you know	18	MS. CAROLINE BLANCO: We will work the language.
19	DR. CHARLIE FEIN: Yeah.	19	MS. TONIA MOY: Thank you.
20	MS. TONIA MOY: People don't know about it.	20	MS. ANNELLE AMARAL: Our consulting parties,
21	DR. CHARLIE FEIN: The original intent of the	21	this group. Okay.
22	LRDP was a ten-year plan.	22	And you brought up the issue of the road and the
23	MR. MIKE MABERRY: Right. Right.	23	issue of the viewplain. I heard explanations. Did you
24	MS. TONIA MOY: So it's going to be modified.	24	want some language in the MOA, or were you satisfied with
25	MR. MIKE MABERRY: Yeah.	25	the explanations that have been provided? I heard
	139		141
1	MS. TONIA MOY: Several times within.	1	MS. TONIA MOY: Well, the road has got to be
2	MS. CAROLINE BLANCO: Something to think about		
	8	2	yeah.
3	as far as	2	•
3 4	as far as MS. TONIA MOY: How you notify		MS. CAROLINE BLANCO: How about the viewshed, if we parse that out? Was that explanation a little bit
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	142		144
1	and, hopefully, they will join us again the following week	1	the construction equipment, the materials, and the trucks
2	at the consulting parties meeting.	2	and so forth to take it up, and some of the information
3	MS. ANNELLE AMARAL: Okay.	3	you are trying to seek from the park?
4	MS. CAROLINE BLANCO: That might be helpful.	4	MR. JEFF BARR: Yeah.
5	I am curious about whether HHF has any	5	MS. CAROLINE BLANCO: And, also, the intent of
6	particular concerns about historic road impacts.	6	once construction is done, if there is any damage to the
7	MS. TONIA MOY: We would be, yeah. That would	7	road or the bridges and so forth, how you intend to deal
8	be more, you know, our issue rather than Native Hawaiian	8	with that.
9	issues. We're more geared toward the architecture side of	9	DR. CHARLIE FEIN: Jeff, do you have that little
10	things. So, you know, as a more modern history site,	10	presentation we did for the park?
11	there would be concern to make sure that it gets impacted	11	MR. JEFF BARR: Yes, I do have.
12	as little as possible and any damage gets repaired. And	12	I am not sure whether or not that is the most
13	not so much another big concern is if the bridge gets	13	useful use of the time here now. I could pull that up and
14	severely damaged, then FHWA is going to come in and put a	14	we can go through.
15	40-foot wide bridge.	15	The number of trucks, the number of concrete
16	MR. MIKE MABERRY: Which the public and	16	trucks, we've kind of quantified that.
17	everybody doesn't want.	17	As I say, the park did do a study with the
18	MS. TONIA MOY: I know. That is you know,	18	Federal Highways Administration. And we cooperated in
19	that would be a that would be a big concern, I guess.	19	that. We gave them as much information as we could
20	MR. JEFF BARR: We are working hard right now,	20	possibly put together on what kinds of trucks, what kinds
21	trying to find out more about the bridge and to, as I say,	21	of loads, what kinds of weights, how many vehicles, during
22	open a dialogue with the park about how we go about	22	what periods, how frequently. And, again, some of this is
23	protecting it.	23	speculation because we don't have a contractor on board
24	DR. CHARLIE FEIN: Tonia, is there any other	24	yet, but based on the construction project and range of
25	historic structure that you are aware of along the	25	activities, we could reasonably postulate how many
	143		145
1	right-of-way or that is in the park that you think might	1	truckloads and what kinds they would be.
2	be an issue?	2	We shared that all with the Federal Highways
3	MS. TONIA MOY: You know, I haven't been up	3	Administration and with the park.
4	there for a long time. Maybe the lookout is probably over	4	And I do have that information here. That is
5	50 years old.	5	what Charlie is referring to. And I can put that up and
6	MR. MIKE MABERRY: But it's well off the road.	6	show you.
7	MS. TONIA MOY: Okay.	7	It is something like 450 concrete truckloads
8	MR. MIKE MABERRY: There's a huge parking lot	8	over a period of maybe those weren't all concrete
9	between the two, between the road.	9	but truckloads over a period of something like two years
10	MS. TONIA MOY: I don't know of any structure.	10	or three years of intensive onsite actual building
11	There's the visitor's center, but that is new, right?	11	construction period. And then some larger loads for items
12	MR. MIKE MABERRY: Yeah, the visitor center is	12	like the primary mirror and big pieces of the telescope,
13	new.	13	big pieces of the dome. Those extra-wide loads would
		14	
14	MR. JEFF BARR: One of the other concerns the		require special provisions, and extra heavy loads might
14 15	MR. JEFF BARR: One of the other concerns the park has is their entrance station which actually does	15	require special provisions for protection of the bridge,
14 15 16	MR. JEFF BARR: One of the other concerns the park has is their entrance station which actually does constrict the roadway. And it's not a historic structure.	15 16	require special provisions for protection of the bridge, getting past the entrance station, those kinds of issues.
14 15 16 17	MR. JEFF BARR: One of the other concerns the park has is their entrance station which actually does constrict the roadway. And it's not a historic structure. MR. MIKE MABERRY: No. It's like six years old.	15 16 17	require special provisions for protection of the bridge, getting past the entrance station, those kinds of issues. Those are exactly the sorts of things we would
14 15 16 17 18	MR. JEFF BARR: One of the other concerns the park has is their entrance station which actually does constrict the roadway. And it's not a historic structure. MR. MIKE MABERRY: No. It's like six years old. MR. JEFF BARR: But it's convenient to them to	15 16 17 18	require special provisions for protection of the bridge, getting past the entrance station, those kinds of issues. Those are exactly the sorts of things we would like to put more specifics around and be able to figure
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14 15 16 17 18 19 20 21 22	MR. JEFF BARR: One of the other concerns the park has is their entrance station which actually does constrict the roadway. And it's not a historic structure. MR. MIKE MABERRY: No. It's like six years old. MR. JEFF BARR: But it's convenient to them to have it. And to us, in terms of the width of the road, it restricts. So that is another issue that the park has raised, and you probably maybe have seen in some of the correspondence.	15 16 17 18 19 20 21 22	require special provisions for protection of the bridge, getting past the entrance station, those kinds of issues. Those are exactly the sorts of things we would like to put more specifics around and be able to figure out how we are going to address those things in cooperation with the park, the stewards of the road. And it's really the eleven-mile section of the road that runs through the park that they are identifying

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1	uses of it and the potential historic value of it.	1	access around Haleakala National Park entrance station
2	And, again, I am not sure, I can put that	2	which could best be addressed in mutual consultation
3	information up if you are interested.	3	between an appropriate agent between ATST and staff
4	MS. TONIA MOY: But is it going to be so wide	4	representatives. He asked some specific questions in
5	that it will affect the bridges or the culverts or just	5	particular. Going down the email, does HNP expect to
6	that center?	6	pursue a supplemental pavement condition investigation for
7	MR. JEFF BARR: Well, it's close in terms of the	7	the Haleakala Highway. And followed up on some additional
8	bridge. The culverts don't really project up above the	8	question, or some additional issue there. Is there a
9	sides of the roads. So they don't really restrict the	9	threshold of vehicle trips or equivalent single-axle loads
10	width of the road. Some of our loads will be as wide as	10	as described in the FHWA report which would trigger impact
11	20 or 24 feet. So they will take up the entire width of	11	conditions. We are currently working on better definition
12	the road, and won't allow traffic coming in the other	12	of our construction logistics and could plan for
13	direction, or even behind it, at the same time.	13	particular truck types and target specific numbers of
14	So they go up very closely. They tend to go up	14	trips if those factors are considered critical.
15	at night when nothing else is happening. And maybe they	15	And then, what is the rated capacity of the box
16	can get up in one night, maybe they have to pull off the	16	culverts on Haleakala Highway. And some other additional
17	side of the road and allow full use of the road during	17	ones.
18	other periods. So those kinds of loads.	18	And what is the optimal means to provide
19	And that is only for something less than ten, I	19	clearance around the park entrance station for wide-load
20	can't really tell you how many, of those extra-wide loads	20	vehicles, and, you know, questions such as that.
21	would require those kinds of special protections and	21	And those questions still have not been
22	provisions.	22	answered. This was back in February. These were asked of
23	Most of the other loads will be a normal, as you	23	the park. The efforts have been to try to find out from
24	say, concrete truck or a flatbed truck carrying building	24	her what we could do to move that process forward. And
25	materials. And those kinds of loads are not uncommon	25	the response, basically, has been August 22nd.
	147		149
1	going up right now to the Air Force facility, like a bus.	1	DR. CRAIG FOLTZ: We reiterated it.
2	MR. MIKE MABERRY: Or the national park.	2	MS. CAROLINE BLANCO: Craig's May letter to the
3	MR. JEFF BARR: Or the national park or any	3	park you will see that again it reiterates the
4	other project. So those kinds of loads would be much more	4	attempt to try to find out the conditions of the road,
5	normal and could be accommodated in amongst the normal	5	that information, so we could be better prepared for that
6	kinds of traffic on the road.	6	August meeting even. And that was the response. So
7	The special kind of loads, we would have to work	7	MS. ANNELLE AMARAL: There's a comment back
8	with the park on how and when we take those up. And they	8	here.
9	would be a very limited quantity and for very short	9	MR. JEREMY WAGNER: Jeff, we were prepared to
10	durations. We would have to actually close off the road	10	try to get answers to those questions back in July of last
11	and utilize it for only the purposes of that one trip.	11	year when we met.
12	MS. CAROLINE BLANCO: Just so you are aware I	12	MR. JEFF BARR: We started back in July. We
13	think this is in the packet of correspondence back in	13	actually had a productive meeting with the maintenance
14	February, Jeff had some correspondence with Marilyn	14	superintendent for the park in September, something like
15	Parris. And, you know, she had requested that he deal	15	that. Then this letter that Caroline just read was an
16	with her directly and said it was taking up his	16	attempt to follow up on that, in February, because it
17	questions were taking up park resources and so forth. And	17	basically seemed to have fallen off their map. And then,
18	he had a response letter that asked some particular	18	basically, we have been stonewalled since then.
19	questions.	19 20	MS. CAROLINE BLANCO: And I think the reason for
20	The questions in my originating email have	20	even the delay between last summer and February is that there were back in July of last year, the park had said
21 22	potential bearing on the discussions about the issuance of a special use permit for ATST and the preservation of the	21	there may be a special use permit that is required for
22	road as a historic property. I don't mean to burden your	22	using the park road. There were several requests for that
24	staff, et cetera. There are issues, though, such as the	24	permit application, so that they would know how to what
25	recommended follow-up road condition investigation and	25	it was, what it entailed, how we could prepare for it.
15		1 2 3	it was, what it cinance, now we could prepare for it.

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1	And they didn't provide it.	1	MS. CAROLINE BLANCO: Yeah.
2	And there was some correspondence last fall in	2	MR. HINANO RODRIGUES: Do we have a defined list
3	addition. And they still hadn't provided it. Then this	3	of parties to the MOA?
4	February email exchange occurred.	4	MS. CAROLINE BLANCO: Well, we have a list of
5	I think it might have started in January. I	5	consulting parties.
6	didn't have the trail.	6	MR. HINANO RODRIGUES: Okay.
7	MR. JEFF BARR: And several attempts since then,	7	MS. CAROLINE BLANCO: The question came up
8	really, to follow up. Even as much as just a week or two	8	yesterday. Pua asked us who would be the signatories.
9	before this meeting, we were trying to make last-minute	9	And I answered her by saying certainly the hope would be
10	attempts to try to get them to make somebody, a resource	10	that NSF, SHPD, the Advisory Counsel, and anybody else who
11	person from the park, available to us just to talk about	11	would be interested in signing on to it. Of course, since
12	these things, even if we weren't trying to reach any	12	the project team is working so closely with NSF, sometimes
13	conclusions. And I think you can sense a certain amount	13	I forget to mention they are consulting parties as well.
14	of frustration on lack of communications from the park.	14	But IFA is and NSO is as well. And I am sure they would
15	DR. CHARLIE FEIN: Then there was the latest	15	be signatories to this as well.
16	email, there is no application.	16	I am not sure we clarified this. Maybe Craig
17	DR. CRAIG FOLTZ: There is no application form.	17	did. If NSF decides to fund this, the money would go to
18	MS. TONIA MOY: No such thing as a special use	18	NSO. NSO would then provide the money to IFA.
19	permit.	19	No? How does that work?
20	MS. CAROLINE BLANCO: Yeah. But they still	20	MR. MIKE MABERRY: No. NSO would build it.
21	intend to have a permit. There is no defined application	21	MS. CAROLINE BLANCO: Built in conjunction.
22	for it. As I think I mentioned earlier, we are awaiting	22	DR. CRAIG FOLTZ: But there would be a number of
23	some document that she said she was going to be preparing	23	sub awards.
24	for us. I think she said it would be available in two	24	MS. CAROLINE BLANCO: To IFA, right? Is that
25	weeks which this week would have been at least two	25	how it works?
	151		153
1	weeks, if not last week, I am not sure where it	1	DR. CRAIG FOLTZ: I am not sure exactly how
2	outlined the way to communicate and how they would	2	that
3	approach this. We're unsure exactly what she has in mind,	3	MR. MIKE MABERRY: We are not building it.
4	but look forward to seeing it.	4	MS. CAROLINE BLANCO: I'm sorry. IFA would be
5	MS. ANNELLE AMARAL: Just to give you a heads	5	the permittee.
6	up, my watch says it's about five until 2:00.	6	DR. CRAIG FOLTZ: The scope of this project
7	DR. CRAIG FOLTZ: Close.	7	includes instruments. And these instruments are being
8	MS. ANNELLE AMARAL: We had said we were going	8	developed in a lot of places. So there's small sub awards
9	to end at 2:00. Is it all right if we continue on, or do	9	to a lot of other institutions.
10	you want to bring this to an end?	10	MR. MIKE MABERRY: That is true.
11	DR. CRAIG FOLTZ: We're almost done with the	11	MS. CAROLINE BLANCO: But IFA's interest is that
12	MS. ANNELLE AMARAL: We're right here.	12	they are basically the land manager on top of the 18
13	MS. CAROLINE BLANCO: I think it would be	13	acres or University of Hawaii is?
14	helpful certainly, I think, most of us can stay around.	14	MR. MIKE MABERRY: We don't get money.
15 16	I am thinking, you know, we came to present to you this morning, we have been presenting you with a summary of	15 16	MS. CAROLINE BLANCO: No, no. I am just saying the interest.
17	yesterday, and going through these issues. Now I think we	17	MR. MIKE MABERRY: Oh, okay.
18	are done doing that.	18	MS. CAROLINE BLANCO: As a consulting party.
19	And you mentioned, Tonia, the additional park	19	So I don't know if that is helpful in terms of
20	resources issues. And to ask again, at this point, do you	20	who would be signing this.
21	have other issues that maybe we may want to look at?	21	Part of the problem up to these last couple of
22	MS. TONIA MOY: I think you've got your	22	days is we have been unclear of who was interested in
23	placeholders in there for the Park Service, so	23	working with us to try to achieve something.
24	MS. CAROLINE BLANCO: Yeah.	24	Sol, I would certainly hope that you would be
25	MR. HINANO RODRIGUES: Minor issue.	25	participating in this as well.
		1	

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1 And, you know, Tonia, you, too. 1 Kilakila o Haleakala.	
	Z: We did discuss the benefit to
3 know, we certainly would invite. 3 them of being a signatory.	, even if they disagreed.
4 MR. MIKE MABERRY: It seems we have a problem 4 MS. CAROLINE B	LANCO: Right.
<u>^</u>	Z: So Kilakila o Haleakala and
	ala, which I guess is not an
	ndividual consulting party.
	lting parties who were in sort
9 support the project. That is a hard one to educate people 9 opposition of the project v	who at least heard us say, for
10 on. 10 not the first time, that it w	as in their benefit to be a
11 MR. HINANO RODRIGUES: That is why I asked the 11 signatory.	
12 question. Because my fear is that the people who have a 12 MR. HINANO ROL	DRIGUES: Okay.
13 stake in this aren't here. And, you know, one thing no 13 MS. CAROLINE B	LANCO: It may be, also, Verna
14 one wants it hear is, oh, it's too late, where were you. 14 might be interested in sign	ning this. She seemed very
15 MS. CAROLINE BLANCO: Right. 15 MR. MIKE MABE	RRY: She would if she is here.
16 MR. HINANO RODRIGUES: I don't know that is 16 She, unfortunately, thinks	she's moving in fact, I
17 your program. This is your project kind of thing. But I 17 thought she was already g	gone.
18don't know how we can find a way to bring 'em in, even at18MS. SHARON LOA	ANDO-MONRO: No. She showed up
19 this stage of the game, because what you just said is 19 this morning. We should	put it for the record.
20 really important. So maybe they need to be educated on 20 I don't know if you	mentioned it, Tony.
21that. It's really important, you know. You don't have to21She showed up. She	e had an appointment to go to
22 agree, but, you know, at least we all sat down and we all 22 and said she apologizes for	or not being here. She wants to
	was going to say today and submit
24 you are not agreeing to the project itself, but we all 24 it. So we should just get t	
25agreed we made an effort to mitigate, minimize and25MR. MIKE MABE	RRY: Isn't she moving to the
155	157
1yeah, mitigate and minimize.1mainland, though?	
	ANDO-MONRO: While she's still
3 about how we can engage? I mean, I look at this now and 3 here	
°	RRY: Even so, she is still Native
e e	able to be a signatory regardless
6 you know, with people who or organizations that do have 6 where she lives.	
7 an interest and would want to express that interest. 7 Sorry for bringing i	•
	BLANCO: No, it's not
9 a reason why Kilakila o Haleakala is not here? 9 resident-based.	
	RRY: And it's like it hit me,
11MS. ANNELLE AMARAL: They couldn't make it11she's moving, and I am like12today. They came vesterday to give their comment because12MS. ANNELLE AMARALICAN	-
12today. They came yesterday to give their comment because12MS. ANNELLE Al13they could not come today, they said.13Vegas.	MARAL: Well, at least it's not Las
	RRY: Well, Las Vegas is just the
15 of they couldn't make it? 15 of they couldn't make it?	ikiki i wen, Las vegas is just uie
	BLANCO: And, also, Warren, I
17 us.	
	RRY: Yes. I would think Warren
	RRY: Yes. I would think Warren ng a signatory.
18MR. HINANO RODRIGUES: Not that they didn't want18MR. MIKE MABE19to be in the process?19would be interested in bei	ng a signatory.
18MR. HINANO RODRIGUES: Not that they didn't want18MR. MIKE MABE19to be in the process?19would be interested in bei20MS. CAROLINE BLANCO: The good news is, though,20MS. CAROLINE BLANCO: The good news is, though,	ng a signatory.
18MR. HINANO RODRIGUES: Not that they didn't want18MR. MIKE MABE19to be in the process?19would be interested in bei20MS. CAROLINE BLANCO: The good news is, though,20MS. CAROLINE E21too, they did give some specific information which is part21MS. ANNELLE A	ng a signatory. BLANCO: Right.
18MR. HINANO RODRIGUES: Not that they didn't want18MR. MIKE MABE19to be in the process?19would be interested in bei20MS. CAROLINE BLANCO: The good news is, though,20MS. CAROLINE BLANCO: The good news is, though,21too, they did give some specific information which is part21MS. ANNELLE AD22of what we have worked through today. So that was22making, when the question	ng a signatory. BLANCO: Right. MARAL: So is the point you're
18MR. HINANO RODRIGUES: Not that they didn't want18MR. MIKE MABE19to be in the process?19would be interested in bei20MS. CAROLINE BLANCO: The good news is, though,20MS. CAROLINE BLANCO: The good news is, though,21too, they did give some specific information which is part21MS. ANNELLE AD22of what we have worked through today. So that was22making, when the question	ng a signatory. BLANCO: Right. MARAL: So is the point you're n is asked, do you have any

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	158		160
1	they can still be against it.	1	MR. JEFF BARR: Mine, too.
2	MS. ANNELLE AMARAL: Can we use some of these	2	MS. TONIA MOY: They can actually be parties and
3	people who have come and commented to get the word out to	3	not sign?
4	their supporters?	4	MS. CAROLINE BLANCO: That's right.
5	MR. HINANO RODRIGUES: That would be the best	5	MR. JEFF BARR: They can do that, too.
6	approach, is to utilize whoever showed up, Mikahala,	6	MS. CAROLINE BLANCO: Unfortunately for them,
7	Warren and Kiope. I don't know Verna. I know the other	7	they wouldn't have the same rights
8	ones. I went to college with them. We all have our	8	MR. MIKE MABERRY: Standing, yeah.
9	Hawaiian studies degrees, more or less at the same time.	9	MS. CAROLINE BLANCO: to enforce it. You
10	So I know them. And I am happy that, you know, they would	10	know, that is obviously their choice. Maybe we should
11	be signatories because those are people that I have	11	just, before I forget it, write it down. Perhaps consider
12	respect for.	12	provision
13	MS. CAROLINE BLANCO: I don't know if Kiope	13	MS. ANNELLE AMARAL: Certainly if
14	expressed an interest in signing anything yet. It was	14	MS. CAROLINE BLANCO: noting objection,
15	unclear. I mean, he made certain suggestions to be	15	right?
16	provided in an MOA that he thought would be helpful. But,	16	MR. MIKE MABERRY: Do you have any experience in
17	at the same time, he said he was not in support of the	17	this?
18	project. So I am not sure he understood that, you know,	18	MS. ANNELLE AMARAL: I mean, if Camille is an
19	perspective of you can still be against it, but you can	19	attorney with NHLC, Kilakila o Haleakala, she was here
20	sign it and have enforceable rights.	20	representing them, wouldn't she understand that one need
21	MR. MIKE MABERRY: We provided that information	21	not be supportive of the project and could be a signatory?
22	to him in writing and email before.	22	MS. CAROLINE BLANCO: That is true. But I think
23	MS. CAROLINE BLANCO: I am sure that is true.	23	I tend to find in this area and, you know, if anybody
24	MR. MIKE MABERRY: In painful detail.	24	else has any other experience, then please share it
25	MS. CAROLINE BLANCO: I am not sure it was at	25	there is often confusion about that point. So
	159		161
1	the forefront of his mind at the time.	1	DR. CRAIG FOLTZ: Would it make sense for us to
1	the forefront of his mind at the time. I should also mention Maui Community College,	1 2	DR. CRAIG FOLTZ: Would it make sense for us to write a letter?
	I should also mention Maui Community College, they are a consulting party. And they would likely be		write a letter? MS. ANNELLE AMARAL: Is it possible to simply
2	I should also mention Maui Community College, they are a consulting party. And they would likely be signatories to this, I am pretty sure.	2	write a letter? MS. ANNELLE AMARAL: Is it possible to simply write a letter, a simple letter to all people who have
2 3	I should also mention Maui Community College, they are a consulting party. And they would likely be	2 3	write a letter? MS. ANNELLE AMARAL: Is it possible to simply write a letter, a simple letter to all people who have submitted testimonies or something indicating
2 3 4	I should also mention Maui Community College, they are a consulting party. And they would likely be signatories to this, I am pretty sure. Sol, can you speak to them? MR. SOL KAHO'OHALAHALA: They will be.	2 3 4	write a letter? MS. ANNELLE AMARAL: Is it possible to simply write a letter, a simple letter to all people who have submitted testimonies or something indicating MS. CAROLINE BLANCO: The consulting parties?
2 3 4 5	I should also mention Maui Community College, they are a consulting party. And they would likely be signatories to this, I am pretty sure. Sol, can you speak to them? MR. SOL KAHO'OHALAHALA: They will be. I think the hesitancy is the concession, you	2 3 4 5 6 7	write a letter? MS. ANNELLE AMARAL: Is it possible to simply write a letter, a simple letter to all people who have submitted testimonies or something indicating MS. CAROLINE BLANCO: The consulting parties? MS. ANNELLE AMARAL: Yeah. Indicating that your
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2 3 4 5 6 7 8 9	I should also mention Maui Community College, they are a consulting party. And they would likely be signatories to this, I am pretty sure. Sol, can you speak to them? MR. SOL KAHO'OHALAHALA: They will be. I think the hesitancy is the concession, you know. They are against the project altogether. Even though there are ideas that are being, you know,	2 3 4 5 6 7 8 9	 write a letter? MS. ANNELLE AMARAL: Is it possible to simply write a letter, a simple letter to all people who have submitted testimonies or something indicating MS. CAROLINE BLANCO: The consulting parties? MS. ANNELLE AMARAL: Yeah. Indicating that your signature does not mean your support, or something, but gives you legal standing to monitor and further to object.
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41 (Pages 158 to 161)

	162		164
1	MS. TONIA MOY: Can you sign with objection or	1	us who love place names and for whom place names help to
2	something like that?	2	educate people about the history of the place, this is
3	MS. CAROLINE BLANCO: Well, I just wonder if we	3	something Hawaiians don't give up quickly, so it's there
4	could have a whereas clause that says, you know, Kiope	4	to push you forward.
5	Raymond, dah, dah, dah, whoever it is, these consulting	5	There is a question
6	parties object to the construction of the ATST telescope,	6	DR. CRAIG FOLTZ: The facilitator takes the rap.
7	however they agreed to these conditions if it is built.	7	MR. MIKE MABERRY: I thought you convinced us to
8	So at least their position is preserved, or at least it's	8	put the signs up, anyhow.
9	recognized somehow.	9	MS. ANNELLE AMARAL: What we have been known to
10	MR. HINANO RODRIGUES: So maybe in the form of	10	do is to actually bring cut rock into areas with names of
11	an update as to what happened, as of July 17, we're here,	11	places and just place it there, whether your rules allow
12	we worked on MOA issues, what is an MOA. The only reason	12	it or not. We are a very aggressive people.
13	why I know what an MOA is, is because of what I do. But	13	With respect to preferential hiring, there is
14	everybody out there don't know what that is.	14	some question about can we give preference to one race
15	MS. CAROLINE BLANCO: Right.	15	versus another. So there is some question. Though, this
16	MR. HINANO RODRIGUES: So if you explain that,	16	is not having to do with a lack of commitment, it's more
17	and why you have an MOA and why it's important for them to	17	there are some other things we need to look into here.
18	be a part of that process, you might have a different	18	DR. CRAIG FOLTZ: It a placeholder.
19	attitude and behavior on their part.	19	MS. ANNELLE AMARAL: So it's a place saver.
20	MR. MIKE MABERRY: Good idea.	20	Cultural monitors I think we've dealt with.
21	MR. JEFF BARR: In fact, in the MOA, the word	21	There is certainly a commitment to it.
22	"agreement" in there sounds kind of dubious to them, I am	22	Sense of place training. There already is a
23	sure. It sounds like agreement.	23	commitment to that, so that certainly is there.
24	DR. CRAIG FOLTZ: I am finding how that happens.	24	And including practices that are outlined in the
25	MR. JEFF BARR: Words, go figure.	25	long-range development plan, the parties yesterday did not
	163		165
1	MR. MIKE MABERRY: Ed Stephens, when he signed	1	want to just sort of create this long list of things that
2	as a party concurring on the agreement wrote in, note, we	2	we know is listed somewhere else, or give the appearance
3	signed this MOA with the understanding that it is not an	3	that we are simply padding. I think that was the thought.
4	endorsement of the proposed Keck Outrigger project, in	4	But there is
5	principle we object to any activity, and blah, blah, blah,	5	DR. CRAIG FOLTZ: We may change our mind.
6	and the Hawaii Conservation District Use Application, dah,	6	MS. ANNELLE AMARAL: We may change our mind. We
7	dah, dah. Anyhow, he actually wrote it in.	7	leave that one open, too.
8	DR. CRAIG FOLTZ: That is what I was thinking	8	It looks like we've kind of covered everything,
9	about.	9	yes?
10	MS. CAROLINE BLANCO: And that may be something,	10	Let me ask one more time. Is there any burning
11	too.	11	issue you think we need to add today?
12	MS. ANNELLE AMARAL: Okay. Have we sort of	12	This is not the last day, by any means. We're
13	addressed I know you have to leave. But we've put the	13	coming back for two more meetings sometime in August. But
14	placeholder there for the issues you've raised. We've	14	I am ready to add anything else that you may have. If
15	added some of your concerns here.	15	not, then
16	Let me say quickly, with respect to the place	16	MR. JEFF BARR: I want to ask one no, please.
17	names here, one of the issues that was raised was the idea	17	MR. SOL KAHO'OHALAHALA: No. I just think this
18	of being able to give appropriate Hawaiian place names to	18	is beginning step. And what is going to happen is that
19	the roads up at Mauna Kea.	19	there will emerge other statements or issues once there is
20	DR. CRAIG FOLTZ: Haleakala.	20	something put out.
21	MS. ANNELLE AMARAL: Sorry. Haleakala.	21	So let this be the first pass at this. And it's
22	The larger issue here is one of the roads are	22	going to encourage a few others to start coming forward.
23	not owned by any one entity and is a collaborative effort	23	Because if they feel strongly about any one component that
24 25	that is needed with state and feds and multiple agencies.	24	they believe is either lacking or not being sufficiently covered in any of these, it will come forward.
20	So this is easier said than done. However, for those of	25	covered in any or mese, it will come for ward.

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42 (Pages 162 to 165)

	166		168
1	MR. JEFF BARR: I was just going to ask, because	1	discussed.
2	of the most intensive discussion of the road, and Tonia	2	DR. CRAIG FOLTZ: In broad terms. I mean, I
3	has said that HHF, one of their big concerns would be the	3	worry about us hitting hot buttons that we don't know are
4	road, the most intensive discussion is likely to be with	4	hot.
5	the park on those dates, that aren't necessarily the full	5	MS. CAROLINE BLANCO: If we could, if
6	consulting party consultation. Would it be appropriate to	6	MS. TONIA MOY: Just the idea that they think
7	bring anybody else other than the park into those	7	you finalized it when you didn't.
8	discussions, do you think?	8	MS. CAROLINE BLANCO: I could run some of the
9	MS. CAROLINE BLANCO: I think since that one is	9	language by some of you, just to be sure that I am
10	focused mostly on the SUP	10	handling it in a sensitive way. If we are drafting this
11	MR. JEFF BARR: Is it? Okay.	11	letter, I would not want to be presumptuous about trying
12	MS. CAROLINE BLANCO: Special use permit.	12	to, you know, talk about a konohiki when I just heard
13	There's overlap because, you know, the road issues are	13	about it yesterday. So I think it's a great concept, but
14	involved, it's the reason for the SUP. And it's also one	14	I want to be careful. I want to be careful in how I
15	of the reasons for I mean, it also covers the issues	15	present that.
16	involved in impacts to the park. So my hope is that, in	16	And I have a question, also, given the comments
17	addition, that either they can provide us with information	17	you had made, Sol, and the nodding of heads that I saw
18	that we can present to the rest of the consulting parties,	18	about how, once this gets out and people understand, that
19	if they cannot make it, on the 27th and 28th, or, best	19	they may want a role in this and see that there is some
20	case scenario, they can join us on the 27th and 28th.	20	forward movement here. Do you feel that it is possible to
21	DR. CRAIG FOLTZ: But not join us on the 22nd.	21	ultimately reach an MOA that the SHPO could sign, and
22	MS. CAROLINE BLANCO: Oh, other parties? No.	22	Advisory Counsel we will talk to in Washington, and,
23	I am talking about the park joining the rest of	23	hopefully, the SHPO will talk with as well with them?
24	the group.	24	MR. HINANO RODRIGUES: Before I answer that
25	DR. CRAIG FOLTZ: I understand. But I thought	25	question, you are talking about sending something out and
	167		169
1	Jeff's	1	then talking about the importance of being a signatory to
2	MS. CAROLINE BLANCO: That is why I say I think	2	an MOA?
3	it should be a meeting with the park, follow-up on the	3	MS. CAROLINE BLANCO: Right.
4	SUP. But, hopefully, that can inform the meetings the	4	MR. HINANO RODRIGUES: Maybe even take maybe a
5	following week. And best case scenario, the park will	5	step back. The importance not necessarily of being a
6	join us on the 27th, 28th.	6	signatory to an MOA, but actually being a part of the
7	MR. JEFF BARR: That is probably the better way.	7	process itself.
8	MS. ANNELLE AMARAL: Is there a commitment,	8	MS. CAROLINE BLANCO: Okay.
9	then, to taking some of the notes that have come out of	9	MR. HINANO RODRIGUES: That way it is a little
10	this discussion and circulating it with all consulting	10	bit less strong.
11	parties?	11	DR. CRAIG FOLTZ: Right.
12	MS. CAROLINE BLANCO: Yeah. My sense from what	12	MS. CAROLINE BLANCO: Then just explaining that
13	I wrote down here is that we would send out another letter	13	signatories do have enforcement rights.
14	to the consulting parties. It would include several	14	MR. HINANO RODRIGUES: Yeah. That way, those
15	different things. It would explain what is an MOA, what	15	who don't want to be signatory to it can say, at least I
16	is the purpose of it, explain the benefits of signing it,	16	participated in it and I didn't compromise or you know,
17	is the purpose of it, explain the benefits of signing it,		I didn't compromise my position or you know, it gives
	that you get the ability to enforce the terms of it, that	17	I didit compromise my position of you know, it gives
18		17	them a way to stand more neutral.
18 19	that you get the ability to enforce the terms of it, that		
	that you get the ability to enforce the terms of it, that you can still object to the underlying project but agree	18	them a way to stand more neutral.
19	that you get the ability to enforce the terms of it, that you can still object to the underlying project but agree to sign the MOA, and outline the progress of the meetings	18 19	them a way to stand more neutral. MS. CAROLINE BLANCO: So it's more of like note
19 20	that you get the ability to enforce the terms of it, that you can still object to the underlying project but agree to sign the MOA, and outline the progress of the meetings we've had today and yesterday, and, also, announce the	18 19 20	them a way to stand more neutral. MS. CAROLINE BLANCO: So it's more of like note that signatories have enforcement rights, but that is the
19 20 21	that you get the ability to enforce the terms of it, that you can still object to the underlying project but agree to sign the MOA, and outline the progress of the meetings we've had today and yesterday, and, also, announce the next meetings for August 27th and 28th.	18 19 20 21	them a way to stand more neutral. MS. CAROLINE BLANCO: So it's more of like note that signatories have enforcement rights, but that is the side piece of it. The main part of it is that it is a
19 20 21 22	that you get the ability to enforce the terms of it, that you can still object to the underlying project but agree to sign the MOA, and outline the progress of the meetings we've had today and yesterday, and, also, announce the next meetings for August 27th and 28th. DR. CRAIG FOLTZ: I think we need to be very	18 19 20 21 22	them a way to stand more neutral. MS. CAROLINE BLANCO: So it's more of like note that signatories have enforcement rights, but that is the side piece of it. The main part of it is that it is a benefit to being a part of the process.
19 20 21 22 23	that you get the ability to enforce the terms of it, that you can still object to the underlying project but agree to sign the MOA, and outline the progress of the meetings we've had today and yesterday, and, also, announce the next meetings for August 27th and 28th. DR. CRAIG FOLTZ: I think we need to be very careful with specifics.	18 19 20 21 22 23	them a way to stand more neutral. MS. CAROLINE BLANCO: So it's more of like note that signatories have enforcement rights, but that is the side piece of it. The main part of it is that it is a benefit to being a part of the process. MR. HINANO RODRIGUES: That you participated in

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	170		172
1	So your question regarding what was the	1	sentences and not understand, but that is what will hit
2	question? I'm sorry.	2	them.
3	MS. CAROLINE BLANCO: As far as do you see that	3	MS. CAROLINE BLANCO: Right.
4	there is	4	MR. HINANO RODRIGUES: So this, I think, kind of
5	MR. HINANO RODRIGUES: Oh, yeah. Well, we have	5	this is everybody's talk. This is what the people on
6	to look at it that way, yeah. We got to be optimistic.	6	Maui understand. And that is why I am optimistic. I
7	MS. CAROLINE BLANCO: Right.	7	think that we can move, we can start movement again.
8	MR. HINANO RODRIGUES: So, yeah, it's hoped it	8	MS. CAROLINE BLANCO: That is good. That is
9	is possible. We have to work with the idea that it is.	9	good.
10	MS. CAROLINE BLANCO: Right.	10	MR. HINANO RODRIGUES: I hope.
11	MR. HINANO RODRIGUES: If not, we could just	11	MS. CAROLINE BLANCO: I hope so, too. I mean,
12	pack up now and leave and that is it.	12	sort of the hope is that, at the end of the two meetings
13	MS. CAROLINE BLANCO: Right.	13	in August, we will be able to actually have a draft and
14	MR. HINANO RODRIGUES: We don't want to do that.	14	will be able to start exchanging the draft for comment and
15	MS. CAROLINE BLANCO: Right. It's just been	15	work to finalization of it. That is the hope that I would
16	hard to gauge a bit, to find out, when parties haven't	16	put forward.
17	been responsive, are they interested.	17	MR. HINANO RODRIGUES: Personally, I don't think
18	This, to me, has been very encouraging because	18	any of us in this room truly understand how the people
19	it seems like we can really have some benefits to be able	19	feel yet. But I think in the next at the next two
20	to give back to the community, and yet, you know, still	20	meetings we will. Provided the dissemination of this
21	work something out that is going to be a win-win for	21	information is successful, I think we will.
22	everybody. And so it gives me hope. But I just wanted to	22	MS. CAROLINE BLANCO: Okay.
23	calibrate that a little bit and just see.	23	MR. SOL KAHO'OHALAHALA: The only thing I would
24	MR. HINANO RODRIGUES: You will be able to find	24	add is I think that along the lines of what was already
25	that out in the next two meetings.	25	expressed, is that there needs to be some manner in which
	171		173
1	MS. CAROLINE BLANCO: Okay.	1	this information is digested and interpreted at a level
2	MR. HINANO RODRIGUES: You can gauge from what	2	that is going to be understood by our community. Too
3	happens. You can look at the dynamics as to the 27th and	3	often these discussions happen at a higher level
4	the 28th of August and then get the answer to that	4	terminology. You lose a lot of the people who are most
5	question right then.	5	concerned because they simply just don't understand
6	MS. CAROLINE BLANCO: What do you think is a	6	definitions or concepts that are being utilized in these
7	realistic expectation for the 27th and 28th as far as, at	7	more formal discussions. So the key to that is
8	the end of the 28th, what will we have accomplished in the	8	communicating back to the community at a level that they
9	best case scenario? Or a realistic scenario, let's put it	9	understand.
10	that way?	10	And I am not saying that they are unable to
11	MR. HINANO RODRIGUES: Based on what I heard	11	comprehend, but oftentimes I find, having been in
12	and I think I've seen some correspondence because they	12	political arena, is that we talk at the level that is
13	normally CC stuff that go to Oahu back to Maui. And based	13	understood by the entire system of lawmakers, but it's not
1	on what I heard you express yourself this morning, about	14	often understood at the community level. And they get
14	on what I neural you express yoursen and morning, about		
14 15	not having response, responses	15	confused. One word might just turn them off altogether.
		15 16	But the importance of it is in you know, in the meat of
15	not having response, responses		
15 16	not having response, responses MS. CAROLINE BLANCO: Right.	16	But the importance of it is in you know, in the meat of
15 16 17	not having response, responses MS. CAROLINE BLANCO: Right. MR. HINANO RODRIGUES: I think you will after	16 17	But the importance of it is in you know, in the meat of all of it. If they are not able to understand that, then
15 16 17 18	not having response, responses MS. CAROLINE BLANCO: Right. MR. HINANO RODRIGUES: I think you will after today, you know.	16 17 18	But the importance of it is in you know, in the meat of all of it. If they are not able to understand that, then that one word could do more damage, because no one took
15 16 17 18 19	not having response, responses MS. CAROLINE BLANCO: Right. MR. HINANO RODRIGUES: I think you will after today, you know. MS. CAROLINE BLANCO: That is good. MR. HINANO RODRIGUES: Something like this is a little more concrete for the people of Maui to understand	16 17 18 19	But the importance of it is in you know, in the meat of all of it. If they are not able to understand that, then that one word could do more damage, because no one took the time to explain a little bit more in terms of how we understand. So that is what I think, in my view, along with
15 16 17 18 19 20 21 22	not having response, responses MS. CAROLINE BLANCO: Right. MR. HINANO RODRIGUES: I think you will after today, you know. MS. CAROLINE BLANCO: That is good. MR. HINANO RODRIGUES: Something like this is a little more concrete for the people of Maui to understand versus this. You know, this is for those of us with	16 17 18 19 20 21 22	But the importance of it is in you know, in the meat of all of it. If they are not able to understand that, then that one word could do more damage, because no one took the time to explain a little bit more in terms of how we understand. So that is what I think, in my view, along with the fact that you'll disseminate this, if there is no
15 16 17 18 19 20 21 22 23	not having response, responses MS. CAROLINE BLANCO: Right. MR. HINANO RODRIGUES: I think you will after today, you know. MS. CAROLINE BLANCO: That is good. MR. HINANO RODRIGUES: Something like this is a little more concrete for the people of Maui to understand versus this. You know, this is for those of us with college degrees and graduate degrees. But the person	16 17 18 19 20 21 22 23	But the importance of it is in you know, in the meat of all of it. If they are not able to understand that, then that one word could do more damage, because no one took the time to explain a little bit more in terms of how we understand. So that is what I think, in my view, along with the fact that you'll disseminate this, if there is no communication at the community level that will help them
15 16 17 18 19 20 21 22	not having response, responses MS. CAROLINE BLANCO: Right. MR. HINANO RODRIGUES: I think you will after today, you know. MS. CAROLINE BLANCO: That is good. MR. HINANO RODRIGUES: Something like this is a little more concrete for the people of Maui to understand versus this. You know, this is for those of us with	16 17 18 19 20 21 22	But the importance of it is in you know, in the meat of all of it. If they are not able to understand that, then that one word could do more damage, because no one took the time to explain a little bit more in terms of how we understand. So that is what I think, in my view, along with the fact that you'll disseminate this, if there is no

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1	DR. CRAIG FOLTZ: But let's be careful. How	1	in a way that they will listen to you. So it's a matter,
2	does that happen? The meetings in August are aimed at the	2	I guess, of evaluating, analyzing the list of consulting
3	consulting parties.	3	parties, and figuring out who is the best people you send
4	MR. SOL KAHO'OHALAHALA: Okay. Your consulting	4	in to talk to them to prepare them for the upcoming
5	parties are going to be part of community entities and	5	meetings, answer their questions, respond.
6	organizations. So you can start with bringing them in,	6	MR. SOL KAHO'OHALAHALA: Hinano said something
7	but they are going to bring in a slew of other people.	7	about talk story. That is the level at which I think that
8	DR. CRAIG FOLTZ: You are saying that will	8	I want to be supportive of, in the talk story level, with
9	happen naturally?	9	these individuals, these organizations. Because that is
10	MR. SOL KAHO'OHALAHALA: Not naturally. I think	10	the level at which I think we understand that there can be
11	part of what I see, my responsibility will be, is to touch	11	an exchange and an openness and a degree of trust, you
12	bases with these consulting parties and looking at their	12	know. It's always important. So I think I can lend
13	leadership, and then taking their lead as to how this is	13	support in that area.
14	going to be further disseminated into their organizations.	14	MS. CAROLINE BLANCO: I greatly appreciate that.
15	To me, it's important that I be there in that process.	15	MR. MIKE MABERRY: Would it be appropriate,
16	So what he expressed earlier is that, you know,	16	would it be acceptable to suggest that the next couple of
17	there needs to be a manner in which you are introduced	17	meetings are talk story meetings with an emphasis on
18	into the organization and into the family, into the	18	working on mitigation, or not use that word, use something
19	entity. And it's not just I sent you a formal notice.	19	else? Would that just not look right coming from the NSF
20	And it's that process that is going to build that kind of	20	in a letter?
21	opportunity for building support and trust. And it's that	21	MS. ANNELLE AMARAL: Are you talking about the
22	process that I hope that we will be involved in that helps	22	two meetings, 27th, 28th?
23	to explain fully to the point that everyone understands	23	MR. MIKE MABERRY: Yeah.
24	and that brings us all at the same level.	24	MS. ANNELLE AMARAL: Those are not talk story
25	MS. CAROLINE BLANCO: Do you have thoughts, to	25	meetings, right?
	175		177
1	speak for NSF, how we can do that to better communicate	1	MR. MIKE MABERRY: By his definition, it is talk
2	with the public or with the consulting parties, at least,	2	story.
3	in this process, Sol, since we're in Washington?	3	MR. SOL KAHO'OHALAHALA: Earlier, you had asked
4	MR. SOL KAHO'OHALAHALA: Depending on who your	4	me, yesterday, what could be accomplished by August. I
5	parties are. Obviously, you know who the more involved	5	think my hope is that I would be involved in these talk
6	and the more sophisticated your parties are that you have	6	story opportunities.
7	direct relationships with. But there are others that are	7	MR. MIKE MABERRY: I am melding the two. No. I
8	not as involved or as are not as savvy and informed.	8	understand what you were saying, but I was asking, based
9	And that is the ones that I think represent the broader	9	on what you had said, that people might have been willing
10	base of people. If they are not informed, then they are	10	to sit down at this table if they thought it was more of a
11	not understanding, then you have that out there that will	11	talk story rather than a mitigation discussion. And so
12		12	that is what prompted me to ask is it appropriate in
	drive a broader community of supporters or non-supporters.		
13	So it's that component that I think I would like to be at	13	sending out the letters or the invitations for the next
14	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring	14	meetings to suggest something along those lines? Or is
14 15	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that	14 15	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in
14 15 16	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point.	14 15 16	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You
14 15 16 17	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here.	14 15 16 17	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from?
14 15 16 17 18	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here. Someone like Sol going to the Royal Order and	14 15 16 17 18	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from? MR. JEFF BARR: Well, looks sort of patronizing
14 15 16 17 18 19	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here. Someone like Sol going to the Royal Order and making a presentation to them, or to the different	14 15 16 17 18 19	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from? MR. JEFF BARR: Well, looks sort of patronizing for the NSF to use that kind of language.
14 15 16 17 18 19 20	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here. Someone like Sol going to the Royal Order and making a presentation to them, or to the different Hawaiian civic clubs here in Maui and Molokai and Lana'i,	14 15 16 17 18 19 20	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from? MR. JEFF BARR: Well, looks sort of patronizing for the NSF to use that kind of language. MR. HINANO RODRIGUES: For you guys. But for us
14 15 16 17 18 19 20 21	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here. Someone like Sol going to the Royal Order and making a presentation to them, or to the different Hawaiian civic clubs here in Maui and Molokai and Lana'i, Sol's presence carries more weight with certain groups of	14 15 16 17 18 19 20 21	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from? MR. JEFF BARR: Well, looks sort of patronizing for the NSF to use that kind of language. MR. HINANO RODRIGUES: For you guys. But for us it's nothing wrong because that is our method of
14 15 16 17 18 19 20 21 22	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here. Someone like Sol going to the Royal Order and making a presentation to them, or to the different Hawaiian civic clubs here in Maui and Molokai and Lana'i, Sol's presence carries more weight with certain groups of people. And any questions they may have, they may be	14 15 16 17 18 19 20 21 22	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from? MR. JEFF BARR: Well, looks sort of patronizing for the NSF to use that kind of language. MR. HINANO RODRIGUES: For you guys. But for us it's nothing wrong because that is our method of communication. So it's just a label.
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14 15 16 17 18 19 20 21 22	So it's that component that I think I would like to be at least helpful in helping to bring clarity, to bring understanding, and then just let it continue from that point. MS. ANNELLE AMARAL: Let me jump in here. Someone like Sol going to the Royal Order and making a presentation to them, or to the different Hawaiian civic clubs here in Maui and Molokai and Lana'i, Sol's presence carries more weight with certain groups of people. And any questions they may have, they may be	14 15 16 17 18 19 20 21 22	meetings to suggest something along those lines? Or is that going to look funny coming from the NSF in Washington, D.C. to come to Maui to do a talk story. You know where I am coming from? MR. JEFF BARR: Well, looks sort of patronizing for the NSF to use that kind of language. MR. HINANO RODRIGUES: For you guys. But for us it's nothing wrong because that is our method of communication. So it's just a label.

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APPENDIX C(4): TRANSCRIPTS - SECTION 106 MEETING, UH IfA, MAIKALANI FACILITY, JUNE 17, 2008

1	reason why, I am sure, you can sort of see this as a	1	mainland. Ten seconds is unacceptable. And I stood there
2	question. I am concerned that at the close of the	2	and I was losing my patience. And I told the guy, you
3	meetings on the 27th and 28th, we do make progress, which	3	know what, I'll come back tomorrow, Sunday, and I will buy
4	would be great, but then things are continued on, and it's	4	the scoop net, I will just take the other ten items, by
5	not until six months later that an MOA really starts to	5	then you have a price. He looked at me and he said, why,
6	materialize. And part of the concern I have while I am	6	do you have someplace important to go like the airport.
7	absolutely delighted with the progress we have made over	7	And it clicked. This guy is so right. He is so right.
8	the last two days, and it gives me tremendous hope that we	8	You know, it takes me back to, you know, the
9	will have very productive meetings later on. And with the	9	best time is the right time. And, obviously, this is not
10	efforts that you have talked about to occur in the	10	it, you know. So I know that is a very weak answer to
11	interim, I think that really makes things very positive.	11	give you, but I found, in my two and-a-half years of being
12	And I don't want to be too pushy, but, at the same time, I	12	frustrated with the inefficiencies of life here in Hawaii,
13	want to be cognizant of some practical realities of moving	13	that is the way it is.
14	the process toward closure and how do we do that in a	14	MS. CAROLINE BLANCO: Right.
15	sensitive way, and, yet, still, you know, make it happen.	15	MR. HINANO RODRIGUES: If I want something out
16	So that is a question I pose to the two of you. And I	16	of it, I got to change and live my life the way they live
17	want to be sensitive, as I said, but I also do want to	17	their life. That is it. I can't change that.
18	make sure it moves to closure.	18	MS. CAROLINE BLANCO: And I appreciate that. I
19	MR. HINANO RODRIGUES: You have to be prepared	19	am trying to get my arms around a process that has already
20	for that to happen, to be perfectly honest.	20	been going on for over three years and how to provide
21	MS. CAROLINE BLANCO: If you were to	21	advice to clients in terms of what will I mean,
22	MR. HINANO RODRIGUES: You have to be prepared	22	obviously, we can't all predict the future. We don't know
23	to maybe accept the fact that you might the 106 process	23	what is going to happen. It could be that everybody wants
24	might be extended, let's say, another six months. It's a	24	to sign that day, who knows. Likely not. But to allow
25	very Hawaiian thing. The Hawaiian thing is it's always	25	them to be as patient, what will give them enough
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1		1	incentive to continue on for an additional several months,
1	about the process, never the end, yeah. And if you deal	2	or whatever it might end up being? In other words, where
2	with the process, in the end, the end comes out okay.	3	is the credibility the two moving forward, that it's okay,
3 4	It's if you push it that it doesn't come okay. In Hawaii, we at least in the Hawaiian culture, we say that the	4	trust me, just keep on moving forward and we will be able
5	best time is the right time. And we don't quite know when	5	to see what we can do?
6	is the right time. But it will appear, you know, sooner	6	MR. HINANO RODRIGUES: Do you to respond to
7	or later.	7	that, let me ask you this question.
8	And so that being said, I mean, I know that	8	MS. CAROLINE BLANCO: Sure.
9	takes a lot of patience on our part, but, you know, that	9	MR. HINANO RODRIGUES: Do you feel good about
10	is why we live to old age here in Hawaii, because we live	10	what happened today?
11	that. But to be honest, since you asked a very frank	11	MS. CAROLINE BLANCO: Yes.
12	question, my frank answer is I think you should be	12	MR. HINANO RODRIGUES: Okay. There's your
13	prepared to maybe go on a little bit longer, you know.	13	answer right there.
14	And like I said, I I share I empathize with your	14	MS. CAROLINE BLANCO: I do.
15	frustration. Because that is part of my daily job, too,	15	MR. HINANO RODRIGUES: So it's up to you now to
16	in finding closure to everything.	16	convince your higher ups that you feel good about what
17	But I've learned.	17	happened today and you feel good about what is going to
18	Let me give you an example. I lived on the	18	happened today and you reel good about what is going to happen at the next two meetings, and then may be another
		19	six months. Now it's your job to convince them of that,
19	mainland for 20 years. So I became very westernized. And	20	
20 21	I came home two years ago. And I went to Kmart. And I	20	trust me. Okay.
22	bought ten items. And the tenth item was a scoop net	21	MS. CAROLINE BLANCO: I appreciate it. MR. SOL KAHO'OHALAHALA: I was just going to add
22 23	because I wanted to go catch 'opae, shrimp, in the stream. And the tenth item just didn't have the price tag on it.	22	and say that we have a period of two months. That is why,
23 24	And the tenth hern just didn't have the price tag on it. And I stood there. And I swear it was ten minutes. Ten	24	when you asked me that question, what can be done by
24 25	minutes standing for a price check is unacceptable on the	24	August, and the only thing in my mind is that it's a
· /)	minutes staticing for a drice check is infaccediable on the	1 L J	August, and the only time in my filling is that it's a

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APPENDIX C(4): TRANSCRIPTS - SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, JUNE 17, 2008

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1	period of time in which we will have an opportunity to be	1	CERTIFICATE
2	engaged in these kinds of talk story.	2	
3	MS. CAROLINE BLANCO: Right.	3	
4	MR. SOL KAHO'OHALAHALA: If you are asking me	4	
5	about what the outcome will be in this timeframe, I don't	5	
6	have a clear answer for you. But I can tell you that in	6	
7	the process of utilizing that time that there will be	7	I, TONYA MCDADE, a Court Reporter of the State
8	active talk story sessions. It may be at the end of the	8	of Hawaii, do hereby certify that the proceedings
9	two months that we have been successful in having good	9	contained herein were taken by me in machine shorthand and
10	talk story sessions, that you will find that that point in	10 11	thereafter was reduced to print by means of computer-aided transcription; that the foregoing represents, to the best
11	August that you will have support. But whether or not I	12	of my ability, a true and accurate transcript of the
12	can define that, whether or not I can guarantee that, that	13	proceedings had in the foregoing matter.
13	is something I am not prepared to say other than I have a	14	I further certify that I am not an attorney for
14	period of time of which to be involved, you know.	15	any of the parties hereto, nor in any way concerned with
15	MS. CAROLINE BLANCO: I really appreciate your	16	the cause.
16	candor. Thank you.	17	
17	And I may be asking you questions, running	18	DATED this day of, 2008.
18	things by, as we talked about before, to make sure it's	19	
19	done in a sensitive manner.	20	Signature on File
20	MR. SOL KAHO'OHALAHALA: You know, like we are		
21	just the fact that we are looking at the consulting	21	Tonya McDade, RPR, CRR, CBC Hawaii CSR #447
22	parties. I am not necessarily looking at consulting	22	Hawaii CSK #447
23	parties as I am looking at who the specific layers of	23	
24	people that are necessary to help support the consultant	24	
25	on this, you know. So while you are defining that as	25	
	183		
1	specific entities or individuals, I am looking at the		
2	network of who those parties are.		
3	And it may be that they are not involved at all,		
4	but they are important people to have these discussions		
5	with, so that it can be part of the foundation for		
6	consulting parties.		
7	MS. ANNELLE AMARAL: Uh-huh.		
8	MR. SOL KAHO'OHALAHALA: So if you don't make a		
9	contact or you don't have an opportunity to identify and		
10	build that foundation, then there is nothing to hold your		
11	consulting parties, yeah.		
12	MS. CAROLINE BLANCO: Right.		
13	MR. SOL KAHO'OHALAHALA: So it's that part that		
14	I find more important than identification of the		
15	consulting parties. So		
16	MS. CAROLINE BLANCO: I appreciate that.		
17	Thank you both so much.		
18	MS. ANNELLE AMARAL: Yes. Thank you. It's a		
19	good productive day. Thank you for your time.		
20	We are going to bring this to a close now?		
21	Thank you.		
22	(Adjourned at 2:34 PM)		
23			
24			
25			

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Appendix C(5): Transcripts Section 106 Meeting, UH IfA, Maikalani Facility, August 27, 2008 Afternoon Session

Held at University of Hawaii Institute for Astronomy, Maikalani Facility, 34 Ohia Ku Street, Pukalani, Maui, Hawaii, commencing at 1:01 p.m. to 5:11 p.m., August 27, 2008.

REPORTED BY: Tonya McDade Registered Professional Reporter Certified Realtime Reporter Certified Broadcast Captioner

1 ATTENDANCE 1 2 NATIONAL SCIENCE FOUNDATION 2 Dr. Craig Foltz, ATST Program Officer 2 3 Ms. Caroline Blanco, Assistant General Counsel 3 Mr. Tony Gibson 3 4 NATIONAL SOLAR OBSERVATORY 4 5 Me. Lercenv. Womer, ATST Project Manager 4	NATIONAL SCIENCE FOUNDATION SECTION 106 MEMORANDUM OF AGREEMENT MEETING AUGUST 27, 2008
Dr. Craig Foltz, ATST Program Officer 2 Ms. Caroline Blanco, Assistant General Counsel 3 Mr. Tony Gibson 3 NATIONAL SOLAR OBSERVATORY 4	
Mr. Tony Gibson 3 4 NATIONAL SOLAR OBSERVATORY 4	AUGUST 27, 2008
4 NATIONAL SOLAR OBSERVATORY 4	
The second	TRANSCRIPT OF PROCEEDINGS
5 Mr. Jeremy Wagner, ATST Project Manager 5 Mr. Steve Keil, Director 5	MS. ANNELLE AMARAL: Aloha, everyone. Thank you
6 Ms. Jennifer Ditsler, Project Assistant Mr. Rex Hunter, Administrative Facilities Manager 6	all for coming today.
7 NATIONAL OPTICAL ASTRONOMY OBSERVATORY 7	My name is Annelle Amaral. And I will be acting
8 Mr. Jeff Barr, ATST Project Architect 8	in the role of your facilitator this afternoon and this
9 UNIVERSITY OF HAWAII INSTITUTE FOR ASTRONOMY Mr. Mike Maberry, Assistant Director 9	evening.
10 KC ENVIRONMENTAL, INC. 10	But before we begin, I have asked Shad Kane if
11 Dr. Charlie Fein, Vice President 11 Ms. Sharon Loando-Monro, Planning Projects Manager 11	he would be willing to open this gathering with a pule.
12 MEETING FACILITATOR 12	And he has agreed.
13 Ms. Annelle Amaral 14 OTHER ATTENDEES:	Thank you, Shad.
Ms. Mikahala Helm, Kilakila o Haleakala 14 15 Ms. Leiohu Ryder, Kilakila o Haleakala	MR. SHAD KANE: (Hawaiian.) Bless, bless each
Ms. Camille Kalama, Native Hawaiian Legal Corporation,	one of us. Open up our minds and our hearts to the things
Ms. Pua Aiu, State Historic Preservation Office	that is important to us. Bless our families and friends.
Mr. Hinano Rodrigues, Cultural Historian, State Historic	Mahalo.
Mr. Jason Jeremiah, Office of Hawaiian Affairs, Policy	MS. ANNELLE AMARAL: Mahalo. Thank you, Shad.
19 Advocate, Native Rights Land & Culture Division 19 Ms. Charlene Dwin Vaughn, Advisory Council on Historic 20	I would also like to ask those of you that have
20 Preservation 20 Ms. Martha Catlin, Advisory Council on Historic 21 Preservation (via telephone) 21	your electronic devices on you, if you could turn them off. Sorry, I am just talking about your cell phones or
Ms. Betsy Merritt, National Trust for Historic	
22 Preservation (via telephone) 22 Ms. Tonia Moy, Historic Hawaii Foundation 23	
23 Ms. Marilyn Parris, Park Superintendent, Haleakala National Park 24	comfortable.
24 Ms. Liz Gordon, Haleakala National Park Mr. Naaman Horn, Haleakala National Park 25	
25	5
3	
1 Mr. Shad Kane, Hawaii Representative, Native American	us to know who is in the room and you know who we are and
Advisory Group 2	who we are representing. I've introduced myself. My name is Annelle
2 Mr. Warren Shibuya 3 3 4	Amaral. I was born on the Island of Hawaii. I live on
4 5	the Island of Oahu.
5	
6 7	
7 8	
8	
9 10	
10	
11 12	
12 13	If you see me write the wrong thing down, by all
13 14	
14 15	here.
15	And then these papers go up on the wall. So
16 17	when others join us, they can keep up with the
18	conversation we're having today and this evening.
19	I would also like to know who else is in the
20 20	
21 . 21	
22 22	5
23 23	
24 24	
25 25	Kalama, I am from the Native Hawaiian Legal Corporation.

2 (Pages 2 to 5)

11 MS. ANNELLE AMARAL: Aloha. 11 Haleakala National Park as a Management Assistant. 12 MR. REX HUNTER: Hello. My name is Rex Hunter. 13 I am with the National Solar Observatory. I am at our 13 I am with the National Solar Observatory. I am at our 13 merpresenting Historic Hawaii Foundation. 14 Sunspot, New Mexico site as the Administrative Facilities 14 MR. MKE MABERRY: I am Mike Maberry. I am 15 Manager. 13 representing Historic Hawaii Foundation. 16 DR. CRAIG FOLTZ: I am Craig Foltz. I am the 16 for Astronomy. 17 Acting Director of the Division of Astronomical Sciences 17 MR. MKE MABERRY: I am Steve Keil. I am 18 at the Natural Science Foundation. 18 Director of the National Solar Observatory, and, also, the 19 10 the National Science Foundation. 14 WR. MKE MABERRY: I am Steve Keil. I am 21 Should the project be funded, we would fund it, the National Science Foundation. 23 23 MR. JASON JEREMIAH: Aloha. My name is Jason 24 MS. ANNELLE AMARAL: There you go. 25 Affairs today. 25 MR. JEEF Maxel. am Jeff Barr. I am Project 24 <t< th=""><th></th><th>6</th><th></th><th>8</th></t<>		6		8
3 MS. LEIOHU RYDER: Aloha, everybody. I am 3 for Haleakala National Park. I am the Cultural Resources 4 Leichu Ryder. Ilive in Hawaiian Homes here in Maui. And MS. MARLIXINN PARRIS: I'm Marilyn Paris, 5 MS. ANNELLE AMARAL: Aloha. MS. MARLIXINN PARRIS: I'm Marilyn Paris, 6 MS. ANNELLE AMARAL: Aloha. Superintendent, Haleakala National Park. 7 MS. MIKAHALA HELM: Aloha. I med to say, unfortunately, we have other 8 mysolf and my kupuna. Inam with the National Solar Observatory. I am at our 10 mysolf and my kupuna. MR. NAAMAN HORN: Aloha, Naaman Horn. I work at 11 Iam with the National Solar Observatory. I am at our market Makeala National Park. MR. NAAMAN HORN: Aloha, Naaman Horn. I work at 12 MR. REK HUNTER: Hello. My name is Res Hunter. II MS. MARLI HAME. MR. MIKE MABERRY: I am Mike Maberry. I am 13 I am with the National Solar Observatory. I and at MR. MIKE MABERRY: I am Steve Keil. I am MR. MIKE MABERRY: I am Steve Keil. I am 14 Heleakala National Park. MR. MIKE MABERRY: PI is principal investigator. MR. STEVE KEIL: Aloha. I am Steve Keil. I am 15 Manager. MR. MIKE MABERRY: PI is principal investigator. MR. STEVE KEIL: Sorry. <td< td=""><td>1</td><td>I am here on behalf of the Kilakila o Haleakala.</td><td>1</td><td>come a distance to make it here today. Thank you.</td></td<>	1	I am here on behalf of the Kilakila o Haleakala.	1	come a distance to make it here today. Thank you.
4 Leiohu Ryder. I live in Hawaiian Homes here in Maui. And 4 Program Manager. 5 Iam here on behalf of my family and Kilakila o Halackala. 5 MS. ANNELLE AMARAL: Aloha. 6 MS. ANNELLE AMARAL: Aloha. 7 Ineed to say, unfortunately, we have other 7 MS. MIKAHALA HELM: Aloha. My name is Mikahala 7 Ineed to say, unfortunately, we have other 8 Helm. And I am a consultant with Section 106. And I am 9 will be here tomorrow. So sorry about that. 9 myself and my kupana. 10 MR. NAAMAN HORN: Aloha, Naaman Horn. 1 lowek at 11 MS. ANNELLE AMARAL: Aloha. 11 Halaekala National Park. as Management Assistant. 12 Iam with the National Solar Observatory. Iam at our 13 representing Historie Hawaii Foundation. 13 Iam with the National Solar Observatory. Iam at our 14 MR. MIKE MAERRY: Iam Mike Maberry. Iam 14 Marger. MR. Mick MAERRY: Iam Mike Maberry. Iam Mike Maberry. Iam Mike Maberry. Iam 15 14 MR. STEVE KELL: Aloha. Iam Steve Kell. Iam 16 17 MR. STEVE KELL: Aloha. Iam Steve Kell. Iam 15 Masianal Science Foundation. 18 Director of the National Solar Observatory out of Tusson, Arizona.	2	MS. ANNELLE AMARAL: Aloha.	2	MS. LIZ GORDON: Hi, I am Liz Gordon. I work
5 1 am here on behalf of my family and Kilakila o Haleakala. 5 MS. MARILYNN PARIS: 'm Marilyn Parris, 6 MS. ANDELLE AMARAL: Aloha. 6 Superintendent, Haleakala National Park. 7 MS. MIKAHALAH. HELM: Aloha. My name is Mikahala 7 most summarity, we have other 9 part of Kilakila o Haleakala as well as representing 9 will be here tomorrow. So sorry about flat. 11 MS. ANNELLE AMARAL: Aloha. 11 Haleakala National Park as Admagement Assistant. 12 MR. NEX HUNTER: Hello. My name is Res Hunter. 13 Haleakala National Park as Admagement Assistant. 13 Iam with the National Solar Observatory. 1 am at our 13 representing Historic Hawaii Founia Mangement Assistant. 14 Sunspot, New Mexico site as the Administrative Facilities 14 MR. NEX MARERY: 1 am Mike Maberry. 1 am 16 DR. CRAIG FOLTZ: 1 am Cruig Foltz. 1 am the 16 for Astronomy. 14 16 DR. CRAIG FOLTZ: 1 am Cruig Foltz. 1 am the 16 for Astronomy. 14 17 Ms. Sinche K. 14 With National Solare Coupendation. 14 WR. MIXE MABERAY: 1 is principal investigator. 18 at the Natural Science Foundation. 14 <td< td=""><td>3</td><td>MS. LEIOHU RYDER: Aloha, everybody. I am</td><td>3</td><td>for Haleakala National Park. I am the Cultural Resources</td></td<>	3	MS. LEIOHU RYDER: Aloha, everybody. I am	3	for Haleakala National Park. I am the Cultural Resources
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8 Helm. And I am a consultant with Section 106. And I am 9 9 part of Kilakila o Haleakala as well as representing 9 10 myself and my kapuna. 10 11 MS. ANNELLE AMARAL: Aloha. 11 12 MR. REX HUNTER: Hello. My name is Rex Hunter. 12 13 Iam with the National Science Foundation. 11 14 Suspot, New Mexico sits as the Administrative Facilities 14 15 Manager. 15 16 DR. CRAIG FOLTZ: I am Craig Foltz. I am the 16 17 Acting Director of the Division of Astronomical Sciences 17 18 at the Natural Science Foundation. 18 19 Program Officer assigned to this project for, oh, at least 19 10 the last five years. 20 21 Should the project be funded, we would fund it, 21 22 MR. JASON ERERMAH: Aloha. My name is Jason 24 23 Affairs today. 25 7 7 7 7 1 And just ahead of time, I am going to be leaving 25 26 other meetings this afternoor, so-	6	MS. ANNELLE AMARAL: Aloha.	6	Superintendent, Haleakala National Park.
 Helm. And I am a consultant with Section 106. And I am part of Kilakia o Haleakala as well as representing myself and my kapuna. MS. ANNELLE AMARAL: Aloha. MR. REX HUNTER: Hello. My name is Rex Hunter. I am with the National Solar Observatory. I am at on Sunspot, New Mexico site as the Administrative Facilities Manager. DR. CRAIG FOLTZ: I am Craig Foltz. I am the Acting Director of the Division of Astronomical Sciences at the Natural Science Foundation. I have also been the Program Officer assigned to this project for, oh, at least Should the project be funded, we would fund it, Stand Science Foundation. MR. JASON ERERMAH: Aloha. My name is Jason Jaremiah. I am representing the Office of Hawaiian Affairs today. Affairs today. Affairs today. Affairs today. Affairs today. MR. NANCY MeAAHON: Aloha. I am Nancy McMahon MR. SH2O ARU: I am Pua Aiu. I am Administrator MS. RVA ARU: Harding the second meeting. I have of the State Historic Preservation Officer. MS. RVA ARU: I am Pua, Aiu. I am Administrator MS. NANCY MeAAHON: Aloha. I am Nancy McMahon MS. NANCY MeAAHON: Aloha. I am Nancy McMahon MS. RVA ARU: I am Pua, Aiu. I am Administrator MS. NANNELLE AMARAL: Welcome. MS. SNANCY MeAAHAN: Welcome. MS. SNANCY MeaAmamine, I belong to a number MS. SNANCY MeaAmamine, I belong to an umber MS. NANNELLE AMARAL: Welcome. MS. SNANCH E AMARAL: Welcome. MS. SNANCH E AMARAL: Welcome. MS. SNANCH Mawaiian orgenziations, including the World Order of Kambamaha. But I am here today speaking in MS. ANNELLE AMARAL: Noleone. MS.	7	MS. MIKAHALA HELM: Aloha. My name is Mikahala	7	I need to say, unfortunately, we have other
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21 MS. CAROLINE BLANCO: I am Caroline Blanco. I 21 expect that we will be talking to one another. And as	21	MS. CAROLINE BLANCO: I am Caroline Blanco. I	21	expect that we will be talking to one another. And as
22 am the Assistant General Counsel of Environmental 22 such, sometimes it gets a little dicey. Especially if	22	am the Assistant General Counsel of Environmental	22	such, sometimes it gets a little dicey. Especially if
23 Compliance for the National Science Foundation. 23 someone says something that excites us, we may want to	23	Compliance for the National Science Foundation.	23	someone says something that excites us, we may want to
24 And I just want to extend a very warm welcome to 24 sort of jump in and interrupt. I am the traffic cop in	24	And I just want to extend a very warm welcome to	24	sort of jump in and interrupt. I am the traffic cop in
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3 (Pages 6 to 9)

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	1	You are talking to a room that is filled with
		people. And I am sorry, we had just done the
		introductions. So just accept that there are lots of
		people in the room.
		MS. MARTHA CATLIN: Wonderful.
		MS. CAROLINE BLANCO: Martha, I think this is
		Caroline. I think maybe just the entities
		MS. ANNELLE AMARAL: All right. Then we will go
		around and at least do the entities that are gathered
		here. We have three representatives from Kilakila o
		Haleakala. We have a representative from the Office of
		Hawaiian Affairs, Public Policy Division. We have a
		representative from the State two representatives from
	14	the State historic sites
		MULTIPLE SPEAKERS: Preservation District.
		MS. ANNELLE AMARAL: Yeah, State Historic
		Preservation Division.
		MS. CAROLINE BLANCO: And, of course, Charlene
		is here, Martha and Betsy, from the Advisory Council.
		MS. ANNELLE AMARAL: Yes. And we have Shad Kar
		who represents a number of organizations, but here with us
		here today as a Native American Advisory Group.
		MS. CHARLENE DWIN VAUGHN: To the Advisory
		Council.
	25	MS. ANNELLE AMARAL: Yes, to the Advisory
		1
	1	Council.
	2	We also have representatives from the National
	3	Parks, Haleakala National Parks, including the Director,
	4	in the guise of Marilyn Parris.
	5	Representative from Hawaiian Historic
	6	Foundation.
	7	MS. TONIA MOY: Historic Hawaii Foundation.
	8	MS. ANNELLE AMARAL: Historic Hawaii Foundation
	9	Mahalo.
· · · · · · · · · · · · · · · · · · ·	10	Have I left any other organizations out?
	11	DR. CRAIG FOLTZ: National Science Foundation.
	12	MS. ANNELLE AMARAL: And the very small group
		from the National Science Foundation.
with which we would be a reaction of the second		DR. CRAIG FOLTZ: And the project.
		MS. ANNELLE AMARAL: And the project.
	16	DR. CRAIG FOLTZ: And they are distinct.
MS. ANNELLE AMARAL: Thank you.	17	MS. ANNELLE AMARAL: Okay. Thank you and
Aloha. This is Hawaii. Who do we have on the	18	welcome.
		And as we've explained, this is a conversation,
	19	
line?		it's a dialogue. And so I've asked people who need to
line? MS. BETSY MERRITT: Betsy Merritt, National	20	it's a dialogue. And so I've asked people who need to speak to indicate. And we will try not to step over one
line? MS. BETSY MERRITT: Betsy Merritt, National Trust for Historic Preservation in Washington, D.C.	20 21	speak to indicate. And we will try not to step over one
line? MS. BETSY MERRITT: Betsy Merritt, National Trust for Historic Preservation in Washington, D.C. MS. ANNELLE AMARAL: Aloha, Betsy. Is there	20 21 22	speak to indicate. And we will try not to step over one another so all voices can be heard.
line? MS. BETSY MERRITT: Betsy Merritt, National Trust for Historic Preservation in Washington, D.C.	20 21	speak to indicate. And we will try not to step over one
	<text><text><text><text><text><text><text></text></text></text></text></text></text></text>	finish their thought, finish what it is they have to say before we recognize someone else. So if you do want to speak, if you could sort of indicate it, and I will make eye contact with you, and we will get to you as soon as people have finished saying what they need to say. So the bottom line is, we let people finish what they have to say. We don't interrupt them as much as possible.3I arm going to try to keep an eye open to make sure that everyone has an opportunity to speak at least once before we return back to someone to speak a second time. So no one person dominates the conversation. There are going to be times, however, when people have specialized knowledge, and a question is raised, and someone is going to indicate, "I have the answer to that question." So then you will see me recognize that person just spoke. That resource person may end up speaking more than once because they have the specialized knowledge. But in the end, let's all sort of be patient with one another.211112We will try to take frequent breaks. In part, because it is difficult for the court reporter to always be listening and taking notes. So I am going to do that. I would note, also, that there is a bathroom outside and down the hall. If you need to use the facilities, just go. You don't need permission for that. And before we begin the consultation, we need to sort of set some foundation of where we have been and what we have accomplished.9Nort?10Mix charlen the Advisory Council and, also, Betsy11Martha Catlin from the Advisory Council and, also, Betsy13Merritt from the National Trust for Historic Preservation.14So I wonder if we could just take a quick break to make sure that they are included

4 (Pages 10 to 13)

	14		1
1	MS. MARTHA CATLIN: Thank you.	1	people have.
2	MS. ANNELLE AMARAL: You should have a copy of	2	And, likewise, I would like to certainly let
3 th	he Agenda before you. Yes?	3	everybody know that if there are any questions along the
4	And then I guess what we would like to do, then,	4	way, please don't hesitate to ask.
5 is	s we note that that were handouts that were also	5	I am hopeful we brought into this room people
6 a	vailable. But I think we are going to start out with	6	that have answers to any of the questions about the
7 s	some background.	7	project that is being proposed. So, hopefully, you'll get
8	MS. CAROLINE BLANCO: I think other this is	8	answers to those questions.
9	- Sharon, did you want to introduce yourself?	9	To basically give you some background about the
10	MS. ANNELLE AMARAL: Oh.	10	proposed undertaking, I wanted to stress that there has
11	MS. SHARON LOANDO-MONRO: I am Sharon	11	been no decision that has been made. There has been
12 L	Loando-Monro. I work for KC Environmental.	12	design and development that has gone on for a number of
13	MS. CAROLINE BLANCO: She's arranged to have	13	years, since, I believe, 2000. And then, in 2004, a
14 h	handouts, extra copies of the Agenda.	14	proposal for federal funding. And that is what triggers
15	And, also, I think all of you had received the	15	our Section 106 obligation here. That proposal for
16 F	Frequently Asked Questions, and answer to those questions.	16	construction came up in 2004, late 2004. And then the
	So we have a set those as well.	17	environmental compliance processes started in 2005. An
18	Plus, we have a handout of the web page where	18	so the Section 106 process began then.
19 0	other information on this Section 106 process that NSF has	19	And all of this will be taken into
	conducted can be found and located.	20	consideration. Ultimately, the Director will make a
21	And, also, for Betsy and Martha, we have a court	21	decision as to whether or not to fund this project. No
22 r	reporter here today who is taking notes of what is going	22	decision has been made yet. And no decision will be made
	on here. And so that will be transcribed and will also be	23	until all of the environmental compliance work has been
	posted on the website.	24	completed.
25	In addition, Annelle is writing down notes of	25	As you know, on the National Environmental
	15		1
1 c	comments that are made during this discussion. And those	1	Policy Act side of it, many of you folks here were
	notes will also be condensed into a document that will	2	involved in that, a Draft Environmental Impact Statement
	also be posted on the website.	3	was prepared. A Final Environmental Impact Statement w
4	This is much like what transpired during the	4	not be prepared until the Section 106 process has been
	The is made in the second process of the second sec		
	lune meeting the same thing	5	
	June meeting, the same thing.	5 6	completed. So that is why a final one has not been issued
6	MS. ANNELLE AMARAL: The court reporter has	5 6 7	completed. So that is why a final one has not been issued as of yet.
6 7 r	MS. ANNELLE AMARAL: The court reporter has reminded me that and especially the people on the	6 7	completed. So that is why a final one has not been issued as of yet. And so we are now at we have had many
6 7 r 8 p	MS. ANNELLE AMARAL: The court reporter has reminded me that and especially the people on the phone when you speak, if you can please identify	6 7 8	completed. So that is why a final one has not been issued as of yet. And so we are now at we have had many meetings dealing with 106 and issues that have come up.
6 7 r 8 p 9 y	MS. ANNELLE AMARAL: The court reporter has reminded me that and especially the people on the phone when you speak, if you can please identify yourself. The people in the room here, too, as well, when	6 7 8 9	completed. So that is why a final one has not been issued as of yet. And so we are now at we have had many meetings dealing with 106 and issues that have come up. And this particular meeting is really geared toward a
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6 7 r 8 p 9 y 10 y 11 c	MS. ANNELLE AMARAL: The court reporter has reminded me that and especially the people on the phone when you speak, if you can please identify yourself. The people in the room here, too, as well, when you speak, if you could say your name ahead of time so the court reporter can identify these different voices.	6 7 8 9 10 11	completed. So that is why a final one has not been issued as of yet. And so we are now at we have had many meetings dealing with 106 and issues that have come up. And this particular meeting is really geared toward a discussion. It's true consultation. We can have a discussion about views, ideas that people have. And that
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5 (Pages 14 to 17)

	18		20
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1	resources and find out what the impacts might be from the	1	resources, impacts to Native Hawaiian visual resources, as
2	proposed project. So that is already moving forward.	2	they pertain to the spiritual practices and so on.
3	But with regard to the direct, indirect, and	3	So we said that there would be significant
4	cumulative impacts that have already been identified, and	4	impacts with results with respect to historic and
5	the national register criteria applied to them, I would	5	cultural resources. But we, also, at the time assessed
6	like to actually turn to Charlie Fein who is our	6	that those impacts could be mitigated. And we said so in
7	environmental contractor to identify some of those	7	the document.
8	resources. And, hopefully, our discussion today can focus	8	We also said that there would be impacts to
9	on those resources and thoughts that you may have.	9	biological resources, specifically endangered species.
10	Charlie.	10	We sought consultation with the U.S. Fish and
11	DR. CHARLIE FEIN: Thank you, Caroline.	11	Wildlife Service. A biological opinion was ultimately
12	I am Charlie Fein. I am the Environmental Plan	12	realized by U.S. Fish and Wildlife. And that opinion
13	Drafter working for the ATST Project.	13	offered various conservation measures and other means of
14	The Draft Environmental Impact Statement that	14	mitigating those impacts.
15	was issued on September 8th, 2006, considered 13 separate	15	There were also impacts to other areas within
16	environmental protocols. Those protocols and I will	16	the confines of Haleakala observatories, impacts to
17	just list them at this point and then discuss a little bit	17	stormwater management. Those were addressed. And, in
18	more about them.	18	fact, were addressed for all Haleakala observatories, not
19	What was considered was land use. And,	19	just the site or the primary alternate sites where the
20	specifically, land use within Haleakala observatories and	20	facility would be built.
21	the adjacent property.	21	We also considered potential impacts to plant
22	The next protocol was cultural and historic	22	life, for example, to insect life. And so an
23	resources; archeological resources; biological resources,	23	entomological study was conducted.
24	which include critical habitat; and botanical resources;	24	In summary, all of the impacts that we
25	topography, geology and soils; visual resources with	25	identified were identified as less than significant, with
25	topography, geology and soils; visual resources with	25	identified were identified as less than significant, with
25	19 particular viewplain and visual impact; water resources	25	2 the exception of the potential impact to historic and
	19		2 the exception of the potential impact to historic and cultural resources.
1	19 particular viewplain and visual impact; water resources	1	2 the exception of the potential impact to historic and cultural resources. In post-DEIS or post-draft environment impact
1 2	19 particular viewplain and visual impact; water resources for the local and island-wide aquifer system; hazardous	1 2	2 the exception of the potential impact to historic and cultural resources. In post-DEIS or post-draft environment impact statement period, we received numerous comments on draft.
1 2 3	19 particular viewplain and visual impact; water resources for the local and island-wide aquifer system; hazardous materials and solid waste; infrastructure and utilities;	1 2 3	2 the exception of the potential impact to historic and cultural resources. In post-DEIS or post-draft environment impact statement period, we received numerous comments on draft.
1 2 3 4	19 particular viewplain and visual impact; water resources for the local and island-wide aquifer system; hazardous materials and solid waste; infrastructure and utilities; noise; air quality; socioeconomics and environmental	1 2 3 4	2 the exception of the potential impact to historic and cultural resources. In post-DEIS or post-draft environment impact statement period, we received numerous comments on draft. There were many suggestions and recommendations as to how to further analyze and further develop a means of
1 2 3 4 5	19 particular viewplain and visual impact; water resources for the local and island-wide aquifer system; hazardous materials and solid waste; infrastructure and utilities; noise; air quality; socioeconomics and environmental justice, specifically for the Island of Maui; public	1 2 3 4 5	2 the exception of the potential impact to historic and cultural resources. In post-DEIS or post-draft environment impact statement period, we received numerous comments on draft. There were many suggestions and recommendations as to how
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6 (Pages 18 to 21)

1	22		24
1	So that is where we are with the document as of	1	Also, educational programs. There was
2	right now.	2	expression of interest in promoting educational programs.
3	MS. CAROLINE BLANCO: It's Caroline again.	3	Signage.
4	What I wanted to also say is Charlie is speaking	4	There were other comments about some of the
5	in NEPA language. The two processes, the Section 106	5	three proposals that were given, the formal proposals that
6	process and the NEPA process, we're working hand-in-hand.	6	were given in advance of those meetings.
7	More emphasis had been given because of the significance	7	I think copies of those proposals have gotten to
8	of the cultural impacts to the 106 process. So we have	8	all of you. If not, they are also posted on the website
9	had additional meetings in addition to those that were	9	as well.
10	also covered through the NEPA process.	10	If you do not have internet access, we can make
11	And so I think that, you know, another way to	11	arrangements to provide them to you. Any of the
12	look at this is to say that the impacts that were	12	information that is on the website, we can make
13	identified in 106 terms were considered to be adverse.	13	arrangements to provide that to you.
14	And so at this point, what we take a look at is how do we	14	And so of the three proposals that were out
15	resolve those adverse impacts, which leads us to this	15	there, one was for the Maui Community College and had a
16	meeting today, and looking under the Section 106	16	suite of programs that could be available to help with
17	regulations, the avoidance, minimization and mitigation.	17	Native Hawaiian education and science and technology and
18	Also, just to note, in May, the Advisory Council	18	furtherance.
19	came out with their protocols dealing with how to do	19	But, actually, I think, with regard to these,
20	consultation with Hawaiian organizations. And we have	20	Craig, if you want to give just a very quick summary of
21	been working with that, those protocols, and trying to	21	those three proposals that were provided. And then I
22	work within that context.	22	believe, hopefully, we can move forward, unless folks have
23	And, again, that is part of the reason why we	23	questions.
24	are here today, hoping to reach out to the Native Hawaiian	24	DR. CRAIG FOLTZ: I am Craig Foltz, again,
	community, to try to learn more about how we can go	25	Division of Astronomy at NSF.
25	community, to try to rear more about now we can go	20	Division of Astronomy at 1851.
25	23	25	25
	23	1	25
1	23 forward and resolve adverse impacts through the 106	1	25 There were three written proposals provided to
1 2	23 forward and resolve adverse impacts through the 106 process.		25 There were three written proposals provided to us. There were a number of other suggestions that were
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1 2 3 4 5	23 forward and resolve adverse impacts through the 106 process. And to give a little background on our last meeting, we held two meetings on June 16th and 17th, and we had some really wonderful comments that were provided.	1 2 3 4	25 There were three written proposals provided to us. There were a number of other suggestions that were made orally in these meetings. The three proposals, very briefly.
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7 (Pages 22 to 25)

	26		
1	MS. CAROLINE BLANCO: And, Craig this is	1	MS. LEIOHU RYDER: Questions before we this
2	Caroline again if you wanted to explain to folks what a	2	is Leiohu Ryder questions before we
3	lifetime would look like.	3	MS. CAROLINE BLANCO: Before Ms. Parris is go
4	DR. CRAIG FOLTZ: Okay.	4	to give some remarks about the Park's role. And then the
5	MS. CAROLINE BLANCO: Because that was a	5	SHPO would like to and then, also, the Advisory Council.
6	separate NSF idea as well.	6	And then get into a discussion of ideas and thoughts that
7	DR. CRAIG FOLTZ: Sure. Sure.	7	people have.
8	The telescope and I don't want to I won't	8	MS. LEIOHU RYDER: I have a question. How do
9	get too technical, unless you ask me to, in which case I	9	you mitigate spiritualty?
LO	will get more technical than you want. And I will refer	10	MS. CAROLINE BLANCO: Well
11	to the resource people who will even baffle me. The	11	MS. LEIOHU RYDER: How do you mitigate
12	telescope is designed to study the real outstanding	12	spirituality?
13	problem a set of outstanding problems with respect to	13	How do you mitigate the inalienable right of a
14	solar physics. These are problems that actually bear on	14	consciousness of Haleakala?
15	life on Earth.	15	MS. CAROLINE BLANCO: If I could maybe help t
		16	address that a bit.
16	For somebody who is an astronomer, who never	17	Caroline, again.
	really considered anything closer than a billion light	18	I guess I would ask in what ways do you see the
8	years, in my research career, it's actually kind of	19	impacts impinging upon your ability to practice and your
19	refreshing to talk about something that has actual impact	20	ability to have spirituality?
20	on the Earth. And that has to do with the phenomenon	20	Charlene.
21	called solar activity, which is a whole suite of	22	MS. CHARLENE DWIN VAUGHN: I think we sho
22	phenomenon. Basically, sunspots, solar flares and giant		
23	eruptions from the sun that spew out literally trillions	23	finish the background. Because we've got a finite amount
24	of tons of material at 3,000 to 5,000 kilometers per	24	of time. So this conversation needs to flow orderly. So
25	second. We don't understand the genesis of that. And	25	let's wrap it up, understand the resources, and then I
	27		
1	this telescope is being designed to study solar activity.	1	think these questions flow.
2	It turns out that the sun has a very cyclic	2	MS. LEIOHU RYDER: All right.
3	behavior with respect to activity. And it varies on a	3	MS. CHARLENE DWIN VAUGHN: You'll have a l
4	22-year cycle. During that 22 years, sunspots, the number	4	context.
5			
5	of sunspots increases, decreases, increases and decreases	5	MS. LEIOHU RYDER: That is why I asked, because
5	of sunspots increases, decreases, increases and decreases again. And during that time, the magnetic field of the	5 6	I wanted to make sure that came out.
	•		I wanted to make sure that came out.
6	again. And during that time, the magnetic field of the	6	I wanted to make sure that came out.
6 7	again. And during that time, the magnetic field of the sun switches.	6 7	I wanted to make sure that came out. MS. BETSY MERRITT: This is Betsy Merritt. I am having a hard time hearing Caroline and Charlene in particular.
6 7 8 9	again. And during that time, the magnetic field of the sun switches. We want to be able to ensure that we can observe	6 7 8	I wanted to make sure that came out. MS. BETSY MERRITT: This is Betsy Merritt. I am having a hard time hearing Caroline and Charlene in
6 7 8 9 10	again. And during that time, the magnetic field of the sun switches. We want to be able to ensure that we can observe the sun for at least two solar cycles, 34 years. And	6 7 8 9	I wanted to make sure that came out. MS. BETSY MERRITT: This is Betsy Merritt. I am having a hard time hearing Caroline and Charlene in particular. MS. CAROLINE BLANCO: Shall we move?
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8 (Pages 26 to 29)

	30		32
1	And I just wanted to add something for to be	1	Foundation and all the groups involved. We are working on
2	sure it's clarified. That at the last meeting that you	2	drafting a Memorandum of Understanding, an MOU, that wil
3	were here, I notice that in the minutes they I think	3	lay out how we go about working through that special use
4	or in your letter noted that there were several of us who	4	process.
5	were for avoidance, and then you went on, like today, and	5	A Special Use Permit does require all NEPA
6	explained the discussion or ideas about mitigation. And	6	compliance, it requires compliance with the National
7	so I wanted to be clear that the reason there were only a	7	Historic Preservation Act and with the Endangered Species
8	few of us there is because only a few of us were included	8	Act. So it's 106, Section 7, and NEPA.
9	in that invitation letter for that meeting to who	9	Our goal is to work together on the compliance
10	represented avoidance. And that the focus seemed to be	10	with the National Science Foundation, but, in the end, the
11	underlining on focusing on people who have come along more	11	compliance will have to meet Park Service standards. And,
12	recently, at least one of them meaning entity of Maui	12	again, we are drafting a Memorandum of Understanding right
13	Community College in focusing on proposals which may be	13	now, how we will work through that process to do the
14	focusing on mitigation.	14	compliance and allow the that access.
15	And so I just wanted to make sure that, you	15	Is that it? Does that cover what we talked
16	know, that has been now Craig sent that second letter,	16	about last week?
17	including what he entitled interested parties. And my	17	We are this is our first opportunity for 106
18	correspondence to Craig was that majority of these people	18	consultation. We don't know the impacts to the historic
19	under interested parties, in his letter, were actually	19	road. So that is kind of a void for us right now. We
20	individuals who submitted requests to be Section 106	20	will have to look at mitigation issues such as we better
21	consultants toward somewhere between September and the end	21	understand what the impacts to that historic structure are
22	of 2006. So I think I may have said in the last letter,	22	going to be, by not only the construction of this project,
23	it was 2007. But when I went back and checked, I think it	23	but the operation of the facility. The Special Use Permit
24	was 2006.	24	will cover would fall under construction and operation.
25	So I am glad that he extended that including	25	So
	31		3
1			
-	them for this meeting. But to make sure it's clear, that	1	MS. CAROLINE BLANCO: With regard to commercia
2	a number of them, you know, have been excluded since 2006,	1 2	vehicles?
	a number of them, you know, have been excluded since 2006, as far as I know, at least some of them. And so that is		vehicles? MS. MARILYNN PARRIS: With regard to commercia
2	a number of them, you know, have been excluded since 2006,	2	vehicles? MS. MARILYNN PARRIS: With regard to commercia vehicles and use of an exclusive jurisdiction road that
2 3	a number of them, you know, have been excluded since 2006, as far as I know, at least some of them. And so that is	2 3	vehicles? MS. MARILYNN PARRIS: With regard to commercia
2 3 4	a number of them, you know, have been excluded since 2006, as far as I know, at least some of them. And so that is why I wanted to make sure we have the full picture here	2 3 4	vehicles? MS. MARILYNN PARRIS: With regard to commercia vehicles and use of an exclusive jurisdiction road that
2 3 4 5	a number of them, you know, have been excluded since 2006, as far as I know, at least some of them. And so that is why I wanted to make sure we have the full picture here and that the emphasis has been in these last the past	2 3 4 5	vehicles? MS. MARILYNN PARRIS: With regard to commercia vehicles and use of an exclusive jurisdiction road that comes under the authority of the Park Service.
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9 (Pages 30 to 33)

	34		36
1	culvert boxes. And that the project is in that area, the	1	to understand and listening.
2	APE.	2	In that regard, all comments are relevant. We
3	We also felt that this is a traditional cultural	3	need to understand everybody's issues. And while there
4	property, and it needs to be documented as such.	4	are proposals on the table, I think it would be helpful
5	And we stand on the fact that this is an adverse	5	for all to look at those in the context of the historic
6	effect and we need to and we have not been given any	6	resources, because that is what gets us here.
7	what are the mitigation proposals to address these adverse	7	So offsite creative mitigation, while well
8	effects to these focused sites of traditional cultural	8	intended and good, we need to go through this process and
9	properties.	9	these steps first. We need to understand what you could
10	So I guess if there is any questions you have on	10	do with the historic resources, that if something needs to
11	that, but we would like to stand on what we had written	11	augment that, we will be open and listening to that in the
12	back in 2006. And we are still awaiting for to see the	12	proper context.
13	results of the consultation.	13	We are here to understand the Native Hawaiian
14	MS. ANNELLE AMARAL: Thank you.	14	organization's point of view. And as I've said since I
15	MS. CAROLINE BLANCO: If I could just respond a	15	have been here, I have heard a lot of "We don't really
16	little bit, Nancy.	16	want it, but." And I need to understand the buts today.
17	Do you want me to say my name each time?	17	What do you mean when you say but? Does that
18	I just wanted with regard to your comments	18	mean that you are trying to figure out how to get
19	about you hadn't received mitigation proposals, I wanted	19	compensation or make it palatable, even though there's
20	to be sure that you had received the three written ones	20	some trepidation and reservation?
21	and were made aware of the ones raised at the last	21	We need for NSF to fully understand where people
22	meeting. Right?	22	are coming from. Because this consultation, I think, is
23	MS. NANCY McMAHON: Right. We're also waiting	23	in full force based on this meeting. Caroline and Craig
24	for more consultation and the end result.	24	will decide how many subsequent meetings are needed. So
25	MS. CAROLINE BLANCO: I see. Thanks.	25	this is a real important juncture for all of us to
	35		37
1	MS. CHARLENE DWIN VAUGHN: I am Charlene Vaughn.	1	understand what consultation needs to be to fill in the
2	I am from the Advisory Council.	2	gaps and to have clarity on the next step.
3	And I would like to thank NSF for arranging for	3	So I hope, in that regard, everybody
4	us to participate in this meeting. I think by virtue of	4	
5	the overview, the background, it's been clear that we have	-	participates fully and in good faith. And you put it all
	the overview, the background, it's been clear that we have	5	participates fully and in good faith. And you put it all out there. There is nothing that is off the table.
6	an undertaking as defined in the Council's regulations		
6 7		5	out there. There is nothing that is off the table.
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7	an undertaking as defined in the Council's regulations that requires the National Science Foundation to	5 6 7	out there. There is nothing that is off the table. MS. ANNELLE AMARAL: Good. Thank you. At this point, then, I think sufficient
7 8	an undertaking as defined in the Council's regulations that requires the National Science Foundation to coordinate with stakeholders or consulting parties to	5 6 7 8	out there. There is nothing that is off the table. MS. ANNELLE AMARAL: Good. Thank you. At this point, then, I think sufficient background information has been provided. And we would
7 8 9	an undertaking as defined in the Council's regulations that requires the National Science Foundation to coordinate with stakeholders or consulting parties to evaluate how to avoid, minimize and mitigate adverse	5 6 7 8 9	out there. There is nothing that is off the table. MS. ANNELLE AMARAL: Good. Thank you. At this point, then, I think sufficient background information has been provided. And we would like to invite the parties to begin to address some of
7 8 9 10	an undertaking as defined in the Council's regulations that requires the National Science Foundation to coordinate with stakeholders or consulting parties to evaluate how to avoid, minimize and mitigate adverse effects.	5 6 7 8 9 10	out there. There is nothing that is off the table. MS. ANNELLE AMARAL: Good. Thank you. At this point, then, I think sufficient background information has been provided. And we would like to invite the parties to begin to address some of what you have heard. And we will record it, we will try
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	an undertaking as defined in the Council's regulations that requires the National Science Foundation to coordinate with stakeholders or consulting parties to evaluate how to avoid, minimize and mitigate adverse effects. I think it's very important and germane that the SHPO identify those historic properties because that is, at this juncture, the focus of what the SHPO and the Advisory Council are looking at with regard to what are the historic properties that we need to deal with in the secess. So we are very encouraged that there has been an ongoing collaboration, but consultation to us is very distinct and different from NEPA in that NEPA is disclosure. It tells people things. Consultation is conversation, where you seek views and perspectives. And it's more interactive.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	out there. There is nothing that is off the table. MS. ANNELLE AMARAL: Good. Thank you. At this point, then, I think sufficient background information has been provided. And we would like to invite the parties to begin to address some of what you have heard. And we will record it, we will try to talk about it and let's see where we go. Who wants to start? Shad, you want to start? MR. SHAD KANE: Shad Kane. I am the Native Hawaiian rep of the Native American Advisory Group. Before I share my thoughts, I just want to say a couple things to kind of clarify how I see my role. I also want to say that I don't like burning bridges and the door is always open. So irregardless, you know, how I feel about different things, I think it's important that we continue to talk about it. The whole it's all about resolving concerns and mitigation, so we got to be

10 (Pages 34 to 37)

	38		40
1	share a little bit. I am not exactly sure how many	1	into that statement, that ACHP statement, that was adopted
2	members, but it's made up of Native Americans from across	2	was there's several. And one of particular interest to
3	the country, from Indian country. I am the Native	3	me, and that is acknowledging religious and cultural,
4	Hawaiian representative in this group. And there is one	4	traditional practices into their interaction with federal
5	from Alaska that sits on this group. And we, basically,	5	agencies, in this case AC in this case the Advisory
6	advise ACHP on matters of concern to Native Americans.	6	Council on Historic Preservation. And it's that where we
7	Real quickly, we just adopted the policy	7	find the significance of Haleakala. And I think that was
8	statement. Some of you may be familiar with that	8	shared. And it's really something that is really
9	particular policy statement. And, basically, it's an	9	difficult for any one person to explain. I think you got
10	effort to integrate the religious practices and traditions	10	to hear it from everybody, how important these places are
11	and culture into the interaction between Native Hawaiian	11	in terms of religious and cultural practices.
12	organizations and ACHP. And, hopefully, to get other	12	I can share one thing with you from my
13	federal agencies to also adopt similar policies.	13	perspective. On the island of Oahu, there's a direct
14	But my role is I don't feel I really	14	relationship between Haleakala well, the eastern gate
15	represent all the Native Hawaiian organization. I see my	15	of the rising sun is Kumukahi on the Big Island of Hawaii.
16	role as drawing attention to the need to talk to as many	16	And the western gate of the setting sun is at
17	Native Hawaiian organizations that we can.	17	Pu'uokapolei, Island of Oahu. And associated with
18	And, for example, I am from the Island of Oahu;	18	Pu'ukapolei is Pu'umakakilo, whose name comes from place
19	I am not from Maui. So for me, what is most important is	19	of observation. Pu'umakakilo is one of the few places
20	consultation with Native Hawaiian organizations, amongst	20	where you can actually see six of all the main islands.
21	other places, but, really, with those Native Hawaiian	21	You can see Haleakala.
22	organizations from the Island of Maui.	22	So for us, the significance of Haleakala with
23	One of the things that I am very much involved	23	respect to the traditional cultural practices, it has
24	in is trying to get different Native Hawaiian	24	we can't see we can't see we can see Haleakala. If
25	organizations such within the Hawaiian civic clubs because	25	you see Haleakala, we know where (inaudible). So we know
	39		41
1	it's organized geographically amongst different items,	1	where the sun needs to be different times of year. So for
2	seven states in the mainland. So, basically, the whole	2	us, Haleakala plays that divine role for us. So I have a
3	idea and it's defined in the bill that just passed last	3	personal attachment in terms of Haleakala with respect to
4	year, basically trying to get Native Hawaiian	4	traditions and cultural practices.
5	organizations to take responsibility for their respective	5	But I think the main concern that I have is
6	kuleana, their respective places. And it makes it	6	making certain that we talk to the people of Maui. And
7	makes the work and effort much more much more	7	getting paid should not be a criteria. You need to
8	manageable.	8	include all those other Native Hawaiian organizations, not
9	So, you know, although I am the Native Hawaiian	9	just those who are involved by way of a paycheck, to
10	representative, for me, irregardless of the position or	10	really, you know, determine the sincerity of those people.
11	comments you hear coming from me, what is most important	11	And you need to include those people who are willing to
12	to me is that you include as many other Native Hawaiian	12	get involved on a voluntary basis.
13	organizations. If that is done, in our opinion, that is	13	In addition to that, it's establishing the kind
14	mitigation. That is trying to work it out with the people	14	of relationship with these organizations into perpetuity,
15	who who who are really, you know, from this	15	in other words, memorandum of agreements, being able to
16	particular place.	16	come up with the kind of language to secure the kinds of
17	One of the things I did before I even came to	17	relationships that I think would be supportive of
18	this meeting is that I wanted to I called as many	18	different Native Hawaiian organizations.
19	different friends of mine in those organizations here on	19	All too often even the Native American
20	the Island of Maui to kind of get their get a sense on	20	Indians, all too often when they sit amongst federal
21	where they they stand with respect to the things that I	21	agencies where something might be said within these
22	am concerned about. And interesting enough, I found quite	22	discussions but, you know, when the project is all
23	a few organizations that don't feel basically the same	23	going and the project is done, the focus shifts to the primary purpose of the construction.
0.4			
24 25	way. One of the policy statements that was integrated	24 25	So, basically, I think what I am trying to say,

11 (Pages 38 to 41)

	42		44
1	and get us to help us to understand, how important it is	1	MR. SHAD KANE: Shad Kane again.
2	to work with the Native Hawaiian organizations from Maui	2	And I fully understand. Like I said earlier,
3	and draft that or have it written into those long-term	3	it's it should not be a criteria to get a date. I
4	documents, to secure that relationship with its people	4	think for example, I think the person that you hired,
5	into perpetuity.	5	the cultural person that you hired, is I think I heard
6	MS. ANNELLE AMARAL: Mahalo. Thank you.	6	earlier on that there was plans to put something together,
7	MS. CAROLINE BLANCO: I wonder if I could just	7	some kind of plan with respect to
8	follow up on your comments, Shad?	8	MS. MIKAHALA HELM: Mitigation.
9	What I was hearing from you is that you are	9	MR. SHAD KANE: the cultural into perpetuity.
10	wanting to have a long-term relationship being encouraged	10	I thought I heard someone say that. But in addition to
11	with the Native Hawaiian organizations in Maui. I	11	that person and his family in addition to just that
12	wondered if you had any particular thoughts in mind about	12	person and his family, I think we need to make a better
13	how to accomplish that?	13	effort and to try to find others where money is not an
14	MR. SHAD KANE: One of the things I can only	14	issue, where Haleakala is important.
15	speak from a personal perspective. So the things I share	15	MS. PUA AIU: I think we have some of those
16	with you are from a personal perspective on the Island of	16	people here, so perhaps they want to talk.
17	Oahu. And I am only assuming that might be the situation	17	MS. CAMILLE KALAMA: If I could make a quick
18	in Maui, but I am not really certain.	18	comment, too.
19	But I am very much involved in the preservation	19	This is Camille Kalama from Native Hawaiian
20	of archeological sites, cultural landscape.	20	Legal Corporation. I am here on behalf Kilakila o
21	And Pua is very aware, very aware of that.	21	Haleakala.
22	And it's actually an attempt that you know,	22	Sorry.
23	that it will serve as a venue to share and to teach and	23	This is coming from the last meeting and about
24	share the cultural with with the people from the island	24	the consultation process. And, you know, I heard I
25	and, ultimately, with our ancestors and our children, so	25	didn't get involved until the last meeting. Some of the
	43		45
1	that they have these special places.	1	members of the group were involved for a long time. And I
~			
2	All too often, these lands are owned by city,	2	did hear, you know, criticism, especially from Nancy and
2 3	state, federal agencies, private landowners. So the	2 3	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern.
3 4	state, federal agencies, private landowners. So the difficulty is access for religious and cultural practices.	2 3 4	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern. And after, Caroline, you asked them what their
3	state, federal agencies, private landowners. So the difficulty is access for religious and cultural practices. So it needs to be at a time and place mutually agreed upon	2 3 4 5	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern. And after, Caroline, you asked them what their proposal was, they suggested at least three more meetings.
3 4	state, federal agencies, private landowners. So the difficulty is access for religious and cultural practices.	2 3 4 5 6	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern. And after, Caroline, you asked them what their proposal was, they suggested at least three more meetings. Now, to me, that was because the meeting that we
3 4 5	state, federal agencies, private landowners. So the difficulty is access for religious and cultural practices. So it needs to be at a time and place mutually agreed upon between the landowner and the organization, but we all know that's not that easy.	2 3 4 5 6 7	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern. And after, Caroline, you asked them what their proposal was, they suggested at least three more meetings. Now, to me, that was because the meeting that we were at, they didn't feel I think a lot of people
3 4 5 6	state, federal agencies, private landowners. So the difficulty is access for religious and cultural practices. So it needs to be at a time and place mutually agreed upon between the landowner and the organization, but we all know that's not that easy. You got little league concerns and interests and	2 3 4 5 7 8	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern. And after, Caroline, you asked them what their proposal was, they suggested at least three more meetings. Now, to me, that was because the meeting that we were at, they didn't feel I think a lot of people didn't feel like that was I think the invitation said
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3 4 5 6 7 8	state, federal agencies, private landowners. So the difficulty is access for religious and cultural practices. So it needs to be at a time and place mutually agreed upon between the landowner and the organization, but we all know that's not that easy. You got little league concerns and interests and all these kinds of things. So it makes it if the organization is very sincere about visiting a place for	2 3 6 7 8 9	did hear, you know, criticism, especially from Nancy and Pua, about the process, and some concern. And after, Caroline, you asked them what their proposal was, they suggested at least three more meetings. Now, to me, that was because the meeting that we were at, they didn't feel I think a lot of people didn't feel like that was I think the invitation said open house. And so there were a lot of people that probably weren't there that may have wanted to
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12 (Pages 42 to 45)

APPENDIX C(5): TRANSCRIPTS - SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, AUGUST 27, 2008 AFTERNOON SESSION

	46		4
1	we are talking about real consultation and Native Hawaiian	1	that it would be built on top of the observatory that IFA
2	organizations, if you come here and say, you know,	2	has jurisdiction over. So that was the idea for
3	avoidance and minimization is off the table, we're only	3	tomorrow was to have those of us that would be signatories
4	talking mitigation, you are already talking to a lot fewer	4	to any Memorandum of Agreement to sit down, reflect on
5	groups, you know.	5	what has happened today, come up with some particular
6	Because, for example, Kilakila o Haleakala, they	6	ideas hi, good to see you and then to try to see if
7	are not talking about mitigation. They are talking about	7	we can you know, what next step should happen. You
8	avoidance, in particular.	8	know, is there enough material to begin the draft of the
9	So, you know, I think that, to me, a real	9	Memorandum of Agreement or how do we move forward, i
10	consultation process allows for those groups to be	10	there an additional meeting that is necessary to clarify
11	involved, and not just getting to the point, you know,	11	some information, what are the next steps. And that is
12	really quickly. If we are only talking about mitigation,	12	that is the purpose of that meeting.
13	I think you are losing a lot of the groups that really	13	And if I Charlene, I know you want to speak.
14	have a stake here.	14	I just wanted to make one last comment about avoidance at
15	MS. CAROLINE BLANCO: If I could respond to her	15	minimization.
16	comment.	16	We had you are correct. We had made a focus
17	MS. ANNELLE AMARAL: Please.	17	on mitigation last time because we thought that we had
		18	that we were being responsive to what the Advisory Counc
18	MS. CAROLINE BLANCO: Last meeting, I had asked		
19	Pua how many more meetings would we need. I think we're	19	had asked us to do, and set forth our position on
20	correct on that. And you are welcome to go ahead and look	20	avoidance and minimization. Talking about, well, we coul
21	at the transcript that is on the website. And my	21	only make it a certain color for scientific reasons, we
22	recollection and we went back to look after the	22	could only make it so high for scientific reasons. And
23	meeting, to be sure we heard it correctly was one to	23	that can be explained here again if you folks have
24	two more meetings. And we talked about we were meeting	24	questions. And we hadn't heard back from anybody else.
25	with the Park Service on the 22nd, would it be okay if we	25	We explained to them in the letters. So we honestly
20			
20	47		4
1	held those meetings the following week, the one or two	1	thought we were at that stage.
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13 (Pages 46 to 49)

	50		52
1	operating under regulations. And regulations,	1	little bit more comfortable as well.
2	fortunately, describe and define consultation, which is	2	MS. CAMILLE KALAMA: Thank you.
3	what this is about. And it says, "Consultation means the	3	MS. CAROLINE BLANCO: And any MOA would, of
4	process of seeking, discussing and considering the views	4	course, be circulated among consulting parties and allowed
5	of other participants, and, where feasible, seeking	5	for input and comments and so forth. That is an
6	agreement with them regarding matters arising in the	6	interactive process as we do it.
7	Section 106 consultation."	7	MS. ANNELLE AMARAL: Charlie has his hand up.
8	I don't know how to say this, but 106 doesn't	8	DR. CRAIG FOLTZ: Craig. This is Craig.
9	prescribe a set number of meetings. It doesn't establish	9	And I just wanted to this is a different
10	time limits. Our regulations have limitations on timing	10	subject, but I wanted to get back to defining AURA, so
11	and everything. For this process, it doesn't.	11	there is no confusion here.
12	So I think the notion that you got two	12	The National Science Foundation is a federal
13	opportunities and two more meetings or whatever is not	13	agency that, by law, cannot operate facilities directly.
14	really conducive to free-flowing open communication.	14	We are not like the Department of Energy, which has
15	And I think NSF has tried to operate in good	15	laboratories under which it operates, or NASA. It
16	faith, but they are seeking guidance and getting varied	16	operates them directly.
17	suggestions.	17	We operate our observatories and our
18	But the notion that two more meetings will do	18	laboratories through entities that are called managing
19	it, three more meetings will do it, put that out of your	19	organizations. These tend to either be universities or
20	head. Because I think that limits how we interface with	20	small nonprofit corporations whose job it is to oversee
21	each other. I think good faith consultation means that	21	the management of the facilities.
22	you meet until you try to resolve all the issues, or, if	22	So in the case of the National Solar Observatory
23	you find they can't be resolved, you go another way.	23	and the National Optical Astronomy Observatory, and, in
24	So tomorrow's meeting, as Caroline said, is with	24	fact, the Gemini Observatory, which is on Mauna Kea, one
25	the major stakeholders, to gauge what is needed here, what	25	of the telescopes on Mauna Kea. The managing organization
	51		
	21		53
1		1	
1	did we hear, what are the gaps, what's the trajectory to	1	is the association the Associated Universities for
2	did we hear, what are the gaps, what's the trajectory to get through this process, which while ongoing and	2	is the association the Associated Universities for Research and Astronomy. AURA is the acronym. Nice
2 3	did we hear, what are the gaps, what's the trajectory to get through this process, which while ongoing and protracted, and, you know, having involved lots of		is the association the Associated Universities for Research and Astronomy. AURA is the acronym. Nice acronym.
2	did we hear, what are the gaps, what's the trajectory to get through this process, which while ongoing and protracted, and, you know, having involved lots of meetings, it's still some unresolved issues.	2 3	is the association the Associated Universities for Research and Astronomy. AURA is the acronym. Nice acronym. AURA has been around for at least 50 years.
2 3 4	did we hear, what are the gaps, what's the trajectory to get through this process, which while ongoing and protracted, and, you know, having involved lots of meetings, it's still some unresolved issues. MS. CAMILLE KALAMA: Thank you for responding.	2 3 4	is the association the Associated Universities for Research and Astronomy. AURA is the acronym. Nice acronym. AURA has been around for at least 50 years. They started out as a coordination, a cooperation of a
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APPENDIX C(5): TRANSCRIPTS - SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, AUGUST 27, 2008 AFTERNOON SESSION

	54		56
1	it is a corporation.	1	do you mitigate spirituality, which also gets to some of
2	National Solar Observatory is not. Okay.	2	the comments that Shad was making about special sites,
3	National Solar Observatory and National Optical	3	cultural practices. And I wondered if anyone wanted to
4	Astronomy Observatory employees are AURA employees. They	4	speak more to that?
5	are not federal employees. So we need to make this	5	And I am going to start with Camille.
6	distinction.	6	MS. MARILYNN PARRIS: I am wondering if they got
7	MS. CAROLINE BLANCO: And it's a not-for-profit	7	their full comment out.
8	agency.	8	MS. PUA AIU: Right.
9	DR. CRAIG FOLTZ: As I said, it's a	9	MS. MARILYNN PARRIS: Because you were kind of
10	not-for-profit corporation.	10	cut off while we finished this other technical stuff.
11	MS. ANNELLE AMARAL: Okay.	11	MS. LEIOHU RYDER: It's been happening the whole
12	DR. CRAIG FOLTZ: So, you know, if you are	12	time.
13	talking about if you have to have a legal relationship	13	MS. MARILYN PARRIS: Well, I would just like to
14	with the project, you don't have it with NSF, and you	14	hear
15	don't have it with NSO, you have it with AURA.	15	MS. LEIOHU RYDER: Thank you.
16	MS. CHARLENE DWIN VAUGHN: So, Craig, just a	16	MS. MARILYNN PARRIS: I would like to hear you
17	follow-up for that.	17	finish your comment.
18	DR. CRAIG FOLTZ: Sure.	18	It was a good summary, but I don't think she was
19	MS. CHARLENE DWIN VAUGHN: That means that	19	through.
20	negotiating any agreement where follow-up is needed and	20	MS. ANNELLE AMARAL: I wasn't summarizing. I
21	oversight over implementation, it would be with AURA more	21	was trying to get back to that question.
22	than NSF on a day-to-day?	22	MS. LEIOHU RYDER: I would appreciate that.
23	DR. CRAIG FOLTZ: On a day-to-day, yes.	23	MS. MARILYNN PARRIS: All right.
24	MS. CHARLENE DWIN VAUGHN: Okay.	24	MS. LEIOHU RYDER: Okay. But I am clear on that
25	DR. CRAIG FOLTZ: On the other hand, what we	25	this is a consultation and we are putting it out there.
	55		57
1	would do, for example, if we had an MOA that prescribed	1	And, you know, when I read the word mitigation,
2	certain things, you know that steps would be taken, for	2	it was a red flag for me because how do you mitigate your
3	example, to guarantee access which I think is something	3	bones, how do you mitigate your ancestral ties to
4	we want to get back to later.	4	something that is unique and sacred to those of us whose
5	MS. CHARLENE DWIN VAUGHN: Right.	5	bones are related to the DNA of these very volcanic
6	DR. CRAIG FOLTZ: Or to establish workforce	6	islands.
7	development programs. We would actually write that into	7	The inalienable right for Haleakala to be its
8	the special terms and conditions of the cooperative	8	own consciousness will be a travesty if we dig and
9	agreement. Think of the cooperative agreement sort of as	9	desecrate the mana of this mountain.
10	a softer contract. We don't manual contract. But NSF	10	You know, you speak of studying the sun. The
11	would put those special terms and conditions in, and then	11	eloquence of our forefathers knew of the sun. Why is it
12	the performance of the managing organization, and in fact	12	not that the National Foundation does not speak to us as
13	the performance of the observatory, would be measured	13	ones of these islands in the language of the native
14	against those.	14	perspective, in the language and in the protocols of the
15	MS. ANNELLE AMARAL: Thank you.	15	native perspective, the native lineage of Earth, not only
16	MS. MARILYNN PARRIS: And as we discussed on	16	the natives of this land?
17	Friday, the Special Use Permit will likely be with AURA.	17	Our forefathers came from the stars. This
18	DR. CRAIG FOLTZ: That's correct.	18	energy grounded this land. These are our mo'olelos, these
19	MS. MARILYNN PARRIS: It will definitely not be	19	are our stories.
20	with the National Science Foundation.	20	If we picture Haleakala as a human, as a human
21	DR. CRAIG FOLTZ: That's right. Absolutely.	21	body, will all of you live, will you still be connected,
22	MS. MARILYNN PARRIS: Is that correct?	22	will you still be able to survive, if we cut all our heads
23	DR. CRAIG FOLTZ: Absolutely correct.	23	off right here and now? Will you be able to survive?
24	MS. ANNELLE AMARAL: Let me see if I can bring	24	Haleakala is a living, breathing consciousness
		1	
25	us back to the the question was asked much earlier, how	25	from those planetary explorers of the sun, of the stars

15 (Pages 54 to 57)

	58		60
1	and beyond.	1	mountain is compromised.
2	Science is limited in its perspective because it	2	MS. CAROLINE BLANCO: If I could try to address
3	does not consider the science beyond the science, which is	3	a couple points that were raised.
4	that spiritual force that co-created what we are now.	4	I think, first of all, I want to reemphasize
5	How can you mitigate the energy of those of	5	that part of the purpose of the meeting today is to make
6	this force where our ancient kahunas, the spiritual force	6	sure we are all sitting at a table, around a table, so to
7	of these islands, represented in the DNA of those of us	7	speak, before a decision has been made. So it's not after
8	who practiced this spirituality?	8	the fact; it is now.
9	My forefathers went to that mountain, many of my	9	And I think that, hopefully, you will see that
10	forefathers from all the islands. It was a place where	10	we are here for a purpose. Many of us have traveled a
11	many gathered.	11	long way, have spent an inordinate amount of time,
12	This is not a foregone thought of something that	12	dedicated to trying to reach out to people, to find out
13	we read in the textbooks, something that we do not	13	what their views are. And that is why we are here again
14	remember. Many gathered from all parts of the Pacific,	14	today.
15	from Maui, from Hawaii, to pray on that mountaintop,	15	And we appreciate your views very much. And
16	specifically on that mountaintop.	16	certainly they will be taken into consideration. I think
17	And so every grid, astral grid, geological grid,	17	that what might be helpful, although I don't think they
18	it is an entity in and of itself.	18	would fully address the concerns you raise but I think
19	You will kill the life force of the spirit of	19	it might be helpful for Mike, for you to describe the
20	the body of this mountaintop.	20	access that is already allowed for traditional practices
21	It does not matter where we cut on the mountain,	21	now. And the same would be true if funding were approved
22	but when you go to the top which is already desecrated	22	And, again, I am not suggesting that this
23	by what has happened to the top of that mountain, what	23	completely addresses your concerns. However, I do want to
24	stands there now. So much has been destroyed. But when	24	make sure that people do understand that there are steps
25	you do what you are planning on doing, to dig into the	25	that have been taken to try and recognize the desire of
	59		6
1	belly, the womb, of this mother, then it will desecrate so	1	people to carry out traditional practices.
2	much more. And the ancient ones that speak to us when we	2	Mike.
3	go to pray, they show us the grids.	3	MR. MIKE MABERRY: I am in Hawaii because
4	But, see, science, because it has to be a	4	followed my wife out from Hawaii from the mainland.
5	special proof, cannot taste, touch, feel and explore their	5	And I have had the honor of living and working on
6	the DNA of what is pono and truthful in the mind, the	6	Haleakala for almost 25 years. And I know a lot of peopl
7	duality of the science mind.	7	in this room I am speaking as loud as I can, if you
8	You cannot mitigate spirituality. You cannot	8	really want me to be able to get through this. Okay?
9	mitigate the life force of this mountain. It is that	9	I have a lot of friends in the Native Hawaiian
10	special and sacred.	10	community who aren't here today. I when I for many
11	And the invitation as Native Hawaiians to be a	11	years, I I was a worker bee at the summit and just
12	part of this is very limited, because the scope is limited	12	enjoying the great opportunity to be there. And from
13	to study the sun, to create jobs, to create all of these	13	talking with my friends, I knew early on and recognized
14	things, when all could have been done eons ago. We have	14	that it is a church, that it is a sacred place. And there
15	never been invited to sit at the table to co-create	15	wasn't any protocol established for the people who worke
16	together. It's always an afterthought, an after,	16	up there, so that everyone who worked up there actually
17	after-fact.	17	understood that and could take that into consideration and
18	And so I implore this question again. How do	18	appreciate that in their daily lives as far as their work
19	you mitigate something that is inalienable, that has a	19	activities go. So that they could show as much respect as
20	right to be, it is a life force? It is an entity in and	20	possible under the circumstances.
21	of itself. It connects us to the portals of times, to the	21	We set about a consultation process as best as
22	portals of the universe.	22	we could and understood how to. Meeting with elders in
23	MS. CAROLINE BLANCO: Annelle	23	the community, meeting with leaders in the community,
04	MS. LEIOHU RYDER: That is my biggest concern.	24	asking who we should talk to.
24 25	That is that is the spiritual aspect of this	25	I met with Kiope Raymond and Clyde Sakamoto ju

16 (Pages 58 to 61)

	62		6
1	as one of the groups of people, and asked them who should	1	development plan, we looked at the carrying capacity end
2	we consult with, who should we talk to as we develop a	2	of our site and recognized that there are only two sites
3	process to try to show some respect for the host culture.	3	that could be developed that are left, that aren't already
4	And we did what we were told, or what was	4	developed in the area. And that is the two areas being
5	suggested. We met with those people. We took notes. We	5	looked at for this project.
6	established what studies we would undertake. We met with	6	One is actually one of the areas was,
7	people and asked what kind of things we can do.	7	actually, the first site that was ever developed in the 18
8	And what that led to was the development of our	8	acres, which is referred to as Reber Circle. And the
9	long-range development plan which is only relevant to the	9	other site is, basically, across the street from that,
10	18 acres that we are the temporary stewards of, until, you	10	which at any rate.
11	know, a Native Hawaiian government is established that	11	So when asked what our future desires or
12	takes control of ceded lands. And recognizing that that	12	potential plans or whatever, however you want to put it,
13	particular piece of land has a specific land use. As I've	13	were discussed, we shared with them the potential of this
14	shared with others before, Mauna Kea is a completely	14	particular project. And we were asked to show them whe
15	different situation. It has both commercial and	15	that project where the proposed site was. And we went
16	recreational uses associated with it.	16	there and we looked at it. And they walked it and they
17	That 18 acres doesn't. According to state law,	17	looked at it. And they looked at the crater and the
18	that 18 acres is has one use, and that is observatory	18	crater rim and they looked at the Big Island. And they
19	purposes. It's the only land use it's the only area	19	recommended that we offer something. Not a quid pro q
20	with that land use designation on Maui.	20	just a gift to start the conversation, so to speak, or to
21	And what we heard, and what we did our best to	21	show some sincerity.
22	to put together, in our long-range development plan,	22	And so they recommended and we accepted, and
23	was to study the entire 18 acres as thoroughly as	23	we went through the process, in order to see it to
24	possible, as humanly possible, to despite the land use	24	fruition the collection of stones from the proposed
25	issues, to make sure that we provided unrestricted access	25	project area to create the east-facing ahu. So that there
	63		
1	for cultural practitioners. That we provided places where	1	would be a place that looks out and you can see the rim of
1 2	for cultural practitioners. That we provided places where there could be practice of the culture, where there would	1 2	would be a place that looks out and you can see the rim of the crater that is above Kalepeamoa, which is an area I
	for cultural practitioners. That we provided places where there could be practice of the culture, where there would be minimal impediment and the ability to do so in		the crater that is above Kalepeamoa, which is an area I
2	there could be practice of the culture, where there would be minimal impediment and the ability to do so in	2	the crater that is above Kalepeamoa, which is an area I
2 3 4	there could be practice of the culture, where there would be minimal impediment and the ability to do so in traditional dress, without having 1.7 million tourists	2 3	the crater that is above Kalepeamoa, which is an area I understand is where Maui stood when he last looked at the sun, and then across the ahu to realize the connection
2 3 4 5	there could be practice of the culture, where there would be minimal impediment and the ability to do so in traditional dress, without having 1.7 million tourists with cameras standing around, flashing photos of you.	2 3 4	the crater that is above Kalepeamoa, which is an area I understand is where Maui stood when he last looked at the sun, and then across the ahu to realize the connection
2 3 4	there could be practice of the culture, where there would be minimal impediment and the ability to do so in traditional dress, without having 1.7 million tourists with cameras standing around, flashing photos of you. And to that end and to and to ask	2 3 4 5	the crater that is above Kalepeamoa, which is an area I understand is where Maui stood when he last looked at the sun, and then across the ahu to realize the connection between Haleakala and Mauna Kea and the Big Island, wh
2 3 4 5 6	there could be practice of the culture, where there would be minimal impediment and the ability to do so in traditional dress, without having 1.7 million tourists with cameras standing around, flashing photos of you. And to that end and to and to ask forgiveness. Because one of the things we heard is, you	2 3 4 5 6	the crater that is above Kalepeamoa, which is an area I understand is where Maui stood when he last looked at the sun, and then across the ahu to realize the connection between Haleakala and Mauna Kea and the Big Island, wh where Pele went after she left Haleakala.
2 4 5 6 7 8	there could be practice of the culture, where there would be minimal impediment and the ability to do so in traditional dress, without having 1.7 million tourists with cameras standing around, flashing photos of you. And to that end and to and to ask forgiveness. Because one of the things we heard is, you know, ask permission, give thanks, and leave with minimal	2 3 4 5 6 7	the crater that is above Kalepeamoa, which is an area I understand is where Maui stood when he last looked at the sun, and then across the ahu to realize the connection between Haleakala and Mauna Kea and the Big Island, wh where Pele went after she left Haleakala. And so, anyhow, we did put together some signage. While recognizing that and wanting to
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17 (Pages 62 to 65)

	66		68
1	any construction at the site.	1	are taking ten minutes. Thank you.
2	Protocol was established that the aina is never	2	(Recess, 2:35 p.m. to 2:51 p.m.)
3	removed from Haleakala. That when the aina is disturbed	3	MS. ANNELLE AMARAL: I wonder if I can begin to
4	for projects that there is a cultural monitor onsite who	4	call us back into the discussion. We have some wonderful
5	provides appropriate consultation and pule, if that is	5	things to tape.
6	what is considered appropriate for the type of activity	6	I need to know, are the people on the conference
7	that is done. And to make sure that the construction	7	call back with us?
8	workers are respectful during their process, that trash is	8	MS. BETSY MERRITT: This is Betsy Merritt. I am
9	controlled, that that things are done as pono as	9	here.
10	possible under the circumstances, recognizing that we are,	10	MS. ANNELLE AMARAL: Thank you.
11	in a sense, working in a church.	11	In an effort to assure that all voices are
12	Is there more we can do? Absolutely, I am sure.	12	heard, it was pointed out to me that there are certain
13	And we are open to considering what more we can do.	13	people here that I have not called on or asked to see if
14	We have heard and it's really difficult,	14	they wanted to make comment. It's not my intention to
15	right, because you know, you will hear one thing from	15	ignore anyone. If you want my attention, you sort of have
16	one group of people, make recommendations, you will hear	16	to wave at me. But
17	something from another group of people that may even	17	MS. PUA AIU: Can I introduce Hinano who came in
18	contradict what was recommended by this group of Native	18	a little bit late?
19	Hawaiians. And we really have tried in good faith to do	19	MS. ANNELLE AMARAL: Hinano can introduce
20	as best we can. And we are always open for input as to	20	himself.
21	how we can more respectfully share this space that we are	21	Aloha.
22	where we are at the moment.	22	MR. HINANO RODRIGUES: Hinano Rodrigues,
23	MS. CAROLINE BLANCO: And if I could follow up,	23	Cultural Historian for the Islands of Maui and Lanai, with
24	Mike.	24	State Historic Preservation.
25	If the project were approved for funding and if	25	And I know kind of half of you guys already from
			69
	67		
1	it were built, would any of those protocols change? I	1	the last time.
2	mean, would people still have access to the site for	2	MS. ANNELLE AMARAL: Aloha. Welcome.
3	practices?	3	Warren, did you want to introduce yourself as
4	MR. MIKE MABERRY: Absolutely. The project	4	well?
5	would not be allowed to restrict access.	5	MR. WARREN SHIBUYA: Hello. I am Warren
6	MS. LEIOHU RYDER: If I could this is Leiohu	6	Shibuya.
7	Ryder.	7	I notice my name was mentioned here. I am the
8	If I could follow up with a question. If and	8	guy that mentioned that.
9	I appreciate what is there. And knowing that the ahus are	9	And thank you very much, Craig.
10	there for many of us to go and share our prayers and	10	MS. PUA AIU: Can I also mention something?
11	and other areas of Haleakala. But knowing this, that it	11 12	Shad didn't mention it because he probably
12	is a church and you brought up faith why couldn't	12	didn't know, but Uncle Charlie is in the hospital. He got
13	that mana'o, that concern, that you represent being there,		his leg amputated on Friday. So I thought that we could
14	why wasn't that is that not shared amongst those that	14 15	just remember him for a minute because he has been important in this process as well.
15	represents this ATS? Why is that why wasn't that		
16	honored in the way that you honor it today, the idea of	16 17	MS. ANNELLE AMARAL: Okay. We can take a
17	faith, honoring the sacredness of the mountain? Because		moment.
18	the mountain is a, in your word, "church."	18 19	(Silence.) MS. ANNELLE AMARAL: Mahalo.
19	MR. MIKE MABERRY: I'm sorry. I don't know I	20	
20	don't know how to answer that.	20	Thank you for pointing that out to us.
21	MS. LEIOHU RYDER: Well, it's just a point,	1	Specifically, I wanted to ask if the Historic
22	then.	22	Foundation had any comments it wanted to make?
23	MS. ANNELLE AMARAL: Okay. Having made that	23	MS. TONIA MOY: I think a lot of them are going
24	point, I'm sorry, we have gone two and-a-half hours into	24 25	to be addressed upcoming. I think we brought up most of what we wanted to really bring up at the last one.
25	this discussion, and the stenographer needs a break. We	20	what we wanted to really offing up at the last one.

18 (Pages 66 to 69)

	70		
1	I did want to make one little comment about	1	And there is a component of this in the Maui
2	I'm sorry what you were saying.	2	Community College proposal. That we we don't want to
3	MS. LEIOHU RYDER: Leiohu Ryder.	3	drive a wedge between tradition and science, but we want
4	MS. TONIA MOY: Because we are not we are	4	to try to integrate them so that those guys learn, and
5	not	5	they learn science and tradition and they learn and
6	MS. ANNELLE AMARAL: You want to say your name	6	maintain respect. So I think that this has been in the
7	again?	7	minds of the project, actually, for several years.
8	MS. TONIA MOY: This is Tonia with Historic	8	MS. CAROLINE BLANCO: And something that co
9	Hawaii Foundation.	9	continue beyond the project consistent with a comment you
10	You know, we're more on the building side of	10	were making earlier, Shad.
11	consultation. But I think, you know, from what I got from	11	MS. ANNELLE AMARAL: Hinano.
12	what you were saying is more to involve the Hawaiian	12	MR. HINANO RODRIGUES: I think the point Ton
13	community in the actual science part of the of this	13	was trying to make is that when Leiohu spoke, Leiohu spok
14	whole process, not just not just culture, but that	14	whereby science and tradition is one of the same.
15	there's a lot of science that the Hawaiian community knew	15	And our existence goes back to cosmology. The
16	and maybe could share and bring some light into the	16	source of life for the from the Hawaiian perspective is
17	process as well. I don't know.	17	a matter of cosmology. It goes back to evolution. It
18	MS. LEIOHU RYDER: Yes. And I am talking about	18	goes back to the Kumulipo that actually starts with there
19	traditional knowledge, you know.	19	is nothing and then now there is something in the bottom
20	MS. TONIA MOY: Right. Right, which is kind of	20	of the sea that eventually moves out from the bottom of
21	like a science.	21	the sea and comes onto land, and then there's evolution
22	MS. LEIOHU RYDER: Yes. Yes.	22	and everything changes.
23	MS. TONIA MOY: It is a science, though.	23	Well, it's it's the same thing. And so,
24	MS. LEIOHU RYDER: It's an inherent quality that	24	spiritually, it's cosmology. Science is evolution. It's
25	is in us, you know.	25	one of the same. So I think Tonia was trying to say that
	71		
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1	MS. TONIA MOY: Uh-huh.	1	what Leiohu was saying is our traditions do contribute
1	MS. TONIA MOY: Uh-huh. MS. LEIOHU RYDER: That is never tapped until	1 2	what Leiohu was saying is our traditions do contribute maybe do not have the label of science, but it's one in
2	MS. LEIOHU RYDER: That is never tapped until	2	maybe do not have the label of science, but it's one in the same.
2 3	MS. LEIOHU RYDER: That is never tapped until you want to pass a project or, you know, it's sometimes	2 3	maybe do not have the label of science, but it's one in the same.
2 3 4	MS. LEIOHU RYDER: That is never tapped until you want to pass a project or, you know, it's sometimes it becomes an afterthought.	2 3 4	maybe do not have the label of science, but it's one in the same. MS. LEIOHU RYDER: And I, you know this
2 3 4 5	MS. LEIOHU RYDER: That is never tapped until you want to pass a project or, you know, it's sometimes it becomes an afterthought. MS. TONIA MOY: Yeah. So, I mean so what I	2 3 4 5	maybe do not have the label of science, but it's one in the same. MS. LEIOHU RYDER: And I, you know this Leiohu again. You know, I appreciate what you shared, Mike,
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19 (Pages 70 to 73)

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1	it's part of the politics of this land. And what we speak	1	Memorandum of Agreement is signed by whoever happens to b
2	of when we speak of Haleakala is a conscious entity that	2	present and it's going to be supporting whichever
3	has attachment to all that is beyond what Maui Community	3	proposals or ideas happen to just come out that are
4	College is all about, also.	4	mitigation proposals. And that is how it feels. I may be
5	MS. ANNELLE AMARAL: Mikahala.	5	wrong.
6	MS. MIKAHALA HELM: This is Mikahala.	6	But I know that in what I've read, the
7	And, you know, I appreciate what you shared.	7	literature that Craig sent out, that NSF will give all
8	And I know that was from your na'au, Mike, and so I	8	consideration of analysis of a completed analysis
9	appreciate that. And I also honor all that Uncle Charlie	9	before a decision is made if this ATST telescope is
10	has done, because he has worked for years to respect and	10	built I mean, ATST is built. However, it feels like
11	honor Haleakala.	11	what we are leading to is is there a meeting tomorrow?
12	And what I want to understand is, this process,	12	MS. CAROLINE BLANCO: There is a meeting betwee
13	as far as is going on, I want to make sure, Caroline, that	13	the major stakeholders, the SHPO, the Advisory Council,
14	you you know, because we had two other lawyers that	14	National Park Service, AURA, University of Hawaii, and
15	came with the prior years meetings, okay, and you have	15	NSF.
16	come more recently. And I think the other lawyers heard a	16	MS. MIKAHALA HELM: And the Hawaiians present
17	lot of the Section 106, they attended sessions when our	17	this are not major stakeholders?
18	community was there and shared from the na'au. People who	18	MS. CAROLINE BLANCO: It's not intended to be
19	never come out to meetings came out to share how deeply	19	communicated that way. It's that, according to the law,
20	they felt about avoiding building a 14-story white	20	the regulations implementing Section implementing the
21	telescope on Haleakala.	21	National Historic Preservation Act, it identifies who has
22	And so, you know, I need to let you know that	22	to be a signatory to a Memorandum of Agreement. And that
23	when I hear you say that nobody, you know, seemed to do	23	is we're looking at the regulations. We are not making
24	much or I forgot your exact words, but make comment	24	judgments about whose feelings are more important, whose
25	about last meeting, that it was 14 stories, that it was	25	views are more important. We are following the
dimension and the second secon			
	75		7
1	75 white, that hurts. Because we have been going through	1	7 regulations which is what brings us here today.
1 2		1 2	
	white, that hurts. Because we have been going through		regulations which is what brings us here today.
2	white, that hurts. Because we have been going through years of all of this testimony, and that is what is in the	2	regulations which is what brings us here today. MS. MIKAHALA HELM: Well, what will the
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20 (Pages 74 to 77)

	78		80
1	what we are proposing," and you guys saying, "No, we don't	1	participants. And out of that came three solid
2	want it."	2	proposals. We thought there was still more
3	We have to in order for this otherwise, we	3	communication to come forward. We're here to hear that
4	just shouldn't meet. Because in order for this process to	4	in the context of those meetings as well.
5	work, we have to come out with something.	5	But I don't think we have a trajectory where,
6	And you guys may end up saying, you know, we	6	in two months, we will be done. We might, in two
7	don't agree, but we want to we want we don't agree	7	months, have the framework of what we think is
8	with this, but we want to be part of determining what	8	mitigation, but it's still open to input.
9	happens on the mountain in the future, so we will be	9	And this end point that we are rushing to is
10	concurring parties, even though we don't agree with the	10	troublesome for me because, again, the regs do not
11	concept. And you can do that.	11	preordain a timeframe. There is nothing in here.
12	So we will not get to a signed MOA tomorrow. I	12	But at any point, NSF can say, we don't feel
13	can guarantee you that.	13	this is going forward, or, we don't feel this is
14	MS. CHARLENE DWIN VAUGHN: Let me amplify that,	14	productive. They can shut it down. We can shut it down.
15	though. Because I think she needs to understand the regs	15	Pua can shut it down. But the bottom line is we are
16	and be able to go to our website and understand the	16	trying not to get to that point. We are trying to work
17	process of 106.	17	through the issues.
18	106 does not preordain an outcome. So we can go	18	MS. MIKAHALA HELM: Okay. I am just wanting to
19	through all of this, and the Council can make a decision	19	make sure that the EI the Draft EIS and all the
20	that it doesn't want to entertain an MOA.	20	supplemental work that was done in this upcoming EIS is a
21	In which case, this goes to the group of	21	part of whatever decision is made. That is my big
22	presidentially-appointed members with the recommendation	22	concern.
23	that we feel that this can't be mitigated, cannot, and	23	MS. CHARLENE DWIN VAUGHN: It is
24	that we would recommend these steps be taken. Likewise,	24	MS. CAROLINE BLANCO: If I can maybe, hopefully,
25	we can all agree that we would never agree, but it's in	25	give you some comfort with that concern.
	79		81
1		1	Yes, it's true, there were two attorneys that
1	the public interest to go forward with this project,	2	were on this case before I came along. And certainly
2	having heard everything that has been shared, and we	3	there are transcripts of a lot of comments that were made
3	would take all of the comments and try to shape them	4	during public hearings, heartfelt comments, significant
4	into something that reflected a balance between this	5	concerns that were expressed. That is all part of what we
5	spirit, the project needs, and try to codify it in a way	6	call the administrative record. Everything that happened
6	that we would then share for your feedback.	7	through this entire process is what is to be before the
7	And you could say, "I don't like nine of the	8	decision-maker and, ultimately, the Director of the
8	ten." But if we feel that it represents our best effort	9	National Science Foundation. In thinking about all of
9	to capture what has been said, and we feel that this	10	that, in making the final decision as to whether or not to
10	project can in fact embrace a preservation at the and	11	fund, even if we come up with a Memorandum of Agreement
11	a traditional cultural effort in that the decision is	12	just as a hypothetical, if we did and let's say your
12	made that you will get more out of us formalizing, in a	13	comments were that you completely disagreed with this, you
13	legal document, your right to establish protocols for	14	think avoidance of the whole thing is the only way to deal
14	participating in future projects.	15	with this. The Director could look at that and say, you
15	We might go through, but I think what we	16	know what, I agree with Mikahala and I am going to
16	are moving real fast for me. And we do this all the	17	disapprove it. So it is all before the Director, all of
17	time, and they are big projects.	18	these comments.
18	The purpose of today's meeting is to hear what	19	But as Charlene just said, the effort here is to
19	you have to say about different concepts, be it	20	try to see what are the viewpoints, what are the various
20	avoidance, do nothing, be it mitigate it, be it do it a	21	thoughts that people have, and can we find a way to work
21	different way. And I think tomorrow's meeting is,	22	together. And even if there is opposition to the project,
22	again, from my perspective, or the Council's	23	if there is a way that maybe we can do something that is
23	perspective, to see where we are at, what are people	24	positive to come up with this.
24 25	saying, what is the summary that is coming out of this. The last meeting had eight people, eight	25	By signing an MOA, it doesn't mean you
20	The last meeting had eight people, eight	1	

^{21 (}Pages 78 to 81)

	82		84
1	necessarily support the project. But you may think that	1	question of the project proponents or whoever is working
2	there are benefits to the mitigation proposals that are	2	on the design, which I assume is not final yet.
3	in there. And you may want a part of it.	3	What other parameters or information can you
4	And if, for example, you think down the line	4	give us about how you can avoid or minimize in your
5	if this project is funded and if these mitigation measures	5	design, or other things, part of the project, that we can,
6	go into effect, then what would happen is if something	6	you know, sort of consider if we were going to propose
7	went wrong and you signed it, you would be in the legal	7	mitigation or anything else? You know yeah, what is on
8	position to challenge it. So, you know, that is a benefit	8	the table?
9	of being involved in the process as well. Even if you	9	I mean, you have said that maybe decommissioning
10	continue to object to the project. I am not saying you do	10	things in, you know, 50 years is on the table. Is there
11	or don't, but, you know, whatever the viewpoint may be	11	any other information you can provide us so we can have
12	that you may have.	12	some more background about what is on the table from the
13	So all of these viewpoints are considered and	13	project proponents' perspective?
14	are part of the administrative records. One reason we	14	DR. CRAIG FOLTZ: You want me to speak to that?
15	have a court reporter here so it's all documented. So	15	MR. JEREMY WAGNER: Go ahead, Craig.
16	everything is before the Director and he can see that.	16	DR. CRAIG FOLTZ: Okay. We can give you lots
17	MS. MIKAHALA HELM: I'm sorry. Can I just	17	and lots of technical information, which these gentleman
18	reiterate two things? And that is about the two out of	18	can provide in copious detail, more than you probably
19	three proposals.	19	want. But I do want to point out a few things.
20	And one is that Uncle Charlie stated clearly	20	And above them all is the National Science
21	that when we went to one of the meetings in Pukalani,	21	Foundation does not have a limitless budget. And so when
22	he said that he is submitting the proposal, but that he	22	we consider proposals and when we consider and we
23	was against it and that he was he did it because they	23	review designs very, very critically with panels of
24	were going to do it, anyway. And that is the words I	24	experts from all over the world. We look at designs to be
25	remember him saying.	25	as economical as possible. All right. We don't if
	83		85
1	Number two, the MCC proposal, it was authored	1	there is a design that has well, we consider to be
2	not to be used as a mitigation, but it is being used as a	2	excess scope, we tell them cut that out, make this do
3	mitigation.	3	this we want you to if you are going to have a
4	So that is my that is all I wanted to share.	4	design that is designed to do a certain job, prove to us
5	MS. CHARLENE DWIN VAUGHN: MCC, for those of us	5	that it can do it, but prove to us that it's the least
6	who don't know, what does that mean?	6	that you have to do to do it in order to minimize the
7	MS. MIKAHALA HELM: Means Maui Community	7	cost.
8	College.	8	So it is not, I think, generally understood when
9	MS. MARILYN PARRIS: Local branch of UH.	9	we have these discussions, but this design is very highly
10	MS. CAROLINE BLANCO: Our understanding,	10	optimized. That is, it's been worked over for a number of
	Mikahala, is that they are mitigation proposals and they	11	years to be the best way to do the job that it's putting
	all want to be considered as mitigation proposals by the	12	itself out to do at the lowest cost and the lowest impact.
12 13	all want to be considered as mitigation proposals by the authors of those three written proposals that we've had.	12 13	itself out to do at the lowest cost and the lowest impact. MS. LIZ GORDON: For the science.
12 13 14	all want to be considered as mitigation proposals by the authors of those three written proposals that we've had. And I consider those NSF would consider those proposals	12 13 14	itself out to do at the lowest cost and the lowest impact. MS. LIZ GORDON: For the science. DR. CRAIG FOLTZ: For the science. Well, and
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22 (Pages 82 to 85)

	86		8
1	environment when it comes to the noise produced by that	1	of difference. If it's going to be white, it's going to
2	telescope. Okay. And that is our attempt at being	2	be very visible. And so that is what is sort of wrong.
3	respectful of that environment.	3	But even within that, the range of white, there's a
4	The height of the facility. Craig talked about	4	variation. So we have to minimize in order for the
5	the dollar cost. But we understood when we were doing the	5	telescope to be able to observe through clear,
6	design that the viewplain issues are a real issue. And we	6	un-thermally disturbed air.
7	went through the scoping. We understand that people don't	7	The enclosure itself, all the structure that
8	want to see the telescopes anymore than they have to. So	8	surrounds the telescope, has to be a very light color that
9	we made that telescope as short as we possibly could and	9	doesn't absorb heat. And that color, because of all the
10	still meet the science requirements. So it isn't it	10	coatings we have looked at in the thermal analyses and the
11	isn't a millimeter higher than it has to be, for example.	11	modeling we have done with some various sort of technica
12	DR. CRAIG FOLTZ: Yeah, those are the specific	12	methods, it proves out to be only white.
13	examples.	13	And certainly we looked at, because we were
14	And as far as noise issues, for example, I mean,	14	aware in the long-range development plan that Mike talked
15	we would like to hear, because we don't know, you know,	15	about, that if a building can be and anything other
16	are there are there specific times of day that would be	16	than solar observatories should blend in with the natural
17	critical for this site to be quiet? These could fold into	17	terrain so that it's as invisible as it can be. So we
18	the operations model for the telescope.	18	took that color and modeled that, that brown color, the
19	Really, that is the kind of input that we need,	19	natural brown color of the rock there. And that turns out
20	you know. Is the period just before sunrise important,	20	to be four times as much heat that is absorbed. And that
21	that we could be quiet. Because although one wants to	21	means that, in order to cool that, we would take four
22	observe the sun shortly after sunrise, if the period just	22	times as much electricity.
23	before sunrise is critical, we will quiet everything down.	23	And this gets back to Craig's point. We don't
24	We will make sure everything is taken care of before that,	24	have an unlimited budget and we can't bring a new power
25	quiet it down and not make a peep until practitioners	25	line up to the to the to the summit in order to
	87		8
1	leave the site if they are on the site. We can	1	provide all that additional power that would be necessary.
2	accommodate that.	2	So we are constrained by practical limitations in some
3	I speak for myself and physicist friends. And	3	ways. But, essentially, it comes down to anything other
4	Steve agrees with that. But that is the sort of concrete	4	than that white color of the dome will basically damage
5	thing that we need to hear because we don't understand.	5	the observing to the extent that we can't do the science.
5	uning that we need to near because we don't understand.		the observing to the extent that we can't do the setence.
6	And we want to understand	6	MR MIKE MABERRY Annelle
6	And we want to understand.	6 7	MR. MIKE MABERRY: Annelle.
7	MS. CHARLENE DWIN VAUGHN: Color continues to be	7	MS. ANNELLE AMARAL: Uh-huh.
7 8	MS. CHARLENE DWIN VAUGHN: Color continues to be on the table. Help us about the color. Because the	7 8	MS. ANNELLE AMARAL: Uh-huh. MR. MIKE MABERRY: Mike.
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23 (Pages 86 to 89)

	90		92
1	DR. CRAIG FOLTZ: Important.	1	MR. JEREMY WAGNER: Yes.
2	MR. JEREMY WAGNER: It's like if you put a	2	MS. ANNELLE AMARAL: Okay. There's a comment
3	hammer out in the sun, it gets hot, right, you burn	3	down here at the front.
4	yourself when you pick it up. The rock gets hot. Well,	4	MS. LEIOHU RYDER: Which leads to, you know, if
5	the air above the rock is disturbed by that.	5	you want to be respectful of the church, because it is,
6	DR. CRAIG FOLTZ: It gets hot.	6	the height is, also. It's going to be the largest
7	MR. JEREMY WAGNER: Yeah, it gets hot.	7	building on Maui.
8	MR. MIKE MABERRY: It's like driving down the	8	MR. JEFF BARR: Yes.
9	road and seeing the shimmer.	9	MS. LEIOHU RYDER: Now, how can that I mean,
10	MR. JEREMY WAGNER: Okay. So if we build a	10	I don't know if a church is that big, but if Haleakala is
11	telescope at ground level and try to observe through that,	11	that sacred, why would we want something looking with
12	the air is disturbed and we can't see what we have to see.	12	that visual to disturb the clarity of the spirit?
13	All right. If you build the telescope up high to get up	13	Number two, also, is
14	above that disturbed layer and then you paint it the same	14	MS. CAROLINE BLANCO: I'm sorry.
15	color as the rock, you bring that disturbed layer up with	15	MS. LEIOHU RYDER: the electricity. Okay.
16	you.	16	We live on limited resources here on Maui. It's got to
17	MR. MIKE MABERRY: Same thing.	17	come from somewhere. So it's going to put additional
18	MR. JEREMY WAGNER: And you've destroyed it.	18	stress on the resources, the shared resources of the
19	There is no point in building it high. So if you build it	19	population on Maui. And that is going to affect
20	high to get above the layer and then you paint it white	20	everything, all life here.
21	and cool it, then you are above that layer. You are	21	MS. CAROLINE BLANCO: Mike, can you address
22	looking through this stable atmosphere and you can	22	two at least two of the points, about the impact on the
23	actually meet the science requirements and see what you	23	electricity, and, also, whether it would be the highest
24	are supposed to be able to see to do the science.	24	building on Maui?
25	MR. JEFF BARR: The only thing I would take	25	MR. MIKE MABERRY: I am not sure that I can
	91		93
1	91 issue with is what Mike said, is that, basically, we could	1	
1	issue with is what Mike said, is that, basically, we could	1 2	address electricity. I think well, I am not sure who
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24 (Pages 90 to 93)

	94		96
1	MR. JEFF BARR: Yeah. And we are very sensitive	1	MS. CAROLINE BLANCO: And so because of viewshed
2	to how much power we're using, because, again, that is an	2	issues, you know, the preferred alternative is what is
3	operational cost that goes out for the entire life of the	3	the preferred alternative? I just wonder if we
4	telescope.	4	I wanted to be sure that, Liz, we addressed your
5	MR. JEREMY WAGNER: For example, we've minimized	5	question about what else is on the table. I mean, I think
6	the number of cooling panels that we need to just the	6	part of what you are hearing and and I think what NSF
7	minimum load.	7	would look at as its position here with regard to what is
8	MS. LEIOHU RYDER: And also considering the	8	on the table. A lot has been put into this already in
9	present the present situation with energy now as we	9	terms of mitigation or minimization, you know, what
10	speak	10	what is the most efficient way of doing this so that it
11	MR. MIKE MABERRY: Yeah.	11	could reduce viewshed issues, so that it could still
12	MS. LEIOHU RYDER: and those rising costs for	12	obtain the science objectives without having as much of an
13	our community.	13	impact. So a lot of that has already gone into it. And I
14	MR. JEREMY WAGNER: That is where	14	am not sure if you have other ideas about what might be
15	MS. LEIOHU RYDER: And global	15	helpful.
16	MR. JEREMY WAGNER: Global warming.	16	MS. LIZ GORDON: No. I guess the issue is that
17	MS. LEIOHU RYDER: Exactly.	17	this is a discussion, we're trying to come up with things.
18	MR. JEREMY WAGNER: I am very concerned about	18	It's really hard. You know, it's good to know these
19	that in my personal life.	19	things. So, obviously, there's really nothing that can be
20	MS. LEIOHU RYDER: Exactly.	20	done in the design to avoid or minimize unless it was a
21	MS. CAROLINE BLANCO: I wonder if maybe one	21	different site.
22	of the points that she had raised, I think, might be the	22	MR. JEREMY WAGNER: Well, I would state it as
23	height of the building. I think that was partially	23	nothing more.
24	answered earlier, but I wondered if Jeremy might speak to	24	DR. CRAIG FOLTZ: No further.
25	that.	25	MR. JEREMY WAGNER: Yeah. We've tried the
	95		97
1	MR. JEREMY WAGNER: It's driven by the	1	placement at the Mees site, our preferred site, back a way
2	characteristics of the site. And it's science-based. It	2	from the ridge, so that it's blocked by the existing
3	is no higher than it has to be.	3	telescopes, it's blocked by the topology. So we prefer
4	MS. LEIOHU RYDER: Yes.	4	that site because of that. If we put it up at Reber
5	MR. JEREMY WAGNER: Absolutely not a millimeter	5	Circle, as Caroline said, it's potentially a better site
6	higher than it has to be.	6	scientifically, but we trade that off because we can hide
7	DR. CRAIG FOLTZ: The cost scale is not quite	7	some of the facility from view.
8	linear with height, but probably the difference in cost	8	It's a bit closer to the birds. So we worked
9	scales are on height. So it is very you know, we are	9	very closely with U.S. Fish and Wildlife to understand,
10	very conscious of cost. And we hammer I mean, if it's	10	you know, what we could do to mitigate our impact on the
11	funded, it is funded out of us. And we want to make sure	11	birds. And we were successful with that, if we take into
12	that	12	account what concerns they had and what mitigation efforts
13	MR. JEREMY WAGNER: I want to make it clear,	13	they asked us to do during construction.
14	though, the discussion that I had with the project	14	And then the cultural issues, we went straight
15	scientists when we were arguing it was an argument	15	ahead and tried to identify a Maui-based local
16	about, you know, heat the scientists would put it much,	16	environmental engineering firm. We tried to get Uncle
17	much taller if they could. And we argued. And the	17	Charlie, for example, involved right away.
18	viewplain issue, the fact that you could see it from down	18	And he made it very clear to me the day he shook
19	below or from the road or whatever was in that argument.	19	my hand that he was against the project. Okay. And we
20	MS. CAROLINE BLANCO: And in fact	20	brought him on board so that we could have that connection
	MR. JEREMY WAGNER: We needed to consider that	21	to the folks on Maui and understand what the issues were
21			night environ
21 22	in making it short as we possibly could.	22	right away.
	MS. CAROLINE BLANCO: In fact, I think the	23	The project I was actually invited to
22			

25 (Pages 94 to 97)

	98		100
1	tell you the story. I just well, anyway, it was a very	1	And I think what she is trying to say is you did
2	moving experience. There were a couple things that	2	this Draft EIS in 2006 with the same information.
3	happened that were pretty interesting, as Tony would say.	3	MR. JEFF BARR: Uh-huh.
4	I've talked with a Native Hawaiian astronomer.	4	MS. NANCY McMAHON: We don't understand how you
5	We drank tequila until we couldn't walk, for heaven's	5	got there, to give that information out. You already had
6	sake, to understand what the perspective was. We've come	6	the consultations that we were never involved in, that any
7	out here and listened, tried to understand what folks were	7	of us participated in, to make that Draft EIS. And maybe
8	concerned about.	8	you did it and you tried to reach out, but we didn't
9	And I have learned so much about Hawaii, about	9	understand that.
10	the culture. I've met so many people. We have all all	10	Usually, when you do the Draft EIS, when you get
11	of us in the project have made, I think, lifelong friends	11	to the final, the changes happen. This in-between, we
12	out here.	12	would be doing this right now. Because you are you may
13	And so it's really from my perspective,	13	have already had a 30-foot telescope, and it came down to
14	anyway, it's been a very positive experience. It's	14	being a 14 one because we told you this is more realistic
15	emotional and it's on both sides, because you talk	15	to do.
16	about a church. You know, the most spiritual experience I	16	MS. ANNELLE AMARAL: So is it
17	ever had was in a telescope was with a telescope. You	17	MS. NANCY McMAHON: Because the public part,
18	know, my mom bought me telescope when I was eight years	18	what we see is the Draft EIS, and nothing has changed.
19	old, and I have been in astronomy ever since. And so you	19	Is that pretty clear?
20	want you talk about respect. Absolutely, we have	20	I think that is pretty clear with everybody
21	respect.	21	here. We are still three years later still at the same
22	MS. CHARLENE DWIN VAUGHN: But, you know, I	22	level.
23	think this is Charlene again. I am listening and I am	23	MR. JEREMY WAGNER: But we did
24	trying to follow the conversation trying to come out of	24	MS. NANCY McMAHON: And we may and I know
25	the other side of my brain. But here here is where I	25	what you are saying. And I think we understand you.
	99		101
1	am lost. In the design of this project, you all have	1	MS. CHARLENE DWIN VAUGHN: We can see you
2	taken in information and comments over a three or	2	MS. NANCY McMAHON: We see you all are stressed
3	four-year period. And in receiving this information, you	3	about this, too. We all know the importance of this site
4	all have made changes, modifications, evaluated things.	4	and the spirituality. There is not one person here who
5	And while you can articulate it, I think that, for	5	has never been up there.
6	transparency purposes, it's not real clear to us because	6	MS. CHARLENE DWIN VAUGHN: That's not the
7	it do you understand what I am saying?	7	subject of debate.
8	You probably have done the right thing with the	8	MS. NANCY McMAHON: We're not arguing about
9	right intent and the right spirit, but the package is	9	that. We're all on the same table with that level.
10	offputting in that it seems like it's a package with a bow	10	It's how did you come to the you were at
11	and it's presented. Yet, we're now here to talk about it.	11	final in 2006. And we were just coming on board.
12	And that and hear me out.	12	MS. CHARLENE DWIN VAUGHN: To have a discussion
10	MR. JEREMY WAGNER: I am. I am.	13	MS. ANNELLE AMARAL: Okay. All right.
13	With JEREIVIT WARDALIN, Fund. Fund.		
13	MS. CHARLENE DWIN VAUGHN: I am trying to	14	MS. NANCY McMAHON: So you need to explain that
		14 15	MS. NANCY MCMAHON: So you need to explain that to us. How did you get 2006 you should have been
14	MS. CHARLENE DWIN VAUGHN: I am trying to		
14 15	MS. CHARLENE DWIN VAUGHN: I am trying to navigate. And I can see they are, too. How do you untie	15	to us. How did you get 2006 you should have been
14 15 16	MS. CHARLENE DWIN VAUGHN: I am trying to navigate. And I can see they are, too. How do you untie this bow, open the package up, give us clarity about the	15 16	to us. How did you get 2006 you should have been trying to work it out now.
14 15 16 17	MS. CHARLENE DWIN VAUGHN: I am trying to navigate. And I can see they are, too. How do you untie this bow, open the package up, give us clarity about the contents and the substance, so we can see how you moved	15 16 17	to us. How did you get 2006 you should have been trying to work it out now. MS. ANNELLE AMARAL: Okay. Let me let me ask
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14 15 16 17 18 19 20 21 22	MS. CHARLENE DWIN VAUGHN: I am trying to navigate. And I can see they are, too. How do you untie this bow, open the package up, give us clarity about the contents and the substance, so we can see how you moved from point A to point B, to get here now where we are dealing with this project as proposed. It's a disconnect somewhere. Do you understand? MS. NANCY McMAHON: Yeah. This is Nancy.	15 16 17 18 19 20 21 22	to us. How did you get 2006 you should have been trying to work it out now. MS. ANNELLE AMARAL: Okay. Let me let me ask the question. MS. NANCY McMAHON: Okay. MS. ANNELLE AMARAL: I am hearing what I hear is a process question, that an EIS was drafted with some conclusions in 2008

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	102		10
1	with some conclusions reached without public input. That	1	time, like many of you folks are today out of your daily
2	is what is being said.	2	lives, to come in and testify, that it's not showing the
3	Now, I need to know who in this process can	3	appropriate respect for the host community I mean the
4	begin to address that. And that's Jeremy or that's	4	host culture, you need to do an EIS. They finally reached
5	Michael.	5	the point where they did one. It took years for them to
6	MR. MIKE MABERRY: I had my hand up longer than	6	finally come around.
7	you have.	7	So we told the project, right up front, if you
8	MR. JEREMY WAGNER: All right.	8	don't want to do an EIS, there's the door.
9	MR. MIKE MABERRY: Okay.	9	He was in the room.
10	MS. ANNELLE AMARAL: Process.	10	There's the door if you don't want to do a
11	MR. MIKE MABERRY: Folks, I represent the	11	federal EIS.
12	Institute for Astronomy at the University of Hawaii. I am	12	So, I mean, you know
13	sure most of you are familiar with the issues on Mauna Kea	13	MS. CHARLENE DWIN VAUGHN: But I think
14	for the last 12 years. And it has to do with	14	MR. MIKE MABERRY: It's been a challenge, I
15	observatories and sacred sites.	15	mean, you know, for us to want to acknowledge that we have
16	I think it would be incredibly disingenuous and	16	learned something.
17	incredibly rude and really stupid of us to have gone	17	MS. CHARLENE DWIN VAUGHN: Okay. But let m
18	through all of those public meetings where the Native	18	please
19	Hawaiians expressed their concern over specific issues	19	MS. ANNELLE AMARAL: And before you let me
20	and the public, over specific issues, for us to just let	20	get to Jeremy to answer the question, and then you can
21	the NSF come in and say, okay, we're not going to tell you	21	comment.
22	anything, we will just let you run amok here and then we	22	Go ahead.
23	will rein you in later after we get comment from the	23	MR. JEREMY WAGNER: We did part of the site
24	public and you get to hear what we already know. We had a	24	survey that we did, we also looked at site impacts. All
25	responsibility as a state agency to share with them that,	25	right. So when we got to the point where we had about six
	103		10
1		1	sites listed, after we went through the 72 originally,
1	you know, because we have land responsibilities,	2	Jeff, for example, went around a group of us went
2	responsibilities to the lands that we are temporary	3	around and we did a site impact study. And the things we
3	stewards of, you will do this, this, this and this, and	4	looked at, for example, were environmental issues, would
4	you will consider these issues.		you do an EA and EIS, cultural issues, viewplain issues,
5	Because that is what we have heard over the last	5	
6	ten years, of mistakes that have been made. And, you	6	all of those things. We went around and looked at the
7		-	1100 A the day of the second dependence of
	know, we don't want you to make those mistakes.	7	different sites that were under consideration to
8	So it's it's a very delicate issue. It's a	8	understand what those sorts of things would be that we
	So it's it's a very delicate issue. It's a it's a big challenge. I mean, take, for example, just	8	understand what those sorts of things would be that we might have to deal with.
8	So it's it's a very delicate issue. It's a it's a big challenge. I mean, take, for example, just the fact that we are doing a federal EIS, federal and	8 9 10	understand what those sorts of things would be that we might have to deal with. So right up front, since Haleakala was mentioned
8 9 10 11	So it's it's a very delicate issue. It's a it's a big challenge. I mean, take, for example, just the fact that we are doing a federal EIS, federal and state EIS. This is the first federal and state EIS that	8 9 10 11	understand what those sorts of things would be that we might have to deal with. So right up front, since Haleakala was mentioned as a possible site at that point, we went around and
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	106		108
1	park, they would be in court for forever.	1	or construct a federal highway using this alignment, that
2	Here is my point about this: You used some	2	alignment or that alignment, and still achieve the
3	concepts that that were good, about you heard this	3	purpose.
4	from, by, benefited from. That's all good, I like that.	4	We are talking about a very specific scientific
5	But transparency, clarity, coordination, public	5	goal here. And if you can achieve it, this is the way to
6	disclosure. And you said share with them. But who is the	6	achieve it. If you don't do it this way, it can't be
7	them? It's the whole public no. Hear me out.	7	built.
8	MR. JEREMY WAGNER: We had public here.	8	So to have back and forth about, well, what if
9	MS. CHARLENE DWIN VAUGHN: You had public	9	you designed it this way, unless you're a scientist that
10	hearings, but, again, was it talking to or involvement	10	is on the team, how could you possibly I couldn't
11	with. Two different approaches to negotiating and	11	contribute to that discussion with my law background, you
12	consulting.	12	know. But there are other things that can be included in
13	Talking to me is standing at a podium and	13	this in terms of how you get there and what you do. But
14	telling me what this is, how this is, why I am doing that,	14	this is a science-driven project.
15	why this works, why that doesn't work. Consulting with is	15	MS. ANNELLE AMARAL: Okay. I am seeing four
16	these are issues, what do you think about this issue, we	16	people raise their hand. I am going to call them in the
17	have to consider this, what is your recommendation for	17	order that I saw them go up. I saw Craig raise his hand,
18	that, give me your feedback.	18	then Leiohu, then Jeremy and then Liz.
19	Because, then, people feel ownership, they feel	19	DR. CRAIG FOLTZ: The only thing I wanted to say
20	that they have influenced the outcome and they	20	is there was give and take.
21	participated significantly in the decision-making process.	21	MS. ANNELLE AMARAL: And Warren.
22	I am not saying what you have done is wrong.	22	DR. CRAIG FOLTZ: And that really folded into
23	Don't take this out of context. I am saying how you got	23	the design.
20		24	And a perfect example was at one of the many
21	there is confusing		
24	there is confusing. MR_IEFF_BARR: Uh-huh.		
24 25	MR. JEFF BARR: Uh-huh.	25	public meetings and we had more public meetings than
25	MR. JEFF BARR: Uh-huh. 107	25	public meetings and we had more public meetings than
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each one feels it in this room, then the universal spirit
of pono and truth and righteousness and grace would
indicate to me that to have a an an entity of this
type would be a tremendous a tremendous I can't even
describe the word to humanity, to creation. And it
would never have gone this far for me. This is my
personal view.
MS. CAROLINE BLANCO: Thank you. I appreciate
your answer.
MS. ANNELLE AMARAL: Okay. Thank you.
I am coming now to Jeremy.
MR. JEREMY WAGNER: The Park was ahead of me.
MS. ANNELLE AMARAL: No. I am coming to Jeremy,
then I am going to Liz, then I am coming to Warren. And
that is the way it goes.
Thank you.
Jeremy.
MR. JEREMY WAGNER: No comment.
MS. ANNELLE AMARAL: No comment now?
MR. JEREMY WAGNER: No.
MS. ANNELLE AMARAL: Then I am coming to Liz,
then I am coming to Warren.
MS. LIZ GORDON: Okay. I guess I had a question
about the issue of science goals, that, obviously, for
whatever particular goal of science, it has to be this
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way. Is there a way that maybe have you set you
know, certain goals for science, but can you minimize your
goals a little so that would be on the table for
minimizing or avoiding certain issues that, you know, are
to be had with the height, the excavation depth, the
color? I mean, there is the give and take.
But, I mean, have you reached so much for the
moon is on the table that you or the sun can you
lower the goals a little and help, you know, the
discussion about or the negotiation of this, for this
particular site?
MS. CAROLINE BLANCO: Steve, can you remind
folks who you are?
MS. ANNELLE AMARAL: Identify yourself.
MR. STEVE KEIL: This is Steve Keil. I
initiated this project with the community, on behalf of
the community.
MS. CAROLINE BLANCO: The scientific community.
MR. STEVE KEIL: The scientific community, solar
astronomers, and astronomy in general. This project has a
long lifetime. It came through for funding the last
survey of astronomy in 2000. It is something that needs to be done. That laid out the things that we wanted the
to be done. That laid out the things that we wanted the telescope to do. And having given that range of
scientific goals that we wanted the telescope, we then
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29 (Pages 110 to 113)

	114		11
1	tried to take in the minimum structure that would do that	1	College of Engineering at UH. I worked in the radio
2	range of scientific things.	2	science lab, at that time it was called, on CENTCOM III
3	Now, of course, it would always be possible to	3	satellite communications. I was a sophomore.
4	set, you know, some lower lower objectives to different	4	I was selected, and I was just floored.
5	things. But this is what the community you know, this	5	And I also worked with the guys in the Air
6	was built on the long tradition, historical tradition of	6	Force, at Palehua Solar Observatory, on solar flares. In
7	looking back at how solar physics had developed and what	7	making the correlation, connecting the dots between solar
8	was needed to be done to move forward in understanding the	8	flares and the communication disruptions and the studying
9	sun.	9	of the ionospheres and how these satellite communication
10	And when we looked at sites, and we looked at	10	were impacting human race as well as threatening propose
11	Haleakala, Haleakala turns out to be the best site in the	11	NASA launching of astronauts into space meant a lot to n
12	world. And I think it is very fitting that it is the best	12	I wanted this experience, this type of
13	site in the world because it is involved with the sun.	13	knowledge, to be shared by not only even the Maui folks,
14	And, you know, it was selected as the best site.	14	but the world. If we could have people enthused in doing
15	The science goals are minimized, both on the	15	basic research, applied research, applied engineering,
16	cost issue, as you've heard, and on what the community	16	this will be great. I had that chance because somebody
17	wants to achieve with this telescope. So I think we're	17	mentored me, somebody took an interest in me.
18	there where you would like us to be in terms of minimizing	18	I am here to give back. I am here because I saw
19	the telescope. I mean, a lot of us would like to have	19	the potential in this project, not only for Maui, but the
20	seen an eight-meter telescope and look at the sun, but a	20	whole world, in sharing information on a very basic
21	four-meter will get us to the science goals that have been	21	information about our sun which provides not only
22	laid out.	22	spirituality it's a symbol of that but we also look
23	MS. LIZ GORDON: I guess that wasn't my point.	23	in terms of our lives. It provides the basis for our
24	I guess, because the give and take, you're asking folks to	24	lives. We all know that.
25	give a lot. And is the science community willing to give	25	In that respect, I wanted to know more about it,
	115		1:
1	certain goals, you know, that, while are in good science,	1	what is it, I knew that there were layers of gases and
2	because of this site and the impacts, you know, which is	2	there's temperature differences. And because of the
3	just not appropriate at this time. I guess that is good	3	turbulence, you have these flares coming out. And they
4	to know.	4	have tremendous powers. They can nuke or radiate or
5	MS. CAROLINE BLANCO: And keep in mind that they	5	microwave an astronaut in space if they were directed in
6	are the proposers. That's not NSF.	6	the same direction. And that is tremendous power that
7	MS. LIZ GORDON: Right.	7	can probably harness in some way.
8	MS. CAROLINE BLANCO: So, you know, NSF the	8	And we are talking about renewable energy. Here
9	proposal comes to NSF as a package for us to consider.	9	we have a renewable energy crisis because we're not eve
10	Our goal our role is not to reevaluate all of that. It	10	applying a basic one that the satellites use,
TO			
11			
11	is responsive to the scientific community. So that is why	11	photovoltaics. And there is no long screwdriver that
12	is responsive to the scientific community. So that is why I say it's a little different than other federal agencies	11 12	photovoltaics. And there is no long screwdriver that fixes our panels up there.
12 13	is responsive to the scientific community. So that is why I say it's a little different than other federal agencies in that respect.	11 12 13	photovoltaics. And there is no long screwdriver that fixes our panels up there. I have them in my house. So, you know, I am not
12 13 14	is responsive to the scientific community. So that is why I say it's a little different than other federal agencies in that respect. MS. ANNELLE AMARAL: I am coming to Warren, and	11 12 13 14	photovoltaics. And there is no long screwdriver that fixes our panels up there. I have them in my house. So, you know, I am not only thinking and talking about it, I have done it. And
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12 13 14 15 16	is responsive to the scientific community. So that is why I say it's a little different than other federal agencies in that respect. MS. ANNELLE AMARAL: I am coming to Warren, and then Nancy, and then Charlene. Warren.	11 12 13 14 15 16	photovoltaics. And there is no long screwdriver that fixes our panels up there. I have them in my house. So, you know, I am not only thinking and talking about it, I have done it. And it's working for over five years now. The point here is that I've worked with this.
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1	project, we apply permanency. And so it came about, the	1	understand that from this side. And I don't know how to
2	sunset clause. That idea came about in our discussions.	2	and you've had to address different people. And you've
3	So now the sunset clause is going to be part of	3	had to and there are various views. And you may have
4	that, I hope it is, a part of the MOA. That is after you	4	taken and thought you were following the right one and you
5	are pau with your four sun cycles, you clear it up. Okay.	5	were open about that. I think that is important. And we
6	You take your rubbish and go home. You clean up the place	6	are here because of that reason.
7	and make it look good.	7	I think, you know, that you have beyond the
8	But in the meantime, you share this knowledge,	8	timeframe, maybe we don't not all of us understand all
9	you share this opportunity, you provide for the chance for	9	the documents and the studies that you did to get there.
10	people to worship this sacred area. You share this with	10	But it seems like we've reached this point where we got to
11	both the science and the spiritual aspects of it.	11	now, which is what we got involved in because you've
12	That was part of the discussion. And that is	12	done concessions, and now we and you've done a lot.
13	why this sunset clause was developed.	13	You probably have done a lot. It's just hard for us to
14	Also, the institute that Uncle Charlie proposed	14	see that.
15	was a means of mitigating, allow for the residents,	15	And I just wanted to have you understand that
16	especially the native host people, to come up and bring	16	from this side. And I don't think because of the
17	themselves up. I am not talking about OJT, on-the-job,	17	situation, and several that went up the other day with us,
18	training. I am talking education, basic education of	18	you heard from Pua, there has been a lot of desecration up
19	math, science, engineering, technology, all of these	19	there. And there is a lot of hurt. So you are also
20	matters. Bring yourself up, bootstrap is fine, but you	20	taking the burden of that with you. And you are being
21	need the basis of education, you need a chance to have a	21	asked to heal that. And that is huge to have it on you.
22	mentor, you have a chance to see it in action, as I had	22	And there is probably no right or wrong answer
23	that opportunity.	23	here for any of us. And so I think, you know, trying to
24	This is a rare opportunity. I hope everyone has	24	keep this door on this communication is the best thing we
25	a chance in some field or another.	25	can do in trying to figure out, you know, okay, we we
	119		12
1	119 I did work in terms of that. And so there was a	1	
1 2		1 2	
	I did work in terms of that. And so there was a		maybe we can do something. What are we and we just
2	I did work in terms of that. And so there was a lot of back and forth. I was a public person doing this.	2	maybe we can do something. What are we and we jus need to hear these things and let acknowledge the fact.
2 3	I did work in terms of that. And so there was a lot of back and forth. I was a public person doing this. I had no personal I don't represent any organization.	2 3	maybe we can do something. What are we and we jus need to hear these things and let acknowledge the fact. And I think you tried this time to do that, but people aren't going to be happy with this no matter what. But acknowledge that is their right to know that.
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1 we're - we're open. 1 per an ant, you know. So, koday, we're bere tuking about so with take can be done. But in having that discussion, so we keep having what has bee ond or with at decision has 2 DR_CAGIGFOLTZ: The broadcast. we keep having what has been done or what decision has 4 MK_MIKE MABERRY: The broadcast, weap. we keep having what has been done or what decision has 6 one of the first thing you are in the foreground is a point forward? 7 orgoup of hads: an antennas. hods: has 8 thads: and antennas. hods: has 9 trailer - mailer trash. The project team has sought and for as sen of the high start hods: has, very the end of behauser of the high start hods: and its and they will be gone forward? 11 the end of February of 100. So that is - 4 hat is part of the dest for hod. 14 far as sen of the high start of hods: and it we worked differently. And is 15 And we are open - we are open to suggestions as is 16 Charlene. MK. CHARLIE FEN: Mode Sen SHDO 17 MK. SCHARLIE DEWIN VAUGHN: Breve sen structure. is 18 apart from NSF and is partsec. is 19 theid, in aboynee un		122		124
3 DR. CRAIC FOLT2: The broadest, easely. 3 we keep hearing what has been done or what duckion has 4 MR. MIKE MABERRY: The broadcast, yeah, easely. 4 been reached or how this will help long-term. 6 one of the first things you see in the foreground is a 7 Im mot sure. So how do you fold that into 7 group of hacks and attemans. In those shack. And they will be gane before 1 Im mot sure. So how do you fold that into 10 the end of February of 09. So that is - that is part of 1 MK. MIKE MABERRY: If a state agency. 11 the end of February of 09. So that is - that is part of 1 MK. MIKE MABERRY: If a state agency. 12 MK. MIKE MABERRY: If a state agency. MK. MIKE MABERRY: If a state agency. 13 And we are open - we are open to suggestions as 13 14 first, first agency. MK. MIKE MABERRY: If a state agency. 15 MS. CHARLENE DWIN VAUGHN: Nave, and the is separate and aput how this process. 10 16 MK. OLLARLENE DWIN VAUGHN: So you - 20 17 Mk in haw been for a lot of activity and resources. 10 18 about how this processtand 10	1	we're we're open.	1	per an act, you know. So, today, we're here talking about
4 MR_MIKE MABERRY: The brandens, yeah, exactly. 4 been reached or how this will voor of how this is, you 5 When you are standing at Ulaula, looking toward Kolekole, 5 know, something that will help long-term. 6 new of the first things you are in the foreground is a 7 group of shacks and atterman. It look ilks, you know, 7 truits - unifer trait. The project train at sought and 9 helpful to understand that IPA has separate 10 atterms and those shacks. And they will be gone before 10 matemats and those shacks. And they will be gone before 11 the claump that we are looking at. 12 MS. CAROLINE BLANCO: You know, it might be 12 the ease of be things that we can try to do. 13 MS. CAROLINE BLANCO: So they continue to go 13 how two do we are open - we are open to suggestions as 14 fre as some of the things that we tont 14 think, for me, one of the things that might have been 15 oppole understond with you we putting on the whe ben 15 about how this yout diverse put we putting on the the lin 12 DR. CHARLE FED WIN VAUGHN: So you - 14 the kink degrader porterive, thit we ben 12 DR. CHARLE FED: With	2	You want to follow up on that, Craig?	2	so what else can be done. But in having that discussion,
5 When you are standing at Ulaula, looking toward Kolckole, 6 5 know, something that will help long-term. 6 one of the first things you see in the foreground is a group of hacks and internas. I looks like, you know, 1 I arm not sure. So how do you fold that into group of hacks and internas. 8 secured funding and is in the process of relocating those antennas and those shacks. And they will be gone before 1 MK NIKE MABERNY. If is a state agency. 11 the end of Pebruary of V9. So that is - that is part of 1 MK NIKE MABERNY. If is a state agency. 12 MK CHARLENE DWIN VAUGHN: There was a question about how this process could have worked differently. And 1 1 13 And we are open - we are open to suggestions as about how this process could have worked in of activity and resources. 1 MK. CHARLENE DWIN VAUGHN: But does the SHPO collaboration, a discussion and a buy-in. 14 far as some of the fings that might have been useful work hayone unit we got through this process, and about have been expended being proactive, that have been sectored a lot of the string and three would to a tradictional negatizations, a discussion and a buy-in. 123 12 MR I MARE MABERRY: The provious Director. 13 MR MIKE MABERRY: The provious Director. 14 far as some of the fings that might have been sectored a lot of these maign	3	DR. CRAIG FOLTZ: The broadcast.	3	we keep hearing what has been done or what decision has
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2Preservation Act, and it talks about properties of traditional religious and cultural significance that may be eligible for the National Register, consistent2MS. CHARLENE DWIN VAUGHN: Where they have endorsed a lot of these actions?4be eligible for the National Register, consistent3endorsed a lot of these actions?DR. CHARLEFEIN: Yes.5throughout this is consult with Native Hawaiians'6concept in Hawaii, and that was discussed at the last7organizations, develop an agreement or MOU with Native7MR. MIKE MABERRY: Well, first off, there is a8Hawaiian organizations. Which, to me, speaks to sitting9just Kiope, but yourself and many others in the community,10you are doing it, the intent, and how it ultimately will10when we went out in early 2003-2004, and asked, who is the11benefit the long-term goals and needs of that community.10when we went out in early 2003-2004, and asked, who is the12We have a lot of things that have been done.12konohiki concept is - is - you know, it was identified13And I think they are all good things. And you are to be13as a person, as an entity who has long-term background14forum at this time.16first person we met with. Him and Hokilani Padilla, early17So, again, I think we got way ahead of17on, the first time these guys ever hit the ground, and18ourselves. I think we're way out there on the end where18these concepts were started being discussed. And all of19this discussion is now truncated to, okay, we've done all <th>1</th> <th>When I look through the National Historic</th> <th>1</th> <th>DR. CHARLIE FEIN: Document</th>	1	When I look through the National Historic	1	DR. CHARLIE FEIN: Document
4be eligible for the National Register, consistent4DR. CHARLIE FEIN: Yes.5throughout this is consult with Native Hawaiians'6organizations consult with Native Hawaiian66organizations, develop an agreement or MOU with Native7meeting, for example, and that is the konohiki. And in a8Hawaiian organizations. Which, to me, speaks to sitting9just Kiope, but yourself and many others in the community,9down with people, understanding what you are doing, why9just Kiope, but yourself and many others in the community,10you are doing it, the intent, and how it ultimately will10when we went out in early 2003-2004, and asked, who is the11benefit the long-term goals and needs of that community.11elder kupuna who has responsibility. Okay. And the12We have a lot of things that have been done.12konohiki concept is is you know, it was identified13And I think they are all good things. And you are to be13as a person, as an entity who has long-term background14commended. It's hard to look at it in the context of14information. And we were told by everybody that it's Kahu15mitigation and sensitivity and respectfulness in this15Maxwell. And Kahu Maxwell was consulted. He was the16forum at this time.16first person we met with. Him and Hokilani Padilla, early17So, again, I think we got way ahead of17on, the first time these guys ever hit the ground, and18these concepts were started being discussed. And all oftheses	2	Preservation Act, and it talks about properties of	2	MS. CHARLENE DWIN VAUGHN: Where they have
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9down with geople, understanding what you are doing, why you are doing it, the intent, and how it ultimately will9just Kiope, but yourself and many others in the community, when we went out in early 2003-2004, and asked, who is the elder kupuna who has responsibility. Okay. And the low have a lot of things that have been done.12We have a lot of things that have been done.11leder kupuna who has responsibility. Okay. And the konohiki concept is is you know, it was identified13And I think they are all good things. And you are to be 1413as a person, as an entity who has long-term background15mitigation and sensitivity and respectfulness in this 1615Maxwell. And Kahu Maxwell was consulted. He was the first person we met with. Him and Hokilani Padilla, early on, the first time these guys ever hit the ground, and these concepts were started being discussed. And all of these projects that have been done or in the process of being done, we did consult the konohiki before we started doing it.20this, we've had the conversation, modified this, let's 212023So I am struggling with trying to get back on 242324the trajectory that I am most familiar with in dealing24	7	organizations, develop an agreement or MOU with Native	7	meeting, for example, and that is the konohiki. And in a
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18ourselves. I think we're way out there on the end where18these concepts were started being discussed. And all of19this discussion is now truncated to, okay, we've done all19these projects that have been done or in the process of20this, we've had the conversation, modified this, let's20being done, we did consult the konohiki before we started21talk about how to wrap this up. It's just not the way21doing it.22consultation typically is carried out or has been managed.22MS. ANNELLE AMARAL: I am wondering, however, if23So I am struggling with trying to get back on23 if you are raising an issue with respect to regulation24the trajectory that I am most familiar with in dealing24or with respect to law, that something has been violated	16	forum at this time.	16	-
19this discussion is now truncated to, okay, we've done all this, we've had the conversation, modified this, let's19these projects that have been done or in the process of being done, we did consult the konohiki before we started20this, we've had the conversation, modified this, let's20being done, we did consult the konohiki before we started21talk about how to wrap this up. It's just not the way consultation typically is carried out or has been managed.21doing it.23So I am struggling with trying to get back on the trajectory that I am most familiar with in dealing23- if you are raising an issue with respect to regulation or with respect to law, that something has been violated	17		17	
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23So I am struggling with trying to get back on23 if you are raising an issue with respect to regulation24the trajectory that I am most familiar with in dealing24or with respect to law, that something has been violated			*	
24 the trajectory that I am most familiar with in dealing 24 or with respect to law, that something has been violated			-	
			-	
25 with Native Hawaiian organizations and Native Americans 25 here in terms of public notice, public discussion. Is				
22 (Pages 122 to 125)	25	with Native Hawaiian organizations and Native Americans	25	

32 (Pages 122 to 125)

	126		128
1	that what you are raising?	1	MS. CHARLENE DWIN VAUGHN: So how
2	MS. CHARLENE DWIN VAUGHN: I don't think it's a	2	MR. JEREMY WAGNER: for the site. So we want
3	violation at all. It's a clarity of the process and how	3	to make it as short as we can.
4	the collaboration unfolded to sanction. What really is	4	So were people consulted? Yeah, because they
5	being presented as a lot of concessions, as Nancy said, a	5	told us height was an issue.
6	lot of mitigation to be sympathetic to Haleakala, or at	6	Did they have input into the design?
7	least respectful of, when it doesn't seem to be that a lot	7	Absolutely.
8	of stakeholders participated in sanctioning it or saying	8	MS. CHARLENE DWIN VAUGHN: Did the SHPO ever
9	that, yes, this is acceptable to move this forward.	9	come to the table or meeting representing Native Hawaiian
10	You are saying the record is there, that you	10	interests or your organization?
11	have the authority under state law to do that. For us,	11	I mean, there seem to be some established
12	again, it seems like there had to be some linkage with the	12	entities here that tend to come to all the meetings that I
13	state agency that we work with, which is the SHPO. And I	13	know my office is involved with on Oahu for the Navy and
14	have just never heard the SHPO go on record indicating	14	the Army. And, I mean, it's their work, but I know we
15	they understood all this was going on.	15	bring select people to most meetings to have these
16	MS. ANNELLE AMARAL: That is all right. That	16	discussions. I am just trying to figure out how they were
17	is just a simple factual statement that somebody can	17	involved.
18	clearly answer, right? I mean, there has	18	MR. JEREMY WAGNER: Well, I am trying to use the
19	MS. CHARLENE DWIN VAUGHN: Who sat at the table?	19	height as a specific example.
20	I heard Charlie Maxwell. But did Charlie share with the	20	MS. CHARLENE DWIN VAUGHN: Okay. But
21	other people, what was the process, or is there one?	21	MR. JEREMY WAGNER: So we didn't we did not
22	MS. ANNELLE AMARAL: There must be a process.	22	wait for SHPO to tell us to make it shorter.
23	MR. JEREMY WAGNER: Well	23	MS. CHARLENE DWIN VAUGHN: But did you tell the
24	MS. ANNELLE AMARAL: Jeremy.	24	SHPO, in the context of complying with the federal
25	MR. JEREMY WAGNER: I am not sure this is	25	regulation for this project that had an impact on a
	127		129
1	Jeremy Wagner again. I am not sure I am following	1	property that was known to be a traditional, cultural
2	exactly.	2	property, was there a discussion please hear me out.
3	But for the height, for example	3	MR. JEREMY WAGNER: Uh-huh.
4	MS. CHARLENE DWIN VAUGHN: Okay.	4	MS. CHARLENE DWIN VAUGHN: Was there a
5	MR. JEREMY WAGNER: the viewplain was	5	discussion that said this is going to be critical to us
6	identified as the issue essentially the day we looked at	6	having this consultation, can you come to a meeting, or
7	Haleakala. All right. And it was from discussions with	7	won't you look at a memo, or can you give us insight or
8	people out here. It was from experience through the	8	feedback into? I am still struggling with the
9	long-range development plan, and our environmental	9	coordination.
10	contractor and such. They said viewplain will be a	10	MS. ANNELLE AMARAL: Okay. Here. Here,
11	significant issue. It was cultural, birds, the viewplain.	11	here, here. Here, the answer.
12	That is those were the three big ones that we	12	DR. CHARLIE FEIN: If you would like us to
13	identified.	13	gather the documentation for all of the invitations to the
14	And the project team and the National Solar	14	SHPO with specific requests for input, month after month
15	Observatory is responsible for executing the project. And	15	after month would you like us to do that?
16	the project at this point is the design and development of	16	MS. CHARLENE DWIN VAUGHN: What is that going to
17	this facility. It's not construction, because we haven't	17 18	share with me? Tell me, because they need to hear. DR. CHARLIE FEIN: What that is going to share
18	been awarded funds for that. It is an improvement. So	19	is that we expressed our concerns
19	design and development.	20	MS. CHARLENE DWIN VAUGHN: Okay.
20	So we hear that the viewplain is an issue. So immediately that becomes part of the requirement list that	20	DR. CHARLE FEIN: to the SHPO, invited the
21	goes into or feeds into the engineering studies, into the	22	SHPO to the 13-some-odd meetings that we had between the
23	engineers' work, to design the facility. So height needs	23	scoping and the issuance of the DEIS to request their
24	to be minimized. Not only is it a cost issue, but it's	24	input, their particular
25	it's an issue for the folks on Maui	25	MR. JEREMY WAGNER: Process.
			22 (Decce 126 to 120)

33 (Pages 126 to 129)

	130		132
1	DR. CHARLIE FEIN: perspective on those	1	needed to happen. I would love to see that.
2	specific issues. We have that documented.	2	MS. CAROLINE BLANCO: Charlene.
3	MS. CHARLENE DWIN VAUGHN: Okay. I don't want	3	MS. CHARLENE DWIN VAUGHN: That, at least, gives
4	to come across as pedantic, but under our regulations,	4	me a chronology that helps me to understand.
5	800.8(c), says specifically if it's the agency's intent to	5	DR. CHARLIE FEIN: Did we not provide that to
6	coordinate Section 106 and NEPA, the SHPO has to document	6	you?
7	that they agree to such coordination.	7	MS. CAROLINE BLANCO: We have sent that to you
8	Can you show me that letter where there was	8	in several different letters. And the process is all out
9	buy-in that this was going to happen this way?	9	there on the website.
10	DR. CHARLIE FEIN: Yes.	10	MS. CHARLENE DWIN VAUGHN: Okay.
11	MS. CHARLENE DWIN VAUGHN: You have that?	11	MS. CAROLINE BLANCO: To revisit it all now does
12	DR. CHARLIE FEIN: We have that letter.	12	not seem to me to be productive.
13	MS. CHARLENE DWIN VAUGHN: Okay. So you feel	13	I think that we have a transparent process. We
14	that by not participating, the SHPO, in a default	14	have a website. We have people who can explain things.
15	manner	15	The problem is if people haven't familiarized themselves
16	DR. CHARLIE FEIN: Thank you.	16	with the entire record that has occurred over years, that
17	MS. CHARLENE DWIN VAUGHN: allowed you all to	17	is not something that I think we should do right now
18	take some of the actions that you did?	18	MS. CHARLENE DWIN VAUGHN: Okay. But
19	DR. CHARLIE FEIN: Thank you.	19	MS. CAROLINE BLANCO: to use the time most
20	MS. CHARLENE DWIN VAUGHN: Okay.	20	effectively.
21	MS. MARTHA CATLIN: Excuse me. This is Martha.	21	MS. CHARLENE DWIN VAUGHN: Okay. But it's a
22	I don't think that we have ever seen any kind of	22	yeomen's task for you to expect everybody here to go to a
23	documentation to the Advisory Council	23	website and read through three to four years of background
24	MS. CHARLENE DWIN VAUGHN: And my office.	24	to get to today. So what are we talking about, what could
25	MS. MARTHA CATLIN: and that was intending to	25	be considered mitigation, where are we at in coming up
25	MS. MARTHA CATLIN: and that was intending to 131	25	be considered mitigation, where are we at in coming up
25		25	
	131		133 with a proposal. MS. CAROLINE BLANCO: Charlene, I realize that,
1	131 use 800.8(c). Could that be clarified?	1	133 with a proposal.
1 2	131 use 800.8(c). Could that be clarified? MS. CAROLINE BLANCO: I	1 2	133 with a proposal. MS. CAROLINE BLANCO: Charlene, I realize that,
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34 (Pages 130 to 133)

	134		136
1	MS. ANNELLE AMARAL: That doesn't sound all	1	But, of course, there's a lot of overlap. NEPA
2	right. Let me what I hear, quite frankly, is a	2	requires consideration of a federal activity on cultural
3	discussion about we're missing some foundational	3	resources, historic resources. And, of course, that is
4	information.	4	the center of Section 106. So there is overlap. The
5	MS. CHARLENE DWIN VAUGHN: That is all I am	5	regulations are wonderful in that they allow for that
6	saying.	6	combination of it.
7	MS. ANNELLE AMARAL: We are missing some factual	7	But there are specific requirements to do it.
8	information.	8	And I think what happened here is that there was an
9	MS. CHARLENE DWIN VAUGHN: All right. Do you	9	attempt to try to combine the processes, but there was no
10	agree?	10	announcement, formal letter that said this is exactly how
11	MS. LIZ GORDON: Yes.	11	we're going to do it and we got the buy-in of the SHPO and
12	MS. ANNELLE AMARAL: So we did not can we	12	everybody else to understand this is the way it's going.
13	take a bit of a break? I believe we have the information	13	That being said, a lot of the process happened
14	available on a computer for Powerpoint presentation.	14	in a de facto way of a combination of these two. I
15	MS. CHARLENE DWIN VAUGHN: Okay.	15	explained this at the last meeting, but I really didn't go
16	MS. ANNELLE AMARAL: So let's walk through that	16	ahead and explain this at this meeting. And, largely,
17	timeline of what documents	17	because I wanted to keep the background parts, you know,
18	DR. CRAIG FOLTZ: We're past time.	18	very summarized and so we could have more of a discussion
19	MS. ANNELLE AMARAL: Okay.	19	about impacts and how to resolve them.
20	In the meantime, let me take a little okay.	20	But just to clarify, there was no specific
21	We were supposed to end at 4:00.	21	letter that said, pursuant to the NHPA, Section 106
22	And, Marilyn, you have got to go?	22	regulations, we're combining these two processes such that
	Superintendent, you have to go?	23	everything that happens under NEPA gets critical 106, vice
23	Supermendence, you nave to go.		
23 24	MS. MARILYN PARRIS: Well, I have to leave	24	versa, and so forth.
24	MS. MARILYN PARRIS: Well, I have to leave	24	versa, and so forth.
24	MS. MARILYN PARRIS: Well, I have to leave before 5:00.	24	versa, and so forth. With that being said, there was an awful lot of
24 25	MS. MARILYN PARRIS: Well, I have to leave before 5:00. 135 MS. ANNELLE AMARAL: Before 5:00. Just talk	24 25	versa, and so forth. With that being said, there was an awful lot of
24 25 1	MS. MARILYN PARRIS: Well, I have to leave before 5:00.	24 25 1	versa, and so forth. With that being said, there was an awful lot of 137 transparency that happened in terms of public process.
24 25 1 2	MS. MARILYN PARRIS: Well, I have to leave before 5:00. 135 MS. ANNELLE AMARAL: Before 5:00. Just talk amongst yourselves while I ask the process question.	24 25 1 2	versa, and so forth. With that being said, there was an awful lot of 137 transparency that happened in terms of public process. Now, whether it's public process for purposes of 106, we
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35 (Pages 134 to 137)

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1	clarification of that issue, we would be happy to try to	1	which was this concept of a konohiki that would work with
2	help explain it.	2	the with the IFA to allow for there is access now
3	MS. CHARLENE DWIN VAUGHN: So can you clarify	3	that is allowed for traditional purposes, practices. But
4	for all of us what is on the table? Because that is what	4	I think it was for the purpose of looking at how to
5	you are saying	5	interpret this site.
6	MS. CAROLINE BLANCO: Sure.	6	I think that was the main purpose, was it not?
7	MS. CHARLENE DWIN VAUGHN: we need to focus	7	It was the main purpose of the konohiki concept,
8	on. What can we look at in terms of mitigation,	8	for interpretation and purposes of that.
9	minimization and you said all three.	9	Did you remember something else to remember?
10	MS. CAROLINE BLANCO: Absolutely. Absolutely.	10	MS. TONIA MOY: Actually, I just want to say
11	Okay.	11	avoidance is actually still on the table in that if he
12	With avoidance, to sort of categorize, I have	12	chooses not to fund it.
13	it's not that NSF is opposed to avoidance. That is not	13	MS. CAROLINE BLANCO: Excellent point.
14	the I want to make sure that message is conveyed. The	14	Excellent point.
15	problem is that we can't see any way to avoid the impacts	15	And that is if we are
16	based on the scientific need for the tower to be X number	16	MS. CHARLENE DWIN VAUGHN: Okay.
17	of feet and to be a certain color. So as far as that	17	MS. CAROLINE BLANCO: If we are looking at
18	goes, it's hard to imagine what avoidance would look like	18	trying to reach an agreement between everybody, that
19	unless somebody has an idea that we haven't thought about.	19	wouldn't be I mean, that would not be the way to go
20	And nobody is perfect. So, by all means, if	20	with it, but for obvious reasons. But certainly we can
21	anybody has ideas, understanding that the scientific goals	21	look at minimization with regard to the sunset provision,
22	would still have to be met in order for it to go forward,	22	or, again, any other ideas that folks have. And
23	then then please let us know.	23	mitigation, certainly we're open to any other additional
24	Minimization, I think that there was one	24	thoughts that that may come about.
25	proposal that did come under the category of minimization.	25	MS. CHARLENE DWIN VAUGHN: And I would like t
	139		143
1	And that is some the sunset provision, limiting the	1	go on record saying some of the things Mike is doing are
2	life of the telescope, if it's approved for funding, and	2	clearly mitigation. They need to be documented and
3	restoring it back to the community. That is on the table.	3	presented as such. He is doing a lot of things that he
4	And then we look at mitigation, which are, you	4	has worked out.
5	know, some other types of proposals. We have the three	5	MS. CAROLINE BLANCO: Excellent point.
6	written proposals that were presented. That is the Maui	6	MS. CHARLENE DWIN VAUGHN: But it doesn't come
7	Community College, Warren Shibuya and Uncle Charlie's,	7	across as mitigation
8	those three proposals.	8	MS. CAROLINE BLANCO: Right.
9	We also had from the last meeting, we had the	9	MS. CHARLENE DWIN VAUGHN: so he needs
10	Star Compass as being a possibility. That is on the	10	MS. CAROLINE BLANCO: Which reminds me, the
11	table.	11	Reber Circle.
12	Dr or Craig Foltz here. He's a doctor, too,	12	MS. PUA AIU: Wait, wait, wait. That is not
13	but we will call him Craig. So he had also talked about	13	mitigation for this project. My concern is that's
14	might people be interested in looking at ways to help with	14	different context.
15	traditional practices with regard to noise, are there	15	MR. MIKE MABERRY: Exactly.
16	certain times that are more important to Native Hawaiians	16	MS. CHARLENE DWIN VAUGHN: What I heard, it wa
17	that should be under consideration. That is on the table.	17	a couple, can you
18	MS. CHARLENE DWIN VAUGHN: And I heard another	18	MS. CAROLINE BLANCO: Reber Circle cleanup.
19	one, and that is how it involved Native Hawaiians and	19	MS. CHARLENE DWIN VAUGHN: That is what I am
20	protocols or access and use	20	talking about.
21	MS. CAROLINE BLANCO: Absolutely.	21	MS. CAROLINE BLANCO: And, also
22	MS. CHARLENE DWIN VAUGHN: to be on the	22	MS. CHARLENE DWIN VAUGHN: Oh, no, no.
23	table.	23	MS. CAROLINE BLANCO: I think the broadcast
20	MS. CAROLINE BLANCO: And that kind of goes	24	tower cleanup. Because, at the last meeting, we did talk
21	WELL CANCELINE DEPENDED. AND HIZE KIND UP 2005	4 1	to not eloundp. Decuase, at the last meeting, we did tark
24 25	nicely with one of the proposals from the last meeting,	25	about a lot about the cleanup of the

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MR. MIKE MABERRY: And the east-facing ahu. DR. CRAIG FOLTZ: They actually were proposals. MR. MIKE MABERRY: That's the reason. MS. ANNELLE AMARAL: There were comments and Mike	1 2 3	from a cultural perspective. And we need to really understand that Haleakala as a whole is a sacred place. And that being said, it's almost impossible to talk about
MR. MIKE MABERRY: That's the reason. MS. ANNELLE AMARAL: There were comments and		
MS. ANNELLE AMARAL: There were comments and	3	And that being said it's almost impossible to talk about
		And that being said, it's annost impossible to talk about
Mike	4	mitigation.
	5	MR. MIKE MABERRY: It is.
MR. JEREMY WAGNER: Hey, you guys need to be	6	MS. CHARLENE DWIN VAUGHN: So with that being
cognizant of her need to record this.	7	said, help the group understand if you are saying all
MR. MIKE MABERRY: I'm sorry.	8	discussions are shut down, off the table. Because a lot
MS. ANNELLE AMARAL: There was the projects that	9	of the things that are being cast as mitigation, you're
Mike is working on also as mitigation, there was a Reber	10	right, don't speak to the spirituality, don't speak to the
Circle, the broadcast tower cleanup.	11	culture, don't speak to the tradition.
	12	Nevertheless, there are things that are on the
	13	table that could help deal with some desecration issues,
DR. CRAIG FOLTZ: There are a number of other	14	that would preserve access and use, and formalize
things that are still on the table.	15	something that is now very fluid, unformal, unstructured.
	16	So you have to put this in context for us. I heard what
-	17	you said, but then help me with that next linkage to that.
	18	MR. HINANO RODRIGUES: Right. And the thing is,
	19	I don't see how we can get to the next linkage until we
MS. LEIOHU RYDER: Petrels?	20	actually address it. And it looks as though no we are
DR. CRAIG FOLTZ: The Petrel. We have monitored	21	not addressing it.
the burrows. We would continue to monitor the burrows.	22	MS. CHARLENE DWIN VAUGHN: Okay.
We are not we could not construct during breeding	23	MR. HINANO RODRIGUES: We heard Leiohu. And I
season. We would not build fences.	24	would say that almost everybody in this room feels exactly
There are the viewshed improvements, there	25	what she is saying. But I am not quite too sure that it's
143		145
are issues of access and coordinating access.	1	dead, that the issue is dead. It's just that the issue is
	2	not being discussed.
	3	MS. ANNELLE AMARAL: So allowing, Hinano, the
· ·	4	issue, how do you mitigate spirituality, is that the issue
	5	we are talking about?
	6	MR. HINANO RODRIGUES: Right.
	7	MS. ANNELLE AMARAL: Okay. And in what ways car
	8	you mitigate spirituality?
	9	MR. HINANO RODRIGUES: Let's all discuss it, you
	10	know.
	11	MS. ANNELLE AMARAL: Okay. Start it. You start
	12	it.
	13	MR. HINANO RODRIGUES: How do we mitigate
	14	spirituality? How do you I hear this talk about
	15	church. Why are you applying Western concepts?
	16	MR. JEREMY WAGNER: No.
	17	MR. HINANO RODRIGUES: It's not a church. Well,
	18	because when somebody said, "Oh, well, let's bring down
	19	the volume," I go, "What." "Oh, do we do it before the
	20	sun come up or the sun come down," I go, "What." You
		know, our church is not Sunday, our church is not one day
		out of the week. Our church is 24 hours, seven days. So
		that we shouldn't even use that perspective. Let's
Marquesan, half Tahitian. So if I am Marquesan, then I go	24	just throw it to the side because it's a poor analogy. It
back 1,500 years here. We need we need to look at it	25	doesn't work. Because you cannot understand our way you
	things that are still on the table. MS. CHARLENE DWIN VAUGHN: Okay. DR. CRAIG FOLTZ: I mean, for example, the bird which has cultural significance, according to our understanding. We have monitored the MS. LEIOHU RYDER: Petrels? DR. CRAIG FOLTZ: The Petrel. We have monitored the burrows. We would continue to monitor the burrows. We are not we could not construct during breeding season. We would not build fences. There are the viewshed improvements, there 143 are issues of access and coordinating access. MS. CAROLINE BLANCO: And all the mitigation proposals in the letter and the draft. I will tell those in a moment, but, by all means, go ahead. MR. HINANO RODRIGUES: Hinano Rodrigues, State Historic Preservation. We are talking and I am approaching this strictly from a cultural perspective. We are talking all about our mitigation proposals. And in talking about all those mitigation proposals. And in talking about all those mitigation proposals. We are talking all about our mitigation proposals. And in talking about all those in the cultural perspective in the sense that and I think Leiohu has very well articulated what the Hawaiian perspective is, in the sense that Haleakala as a whole is a sacred site. What we are trying to do when we discuss our mitigation proposals is to take that whole and say, well, yeah, it's all important, but maybe we can just narrow down to the specific area. I I really think we are totally missing the point that Leiohu is trying to make. And we need we really need as someone whose ancestors have lived on Maui for at least 900 years, if not 1,500, if I am half Maoli half not Maoli, but	MR. WARREN SHIBUYA: East-facing ahu.13DR. CRAIG FOLTZ: There are a number of other14things that are still on the table.15MS. CHARLENE DWIN VAUGHN: Okay.16DR. CRAIG FOLTZ: I mean, for example, the bird17which has cultural significance, according to our18understanding. We have monitored the19MS. LEIOHU RYDER: Petrels?20DR. CRAIG FOLTZ: The Petrel. We have monitored21the burrows. We would continue to monitor the burrows.22We are not we could not construct during breeding23season. We would not build fences.24There are the viewshed improvements, there2514314are issues of access and coordinating access.1MS. CAROLINE BLANCO: And all the mitigation2proposals in the letter and the draft.3I will tell those in a moment, but, by all4means, go ahead.5MR. HINANO RODRIGUES: Hinano Rodrigues, State6Histric Preservation.7We are talking and I am approaching this8strictly from a cultural perspective. We are talking all10those mitigation proposals. And in talking about all10those mitigation proposals. And in talking about all13the Hawaiian perspective is, in the sense that Haleakala14as a whole is a sacred site. What we are trying to do15when we discuss our mitigation proposals is to take that16whole and say, well, yeah, it's all important, but maybe17<

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1	want to use the word church.	1	an effort that you have made with regard to the site
2	So, you know, once we start to do that, we are	2	itself. And I wonder if maybe that might be one way to
3	on a slippery slope. So we need to look we need to,	3	approach this.
4	all of us, take off our Western hats and put on our	4	MS. CHARLENE DWIN VAUGHN: Another way, I think
5	Hawaiian hats and see, like she said, if we can come up	5	that you deal with spirituality is to acknowledge that it
6	with ways to define or to mitigate spirituality.	6	is unfettered use and access. There are minimum, if any,
7	I think I think we can	7	prohibitions to connecting with something that is
8	MS. ANNELLE AMARAL: Okay.	8	spiritual and that is part of and defines who you are.
9	MR. HINANO RODRIGUES: you know.	9	MS. CAROLINE BLANCO: And that should be
10	MS. CHARLENE DWIN VAUGHN: So give us an example	10	actually up there on the list of mitigation, is access.
11	of how we can.	11	And I also had to or wanted to add to that
12	MR. HINANO RODRIGUES: Why don't we go around	12	list of mitigation. These are actually defined in the
13	the room and ask everybody what they think spirituality	13	Draft EIS, if anyone wants to take a look at that.
14	is? We can can't discuss spirituality unless we know what	14	It's
15	it is.	15	MS. ANNELLE AMARAL: It's there.
16	MS. ANNELLE AMARAL: We're speaking of the	16	MS. CAROLINE BLANCO: This is consistent with
17	sacredness of Haleakala. We are speaking of this is a	17	what Mike was explaining earlier about the site. That NSF
18	spiritual center, it is a sacred site.	18	would require the presence of a cultural specialist
19	So, Hinano, I thought I heard you say that you	19	engaged at the earliest stages of the planning process to
20	don't hear any disagreement in the room acknowledging that	20	monitor construction process and consult with and advise
21	this is a spiritual sacred place. You don't hear any I	21	the onsite project manager regarding any cultural or
22	didn't hear any disagreement in the room. I didn't hear	22	spiritual concerns. And then NSF would also require that
23	anybody say it's not spiritual, it's not sacred. So I	23	all construction crew members attend sense of place
24	don't know that we need to discuss spiritual and sacred.	24	training by qualified Native Hawaiian practitioners. And
25	MR. JEREMY WAGNER: This is Jeremy Wagner again.	25	then
	147		149
1		1	MS. CHARLENE DWIN VAUGHN: Go ahead.
1	I would like to say, I mean, from my experience	2	MS. MARILYN PARRIS: I think that's all well and
2	to not mitigate, but show respect for the spiritualness of		
3	the site, basically, it comes from knowledge, knowledge of	3	good, but what Leiohu this is Marilyn, Park Service
4	how that spirituality developed, what the culture involved	4	was that she doesn't feel don't let me speak for you
5	considers in respect to that site. And so it might be	5	somebody cuts off the head, it dies. How can you mitigate
6	shown you might show respect through being quiet. You	6	someone's head? And was that your point?
7	might show respect by covering your head. You might show	7	MS. LEIOHU RYDER: And something that is at
8	respect in lots of different ways. And so the knowledge	8	risk.
9	of how that spirituality exists up there, I think, is the	9	MS. MARILYN PARRIS: At risk of dying?
	first way you maybe not mitigate it, but you show	10	MS. LEIOHU RYDER: Yes. Energetic.
10			
10 11	respect to it.	11	MS. MARILYN PARRIS: It's going to be difficult
	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on	11 12	to mitigate that.
11 12	respect to it.		to mitigate that. MS. CAROLINE BLANCO: Can you think of a way
11	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on	12	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way
11 12 13	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we	12 13	to mitigate that.
11 12 13 14	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or	12 13 14	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was
11 12 13 14 15	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct	12 13 14 15	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying.
11 12 13 14 15 16	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping	12 13 14 15 16	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in
11 12 13 14 15 16 17	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping with the sacredness of the site? Is that what you are	12 13 14 15 16 17	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in danger of dying?
11 12 13 14 15 16 17 18	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping with the sacredness of the site? Is that what you are trying to say by knowledge, teach more?	12 13 14 15 16 17 18	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in danger of dying? Well, I would just point out our experience.
11 12 13 14 15 16 17 18 19	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping with the sacredness of the site? Is that what you are trying to say by knowledge, teach more? MR. JEREMY WAGNER: Yes. I think the more you	12 13 14 15 16 17 18 19	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in danger of dying? Well, I would just point out our experience. And that was we were about to lose our language. We
11 12 13 14 15 16 17 18 19 20	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping with the sacredness of the site? Is that what you are trying to say by knowledge, teach more? MR. JEREMY WAGNER: Yes. I think the more you understood about it, the more respectful, potentially, you	12 13 14 15 16 17 18 19 20	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in danger of dying? Well, I would just point out our experience. And that was we were about to lose our language. We retrieved our language. We went to the Maoris, we learned
11 12 13 14 15 16 17 18 19 20 21	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping with the sacredness of the site? Is that what you are trying to say by knowledge, teach more? MR. JEREMY WAGNER: Yes. I think the more you understood about it, the more respectful, potentially, you could be. MS. CAROLINE BLANCO: Might this get us back to	12 13 14 15 16 17 18 19 20 21	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in danger of dying? Well, I would just point out our experience. And that was we were about to lose our language. We retrieved our language. We went to the Maoris, we learned to tanga leo, we translated that into punana leo.
11 12 13 14 15 16 17 18 19 20 21 22	respect to it. MS. ANNELLE AMARAL: Jeremy, I need to expand on this. When you say "by knowledge," do you mean that if we provide for a way for non-practitioners to be explained or to help them understand the sacredness, that the conduct of those practitioners, then, would be more in keeping with the sacredness of the site? Is that what you are trying to say by knowledge, teach more? MR. JEREMY WAGNER: Yes. I think the more you understood about it, the more respectful, potentially, you could be.	12 13 14 15 16 17 18 19 20 21 22	to mitigate that. MS. CAROLINE BLANCO: Can you think of a way MS. CHARLENE DWIN VAUGHN: That is what he was saying. MS. ANNELLE AMARAL: To mitigate something in danger of dying? Well, I would just point out our experience. And that was we were about to lose our language. We retrieved our language. We went to the Maoris, we learned to tanga leo, we translated that into punana leo. This is Annelle taking facilitator's hat off for

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	150		15
1	run afoul with our kupuna who don't want us to talk about	1	our mana. We can go to those stars. We can be in
2	the old gods and don't want us to talk about the way	2	relationship, as you spoke about the telescope. We are
3	things were. It is a challenge for our people, for us.	3	imbued with the DNA of the stars. But science doesn't
4	Not them; for us. We know that.	4	teach us that. The records in our bones do.
5	MS. MIKAHALA HELM: Something that you brought	5	You cannot mitigate, you cannot litigate you
6	up, though, sparks this. If we are to protect that, then	6	know, you can't you cannot I can't even describe in
7	we would put into place a plan for Haleakala so that it is	7	the Western language what it feels like in my bones, but I
8	protected.	8	can assure you that we are all invited into this this
9	MS. ANNELLE AMARAL: Uh-huh.	9	awareness of clarity about the truth echoing vibrantly to
10	MS. MIKAHALA HELM: So this does not happen. So	10	all through all Haleakalas across the globe.
11	if we are going to protect the sacredness of our we all	11	MS. ANNELLE AMARAL: Here is the dilemma. The
12	know as far as identity for Hawaiian people, if you check	12	dilemma is that the mysterious experience, it can't be
13	any song that is written about Maui, you will almost be	13	translated, then, also, cannot be negotiated, cannot be
14	sure Haleakala is in there.	14	put on paper. I mean, we are at this sort of
15	MS. CHARLENE DWIN VAUGHN: Uh-huh.	15	MS. LEIOHU RYDER: Yes.
16	MS. MIKAHALA HELM: You know, so if we're going	16	MS. ANNELLE AMARAL: juncture where, how do
17	to talk about what you just mentioned, that would be the	17	you bridge.
18	extent to which we would go.	18	Hinano.
19	MS. CHARLENE DWIN VAUGHN: And how would you	19	MR. HINANO RODRIGUES: Let me.
20	MS. MIKAHALA HELM: I would have a plan on how	20	MS. ANNELLE AMARAL: Okay.
21	to protect Haleakala and not have this come up with this	21	MR. HINANO RODRIGUES: Hinano Rodrigues.
22	particular ATST, with Pan-Star sitting in I don't know	22	But let me talk off my SHPD hat. Okay, I will
23	where it is. And all of a sudden, we get another letter,	23	keep it on. Keep it on.
24	one more telescope, some other thing is going to happen.	24	MS. ANNELLE AMARAL: Taking hats off.
25	That is how we are experiencing these kinds of things	25	MR. HINANO RODRIGUES: Let me take off my SH
			1
1	151	1	hat and talk to you as a half Kanaka Maoli, because I am
1	happen.	1	hat and talk to you as a half Kallaka Maoli, because I all
	NO I FIOILI DYDED. A. Jose Jack this is		
2	MS. LEIOHU RYDER: And we don't this is	2	also Portuguese and Japanese. You know what I see is th
3	Leiohu. And we don't look at it from, you know, one thing	2 3	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are
3 4	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all	2 3 4	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best
3 4 5	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being	2 3 4 5	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth
3 4 5 6	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids.	2 3 4 5 6	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow,
3 4 5	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids. Now, how do you document it as a Western	2 3 4 5 6 7	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow, we have a major issue. And I think that is what the issue
3 4 5 6	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids. Now, how do you document it as a Western scientist? You just got to take our word for it.	2 3 4 5 6 7 8	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow, we have a major issue. And I think that is what the issue is right here. We need to discuss the only and the best.
3 4 5 6 7	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids. Now, how do you document it as a Western scientist? You just got to take our word for it. They show us the grids. They show me the grids.	2 3 5 6 7 8 9	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow, we have a major issue. And I think that is what the issue is right here. We need to discuss the only and the best. Because in life we cannot have the best of
3 4 5 6 7 8	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids. Now, how do you document it as a Western scientist? You just got to take our word for it. They show us the grids. They show me the grids. They show me what connects. And then they have us feel	2 3 6 7 8 9	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow, we have a major issue. And I think that is what the issue is right here. We need to discuss the only and the best. Because in life we cannot have the best of everything, right? But how about the only of everything?
3 4 5 6 7 8 9	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids. Now, how do you document it as a Western scientist? You just got to take our word for it. They show us the grids. They show me the grids. They show me what connects. And then they have us feel it. And then they have us experience, through our bodies,	2 3 4 5 7 8 9 10 11	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow, we have a major issue. And I think that is what the issue is right here. We need to discuss the only and the best. Because in life we cannot have the best of everything, right? But how about the only of everything? There is only one only. So how do we come how do we
3 4 5 6 7 8 9	Leiohu. And we don't look at it from, you know, one thing and another thing. See, we see the relationship in all things. So when when we speak of the head being removed, the ancient ones show us the grids. Now, how do you document it as a Western scientist? You just got to take our word for it. They show us the grids. They show me the grids. They show me what connects. And then they have us feel	2 3 4 5 6 7 8 9 10 11 12	also Portuguese and Japanese. You know what I see is the we have people on two sides. And on one side, they are saying, and rightfully so, that Haleakala is our best location. And then we have the Kanaka Maoli on the oth side who says Haleakala is our only Haleakala. So, wow, we have a major issue. And I think that is what the issue is right here. We need to discuss the only and the best. Because in life we cannot have the best of everything, right? But how about the only of everything? There is only one only. So how do we come how do we reconcile our needs?
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	154		156
1	and the best. And if maybe you could help us with that.	1	MS. CAMILLE KALAMA: Uh-huh.
2	MR. HINANO RODRIGUES: Hinano Rodrigues.	2	DR. CRAIG FOLTZ: And that would have
3	Someone as old as I am, if there is anything	3	absolutely, positively, by a factor of 12 meter, by a
4	that I ever learned is that there are always solutions to	4	factor of three, been able to see the detail that we need
5	things. And another thing and I have also learned that	5	we know we need to see. But what the project said,
6	I might not have the answer to it, but others might. And	6	that is what the solar physics community said, was we need
7	I think that is a reason why we have a quantity of people	7	to get to a certain resolution and will accept just we
8	here, because maybe you guys have the answers. Because I	8	only need what we need to get there. We don't need more.
9	am the first to admit, maybe I don't have the answer. But	9	And that and I agree with and I think that Charlene
10	I do know that I should never ever in life say, you know,	10	has had difficulties because this part of the process was
11	there is no solution. There always is, but somebody else	11	invisible. This was to you all. This was this was
12	might have that solution that I don't.	12	but it is the natural development of a scientific
13	MS. CHARLENE DWIN VAUGHN: When you say only and	13	project. And I think that that is I understand that is
14	best, does that mean that to save and salvage the only,	14	alien. It's sort of second nature to a lot of us.
15	you have to go someplace else to get to the best? I	15	MR. JEREMY WAGNER: And that is somewhat site
16	you lost me with those concepts, only and best.	16	independent as well. A lot of that was done before the
17	MR. HINANO RODRIGUES: Well, I notice that the	17	selection.
18	words I notice the word best, best is used, but best	18	DR. CRAIG FOLTZ: Yeah, that is site specific.
19	does not equal only. So I am wondering if they are saying	19	MS. ANNELLE AMARAL: Liz, I think, has a
20	that while Haleakala is the best location, is it the only	20	comment.
21	location.	21	MS. LIZ GORDON: And I guess this is kind of a
22	MS. CAROLINE BLANCO: It's the only one that met	22	bit more detailed to get into. But I guess in reading the
23	the scientific criteria.	23	Draft EIS, I did have some questions about I know there
24	MR. JEREMY WAGNER: Best is the wrong word.	24	were 72. And then, from a broad set of criteria, they
25	DR. CRAIG FOLTZ: I think it's the only site.	25	were narrowed down to six. And there was a table at the
	155		157
1	MS. CAROLINE BLANCO: I think we're dealing with	1	end of the appendices that kind of listed some of the
2			one of the uppertation inter state of the or the
	only and only.	2	broad criteria you are using. Distance from a lake,
3	only and only. MS. LEIOHU RYDER: To clarify, there was the	2 3	
3			broad criteria you are using. Distance from a lake,
	MS. LEIOHU RYDER: To clarify, there was the	3	broad criteria you are using. Distance from a lake, closest to the ocean, you know, annual sun. I don't have
4	MS. LEIOHU RYDER: To clarify, there was the Canary Islands and there was there were three there	3 4	broad criteria you are using. Distance from a lake, closest to the ocean, you know, annual sun. I don't have it there with me. But it appeared that there were I
4 5	MS. LEIOHU RYDER: To clarify, there was the Canary Islands and there was there were three there were top there were three	3 4 5	broad criteria you are using. Distance from a lake, closest to the ocean, you know, annual sun. I don't have it there with me. But it appeared that there were I guess it was unclear to me that, okay, six sites were
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40 (Pages 154 to 157)

	158		1
1	get on those 72.	1	when there has been so much input on the sacredness of
2	DR. CRAIG FOLTZ: Without going to them?	2	Haleakala. How can we possibly sit here and talk and
3	MR. STEVE KEIL: We went to some of them. We	3	even if we talk until tonight and talk until tomorrow, we
4	couldn't go to all of them.	4	are not looking at the environmental impact statement or
5	But we looked at the statistics for all 72	5	the full picture of really what what are all these
6	sites, picked the six best, which is what we could afford	6	things to be considered. How can you do a full
7	to actually mount telescopes on, and tested those six best	7	consideration and come up with these kind of piecemeal
8	sites with a number of instruments. We weren't doing this	8	mitigation I mean, I know you know, they seem like
9	in a vacuum because there had been a number of site	9	important things. And they are. However, how can we c
10	surveys before us.	10	about with such a thing?
11	So there was a large one that tested most of the	11	MS. CAROLINE BLANCO: I think it might be
12	mountains in California. The large European solar	12	helpful to remind ourselves that we are talking about the
13	telescope, which never was built, tested a number of	13	106 process and not about all of the other environmental
14	sites, including Mauna Kea. So we had a lot of data to	14	impacts that may or may not occur as a result of the
15	start with.	15	proposed project. And we are not none of us here in
16	The six we picked, by the way, turned out that	16	this room are the decision-maker as to whether or not the
17	four of them had observatories on them, because they were	17	telescope will be built. We are here to gather
18	the results of site surveys. And that is why the	18	information and we are here to propose something to the
19	observatories were there on those six.	19	National Science Director that if the National Science
2.0	And two didn't that we tested.	20	Foundation Director, that, if it is built, these are
21	Then out of all those, only Haleakala has the	21	mitigation measures that people would like to see.
22	skies capable of looking at the sun.	22	And that is what the purpose of this is right
23	MS. CHARLENE DWIN VAUGHN: This has been	23	now. It definitely has gone on record and will continue
24	peer-reviewed?	24	to be considered, maybe avoidance of it completely,
25	MR. STEVE KEIL: Peer-reviewed.	25	because of the significance of it, is a very viable
	THE STEPPE REFE. THE FOR THE THE STEP	25	because of the significance of it, is a very viasie
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1	159 MS. CHARLENE DWIN VAUGHN: Agreed to by	1	option. And it may be the turning point for the Director.
1 2	159 MS. CHARLENE DWIN VAUGHN: Agreed to by scientists that are not all part of this?	1 2	option. And it may be the turning point for the Director. I don't know. That will be up to him after considering
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41 (Pages 158 to 161)

	162		164
1	there's a mitigation measure that you think would be very	1	CERTIFICATE
2	helpful to have included, that you would like to see if	2	
3	the Director decides he wants to fund this, based on the	3	
4	entire record, we really want to hear what you have to	4	
5	say.	5	
6	MS. ANNELLE AMARAL: Okay. I am afraid I let	6	
7	this go a bit over time. My job was to call for time at	7	I, TONYA MCDADE, a Court Reporter of the State
8	5:00.	8	of Hawaii, do hereby certify that the proceedings
9	MS. PUA AIU: Can I clarify the record on one	9	contained herein were taken by me in machine shorthand and
10	thing, though?	10	thereafter was reduced to print by means of computer-aided
11	I believe Warren is not Native Hawaiian.	11 12	transcription; that the foregoing represents, to the best of my ability, a true and accurate transcript of the
12	Correct me if I am wrong.	13	proceedings had in the foregoing matter.
13	MS. CAROLINE BLANCO: Oh, I thought he was.	14	I further certify that I am not an attorney
14	MR. MIKE MABERRY: But Verna is.	15	for any of the parties hereto, nor in any way concerned
15	MS. CAROLINE BLANCO: And Sol as well, right?	16	with the cause.
16	Sol?	17	
17	MS. PUA AIU: Sol, right. But I just want to	18	DATED this day of, 2008.
18	make the record clear.	19	
19	MS. CAROLINE BLANCO: I'm sorry. I thought he	20	Signature on File
20	was.		
21	MS. PUA AIU: He's local.	21	Tonya McDade, RPR, CRR, CBC
22	MS. ANNELLE AMARAL: There were a few okay.	22	Hawaii CSR #447
23	Is that	22	
24	DR. CHARLIE FEIN: Yeah.	24	
25	MS. ANNELLE AMARAL: Is it okay if we take a	25	
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	DR. CHARLIE FEIN: 6:00. MS. ANNELLE AMARAL: 6:00, okay. All right. So I am going to call for a break for now. Thank you. (Meeting Adjourned at 5:11 p.m.)		
17 18 19 20 21 22 23 24 25	1 4 		

Appendix C(6): Transcripts Section 106 Meeting, UH IfA, Maikalani Facility, August 27, 2008 Evening Session

Held at University of Hawaii Institute for Astronomy, Maikalani Facility, 34 Ohia Ku Street, Pukalani, Maui, Hawaii, commencing at 6:12 p.m. to 8:44 p.m., August 27, 2008.

REPORTED BY: Tonya McDade Registered Professional Reporter Certified Realtime Reporter Certified Broadcast Captioner Hawaii Certified Shorthand Reporter #447

		2		4
1	ATTENDANCE		1	NATIONAL SCIENCE FOUNDATION
2	NATIONAL SCIENCE FOUNDATION Dr. Craig Foltz, ATST Program Officer		2	SECTION 106 MEMORANDUM OF AGREEMENT MEETING
3	Ms. Caroline Blanco, Assistant General Counsel Mr. Tony Gibson		3	AUGUST 27, 2008
4			4	TRANSCRIPT OF PROCEEDINGS
5	NATIONAL SOLAR OBSERVATORY Mr. Jeremy Wagner, ATST Project Manager		5	MS. ANNELLE AMARAL: Aloha, everyone, and
6	Mr. Steve Keil, Director Ms. Jennifer Ditsler, Project Assistant		6	welcome back. I hope that everyone had a nice break and
7	Mr. Rex Hunter, Administrative Facilities Manager		7	you have all returned in a good mood. And that makes life
	NATIONAL OPTICAL ASTRONOMY OBSERVATORY		8	easier for me.
B 9	Mr. Jeff Barr, ATST Project Architect UNIVERSITY OF HAWAII INSTITUTE FOR ASTRONOMY		9	
10	Mr. Mike Maberry, Assistant Director			And welcome to our two new people. If you could
11	KC ENVIRONMENTAL, INC. Dr. Charlie Fein, Vice President		10	introduce yourselves to us, and then we will introduce
	Ms. Sharon Loando-Monro, Planning Projects Manager		11	ourselves to you as well.
12	MEETING FACILITATOR		12	MS. MELISSA PRINCE: I am Melissa Prince. And I
13	Ms. Annelle Amaral OTHER ATTENDEES:		13	have been sort of following the solar telescope to date.
15	Ms. Mikahala Helm, Kilakila o Haleakala Ms. Leiohu Ryder, Kilakila o Haleakala		14	And I am the one that was videotaping some of the
	Ms. Camille Kalama, Native Hawaiian Legal Corporation,		15	sessions. The one that was down in the poolroom at the
16	Kilakila o Haleakala Ms. Pua Aiu, State Historic Preservation Office		16	community center, I videotaped that. And another one at
17	Ms. Nancy McMahon, State Historic Preservation Office Mr. Hinano Rodrigues, Cultural Historian, State Historic		17	the Hawaiian Homestead Homes, I videotaped that one, also.
18	Preservation Office Mr. Jason Jeremiah, Office of Hawaiian Affairs, Policy		18	MS. ANNELLE AMARAL: Okay.
19	Advocate, Native Rights Land & Culture Division		19	MS. MELISSA PRINCE: So but my computer broke
20	Ms. Charlene Dwin Vaughn, Advisory Council on Historic Preservation		20	and I wasn't able to bring my camera today. I am just
21	Ms. Martha Catlin, Advisory Council on Historic Preservation (via telephone)		21	here to attend.
22	Ms. Betsy Merritt, National Trust for Historic Preservation (via telephone)		22	MS. ANNELLE AMARAL: Thank you for coming.
	Mr. Warren Shibuya		23	Aloha.
23	Ms. Melissa Prince Mr. Daniel Kanahele		24	MR. DANIEL KANAHELE: Aloha. I am Daniel
24	Ms. Lianna Horovitz Ms. Joyclynn Costa		25	Kanahele from South Maui.
25	Ms. Jamie Fernandez			-
		3		5
1	Ms. Ohua Morando		1	MS. ANNELLE AMARAL: Aloha. Nice to meet you.
	Ms. Claire Apana		2	Now we're going to go around and introduce
2	Mr. Ed Lindsey		3	ourselves so you know who we all are.
3			4	MR. JASON JEREMIAH: My name is Jason Jeremiah.
4			5	I am from the Office of Hawaiian Affairs, today
5			6	representing our office. I am a policy advocate in the
6			7	Native Rights Land and Culture Division.
7			8	MS. CAROLINE BLANCO: I am Caroline Blanco. I
8			9	am Assistant General Counsel over at the National Science
9			10	Foundation, responsible for environmental compliance for
10			11	the agency.
11			12	MS. CHARLENE DWIN VAUGHN: My name is Charlene
12			13	Vaughn. I am with the Advisory Council of Historic
13				Preservation in Washington.
14			14	
15			15	MS. NANCY McMAHON: I am Nancy McMahon. I am
16			16	the Deputy Administrator and Deputy State Historic
17			17	Preservation Officer for the State Historic Preservation
18			18	Division.
19			19	MS. PUA AIU: I am Pua Aiu. I am the
20			20	Administrator for the State Historic Preservation Office.
21			21	MR. HINANO RODRIGUES: You guys know who I am,
22		21	22	but just in case you forgot, Hinano Rodrigues, State
23			23	Historic Preservation Division.
24			24	DR. CRAIG FOLTZ: I am Craig Foltz, I am the
- Beat of			8	
25			25	Director of National Science Foundation, Acting Director.

2 (Pages 2 to 5)

	6		8
1	MR. REX HUNTER: I am Rex Hunter. I am at the	1	suggestions.
2	National Solar Observatory in Sunspot, New Mexico. I am	2	Charlie went through the specifics of what you
3	the Administrative and Facilities Officer.	3	find in the EIS, that you may already have a copy of and
4	MS. MIKAHALA HELM: Aloha. I am Mikahala Helm	4	may have read through.
5	and part of Kilakila o Haleakala, and, also, here for	5	Craig talked a little bit about some of the
6	myself and my family.	6	proposals that have been met when we last met in June,
7	MS. CAMILLE KALAMA: Aloha. I am Camille	7	some specific proposals to try to mitigate the impact,
8	Kalama. I am from Native Hawaiian Legal Corporation. And	8	adverse impact on the project.
9	I am here on behalf of Kilakila o Haleakala.	9	And then we just sort of went around to talk
10	DR. CHARLIE FEIN: Aloha. Charlie Fein. I am	10	about some of the questions we have about the projects or
11	the Environmental Consultant for the project.	11	some of the issues that we may have.
12	MR. JEFF BARR: I am Jeff Barr. I am the	12	Quite frankly, what is, is keeps coming up
13	architect for the ATST Project.	13	over and over again goes to the sacredness of Haleakala
14	MR. JEREMY WAGNER: I am Jeremy Wagner Project	14	and how is it that we are supposed to mitigate sacredness.
15	Manager for the ATST project.	15	And beyond that, a discussion of real attempts to try to
16	MR. STEVE KEIL: I am Steven Keil. I am	16	deal with issues that the community has brought up with
17	Director of the National Solar Observatory.	17	respect to height and color and location and and how we
18	MR. MIKE MABERRY: Hi. I am Mike Maberry. I am	18	arrived at some of the changes that are already proposed
19	Assistant Director for the Institute of Astronomy at UH.	19	and have been dealt with.
20	MS. ANNELLE AMARAL: Tony.	20	But in the end, the question really is one of
21	MR. GIBSON: Hi. I am Tony Gibson with the	21	what is on the table, where are we at this point. And the
22	National Science Foundation.	22	answer to that is quite simply that there are three things
23	MS. ANNELLE AMARAL: Sharon.	23	still very much on the table. One is avoidance, that this
24	MS. SHARON LOANDO-MONRO: Sharon Loando-Monro	24	is not a site that we should be at, that this is not the
25	with KC Environmental, Planning Manager.	25	place for this to take place. That is still on the table.
	7		9
1	MS. JENNIFER DITSLER: Jennifer Ditsler. I am	1	And the National Science Foundation is not opposed to
2	from the ATST Project office in Tucson, Arizona. And I do	2	that, though they are having some difficulty imagining
3	project administration.	3	what that is going to look like.
4	(Off the record for Court Reporter to	4	The issue of minimizing, the minimization effort
5	introduce herself.)	5	for this project. And there have been suggestions. A
6	MS. ANNELLE AMARAL: Aloha. My name is Annelle	6	sunset provision has been put on the table, and that is,
7	Amaral. And I am the facilitator, just trying to help	7	by a time certain, clean up and move on. And there have
8	manage the conversation. You can tell I am the	8	been a number of proposals to mitigate.
9	facilitator because I am the only one that is all marked	9	You all, I think, have seen Uncle Charlie
10	up. It's been a long day. I have markings all over me.	10	Maxwell's proposal. There has been the proposal from the
11	Because we have a court reporter here, what you	11	Maui Community College that perhaps you have already seen
12	will hear us do is we will preface with our names so that	12	in the last discussion that we had with community in June.
13	the court reporter knows who is speaking. We try very	13	There was a proposal for connecting Hawaiian learning,
14	hard not to speak over one another. Otherwise, we get	14	Hawaiian science and Hawaiian traditional knowledge with
15	yelled at by the court reporter, because she cannot write	15	the project that is taking it that is proposed to take
16	down all five voices. So we will try to let people finish	16	place at Haleakala through the use of building a Star
17	what they have to say before we jump in.	17	Compass right next to the site, the Star Compass,
18	If you indicate to me you want to speak, I start	18	utilizing Hawaiian knowledge and connecting it to the
19	a little list in the corner and I will call you in the	19	science that takes place up there.
20	order that you have waved to me and indicated.	20	What is also on the table is the need to
21	As you can tell, we've done a lot of talking	21	maintain the connection to cultural practices that take
22	today. We started out by presenting some background on	22	place there. It has been suggested that a konohiki could
23	where we are on the project. We've been assured that no	23	be named for the site with overall responsibilities for
24	1		
25	decision in fact has been made as of yet and that we are gathered to hear one another's views, ideas and	24 25	that area, and the coordination of culturally appropriate behavior in that area.

3 (Pages 6 to 9)

	10		12
1	Certainly there are ongoing mitigation efforts.	1	appreciate it.
2	Cleaning up of the Reber Circle, taking down or cleaning	2	MS. CAROLINE BLANCO: Annelle, I see there are
3	up of the broadcast towers that are already up there, the	3	two more people that are going to be joining us, so
4	east-facing ahu that has been built.	4	perhaps before we
5	When we last left this discussion, the issue	5	MS. ANNELLE AMARAL: Okay. And it's not really
6	that came up was, well, how do you mitigate spirituality.	6	a public testimony; it really is a consultation session.
7	If we are in fact spiritual and the place is spiritual 24	7	It is a discussion. Public hearings are sort of one-way
8	hours a day, seven days a week, how do you show respect	8	communications. This is very much a dialogue that is
9	for the sacredness of that place, how do you protect that	9	taking place.
10	place and still have this feature on it.	10	I take it, then, that you had not seen any of
11	MS. CAROLINE BLANCO: Annelle, Warren Shibuya	11	the environmental impact statement reports that have come
12	also is not listed up there, his proposal. Warren has a	12	out or any of the work that's come out about the solar
13	mitigation written proposal.	13	telescope at Haleakala?
14	MS. ANNELLE AMARAL: Oh, sorry. Yes. Yes.	14	MR. DANIEL KANAHELE: I know some.
15	Warren also I need to add that in that has a	15	MS. ANNELLE AMARAL: You've read some.
16	proposal that he has submitted in fact and has been	16	MR. DANIEL KANAHELE: I've read some, listened
17	working very closely on working on mitigation efforts.	17	to some. I haven't really read anything.
18	I will make note of that.	18	MS. ANNELLE AMARAL: You haven't?
19	So when we left this discussion, we left this	19	MS. CAROLINE BLANCO: Annelle
20	discussion talking about sacredness. Talking about I	20	MR. DANIEL KANAHELE: Thank you for
20	think we were sort of down to avoidance at this point,	21	MS. CAROLINE BLANCO: I was just wondering if
22	Hinano, yeah. Because trying to reconcile sacredness and	22	it might be helpful to give them context for this meeting.
23	the site, use of the site.	23	This meeting is a consultation meeting pursuant
24	Then I think at that point we all determined we	24	to the National Historic Preservation Act. Under Section
24	just needed to get something to eat and get out of this	25	106 we just finally call it Section 106 is a back
2.5			
	11		13
		-	1 Could discussion disc because A and idea in idea
1	place for a little while.	1	and forth discussion that happens. And it's a it's a
2	So, hopefully, we've come back wiser now. But	2	federal process. And by statute and by regulation,
2 3	So, hopefully, we've come back wiser now. But we will continue the discussion.	2 3	federal process. And by statute and by regulation, Advisory Council of Historic Preservation has the
2 3 4	So, hopefully, we've come back wiser now. But we will continue the discussion. So we will start with you.	2 3 4	federal process. And by statute and by regulation, Advisory Council of Historic Preservation has the regulations to implement the statute. And it basically
2 3 4 5	So, hopefully, we've come back wiser now. But we will continue the discussion. So we will start with you. MR. HINANO RODRIGUES: I am in the hot seat.	2 3 4 5	federal process. And by statute and by regulation, Advisory Council of Historic Preservation has the regulations to implement the statute. And it basically involves any time a federal agency is involved in what
2 3 4 5 6	So, hopefully, we've come back wiser now. But we will continue the discussion. So we will start with you. MR. HINANO RODRIGUES: I am in the hot seat. MS. ANNELLE AMARAL: Why not?	2 3 4 5 6	federal process. And by statute and by regulation, Advisory Council of Historic Preservation has the regulations to implement the statute. And it basically involves any time a federal agency is involved in what they call an undertaking here it would be the National
2 3 4 5 6 7	So, hopefully, we've come back wiser now. But we will continue the discussion. So we will start with you. MR. HINANO RODRIGUES: I am in the hot seat. MS. ANNELLE AMARAL: Why not? MR. HINANO RODRIGUES: Before we discuss that,	2 3 4 5 6 7	federal process. And by statute and by regulation, Advisory Council of Historic Preservation has the regulations to implement the statute. And it basically involves any time a federal agency is involved in what they call an undertaking here it would be the National Science Foundation's issuance of federal funds, if it
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2 3 4 5 6 7 8 9	So, hopefully, we've come back wiser now. But we will continue the discussion. So we will start with you. MR. HINANO RODRIGUES: I am in the hot seat. MS. ANNELLE AMARAL: Why not? MR. HINANO RODRIGUES: Before we discuss that, maybe we should listen to what the two new people here want to say.	2 3 5 7 8 9	federal process. And by statute and by regulation, Advisory Council of Historic Preservation has the regulations to implement the statute. And it basically involves any time a federal agency is involved in what they call an undertaking here it would be the National Science Foundation's issuance of federal funds, if it decides to fund this project that triggers compliance with 106, which then requires the agency to go ahead and
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4 (Pages 10 to 13)

	14		16
1	And so the way it ends up working is we have a	1	That's correct, Shad Kane was here. Warren
2	discussion here about the adverse effects and, primarily,	2	Shibuya is here as a consulting party.
3	looking at ways to resolve them through either avoidance,	3	MR. GIBSON: National Park Service.
4	minimization or mitigation. And that is the context in	4	MS. CAROLINE BLANCO: National Park Service was
5	which this meeting takes place.	5	here. And, of course, we have the State and the Advisory
6	It's not about other environmental impacts that	6	Council.
7	are pursuant to the process under the National	7	MR. DANIEL KANAHELE: Thank you.
8	Environmental Policy Act. This is focused on historic	8	MS. CAROLINE BLANCO: And anybody who would like
9	resources and cultural resources.	9	to, you know, join in on our meetings.
10	MR. DANIEL KANAHELE: Thank you.	10	MS. ANNELLE AMARAL: And then what is happening
11	MS. ANNELLE AMARAL: I wanted to note the	11	is, as you talk to one another up here, you all sort of
12	arrival of two more people and give you an opportunity to	12	drop your voices, but the court reporter is down here. So
13	introduce yourselves.	13	keep in mind, when you speak, try to project so the court
14	Aloha.	14	reporter can hear you down at this end.
15	MS. JOYCLYNN COSTA: Aloha. My name is Joyclynn	15	You had a comment or question?
16	Costa.	16	MR. DANIEL KANAHELE: Yeah, I did. I was ready
17	MS. JAMIE FERNANDEZ: I am Jamie Fernandez.	17	to say to make a comment, if that is appropriate.
18	MS. ANNELLE AMARAL: Great. And are you	18	MS. ANNELLE AMARAL: Sure, yeah.
19	representing any organization or just yourself?	19	Let me introduce one more person.
20	MS. JOYCLYNN COSTA: Yes, Haleakala.	20	Aloha. I am wondering, you just seated
21	MS. ANNELLE AMARAL: Haleakala. Aloha.	21	yourself, did you want to introduce yourself to the group
22	Welcome.	22	and who you represent?
23	MS. MELISSA PRINCE: I had a question. I	23	MS. OHUA MORANDO: Sure. Okay. Aloha mai
24	realize that you are here to be a consultant to those who	24	kakou.
25	may have signed up to be on the list. So I was wondering,	25	MS. ANNELLE AMARAL: Aloha.
	15		17
1	is there a list of people who are formally asked to be	1	MS. OHUA MORANDO: Ohua Morando. And I am here
2	consulted?	2	as a Maui resident. And I had received a lot of many of
3	MS. CAROLINE BLANCO: The list is made up of	3	the flyers in the beginning, but I wasn't part of this,
4	people who have requested to be consulting parties through	4	either I was away or something. But I am very interested
5	public meetings and so forth. And then they have	5	in being here and and it's nice to meet you. I work at
6	requested to become consulting parties, indicating to us	6	Maui Community College with Na Pua No'eau program.
7	they have an interest that they would like to be involved	7	MS. ANNELLE AMARAL: Great. Aloha and welcome.
8	in this process and stakeholders in this process. Then we	8	So before, perhaps, we pick up where we left off
9	have I don't think we've denied anybody a consulting	9	here, sir, you wanted to make a comment. Is that it?
10	party status.	10	MR. DANIEL KANAHELE: Well, you invited a
11	MS. MELISSA PRINCE: Well, the reason why I	11	comment from me, so I
11			
12	asked is because I am wondering, are any of them here	12	MS. ANNELLE AMARAL: We are all commenting to
		12 13	MS. ANNELLE AMARAL: We are all commenting to one another, sharing information, and, hopefully, building
12	asked is because I am wondering, are any of them here		
12 13	asked is because I am wondering, are any of them here today.	13	one another, sharing information, and, hopefully, building
12 13 14	asked is because I am wondering, are any of them here today. MS. CAROLINE BLANCO: Yes.	13 14	one another, sharing information, and, hopefully, building on it for the purpose of addressing the issues of
12 13 14 15	asked is because I am wondering, are any of them here today. MS. CAROLINE BLANCO: Yes. MS. ANNELLE AMARAL: Yes.	13 14 15	one another, sharing information, and, hopefully, building on it for the purpose of addressing the issues of avoidance, minimization or mitigation. Yes.
12 13 14 15 16	asked is because I am wondering, are any of them here today. MS. CAROLINE BLANCO: Yes. MS. ANNELLE AMARAL: Yes. MS. MELISSA PRINCE: Like the State and OHA,	13 14 15 16	one another, sharing information, and, hopefully, building on it for the purpose of addressing the issues of avoidance, minimization or mitigation. Yes. MR. DANIEL KANAHELE: Well, my name is Daniel
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5 (Pages 14 to 17)

	18		2
1	So one question I have is when is something too	1	people have and strong feelings they have, that in light
2	sacred to be built upon? What criteria do you use to	2	of all of the circumstances, the whole situation, he
3	determine the sacredness of a place before you allow it to	3	decides to fund it, one of the things that we can
4	be changed in any shape or form?	4	accomplish here today for his consideration is a
5	For me personally, I think what makes Hawaii in	5	mitigation package, some ideas that even though perhaps
6	total a unique place is that it is, first and foremost, a	6	some people may be opposed to it, they might be
7	Hawaiian place. That is why people come here in the first	7	comfortable having some mitigation measures in place for
8	place, because it is a Hawaiian place.	8	the Director to consider if he does decide to agree and
9	If you want to go to Japan and learn about the	9	approve funding for this proposed project.
10	Japanese culture, you go to Japan. If you want to go to	10	MR. DANIEL KANAHELE: Uh-huh.
11	Mexico and learn about the Mexican culture, you go to	11	MS. CAROLINE BLANCO: So my question to you
12	Mexico. But if you want to learn about Hawaii and the	12	and also to the other folks who have joined us is if
13	Hawaiian culture, you come to Hawaii, because Hawaii is	13	this does go forward, are there mitigation measures that
14	home to all things Hawaiian.	14	you would like to see in place for the Director to
15	Aside from its natural beauty, the thing that	15	consider?
16	sets Hawaii apart from any other place in the world is its	16	MR. DANIEL KANAHELE: Well, I can't mention
17	endemic beauty, it's endemic wildlife, history, culture,	17	anything specifically.
18	language and heritage.	18	I will say this. If you come into somebody's
19	Haleakala is a Hawaiian place. There is no	19	house if you come into my house, and our custom is
20	place like it on this Earth. So is Haleakala a place so	20	at my home, you remove your shoes or slippers before you
21	sacred and so special that it should remain untouched?	21	come in. Now if everybody in the house honors that
22	It has been touched already. And there is a	22	tradition and that custom, but, still, you come into my
23	proposal to to, I would say, add more to what is	23	house with your slippers on and you ignore that, what
24	already up there.	24	impact do you think that would have on the people of that
25	And then I would just conclude with this remark.	25	house?
25	And then I would just conclude with this remark.	25	house?
25		25	It's all about respect, respecting people's
	19 There is one danger that we face today. And that danger is this. That modern day man brings with him the ability		It's all about respect, respecting people's feelings whose house it is.
1	19 There is one danger that we face today. And that danger	1	It's all about respect, respecting people's feelings whose house it is. And I am one person who lives in this house.
1 2	19 There is one danger that we face today. And that danger is this. That modern day man brings with him the ability to wipe out everything that defined people of culture. Thank you.	1 2	It's all about respect, respecting people's feelings whose house it is. And I am one person who lives in this house. And there are others here who are from this house, too.
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18 concerned that something that is so deeply a part of our 18 MS. CAROLINE BLANCO: I think he has another	18	concerned that something that is so deeply a part of our	18	MS. CAROLINE BLANCO: I think he has another two
19 culture can be completely overrun by something that I 19 years.	19	culture can be completely overrun by something that I	19	years.
20 don't see as saving like there's not an immediate need 20 MR. GIBSON: 2010, it will be up.	20	don't see as saving like there's not an immediate need	20	MR. GIBSON: 2010, it will be up.
21 to absolutely have it and it's okay to come and run over 21 DR. CRAIG FOLTZ: May I add a little to that?	21	to absolutely have it and it's okay to come and run over	21	DR. CRAIG FOLTZ: May I add a little to that?
22 our culture. 22 This is a he makes the decision. But then that	22	our culture.	22	This is a he makes the decision. But then that
23 I'm sorry that I am late, that I didn't get to 23 decision has to be approved by an entity called the	23	I'm sorry that I am late, that I didn't get to	23	decision has to be approved by an entity called the
24hear your update.24National Science Board.	24	hear your update.	24	
25 And that is my concern. It is my concern that 25 MS. CAROLINE BLANCO: Okay. Craig, if I could	25	And that is my concern. It is my concern that	25	MS. CAROLINE BLANCO: Okay. Craig, if I could

7 (Pages 22 to 25)

	26		28
1	interject. He doesn't make the decision first and then	1	introduction, but I guess my concern, too, as I feel for
2	he makes a recommendation	2	the three that spoke before I am not from Maui. I am
3	DR. CRAIG FOLTZ: I'm sorry.	3	from Oahu, born and raised, but my family are from Maui
4	MS. CAROLINE BLANCO: to the National Science	4	and have been here for many years, generations. But I've
5	Board.	5	come to love this island as if I was born here. And I
6	DR. CRAIG FOLTZ: That is why I am not a lawyer.	6	think that is just how it is when you move from island to
7	MS. CAROLINE BLANCO: Then the National Science	7	island. You adapt, because every island is different.
8	Board, which is also a group of presidential appointees,	8	And in moving here, this was always my favorite
9	and it will serve terms as well, and they represent	9	place. And my favorite place meaning that Haleakala was
10	disciplines, scientific disciplines, a variety of	10	always the most sacred place where I would always want to
11	different ones, accomplished people and so forth. And	11	go and be and have my children go and be and see. So this
12	they will look at the Director's recommendation and then	12	is my personal growing up experiences in coming here and
13	either agree with it or not. And if they do agree with	13	seeing how Maui has changed. Some of it good; some not.
14	it, they will then tell the Director, "We agree with your	14	But I guess I I want to speak same as you,
15	recommendation and, at your discretion, you can decide to	15	sir.
16	fund this project."	16	MR. DANIEL KANAHELE: Daniel.
17	MS. MELISSA PRINCE: I see.	17	MS. OHUA MORANDO: Daniel, that when is enough
18	MS. CAROLINE BLANCO: So then the Director,	18	enough, because I feel strongly about that.
19	ultimately that is why I short-circuited this to say,	19	Because I work in a program that services Native
20	ultimately, the Director will make a decision one way or	20	Hawaiian children, kindergarten through 12th grade, all
21	the other.	21	the way through college. And we take them to these sacred
22	MS. MELISSA PRINCE: All right. Now that is	22	places. And they learn about their identity, they learn
23	clear.	23	about themselves, they learn about who they are, their
24	MS. CAROLINE BLANCO: Unless the National	24	language, their culture. And what saddens me is when we
25	Science Foundation decides not to accept the	25	take them to these places, places have been built over
20		3	1 71
2.5	27		29
1	27 recommendation.	1	
		1 2	29
1	recommendation.		29 these spots and there is only a small place. It's sad
1 2	recommendation. DR. CRAIG FOLTZ: Right. But that decision then	2	29 these spots and there is only a small place. It's sad because of it's not fully there.
1 2 3	recommendation. DR. CRAIG FOLTZ: Right. But that decision then factors into the preparation of a budget which, of course,	2 3	29 these spots and there is only a small place. It's sad because of it's not fully there. And I am I am concerned about Haleakala
1 2 3 4	recommendation. DR. CRAIG FOLTZ: Right. But that decision then factors into the preparation of a budget which, of course, must be appropriated by Congress.	2 3 4	29 these spots and there is only a small place. It's sad because of it's not fully there. And I am I am concerned about Haleakala because things have been built there. And now we are
1 2 3 4 5	recommendation. DR. CRAIG FOLTZ: Right. But that decision then factors into the preparation of a budget which, of course, must be appropriated by Congress. MS. CAROLINE BLANCO: But the final agency for	2 3 4 5	29 these spots and there is only a small place. It's sad because of it's not fully there. And I am I am concerned about Haleakala because things have been built there. And now we are looking at this and trying to mitigate and avoid and work
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8 (Pages 26 to 29)

	30		32
1	with small groups of people.	1	suggestions for maybe trying to help with that, to help
	MS. ANNELLE AMARAL: Probably so.	2	with practice in a more peaceful way?
2	MS. MIKAHALA HELM: So we have to make sure	3	MS. LIANNA HOROVITZ: Well, I think that any
	we're clear about that.	4	development, any, any physical structure that is
4	MS. CAROLINE BLANCO: Both formal and informal.	5	constructed up there that has lights and noise, it has an
5	MS. CAROLINE BLANCO. Boun formar and informat. MS. ANNELLE AMARAL: Okay.	6	impact. So I just don't feel that the community has maybe
	MS. CAROLINE BLANCO: That's right.	7	been consulted in a way that feels like we're part of the
7	DR. CRAIG FOLTZ: But there were more than	8	process at all. Even though that there have been these
8		9	meetings, they haven't been done necessarily in a way that
9	several. MR. JEREMY WAGNER: It was about a dozen.	10	feels like any input is really welcome, the ones that I've
10	MS. CAROLINE BLANCO: I think this was the 26th.	11	attended.
11		12	So I am just here to learn more information
12	MR. MIKE MABERRY: Large public meetings. DR. CRAIG FOLTZ: Yeah, we had more than several	13	
13		14	right now. MS. CAROLINE BLANCO: Okay. Thank you.
14	large public meetings.	14	MS. ANNELLE AMARAL: I wonder if this woman
15	MS. ANNELLE AMARAL: And, sorry, but we've had	16	could introduce herself, Daniel.
16	two more people just join us. And so I wanted to give	17	MS. JUDY MANCINI: My name is Judy Mancini. I
17	them an opportunity, also, to invite to identify	18	am Leanna's mom. And I am also a member of our hula halau
18	themselves and give a small background.	19	and a student of Hawaiian language and music. I raised
19	MS. LIANNA HOROVITZ: Aloha. My name is Lianna	20	all of my four children here on Maui.
20	Horovitz. I grew up here on Maui. And I am here on	20	
21	behalf	22	And like my daughter, I am here to get more information.
22	MS. ANNELLE AMARAL: Just speak louder. MS. LIANNA HOROVITZ: I am here on behalf of	23	I'm sorry I missed the first part of the
23	(inaudible) and our hula halau, (inaudible). She was	24	meeting. I did attend the Kula Community Association
	(inalighte) and our nula nalau, (inalighte). She was	24	meeting. I did attend the Nula Community Association
24			
24 25	unable to be here tonight. And we are just very concerned	25	presentation many months ago. And I have tried to keep
	unable to be here tonight. And we are just very concerned 31	25	presentation many months ago. And I have tried to keep 33
	unable to be here tonight. And we are just very concerned 31 about the development of this mountain that we consider a	25	presentation many months ago. And I have tried to keep 33 current of what is happening.
25	unable to be here tonight. And we are just very concerned 31 about the development of this mountain that we consider a temple and and how such a development of the huge solar	25 1 2	presentation many months ago. And I have tried to keep 33 current of what is happening. I am very concerned that this just does not seem
25	unable to be here tonight. And we are just very concerned 31 about the development of this mountain that we consider a temple and and how such a development of the huge solar telescope will impact hula, will impact our dance, our	25 1 2 3	presentation many months ago. And I have tried to keep 33 current of what is happening. I am very concerned that this just does not seem to be the right place for a facility of this size.
25 1 2 3 4	unable to be here tonight. And we are just very concerned 31 about the development of this mountain that we consider a temple and and how such a development of the huge solar telescope will impact hula, will impact our dance, our cultural practices and our community.	25 1 2 3 4	presentation many months ago. And I have tried to keep 33 current of what is happening. I am very concerned that this just does not seem to be the right place for a facility of this size. Maui is changing very rapidly. And if I had a
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9 (Pages 30 to 33)

	34		3
1	is planned, they really have not had the opportunity	1	how something like that can take away from your
2	because, for some, it's not in their nature to come out	2	experience, your in her case, her cultural practice. A
3	publicly like this.	3	light at the end of a very, very dark beach can have an
4	But I will only speak for my halau, not other	4	impact. And, obviously, can have impact on our native
5	halaus. It can't be measured. The quality of what the	5	wildlife and on native habitats.
6	mountain offers can't be measured in a scientific way.	6	For us, as Kanaka Maoli, we have, as one of our
7	And it has a value that can't be measured by science. And	7	cultural values, malama aina, which is to cherish and take
8	it has something to offer everybody that is of value.	8	care of that which takes care of us. So that which takes
9	Thank you.	9	care of us can continue to take care of us.
LO	MS. ANNELLE AMARAL: Mahalo. Thank you.	10	Anything that impacts not only our spirituality,
11	I'm sorry. Your daughter's name?	11	but our native habitats, our native wildlife, impacts us
12	MS. LIANNA HOROVITZ: Lianna.	12	as a people.
13	MS. ANNELLE AMARAL: Lianna, thank you.	13	Why? Because, unfortunately, so much that is
L 4	Okay. Any other comments, thoughts, please?	14	endemic to Hawaii, so much that is Hawaiian is endangered
15	MR. DANIEL KANAHELE: I just wanted to add or	15	of being lost or has been lost already. So we are even
16	comment on Lianna what Lianna was saying, you know,	16	more protective of whatever is still left in terms of
17	about how the structure of the telescope would affect your	17	everything that is Hawaiian.
18	practices.	18	You name it, practically everything is
19	A halau, is that correct?	19	endangered. Monk Seal, endangered; turtle, endangered;
20	Recently, I was turtle doing a turtle watch	20	dryland forest, endangered. The list goes on and on and
	at Oneloa Beach, also known as Big Beach, on the south	21	on.
21 22	shore. And Big Beach is probably the largest beach and	22	So I just wanted to kind of add on to what she
		23	was saying.
23	most prominent of its size on Maui, that it's still almost	24	MS. ANNELLE AMARAL: Let me ask you a question
24	completely surrounded by open space and wilderness. So I	25	In the reports that we've done, we've identified species,
25	was out there with some friends watching over the clutch,	2.5	
	35		3
1	the nest of the endangered Hawksbill Turtle, and waiting	1	native species that will be endangered by the siting of
2	for the turtles to be born so that we could watch care	2	this?
3	over them as they made their way from their nest to the	3	DR. CHARLIE FEIN: We have identified Charlie
4	water.	4	Fein, environmental consultant. We have identified the
5	What made that experience especially poignant	5	endangered species that are that populate the site, and
6	for me was the fact that it's so dark out there, there's	6	have spent 18 months in consultation with U.S. Fish and
7	no light pollution. You can look at the night sky and see	7	Wildlife Service to obtain a biological opinion which
8	all the stars so clearly, more clearly than maybe most	8	includes all kinds of conservation measures.
9	places that have no lights. You can see Sagitarrius, you	9	Those conservation measures include monitoring
10	could see Maui's Fishhook, also known as Scorpius, and in	10	of the site with many video cameras. Also, measures
11	between, of course, is the galaxy of the Milky Way. You	11	preventing construction during nesting periods for the
12	can see the spiral arm so clearly. It was gorgeous.	12	Petrel. It includes observation for hoary bats. It
13	It was perfect except for one thing. On the far	13	includes monitoring for Silverswords, so that, should a
14	south end of the beach, there's a floodlight. There's a	14	Silversword appear, it cannot be displaced.
the sta		15	I wanted to comment, there was that was a
15	home, privately-owned. The rest of the property around		moving discussion. I have been at that beach and seen
		16	moving discussion. I have been at that beach and seen
15 16	Oneloa Beach is State well, it's owned it's public	16 17	that light. And I know who owns that property.
15	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on		
15 16 17	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on it. And as small as it was, it distracted from the	17	that light. And I know who owns that property.
15 16 17 18 19	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on it. And as small as it was, it distracted from the guality of that experience. It distracted from what I was	17 18 19	that light. And I know who owns that property. MR. DANIEL KANAHELE: I do, too.
15 16 17 18 19 20	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on it. And as small as it was, it distracted from the guality of that experience. It distracted from what I was seeing up in the sky above.	17 18 19 20	that light. And I know who owns that property. MR. DANIEL KANAHELE: I do, too. DR. CRAIG FOLTZ: Okay. DR. CHARLIE FEIN: But I wanted to comment at
15 16 17 18 19 20 21	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on it. And as small as it was, it distracted from the guality of that experience. It distracted from what I was seeing up in the sky above. But just as an importantly, it prevents the	17 18 19 20 21	 that light. And I know who owns that property. MR. DANIEL KANAHELE: I do, too. DR. CRAIG FOLTZ: Okay. DR. CHARLIE FEIN: But I wanted to comment at this point that with respect to the observatory area, with
15 16 17 18 19 20 21 22	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on it. And as small as it was, it distracted from the quality of that experience. It distracted from what I was seeing up in the sky above. But just as an importantly, it prevents the honu, the Hawksbill Turtle, from coming up on the beach on	17 18 19 20 21 22	 that light. And I know who owns that property. MR. DANIEL KANAHELE: I do, too. DR. CRAIG FOLTZ: Okay. DR. CHARLIE FEIN: But I wanted to comment at this point that with respect to the observatory area, with respect to Haleakala observatories, almost all, with the
15 16 17 18 19 20 21	Oneloa Beach is State well, it's owned it's public land except for one piece of property with a floodlight on it. And as small as it was, it distracted from the guality of that experience. It distracted from what I was seeing up in the sky above. But just as an importantly, it prevents the	17 18 19 20 21	 that light. And I know who owns that property. MR. DANIEL KANAHELE: I do, too. DR. CRAIG FOLTZ: Okay. DR. CHARLIE FEIN: But I wanted to comment at this point that with respect to the observatory area, with

10 (Pages 34 to 37)

	38		4
1	it is very dark up there.	1	MS. ANNELLE AMARAL: I will come down here, ar
2	And I have scarred elbow from the time I broke	2	come to you, Lianna.
3	it, in 1983, tripping over the pavement. It is extremely	3	Please identify yourself for the
4	dark at the summit. The night sky is the biggest asset	4	MS. JOYCLYNN COSTA: Joyclynn Costa.
5	that that site has, or one of the biggest assets.	5	I just wanted to comment on one thing he said
6	So with respect to noise, we have noted that the	6	about if a Silversword came up, then they would know not
7	observatories do have some functional operational noise.	7	to displace it. But as what Daniel said, they will never
8	We made measurements. Those things are discussed in the	8	have a chance to be there, so it will never be displaced,
9	Draft Environmental Impact Statement.	9	if you have a building there.
0	But with respect to the light, the intent is to	10	I wanted to ask. The people who are wanting to
1	keep that site as dark as possible at all times.	11	even consider Haleakala, before they came here, did they
.2	MR. DANIEL KANAHELE: It's not so much that I	12	did they educate themselves as to what they are coming
.3	was making light of the light. It was that the point I	13	to, who they are coming to?
4	was making that there was something there, whether it was	14	Because we can speak as much as we want to about
.5	light or a building, that was that was the problem.	15	our historical, our cultural, our spiritual. And to me,
6	That was what was impacting.	16	it's almost going to be like, blah, blah, blah, blah,
.7	What she was referring to was her cultural	17	blah, in their ears, unless they truly learned it first,
.8	ability to practice the culture, the hula.	18	to understand it, so that when we do speak to them, they
9	And then in terms of native species, it's not so	19	know what we're saying to them.
0	much the native species that are important, it's the	20	Up until they learn it themselves and that is
1	native habitat. Because without the habitat, you cannot	21	what I have been learning for myself. I can go and sit in
2	have the species. The habitat has to be intact in order	22	the classroom and it will be all Greek to me until I get
.2	for the species to have a place to live.	23	it. And so I want to know how deep they have gotten it.
4	So I am not so much worried about, say, the	24	Because I can sit in a room and speak for hours on end,
25	Wiliwili tree because that is a special interest to me or	25	and they can be looking at all of this, what we are
	-		
	20		
1	39	1	
1	the Awikiwiki, which is in the dryland forest. I am more	1	telling them, but if they have never gotten it, then they
2	the Awikiwiki, which is in the dryland forest. I am more concerned that the habitat is kept intact, kept whole and	2	telling them, but if they have never gotten it, then they don't get it.
2 3	the Awikiwiki, which is in the dryland forest. I am more concerned that the habitat is kept intact, kept whole and kept healthy. So for me that is more more important	2 3	telling them, but if they have never gotten it, then they don't get it. MS. CAROLINE BLANCO: I think maybe it's awfu
2 3 4	the Awikiwiki, which is in the dryland forest. I am more concerned that the habitat is kept intact, kept whole and kept healthy. So for me that is more more important than the actual individual species. Because without the	2 3 4	telling them, but if they have never gotten it, then they don't get it. MS. CAROLINE BLANCO: I think maybe it's awfu hard to answer that question, but what I can say is that
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11 (Pages 38 to 41)

	42		4
1		1	My grandmother was raised as an orphan because
1	culture, I would think that you would need to study up on	2	her mother went, because she didn't trust the man that was
2	it and understand it.		
3	And the reason why I asked that, too, is because	3	picking her husband up. So she wanted to go on this boat
4	I wonder if anybody has asked the mountain. Has anyone	4	and take care of him, thinking that, yeah, he was sick.
5	actually gone there that wants to consider this and truly	5	So my grandmother was raised as an orphan.
6	become one with that mountain and feel that mountain, be	6	And now you come here to ask us to mitigate our
7	in that mountain, and know exactly what that mountain is?	7	Haleakala. How do you do that? If you are coming up wi
8	You know, my heart right now is pounding as I am	8	that word to me, I need to ask you, how do you do that?
9	saying this. We as Kanaka Maoli have already given. It's	9	How do you mitigate your child? How do you
10	not that we don't give. We we want to welcome	10	mitigate your children?
11	everybody. That is part of our nature. And so we want to	11	In the Bible, do we cut you in half? This is
12	invite you to come here. But it shouldn't be on somebody	12	what you are asking us.
13	else's terms. The mitigation should come from us, not	13	So I need to know if these people truly
14	you. The the ideas should come from us, not you. The	14	understand who they are talking to and the history, the
15	mountain belongs to us, not you.	15	facts of Haleakala.
16	So how can it be that I am going to sit here and	16	You know, people look at it as like mythology.
17	just give you my comments, and you will consider it and	17	It's factual. And I would like them to go into the
18	then let us know what you decide, when the mountain is us?	18	mountain, besides talking here roundtable, and ask
19	We are Hawaii. We are not Hawaiians. We came	19	Haleakala. Because it lives, it truly lives. And they going to get their answer if they sincere enough to go in
20	from this soil.	20	
21	I had a comment once from a ho'o haole, because	21 22	there and ask.
22	he is from he is actually Iranian, and is proud to be		MS. ANNELLE AMARAL: Thank you.
23	American. And it's sad for me because he should know his	23	Lianna had her hand up. I'm sorry, I jumped
~ .		0.4	have first. Che hadelt analyzer an Lam going to go to
	culture and be proud of who he is, not where he think he	24	here first. She hadn't spoken, so I am going to go to
24 25	is from now. We and he told me this comment. He said,	24 25	Lianna. Then I am going to Charlene.
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APPENDIX C(6): TRANSCRIPTS - SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, AUGUST 27, 2008 EVENING SESSION

	46		48
1	part of that, at least.	1	MS. ANNELLE AMARAL: Okay. I wonder if I can
2	There has been no decision made. And I want to	2	come first to Charlene, who had her hand up. And before I
3	clarify that we have said that at every juncture, that	3	come to Daniel, I need to see if anyone else wants to
4	there really has been no decision made. And there won't	4	speak before you speak again. Okay. Then I will come to
5	be until this process is completed and then the National	5	you.
6	Environmental Policy Act process is completed.	6	So please Charlene.
7	And then it will go through this procedure that	7	MS. CHARLENE DWIN VAUGHN: We're here pursuan
8	we talked about with the National Science Foundation	8	to a regulatory process that clearly states that Native
9	Director making a recommendation to the National Science	9	Hawaiians and Native Americans who have identified a
10	Board, if he decides to make that you know, he might	10	property of religious and cultural significance must
11	decide not to. There is always that possibility. And	11	communicate what that means.
12	then the step with the National Science Board, depending	12	So I hear you saying, you know, do we
13	on what they decide to do and ultimately the Director.	13	understand, have you been to the mountain, have you
14	So no decision has been made.	14	communicated with it, has it spoken to you. Maybe yes;
15	When the Director takes into consideration	15	maybe not.
16	before making a decision, he is going to take into	16	But for the purposes of this conversation, we're
17	consideration all of the views that have been said so far,	17	looking to people who are Native Hawaiians and who hold
18	as I mentioned earlier, and, also, look at other interests	18	this property to be a sacred place to tell us why this is
19	involved as well and the scientific integrity of it, or	19	a good idea, or why it's not a good idea or, more
20	the importance of it, the scientific community. There are	20	importantly, what it is that we need to understand about
21	various communities that also have differing interests as	21	this whole process that perhaps flying in here for a week
22	well. And so he has to look at the entire picture. And	22	we missed.
23	based on the entire administrative record that's taken	23	MS. JOYCLYNN COSTA: Well, okay. In what part
24	place through all of these processes and to listen to	24	of this conversation is a Kanaka Maoli? I like to know in
25	everything that has been said before making a decision.	25	what part does a Kanaka Maoli play? Because you
	47		4
1	MS. LIANNA HOROVITZ: So the money that has been	1	identified us as a Native Hawaiian, yeah.
2	already allocated by the National Science Foundation,	2	MS. CAROLINE BLANCO: Yeah.
3	where has that money gone to the project?	3	MS. JOYCLYNN COSTA: That is by
4	MS. CAROLINE BLANCO: Sure, I can explain it.	4	MS. CHARLENE DWIN VAUGHN: By law.
5	There are two proposals.	5	MS. JOYCLYNN COSTA: federal understanding of
	The first one was a design and development	6	us. But who we are is Kanaka Maoli first. We are the
6	proposal. We are still continuing to fund that. Design	7	host culture. So in what part can Kanaka Maoli now have a
7		8	voice in this?
8	and development of the proposed ATST Project doesn't		MS. ANNELLE AMARAL: I think it's the same as
9	result in construction of it. It results in design.	9	Native Hawaiian.
10	And the second proposal is the one that is for	10	MS. PUA AIU: The law identifies Native Hawaiian
11	construction. That was in 2004. It is that proposal that	11	
12	triggered requirements under federal statutes for the	12	organization. That is what the law identifies and that is
13	National Science Foundation to engage in environmental	13	how this process is run.
14	compliance reviews. One of which is this Section 106	14	MS. JOYCLYNN COSTA: So as Kanaka if I
15	process.	15	identify myself as a Kanaka Maoli, you'll change my
16	So there has been no decision on the	16	identity to a Native Hawaiian?
17	construction proposal. And there won't be until the steps	17	MS. PUA AIU: Yes.
18	that I have just set up.	18	MS. ANNELLE AMARAL: Identified as Native
19	MS. LIANNA HOROVITZ: What is the timeline for	19	Hawaiian.
20	this?	20	MS. CAROLINE BLANCO: Yes.
21	MS. CAROLINE BLANCO: The timeline for this	21	MS. ANNELLE AMARAL: Yeah.
22	is I believe it's next spring or so. Probably go	22	MS. CHARLENE DWIN VAUGHN: Why are we changing
0.0	before the the Director will make his recommendation	23	it? Do we need to change it?
23			NG TOXOLYDDI COSTA V
24	early in the spring. And and then the decision process	24	MS. JOYCLYNN COSTA: Yes. MS. CHARLENE DWIN VAUGHN: Okay.

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	50		52
1	MS. JOYCLYNN COSTA: Definitely.	1	may come to you, you know, when you wake up tomorrow
2	MS. ANNELLE AMARAL: Jason.	2	morning or it may come to you, you know, a few days from
3	MR. JASON JEREMIAH: I just wanted to kind of	3	now. And you are like, oh, yeah, now I kind of understand
4	comment on like we're going through consultation process	4	where, you know, she was coming from.
5	and we're trying to retrieve information from Native	5	And same thing on the side of a Native Hawaiian
6	Hawaiian organizations, individuals, ohana, you know. And	6	or our agency, too, is, you know, we may understand what,
7	that is part of the new native new policy with the ACHP	7	you know, the project manager or the scientist or other
8	and consulting Native Hawaiians.	8	agency, or even the Native Hawaiian individual that is
9	Just my thoughts on going through consultation	9	sharing the information.
10	process like this is, you know, from an agency	10	You know, all I wanted to express was that it
11	perspective and you got to look in the other person's	11	may take some time.
12	shoes. Like when Native Hawaiians give up information, we	12	MS. ANNELLE AMARAL: Okay. So let me see. Who
13	shouldn't come right back an agency shouldn't come	13	I'm sorry. That was you, Claire, that had your hand
14	right back with a response. Maybe we should think about a	14	up. Yes? Sorry.
15	response that is given, a response going back to a Native	15	MS. CLAIRE APANA: I feel a great disconnect in
16	Hawaiian individual organization, making time to come up	16	this room. And I'm sorry I was not here earlier. I just
17	with the best response. Sometimes it seems like a Native	17	found out about it, so I ran up here.
18	Hawaiian individual says something from their heart, you	18	I feel this gentleman's excitement over this
19	know, from their own breath, and, right away, we have a	19	project, because it really is excitement in the face of
20	response. That maybe maybe it might take a day, two	20	all the things we're saying, his excitement is so great
21	days, to let that let that thought kind of go through	21	that he would it could go negate everything that we
22	your head and process that information. And that is the	22	have to say. So I am wondering, what do you consider
23	kind of disturbing thing when when our office looked at	23	history? Because this is about history today, right?
24	the timing of the consultation meetings.	24	MS. PUA AIU: Shall we go through ours? That
25	We had two consultation meetings, one this	25	would probably be best.
	51		5:
1	afternoon and one tonight, which turned into one in the	1	MS. CHARLENE DWIN VAUGHN: The letter.
2	same meeting.	2	MS. CLAIRE APANA: Because I see a disconnect.
3	My thoughts were that the new people that	3	MS. PUA AIU: This is kind of a structured
4	couldn't make the meeting from 1:00 to 4:00 today came in	4	process, yeah. And I don't know if we should go over the
5	here and we had to do a lot of refreshing instead of I	5	structured process.
6	mean, I am just looking at the agenda. And I was assuming	6	MS. CAROLINE BLANCO: One of the reasons why w
7	the 6:00 to 9:00 meeting was going to go through, you	7	didn't go through the entire agenda is because
8	know, National Science Foundation kind of going over the	8	MS. PUA AIU: Originally.
9	project. So that, you know, everyone has a fair shot if	9	MS. CAROLINE BLANCO: a few minutes after
10	they are in a consultation process.	10	6:00, there were only one or two people that were new to
11	So I mean, my main kind of ideas that I am	11	the room. And we thought we would summarize. And this
12	trying to share with the group is just, you know, it may	12	was something we all discussed.
13	take a while to kind of understand where people are coming	13	MS. PUA AIU: Because there was too few of you.
14	from.	14	But now that there is more
15	MS. ANNELLE AMARAL: Let me understand you,	15	So I am Pua Aiu, I am the Administrator of the
16	Jason. If, however, a direct question is asked, it's	16	State Historic Preservation. This is Nancy McMahon, the
17	appropriate to answer questions, right?	17	Deputy SHPO. And this is Hinano Rodrigues, he is the
18	MR. JASON JEREMIAH: Right.	18	cultural historian here on Maui.
19	MS. ANNELLE AMARAL: Because sometimes what I am	19	Let me just, from my point of view, and they can
19	hearing is confusion about process. And certainly to	20	add in, go through a little bit of what 106 means from our
20			perspective. A 106 consultation looks at cultural and
	answer a direct question is appropriate. What you are	21	
20	answer a direct question is appropriate. What you are speaking to is sort of some I don't know mystical	22	historic properties. And it's structured in a fairly
20 21	answer a direct question is appropriate. What you are speaking to is sort of some I don't know mystical sort of communication, don't react right away.	22 23	historic properties. And it's structured in a fairly lineal sense to try to get at a memorandum of agreement.
20 21 22	answer a direct question is appropriate. What you are speaking to is sort of some I don't know mystical	22	historic properties. And it's structured in a fairly

14 (Pages 50 to 53)

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1	is the goal, is to get to some kind of agreement.	1	So it said that the proposed action no. Sorry. Wrong
2	In this particular situation, we have most of	2	one.
3	the people are saying avoidance, in which case advoidance	3	MS. JOYCLYNN COSTA: Irrevocable.
4	you would have a very short Memorandum of Agreement	4	MS. PUA AIU: Definition for significant impact
5	because there's that is all you would agree on.	5	is referencing only irrevocable losses of said resources
6	But if you were to go further, you would need to	6	and is not appropriate in these circumstances. The
7	talk about either minimization or mitigation.	7	implication is that if impact does not result in an
8	When you do a 106 consultation, one of the first	8	irrevocable loss, it is less than significant.
9	things you do is you define the proposed area of effect.	9	In the case of the Haleakala summit area, we
10	So let me talk about that.	10	believe that threshold to be lower given the community
11	In 2006, our office sent the letter and we had	11	input regarding the significance of this traditional
12	some questions about the proposed area effects. So we	12	cultural property. So and I believe we're there. I
13	looked at the crater district and we believed that the	13	believe we reached an agreement on that, that that the
14	crater the crater is a historic district. It has a	14	threshold is not irrevocable loss.
15	site number. It's in the state inventory of historic	15 16	MS. JOYCLYNN COSTA: It shouldn't have to be
16	places. It's on the National Register of Historic Places.	17	just irrevocable.
17	The Park road is significant.	18	MS. PUA AIU: No. It should be impact. So an for example, if you can still go up there, but you got
18	And the Park people were here earlier today for	19	to hear noise, that is an impact. It's not an irrevocable
19	those of you who weren't here. And the Park road is significant under Criterion	20	impact, because it just is kind of inconvenient and makes
20	-	21	the experience less or I mean, you can characterize it
21	A, which in the would be in association with the development of the National Park System, and Criterion C	22	how you want, but it's not an irrevocable impact because
22	for its association with the rest of the park design and	23	it doesn't mean you can't go there. It doesn't mean you
24	early entry of development, circa 1930.	24	can't see the sunrise or sunset, but it's an impact. And
25	There's bridges and box culverts on it that are	25	it may or may not be a significant impact. That is what
2.5			
	55	_	57
1	important as well. So that is one of the first things	1	we are arguing. So this is kind of the framework of what
2	important as well. So that is one of the first things that is going to be affected, is the road.	2	we are arguing. So this is kind of the framework of what we are talking about.
2	important as well. So that is one of the first things that is going to be affected, is the road. We looked at the use of significant impact on	2 3	we are arguing. So this is kind of the framework of what we are talking about. MS. JOYCLYNN COSTA: Who has the jurisdiction of
2 3 4	important as well. So that is one of the first things that is going to be affected, is the road. We looked at the use of significant impact on historic and cultural resources. And it was as	2 3 4	we are arguing. So this is kind of the framework of what we are talking about. MS. JOYCLYNN COSTA: Who has the jurisdiction of that mountain?
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15 (Pages 54 to 57)

APPENDIX C(6): TRANSCRIPTS - SECTION 106 MEETING, UH IFA, MAIKALANI FACILITY, AUGUST 27, 2008 EVENING SESSION

1	58		60
1	matter, so is the National Park.	1	MS. NANCY McMAHON: They are a managing
2	MS. ANNELLE AMARAL: Thank you.	2	MR. MIKE MABERRY: We'll talk about that.
3	MS. JOYCLYNN COSTA: So what effect does the	3	MS. NANCY McMAHON: entity?
4	Supreme Court decision of January 31st	4	DR. CRAIG FOLTZ: It could it would be
5	MR. MIKE MABERRY: When a Native Hawaiian	5	MS. ANNELLE AMARAL: Okay. The court reporter
6	government is formed and takes over all ceded lands, then	6	has just stopped writing because
7	they will have control of this 18-acre area as well.	7	MR. MIKE MABERRY: Sorry.
8	MS. JOYCLYNN COSTA: So what effect does this	8	MS. ANNELLE AMARAL: I've counted at least
9	injunction have for now? Nothing?	9	four voices. She only wrote what I said, but all
10	MR. MIKE MABERRY: No, ma'am.	10	right.
11	MS. JOYCLYNN COSTA: No, ma'am, what?	11	What was the last question that we heard that
12	MR. MIKE MABERRY: I don't believe it as far	12	Michael was trying to answer and Craig was trying to
13	as I know you will have I would recommend talking to	13	answer?
14	the governor's office. But as far as the university with	14	MS. CLAIRE APANA: I have another one. Ask
15	regards to its day-to-day operations, it doesn't at the	15	after I've heard my answer?
16	moment.	16	MS. ANNELLE AMARAL: Okay. So
17	MS. JOYCLYNN COSTA: It doesn't what?	17	MS. CLAIRE APANA: I asked the question about
18	MR. MIKE MABERRY: I am probably the wrong	18	what is the history.
19	person to answer that.	19	MS. ANNELLE AMARAL: What is the I didn't
20	MS. PUA AIU: I believe the injunction affects	20	quite understand that question. What is the history of
21	sales.	21	the land, is that what you are asking?
22	MS. JOYCLYNN COSTA: I'm sorry?	22	MS. CLAIRE APANA: Well, I am trying to figure
23	MS. PUA AIU: I believe the injunction affects	23	out why we are not we don't seem to be communicating.
24	sales, the sale of ceded land.	24	I mean, I see people speaking and
25	MR. MIKE MABERRY: We cannot sell the property,	25	MS. PUA AIU: History of the process or history
	59		61
1	anyhow.	1	of what we are talking about?
2	MS. PUA AIU: Cannot sell the	2	MS. CLAIRE APANA: And you are looking for
3	MS. NANCY McMAHON: If DLNR were to sell the	3	something. So I just want to make a comment. And that is
4	piece to another entity	4	as far as history, the numerous times that this Federal
5	MR. MIKE MABERRY: Right.	5	Government has come in and taken over and taken things
-			and the second
6	MS. NANCY McMAHON: That is when it would	6	from the Hawaiian culture, Hawaiian people. This would be
6 7	MS. NANCY McMAHON: That is when it would have		from the Hawaiian culture, Hawaiian people. This would be one more huge time that they would be coming in, sticking
		6	from the Hawaiian culture, Hawaiian people. This would be
7	have MR. MIKE MABERRY: One of the adjacent property owners like von Tempsky property or Haleakala	6 7	from the Hawaiian culture, Hawaiian people. This would be one more huge time that they would be coming in, sticking that dagger in and just twisting it again. This would be one more time. This is not the time to be doing that.
7 8	have MR. MIKE MABERRY: One of the adjacent property owners like von Tempsky property or Haleakala MS. NANCY McMAHON: So we're holding it in	6 7 8 9 10	from the Hawaiian culture, Hawaiian people. This would be one more huge time that they would be coming in, sticking that dagger in and just twisting it again. This would be one more time. This is not the time to be doing that. This is not the time to be doing that. You have been
7 8 9	have MR. MIKE MABERRY: One of the adjacent property owners like von Tempsky property or Haleakala	6 7 8 9	from the Hawaiian culture, Hawaiian people. This would be one more huge time that they would be coming in, sticking that dagger in and just twisting it again. This would be one more time. This is not the time to be doing that. This is not the time to be doing that. You have been making your own history.
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	62		64
1	guess what I kind of need, knowing that this is the last	1	these islands. But we are here and we are voicing no
2	hour we are going to be together, that what I kind of need	2	more.
3	from all of you is you have a number of people gathered	3	Thank you.
4	here this evening, people from the National Science	4	MS. ANNELLE AMARAL: Please identify yourself.
5	Foundation, people from the national historic	5	MS. JUDY MANCINI: Judy.
6	MS. CHARLENE DWIN VAUGHN: Advisory Council on	6	And I would just like to piggyback on what she
7	Historic Preservation.	7	has just said. I guess from the moment that I came into
8	MS. ANNELLE AMARAL: Advisory Council. People	8	the room, I had this sense that it's kind of, you know,
9	from the Department of Land and Natural Resources, State	9	science against the Native Hawaiian culture.
10	Historic Preservation Office. What I guess and, you	10	And I just wanted to add, I am not Native
11	know, OHA is here as well. What is it that you would like	11	Hawaiian, but I don't think you have to be Native Hawaiian
12	to communicate? Given your knowledge of this place and	12	to feel the same connection and the same love for the
13	your knowledge of the projected project, what is it that	13	place in which you live. And I know many, many other
14	you need to go on record to communicate, then, to the	14	people that feel the same way.
15	people gathered here this evening? I guess if we could at	15	MS. ANNELLE AMARAL: Thank you.
16	least start there and then build from there.	16	Yes. Identify yourself.
17	Because the idea of, I guess, trying to move	17	MS. JOYCLYNN COSTA: Joyclynn Costa.
18	people towards is there anything that we can do to	18	I want to say, in 1993, when the Apology Bill,
19	mitigate impact, it doesn't seem to be moving very far.	19	Public Law 103-150, was offered to the identified in that
20	So, instead, perhaps the next question is, then what is	20	document as Native Hawaiians, but also described as people
21	the special knowledge that you want to communicate to some	21	of precontact, 1778, I want to clarify that my identity
22	of the signatories that are gathered.	22	doesn't come from outside. My identity comes from who I
23	MS. LEIOHU RYDER: I would like to say I	23	am. And I would appreciate to be identified who I am,
24	would like to share this with you.	24	which is a Kanaka Maoli, and not identified by an alien
25	MS. ANNELLE AMARAL: I need you to identify	25	source to say that I am a Native Hawaiian. I do not
	63		65
1	yourself.	1	recognize that identity.
2	MS. LEIOHU RYDER: Leiohu Ryder.	2	But I will appreciate the Public Law 103-150 for
3	I would like you, as you have participated from	3	its entirety and accept it, especially the part where the
4	a national level, as an adviser and you have assisted	4	president of the United States, as well as his entire
5	us greatly in clarifying some of this process. And I wish	5	Congress, by saying that we never relinquished our
6	for you to share some of the to share the idea that	6	national lands nor our sovereignty. And that I accept
7	spirituality cannot be mitigated for this unique spiritual	7	wholeheartedly.
8	resource of our beloved land, that holds the testimony and	8	And with that understanding, then I give you no
9	the future of many generations that is blended with my DNA	9	permission to use our mountain in any form or fashion
9 10	the future of many generations that is blended with my DNA from my bones, have been resurrected and mixed in the aina	9 10	
			permission to use our mountain in any form or fashion
10	from my bones, have been resurrected and mixed in the aina	10	permission to use our mountain in any form or fashion without our consent.
10 11	from my bones, have been resurrected and mixed in the aina of this land. You cannot mitigate spirituality and create	10 11	permission to use our mountain in any form or fashion without our consent. MS. ANNELLE AMARAL: Thank you.
10 11 12	from my bones, have been resurrected and mixed in the aina of this land. You cannot mitigate spirituality and create the the cultural, spiritual, environmental desecration	10 11 12	permission to use our mountain in any form or fashion without our consent. MS. ANNELLE AMARAL: Thank you. Any other comments, thoughts? MS. CLAIRE APANA: I would like to go on record in a second.
10 11 12 13	from my bones, have been resurrected and mixed in the aina of this land. You cannot mitigate spirituality and create the the cultural, spiritual, environmental desecration upon the beloved mother, upon Pele, the flesh and bones of	10 11 12 13	permission to use our mountain in any form or fashion without our consent. MS. ANNELLE AMARAL: Thank you. Any other comments, thoughts? MS. CLAIRE APANA: I would like to go on record in a second. MS. ANNELLE AMARAL: Claire.
10 11 12 13 14	from my bones, have been resurrected and mixed in the aina of this land. You cannot mitigate spirituality and create the the cultural, spiritual, environmental desecration upon the beloved mother, upon Pele, the flesh and bones of these islands.	10 11 12 13 14 15 16	permission to use our mountain in any form or fashion without our consent. MS. ANNELLE AMARAL: Thank you. Any other comments, thoughts? MS. CLAIRE APANA: I would like to go on record in a second. MS. ANNELLE AMARAL: Claire. MS. CLAIRE APANA: I would like to say I agree
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10 11 12 13 14 15 16	from my bones, have been resurrected and mixed in the aina of this land. You cannot mitigate spirituality and create the the cultural, spiritual, environmental desecration upon the beloved mother, upon Pele, the flesh and bones of these islands. MS. CHARLENE DWIN VAUGHN: Okay. Thank you. MS. LEIOHU RYDER: And for 50 years, desecration	10 11 12 13 14 15 16 17 18	permission to use our mountain in any form or fashion without our consent. MS. ANNELLE AMARAL: Thank you. Any other comments, thoughts? MS. CLAIRE APANA: I would like to go on record in a second. MS. ANNELLE AMARAL: Claire. MS. CLAIRE APANA: I would like to say I agree
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	66		
1	MS. PUA AIU: I think you need to say, in number	1	With respect to astronomical facilities
2	in the black.	2	MS. LEIOHU RYDER: Only to astronomical
3	MS. ANNELLE AMARAL: Yes.	3	DR. CRAIG FOLTZ: No. Let me go on. That
4	MS. PUA AIU: That she said she you know,	4	wasn't the end of the sentence, there was a comma. This
5	somehow put up there how opposed she is to the project.	5	would be a precedent-setting memorandum.
6	MS. ANNELLE AMARAL: Okay.	6	MS. LEIOHU RYDER: Oh, okay. We have preced
7	MS. PUA AIU: That needs to be part of the	7	DR. CRAIG FOLTZ: This would be the first time
8	record.	8	it has been done. It is not something that is taken
9	DR. CRAIG FOLTZ: It's in the court reporter's	9	lightly. And it is something that if it is written in an
10	record.	10	MOA, that signatories to that MOA can hold our feet to th
11	MS. PUA AIU: Okay. But	11	fire, or their representatives after their death. I won't
12	MS. ANNELLE AMARAL: Thank you. And I do	12	be here when this telescope is
13	apologize. I am trying to listen and catch up, but I am	13	MR. MIKE MABERRY: May I
14	not as good at this as the stenographer is. And she	14	MS. ANNELLE AMARAL: Michael.
15	certainly will get the words that I have missed. But	15	MR. MIKE MABERRY: make a point of
16	thank you for pointing it out.	16	clarification?
17	It doesn't bother me at all, by the way, if you	17	MS. ANNELLE AMARAL: Mike.
18	correct me. Just don't try and catch my spelling because	18	MR. MIKE MABERRY: Mike Maberry.
19	I am always going to misspell when I am standing up here.	19	For those of you who aren't familiar with this
20	Any other thoughts, something	20	site that is being discussed, the what is considered
21	MS. LEIOHU RYDER: Question.	21	the preferred site is a disturbed site, previously
22	MS. ANNELLE AMARAL: Yes, Leiohu.	22	disturbed site. The alternative site is a previously
23	MS. LEIOHU RYDER: Leiohu Ryder.	23	developed site. Okay. So neither one of these sites are
24	In the history of the National Science	24	pristine. So you wouldn't actually want it returned to
25	Foundation, or its associates, building facilities,	25	the condition that it's in now. If you are looking at
	67		
	07		
1	telescopes, there was mention of, you know, a life life	1	something in an MOA, you want it returned to a
1 2		1 2	something in an MOA, you want it returned to a DR. CRAIG FOLTZ: A natural state
	telescopes, there was mention of, you know, a life life of a project. Historically, do you have any examples that		
2	telescopes, there was mention of, you know, a life life	2	DR. CRAIG FOLTZ: A natural state
2 3	telescopes, there was mention of, you know, a life life of a project. Historically, do you have any examples that we can read of a lifetime you know, you built a project	2 3	DR. CRAIG FOLTZ: A natural state MR. MIKE MABERRY: A natural state.
2 3 4	telescopes, there was mention of, you know, a life life of a project. Historically, do you have any examples that we can read of a lifetime you know, you built a project and that there were memorandums of agreement and that you	2 3 4	DR. CRAIG FOLTZ: A natural state MR. MIKE MABERRY: A natural state. DR. CRAIG FOLTZ: as defined by someone. MR. MIKE MABERRY: Right.
2 3 4 5	telescopes, there was mention of, you know, a life life of a project. Historically, do you have any examples that we can read of a lifetime you know, you built a project and that there were memorandums of agreement and that you agreed to remove what was done? Is there okay. DR. CRAIG FOLTZ: Okay.	2 3 4 5	DR. CRAIG FOLTZ: A natural state MR. MIKE MABERRY: A natural state. DR. CRAIG FOLTZ: as defined by someone. MR. MIKE MABERRY: Right.
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	70		72
1	Leiohu and correct me if I am wrong but the National	1	be responsible for constructing and operations.
2	Science Foundation can only talk about that project that	2	MS. CHARLENE DWIN VAUGHN: Okay.
3	is under their jurisdiction, they cannot speak for all the	3	MR. MIKE MABERRY: But NSF would own the
4	other projects up on the mountain. So you would have to	4	building. So NSF would be the entity that would be
5	speak to someone else about that.	5	responsible.
6	I am not sure who, but	6	DR. CRAIG FOLTZ: We put enough money in escrow
7	MS. LEIOHU RYDER: The Parks?	7	at an appropriate time.
8	MS. ANNELLE AMARAL: Okay.	8	MR. MIKE MABERRY: Yeah.
9	MS. MIKAHALA HELM: Wait a minute. I'm sorry.	9	MS. CHARLENE DWIN VAUGHN: Okay.
10	Mikahala Helm.	10	DR. CRAIG FOLTZ: And signatories to the MOA, as
11	Mike, didn't you say that it is under UH and	11	it designates for example, OHA was a signatory 50
12	your program that you lease out the land to the different	12	years pass, they say, wait, you signed up for this, take
13	entities? And so it should be in your control to know how	13	it back. And the NSF would comply.
14	long that lease is and when that could be taken back and	14	MS. ANNELLE AMARAL: I am
15	when it could be returned to its natural state.	15	MS. NANCY McMAHON: I think what I heard, and
16	MR. MIKE MABERRY: Yes, we could. We could put	16	this is a
17	terms and conditions in leases so that that would be	17	MS. ANNELLE AMARAL: Nancy.
18	that would be a requirement.	18	MS. NANCY McMAHON: This is a possible
19	Just so that you know, though, under	19	mitigation. Part of the MOA is no more projects by NSF up
20	conservation district rules right now, at the end of a	20	there for after 50, and the agreement is this project
21	project term, if you vacate the site, you must return it	21	will be taken down in 50 years. In addition, all the
22	to its natural condition.	22	other structures built up there are all to come down, too,
23	MS. MIKAHALA HELM: I'm sorry. It's puzzling	23	at the end of 50 years. Is that what I heard, correct?
24	because how is it that Reber hasn't been returned to its	24	MR. MIKE MABERRY: Within the State. Because
25	natural	25	I apologize. This is Mike.
	71		73
1	71 MR. MIKE MABERRY: Because it predated	1	73 Within Kolekole, there are other structures,
1 2		1 2	
	MR. MIKE MABERRY: Because it predated MS. MIKAHALA HELM: condition? MR. MIKE MABERRY: It's a preexisting		Within Kolekole, there are other structures, towers and facilities, that are not under the control of the Institute for Astronomy or the University of Hawaii.
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2 3 4	MR. MIKE MABERRY: Because it predated MS. MIKAHALA HELM: condition? MR. MIKE MABERRY: It's a preexisting non-conforming structure that is actually a historic site.	2 3 4	Within Kolekole, there are other structures, towers and facilities, that are not under the control of the Institute for Astronomy or the University of Hawaii. MS. NANCY McMAHON: Right. But you are going to
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19 (Pages 70 to 73)

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1	MS. CAROLINE BLANCO: So if I can sort of pare	1	you that this is not just a kind of consultation. This is
2	back what I have been hearing to be sure that I understand	2	an invitation to really go into the bowels of the
3	it. Is the proposal that whenever any existing lease	3	ancestral traditions of not just Hawaii, but the
4	let's say the Air Force or whoever else is up there, when	4	indigenousness of Earth herself. And to maybe learn
5	that lease ends, it would be returned to its natural state	5	something of science from an indigenous perspective
6	with no more future developmental allowed, is that what I	6	related to the relationship of beingness with the sun.
7	was hearing, or just returned to the natural state? I am	7	DR. CRAIG FOLTZ: Thank you.
8	not sure.	8	MS. LEIOHU RYDER: So that is why I brought that
9	MS. LEIOHU RYDER: Yes. Yes.	9	up.
10	MS. CAROLINE BLANCO: I want to be sure we're	10	MS. ANNELLE AMARAL: I need, however, to come
11	all talking about the same thing.	11	back to what is being what is being discussed, what is
12	MS. LEIOHU RYDER: Yes. But the reason why I	12	being proposed. So I need a focus.
13	brought that up is because it was brought up earlier, you	13	And that is Caroline's question, is the
14	know, when we said the life of a project. That is why I	14	proposal, when all leases end, that the responsibility is
15	asked the question, do you have an example of this. And	15	to return them to the natural state beyond NSF.
16	he is saying this will be the first.	16	MS. NANCY McMAHON: I just want to answer. I
17	MR. WARREN SHIBUYA: That's right.	17	think well, it's how the question was how much
18	DR. CRAIG FOLTZ: The first astronomical	18	it's for the cultural people here, how much have they lost
19	MS. LEIOHU RYDER: Astronomical. But, see, it's	19	already. But the issue is how much do you want to do this
20	federal.	20	project and what are you willing to give up on your end.
21	DR. CRAIG FOLTZ: That is	21	So that is the proposal.
22	MS. LEIOHU RYDER: You are still attached to the	22	MS. ANNELLE AMARAL: I think, though, what I
23	Federal Government.	23	heard earlier was one of the mitigation measures that was
24	DR. CRAIG FOLTZ: But I am not the Federal	24	suggested was the 50-year time limit and then return to
25	Government.	25	the natural state. And I didn't I mean, that is on the
			77
	75		
1	MS. LEIOHU RYDER: No, you are not. But through	1	table already and being proposed. But this one is all,
2	this contract, this subcontract, this sublease, this 106,	2	all
3	this specific objective, you are all linked in a series of	3	MS. NANCY MCMAHON: All.
4	wanting to develop the sacredness of this sacred, unique	4	MS. ANNELLE AMARAL: structures.
5	one-of-a-kind consciousness of our spirituality on Maui.	5	MS. NANCY McMAHON: I heard her say all.
6	So when I when I it kind of awakens me	6	MS. ANNELLE AMARAL: Not those projects under
7	because I have experienced the desecration of Kahoolawe	7	MS. NANCY McMAHON: Everybody. MS. ANNELLE AMARAL: NSF, but those that are
8	and the the mismanagement and and we still are not	8	under the jurisdiction of University of Hawaii. Yes?
9	able, because it's not in its pristineness prior to what	9	MS. NANCY McMAHON: I think that is because
10	that land went through. There is Makua. There is Pearl	10	there are several signatories to the proposal that are
11	Harbor. And there's countless other not just	12	stakeholders, although there are a number of other owners
12	astronomical, but we are talking federal sites that the	13	up there. But the major ones that have impacted the
13	appendages, the internal organs of these sacred islands in	14	summit has been the Park Service, has been the University,
14	the Pacific Rim, the blood of many of us has been	15	has been the Air Force, has been the State. All these
15	compromised, with a capital C. And so you must understand	16	players are going to have signatures to a very important
16	that we are not we are spirituality to us is a life	17	document that, in the long-term, has a bigger role.
17	force. All things are sacred on this land. Yes, we have an astronomy facility from the	18	MS. CAROLINE BLANCO: If I can clarify, though.
18		19	The Air Force and some of the other organizations, they
19 20	University of Hawaii up there and the Star Wars and the	20	have not at all been involved in this.
		1 20	
	military and all top secret things that are putting	21	MS NANCY MCMAHON. I know
21	humanity at risk on these islands as well as the sea. All	21	MS. NANCY McMAHON: I know. MS. CAROLINE BLANCO: And the Park Service has.
21 22	humanity at risk on these islands as well as the sea. All of that, that we are not supposed to know about, but we	22	MS. CAROLINE BLANCO: And the Park Service has.
21 22 23	humanity at risk on these islands as well as the sea. All- of that, that we are not supposed to know about, but we know.	22 23	MS. CAROLINE BLANCO: And the Park Service has. And just to make sure folks understand the Park
21 22	humanity at risk on these islands as well as the sea. All of that, that we are not supposed to know about, but we	22	MS. CAROLINE BLANCO: And the Park Service has.

20 (Pages 74 to 77)

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1	78	7	8
1	Park road. And so there is a regulation that requires a	1	Raymond and I had a discussion about this two years ago.
2	Special Use Permit for the Park to issue. And they need	2	MS. ANNELLE AMARAL: I sure.
3	to issue the permit because that is the only access up to	3	MS. JAMIE FERNANDEZ: I have a question.
4	the summit. So we're working with them now with regard to	4	MR. JEREMY WAGNER: It was a an idea about
5	how that permit would be issued and how environmental	5	mitigation, the sunset clause on a project like this.
6	compliance would be handled with that. So that is their	6	MS. OHUA MORANDO: Ohua Morando.
7	role in this.	7	I guess I want to go on record to I guess to
8	I just wanted to be sure folks knew about that.	8	say that I want to replicate what Leiohu had said about
9	MR. JEREMY WAGNER: So all the Park facilities	9	you can't mitigate spirituality. And we are looking at
10	and everything is	10	what we are going to say and how it's all going to be
11	MS. NANCY McMAHON: That could be a stipulation	11	written up. And it's going to go to all these different
12	on the MOA. That could	12	people who are not going to be from here, who come from
13	MS. CLAIRE APANA: Red Hill, right?	13	science perspective.
14	MS. NANCY McMAHON: Could we get but I think	14	And we know right now that science is the the
15	it was good this is a different direction we're going	15	route of education, because I am in education. And
16	right at this moment.	16	science is career paths towards science, to natural
17	MR. JEFF BARR: Oh, yeah.	17	resource management, to all of these careers. But what we
18	MS. PUA AIU: But, you know what	18	are finding is that the cultural component of learning
19	MS. NANCY McMAHON: And it's a big picture.	19	these so-called fields weighs more, and heavily more,
20	It's a very big picture for all of us, if we want to go	20	towards indigenous cultures here in Hawaii, our Hawaiian
21	there.	21	cultural identity. You take that away, you just got the
22	MS. PUA AIU: And I think that the science	22	books and the academics. But when you add the culture to
23	people in this room are sitting there going, well, you	23	it, it's stronger. It becomes real. It becomes part of
24	cannot do that. But, hello, I mean, these people have	24	who they are at that academic science level.
25	been sitting here for all day now saying you're asking us	25	So I want to go on record as saying, is science
	79		8
1	for a lot. So I think it's a fair thing to put on the	1	going to weigh more on deciding this through? Because our
2	table	2	cultural identity is that, is the deciding factor. And I
3	MS. CAROLINE BLANCO: I don't think that was the	3	want that to be I want that to be stated, our spiritual
4	feeling of the folks here.	4	cultural identity.
5	MR. WARREN SHIBUYA: No.	5	And we are saying no, we are saying avoidance,
6	MS. CAROLINE BLANCO: It is a big idea. We are	6	because we don't want to lose that. We don't want that to
7	open to all of them.	7	be brushed aside as unimportant. Because in our education
8	MS. NANCY McMAHON: That is a big compromise	8	programs, that is very important, that's deep.
9	from their side, from what they left it, to saying and	9	MS. ANNELLE AMARAL: So, Ohua, how, then, do y
10	it's sort of like when the bombing stopped on Kahoolawe,	10	bring in the or do you balance, then, with the cultural
11	the tradeoff, the bigger the you know, and the	11	piece here in this decision, if we are talking about the
12	healing hasn't it won't heal everything, but it will	12	end of 50 years?
13	for the people in this room, their grand kids, in 50	13	MS. OHUA MORANDO: You are talking about that's
		14	gone through, that it's passed, right?
14	vears, it might. But it is a big picture. But at least		
14 15	years, it might. But it is a big picture. But at least we're moving somewhere and I appreciate it. Thank you for	15	MS. ANNELLE AMARAL: What?
15	we're moving somewhere and I appreciate it. Thank you for	15 16	MS. ANNELLE AMAKAL: What? MS. OHUA MORANDO: You are talking mitigation.
15 16	we're moving somewhere and I appreciate it. Thank you for putting that on the table. I think that is it gives		
15 16 17	we're moving somewhere and I appreciate it. Thank you for putting that on the table. I think that is it gives everybody something to think about.	16 17	MS. OHUA MORANDO: You are talking mitigation. MS. ANNELLE AMARAL: I was following this train
15 16 17 18	we're moving somewhere and I appreciate it. Thank you for putting that on the table. I think that is it gives everybody something to think about. MS. LEIOHU RYDER: But I am still on avoidance.	16 17 18	MS. OHUA MORANDO: You are talking mitigation. MS. ANNELLE AMARAL: I was following this train of thought and you talked about the culture piece. I am
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21 (Pages 78 to 81)

	82		84
1	My point is if they don't understand how we	1	sum of its part.
2	feel, which is what was mentioned earlier, they don't know	2	And what you trying to do when I say it's not
З	what it is.	3	you cannot mitigate these kinds of things. So when you
4	MS. ANNELLE AMARAL: Yeah.	4	have the interaction of the sky and the Earth working
5	MS. OHUA MORANDO: They are deciding at a whole	5	together, you have the development you go and do
6	different level again, which is what Joyclynn said.	6	science now of microorganism going onto the coral,
7	MS. ANNELLE AMARAL: Yeah.	7	going onto the fishes, going onto the shellfish, going
8	MS. OHUA MORANDO: So I want to make sure that	8	onto the sea mammals, going onto the plants on Earth. And
9	that is what we are saying as as Kanaka Maoli and	9	all these things happen at night without light. Now, this
10	Native Hawaiians. That is what we are saying, is can't	10	is part of the Kumulipo, the creation chant.
11	mitigate. No.	11	When it goes on to that and still man hasn't
12	MS. ANNELLE AMARAL: Okay. So you don't agree	12	come yet. All these things have been created and man
13	with	13	still hasn't come yet.
14	MR. ED LINDSEY: I have something to say.	14	Now, when the plants, the birds and other things
15	MS. ANNELLE AMARAL: Could you identify	15	on land have been created, then guess who came after that?
16	yourself, please, sir?	16	Man.
17	MR. ED LINDSEY: My name is Ed Lindsey.	17	And all of these creations, all this creation
18	I am for avoidance at all costs. Some things	18	things are all related. And who is tied to the coral and
19	just cannot be mitigated.	19	who is tied to Earth and the sky? We are.
20	How do you mitigate your grandchild? How do you	20	So what you trying to do is say, well, we can
21	mitigate your ancestry?	21	just take this part, commoditize it and to this mental
22	It cannot be mitigated. Because you guys are	22	part and try to fix things up, but Hawaiian thinking don't
23	just talking about things, objects. Here we are we	23	go that direction. It's a holistic thing. We are
24	talking about something that goes deeper than objects. We	24	connected to everything. And it's when these things are
25	are talking about aloha.	25	destroyed and they are off balance, then we're in trouble.
	87		85
1	83	1	What is proposed to be done on top of Heleskala
1	When we talk about the sky and the Earth and	1	What is proposed to be done on top of Haleakala
2	When we talk about the sky and the Earth and things, there are living, breathing entities that cannot	2	What is proposed to be done on top of Haleakala is one of the things that will cause a big puka, a hole,
2 3	When we talk about the sky and the Earth and things, there are living, breathing entities that cannot be mitigated.	2 3	What is proposed to be done on top of Haleakala is one of the things that will cause a big puka, a hole, in the creation scene of what our our ancestors. And
2 3 4	When we talk about the sky and the Earth and things, there are living, breathing entities that cannot be mitigated. Can a church be mitigated to destroy it? Cannot	2 3 4	What is proposed to be done on top of Haleakala is one of the things that will cause a big puka, a hole, in the creation scene of what our our ancestors. And we represent those ancestors. There's something bigger
2 3 4 5	When we talk about the sky and the Earth and things, there are living, breathing entities that cannot be mitigated. Can a church be mitigated to destroy it? Cannot mitigate that.	2 3 4 5	What is proposed to be done on top of Haleakala is one of the things that will cause a big puka, a hole, in the creation scene of what our our ancestors. And we represent those ancestors. There's something bigger than what the minds can think.
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22 (Pages 82 to 85)

	86		88
1	MS. JOYCLYNN COSTA: Joyclynn Costa.	1	everything that we got.
2	I recently went to Oahu for a church convention.	2	And so how did you take care of what we gave you
3	I was invited there by PAM. And	3	so far? That is what I want to ask. How have you taken
4	MS. LEIOHU RYDER: What is PAM?	4	care of everything that have been given to you so far?
5	MS. JOYCLYNN COSTA: Pacific Asian Ministry.	5	I want a report card on that.
6	So I went there because there were going to be a	6	MS. ANNELLE AMARAL: Okay. Any further
7	lot of people of culture there. And I thought, wonderful,	7	comments, thoughts?
8	I can learn the other side of the globe.	8	Jason.
9	Well, I got to meet Mr. and Mrs. Buffalo from	9	MR. JASON JEREMIAH: Jason Jeremiah.
10	the Lakota Tribe. And they have the same type of	10	I just wanted to put on the record that OHA, the
11	spirituality and connection as we do.	11	Office of Hawaiian Affairs, strongly opposes the telescope
12	And more times than not we are misunderstood	12	project.
13	about that we are pagans and that we and that we	13	MS. JOYCLYNN COSTA: Mahalo.
14	pray to gods and we no. We respect the gifts that was	14	MR. JASON JEREMIAH: We've written letters, our
15	given to us through our heavenly Father.	15	last letter on June 10, 2008, expressing our opinions
16	Because none of us made the ground we stand on.	16	about the opposition towards the telescope project.
17	It was given to us. And the only job we really had is to	17	And, you know, we don't speak for all Native
18	take care of it. Because your wealth will be measured in	18	Hawaiian organizations or beneficiaries, but I believe the
19	how you took care of it. And the wealth is going to be	19	record will speak after tonight that those who attended
20	measured not by the point of a pen, but by the hard work	20	this consultation, this discussion, about the telescope
21	of your hands.	21	project, that a vast, vast majority oppose the project
22	And these Lakota Indians told us, in that	22	based upon their spiritual beliefs of Haleakala.
23	convention, if every man, woman and child was to drop dead	23	And to put it into a context, it's like putting
24	on this Earth this minute, poof, no more human existence,	24	a telescope on a national historic landmark in 49 states.
25	Mother Nature will survive. The minute Mother Nature is	25	Haleakala, just as Mauna Kea and a lot of our special
	87		89
1			
1	no longer, man cannot. And this is what we trying to tell	1	mountains in Hawaii, are our cultural landmarks for our
1 2	no longer, man cannot. And this is what we trying to tell you folks.	1 2	mountains in Hawaii, are our cultural landmarks for our Hawaiian people.
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23 (Pages 86 to 89)

	90		9
1	MS. ANNELLE AMARAL: Mitigation.	1	MS. OHUA MORANDO: That was mine.
2	MS. OHUA MORANDO: Is that how you are looking	2	MS. MIKAHALA HELM: I did want to
3	at it, because you are saying no in the beginning?	3	MS. ANNELLE AMARAL: No pressure. Go ahead
4	MR. JASON JEREMIAH: Right.	4	Mikahala.
5	MS. OHUA MORANDO: And at the end, if it goes	5	MS. MIKAHALA HELM: I just want to ask a
6	through, then it's a mitigation?	6	question and then just share some mana'o.
7	MS. CHARLENE DWIN VAUGHN: That is how the	7	And my question would be just if maybe Mike
8	letter basically	8	or Craig or Charlie, someone, if you could just explain
9	MS. OHUA MORANDO: Sound and looked?	9	where the east ahu is, yeah.
10	MR. ED LINDSEY: I would say	10	And in this proposed ATST, I would like to ask,
11	MS. OHUA MORANDO: It's a no first.	11	so that everybody has a clear picture because I went up
12	MR. ED LINDSEY: we don't want anything.	12	there and visited it, and I know but how close is the
13	MS. CHARLENE DWIN VAUGHN: You don't want	13	proposed ATST would be to the east ahu, if it's in the
14	anything?	14	second site, as well as the Reber, which is not far away?
15	MR. ED LINDSEY: No, we don't.	15	Can you tell how close it would be?
16	MS. CHARLENE DWIN VAUGHN: Okay.	16	MR. MIKE MABERRY: Okay. For those of you wh
17	MS. OHUA MORANDO: I just want to make a	17	weren't in the earlier meeting, just so that you
18	comment.	18	understand, because it hadn't been discussed this evening,
19	MS. ANNELLE AMARAL: Okay. You wanted to	19	the west-facing ahu was given as an asking for forgiveness
20	MS. OHUA MORANDO: Because we're going to end	20	for not consulting in the past and for projects that were
21	soon, right?	21	built.
22	MS. ANNELLE AMARAL: 9:00, we're going to end.	22	During talks with the Billy Fields and his crew,
23	MS. OHUA MORANDO: I want to make a quick	23	who built the west-facing ahu, when we discussed the
24	comment.	24	possibility of future development based on our long-range
25	Ohua Morando.	25	development plan, they asked what what might be
	91		9
1	You know, we're talking and we're saying, okay,	1	considered. And we mentioned this project. And they
2	50 years, 50 years, 50 years. Right? Like it's just a	2	asked us to show them where it would it could possibly
3	number thrown out, as Uncle is saying. But take a look	3	be, what the preferred sites were. Well, preferred and
4	around this room. Who is going to be here 50 years?	4	the alternative site. We went to the preferred site again
5	MS. MIKAHALA HELM: Charlie, you got a pill?	5	because the alternative site is already developed. It's
6	MS. OHUA MORANDO: That is just my first thing	6	completely developed. We went to that site. They chose
7	that I wanted to say is, like, who is going to be here in	7	the spot on the far edge of the puu, of the cinder cone,
8	this room 50 years. Because I know my kids are going to	8	the far southeast edge. And they took stones from the
9	be here, my grand kids going to be here. And we are	9	proposed project area and made the ahu.
10	making decisions based on the next generations.	10	And so I will turn to Jeff Barr. And,
11	And, you know, maybe we should have the kids	11	hopefully, he can I've stalled enough to give him time
12	come in and say, "Do you want this built on Haleakala?"	12	that he has looked at it and can give us a distance.
14			MR. JEFF BARR: I don't actually have I am
	Because they are going to be the ones here. And they are	113	
13	Because they are going to be the ones here. And they are going to look at what we are doing and what we have done.	13 14	
13 14	going to look at what we are doing and what we have done.	14	Jeff Barr, the architect for the ATST project. And I
13 14 15	going to look at what we are doing and what we have done. And they are going to say, "How come you didn't do	14 15	Jeff Barr, the architect for the ATST project. And I don't actually have the exact number for you. But it's
13 14 15 16	going to look at what we are doing and what we have done. And they are going to say, "How come you didn't do anything about it," or, "why did you do that?"	14 15 16	Jeff Barr, the architect for the ATST project. And I don't actually have the exact number for you. But it's approximately from the side of the enclosure, the tall
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24 (Pages 90 to 93)

	94		96
1	MS. MIKAHALA HELM: Because when you go and	1	MS. ANNELLE AMARAL: Ed Lindsey.
2	visit it, you just turn around behind your back.	2	MR. ED LINDSEY: "Grandpa, no can make 'em. No
3	MR. JEFF BARR: That is exactly right.	3	can make it."
4	MS. MIKAHALA HELM: And the Reber Circle is	4	Mahalo.
5	across that little street. So it's very close.	5	And he understood very well what has happened.
6	So this is personalized, what we're talking	6	In addition, the permitting for the heavy truck
7	about that the ATST stands for. And so I still remain for	7	vehicles going up Haleakala, there are many, many
8	avoidance, and that the NSF choose the no-build option.	8	historical bridges that have been built. I don't know if
9	And I think our kupuna explained very clearly about why we	9	that has been brought up has that been brought up?
10	feel so strongly about this.	10	DR. CRAIG FOLTZ: Yes.
11	And, you know, I know that this has a lot of	11	MS. CAROLINE BLANCO: Yes.
12	political backing already. And so although we read in the	12	MR. ED LINDSEY: And the viewplains, has that
13	papers that the decision has not been made by NSF, you	13	been brought up?
14	know, we do realize that this has some of the Congress	14	DR. CRAIG FOLTZ: Yes.
15	backing already, perhaps urging. I don't really know all	15	MR. ED LINDSEY: Okay. Scratch that.
16	the networking. But we feel very strongly that this is	16	Insanity of it, has that been brought up? It's
17	enough and that there is no price to the sacredness of	17	insane. Put that on. It's insane.
18	Haleakala.	18	And I know I am stepping on a lot of people's
19	And if you look at mitigation of what is being	19	feet, some big cheese's feet. My answer to that is too
20	proposed, particular programs to help Hawaiians, students	20	bad.
21	and all that, I totally believe in that. But when you	21	You have no shame to destroy our places. And we
22	look at the attacks that our people have faced every day	22	have no shame to say no.
23	in court, what is the guarantee that there would be help	23	Money cannot buy the reefs. Money cannot buy
24	for our children and that that, too, would not be	24	our heritage. Money cannot buy who we are.
25	attacked? And so, you know, we stand strongly and we hope	25	MS. JOYCLYNN COSTA: Amen.
	95		9
1	you take the message back.	1	MS. ANNELLE AMARAL: I would like to give the
2	Mahalo.	2	agencies an opportunity, if you have anything that you
2 3	Mahalo. MS. ANNELLE AMARAL: Mahalo.		agencies an opportunity, if you have anything that you want to add to this, otherwise
		2	
3	MS. ANNELLE AMARAL: Mahalo.	2 3	want to add to this, otherwise
3 4	MS. ANNELLE AMARAL: Mahalo. MS. LIANNA HOROVITZ: Lianna Horovitz.	2 3 4	want to add to this, otherwise MS. CHARLENE DWIN VAUGHN: I would just like t
3 4 5	MS. ANNELLE AMARAL: Mahalo. MS. LIANNA HOROVITZ: Lianna Horovitz. I would like to add one final word for the	2 3 4 5	want to add to this, otherwise MS. CHARLENE DWIN VAUGHN: I would just like t thank people for their candor and their honesty and their
3 4 5 6	MS. ANNELLE AMARAL: Mahalo. MS. LIANNA HOROVITZ: Lianna Horovitz. I would like to add one final word for the record. That I am not Native Hawaiian, but I have grown	2 3 4 5 6	want to add to this, otherwise MS. CHARLENE DWIN VAUGHN: I would just like t thank people for their candor and their honesty and their sincerity in trying to share with all of us what Haleakala
3 4 5 6 7	MS. ANNELLE AMARAL: Mahalo. MS. LIANNA HOROVITZ: Lianna Horovitz. I would like to add one final word for the record. That I am not Native Hawaiian, but I have grown up here and I have chosen to bring my children back here	2 3 4 5 6 7	want to add to this, otherwise MS. CHARLENE DWIN VAUGHN: I would just like to thank people for their candor and their honesty and their sincerity in trying to share with all of us what Haleakala means to them. And I think that hearing it directly from
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25 (Pages 94 to 97)

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APPENDIX D

TRANSCRIPTS – DEIS PUBLIC COMMENT MEETINGS

- (1) Cameron Center, September 27, 2006
- (2) Hannibal Tavares Community Center, September 28, 2006
- (3) Kula Community Center, September 29, 2006

Appendix D(1): Transcripts DEIS Public Comment Meeting, Cameron Center, September 27, 2006 Т

		1		1	TRANSCRIPT OF PROCEEDINGS
	1	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)		3	MR. FEIN: Aloha, ladies and gentlemen, my name is
	2			4	Dr. Charlie Fein, and I'm the vice-president of KC
	3	PUBLIC MEETING		5	Environmental Incorporated. KC Environmental is the
	5			6	environmental consulting company that prepared the
	6			7	environmental impact statement the draft environmental
	7			8	impact statement that many of you are either holding in your
	8			9	hands or have read.
	9		1	10	I would like to welcome you this evening, and I
	0		1	11	would like to tell you that there have been numerous other
	1	PROCEEDINGS	1	12	meetings on this project to this point. There were three
	.3	EKOGEDING		13	public meetings held in July 2005. And since that time,
1	4	Held at the Cameron Center Auditorium, Wailuku, Maui,	1	14	there have been six additional meetings on Maui. Some of
1	15	Hawaii, commencing at 7:04 p.m. on September 27, 2006.	1	15	those meetings were with smaller groups, some with larger
1	6		1	16	groups, some actually on site on the mountain and so on. So
1	7		1	17	there have been a progression of meetings concerning this
	.8		1	18	project since July of 2005.
	20		1	19	The purpose of this meeting tonight is to hear
	21		2	20	comments from the public on the draft environmental impact
	22		2	21	statement. These comments will be recorded and will become
2	23	REPORTED BY: GLORIA T. BEDIAMOL, CSR/RMR #262	2	22	part of the administrative record for the project, and all
2	24		2	23	comments will be addressed in the final environmental impact
2	25		2	24	statement, either individually or collectively, depending on
			2	25	the nature of the comment.
					IWADO COURT REPORTERS, INC.
					(808) 244-9300
1					4
		2		1	We encourage comments on the EIS. That's what
		A P P E A R A N C E S		2	we're here for. And, in fact, if you do wish to provide a
	1	RYPERRANCE 5		3	comment, you have several ways to do that. One is to sign
	3	MEETING FACILITATORS:		4	up, as many of you have, to provide oral testimony tonight.
	4	David Brass and Cheri Nashiwa, Mediation		5	We have a stenographer who will record everything that's
	5	Services of Maui		6	being said. If your comments are in Hawaiian, they will be
	6	FANEL MEMBERS PRESENT:		7	recorded and translated and will become available as part of
	7	Dr. Jeff Kuhn - Associate Director of the University of Hawaii, Institute for Astronomy		8	the administrative record on request. You can also provide
	8	(Oahu) Dr. Craig Foltz - Program Officer with the		9	a written comment, we have forms outside, or you can put it
	10	National Science Foundation, Washington, D.C.	1	10	on any piece of paper you choose to put the comment on and
	11	Dr. Charlie Fein - KC Environmental (Maui)	1	11	either drop it off at the front of the room, or you have
1	12	Jeremy Wagner - ATST Project Manager with National Solar Observatory, Tucson, Arizona	1	12	until October 23rd, the end of the comment period, public
1	13	Jeff Barr - ATST Project Architect	1	13	comment period, to provide those comments either to my
	14	Mike Maberry - Assistant Director, University of Hawaii, Institute for Astronomy (Maui)	1	14	company, the address for which is on the side table outside,
	15	Bijan Gilanshah - General counsel of the National 19:0		15	or you can provide them to the National Science Foundation,
	16 17	Science Foundation	1	16	again, the address is outside.
	18			17	If you wish to provide oral testimony but not read
	19	4		18	it yourself, you may provide that testimony and let our
	20	3		19	facilitators know, and they can read your testimony for you.
-	21			20	Now, although there are representatives of the
	22		1	21	project here, we respect the comments that we have received
	23			22	at earlier meetings, and we will not be providing
	24			23	presentations here tonight on the project. If you direct a
				24	question to us, we will respond as is appropriate.
			12	25	However, please bear in mind that the expertise of
					IIIIADO COUDT DEDODTEDO INO
		IWADO COURT REPORTERS, INC. (808) 244-9300			IWADO COURT REPORTERS, INC. (808) 244-9300

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	5		7	
1	more than 30 individuals went into the draft environmental	1	venues.	
2	impact statement, and it would be impractical for all of	2	As he had mentioned also, if you are not	
	those individuals to be here tonight. So there may be some	3	comfortable coming up and speaking into the microphone but	
-	questions, if there are questions, that we cannot answer	4	you have something you want to be part of the record of this	
5	tonight.	5	meeting, feel free to write it down, give it to Cheri or I,	
6	Also, the draft environmental impact statement is,	6	and we will read it into the mic for you.	
7	as it's called, a draft. And we are aware that it can	7	The purpose of the microphone and the structure	
8	contain errors, we also know that there will be differences	9	that we have imposed is to insure the court reporter, who is here, can get the information that's being given so that it	
9	of opinion about the content and the conclusions, and we	10		
10	encourage everybody to participate in the public comment	11	does get incorporated into this process.	
11	process in order to explore those.	12	So, again, we're just here to facilitate the process. We're not connected with any of the players that	
13	So, allow me to introduce the individuals that are	13	are here. We're here in the same way that we're in a	
13	here with us this evening. Craig Foltz. Craig is	14	regular mediation in the community to facilitate	
A second	representing the National Science Foundation and is the	15	communication. I will have Cheri go over the ground rules	
15	program officer for this project; Jeremy Wagner, the project manager from the National Solar Observatory; Jeff Barr, the	16	I'm sorry, we do have an agenda, and it's a very loose	
17	project architect; Professor Jeff Kuhn from the University	17	agenda. We're in the opening right now. Cheri will go over	
18	of Hawaii Institute for Astronomy; Mike Maberry, Assistant	18	the ground rules, and we'll go directly into comments from	
19	director of the Institute for Astronomy; Bijan Gilanshah,	19	the group. If you have not already signed up on the sign-up	
20	office of the general counsel of the National Science	20	sheet, we're going to be reading the names off of that and	
21	Foundation. These folks are here and available to answer	21	go in the order that people have signed up. So please sign	
22	questions about the project.	22	up on the sign-up sheet if you would like to speak.	
23	We have brought materials, but that's not what	23	We'll be taking a break at 8:00 for about five	
24	this is about. It's about your comments directly related to	24	minutes to give the court reporter a break from recording,	
25	the draft environmental impact statement which was published	25	another break at 9:00, and then we're going to wrap up at	
20	IWADO COURT REPORTERS, INC.		IWADO COURT REPORTERS, INC.	
	(808) 244-9300		(808) 244-9300	
-	6		8	
1	-			
	on September 8th. Remember, you have several more weeks to	1	about 9:50 because we need to be out of here at 10:00.	
1	on September 8th. Remember, you have several more weeks to comment on the document. If you have not received one and	1 2		
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2 3 4	comment on the document. If you have not received one and wish to, you can sign up for a document. We've provided it in either hard copy or on a CD. It's also available on the web site listed outside. The web site for the Advanced	2 3 4	MS. NASHIWA: Again, my name is Cheri. We're going to go over the ground rules now, and this is for the process of making comments. We ask that all cell phones be	
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	9		11	
1	start with the comments my name is Bill Medeiros, and are	1	language community, the people who are involved in	
2	the next two meetings at 7:00? The letter of September 1	2	preserving the culture are heavily involved in the fair	
2	states the meeting is at 6:00. Will you clarify the time	3	every year. And so you are saying that the only time you	
	for the next two meetings?	4	can schedule it was at the convenience of the proponents of	
5	MR. BRASS: I will give that to the people who	5	this project, but not at the convenience of the people who	
6	called	6	care about Maui.	
7	MR. FEIN: Yes, Bill, originally the time was	7	MR. FEIN: I assure you that as with every other	
8	6:00 p.m.; but three weeks ago, we noticed that we had a	8	meeting that we have scheduled, all other nine meetings,	
9	conflict. Unfortunately, some of the publications carried	9	there were individuals who said exactly what you did, and I	
10	6:00 p.m. We sent out dozens of post cards and reposted it	10	can only assure you that we picked the only dates available.	
11	in the media as 7:00 p.m. for all three nights.	11	A VOICE: This is the biggest event on Maui every	
12	MR. MEDEIROS: My next question is, was it	12	year.	
13	coincidental that you planned these meetings during the time	13	MR. FEIN: This one is?	
14	of Maui's biggest event, the County Fair?	14	A VOICE: Yes. I would suggest that we have	
15	MR. FEIN: These meetings were planned in	15	another series of meetings on this.	
16	conjunction with publication of the DEIS, the draft	16	MR. FEIN: Thank you.	
17	environmental impact statement, if you are familiar with the	17	MS. NASHIWA: I forgot to make one more	
18	state process, which I'm sure you are, goes through the	18	announcement. There is media present. They are either	
19	Office of Environmental Quality Control. It's accepted on a	19	audio recording. We normally see an AKAKU camera here, just	
20	certain date, published on a certain date, that begins the	20	to let you know, these people are open to the idea that for	
21	clock, and public comment period then begins for 45 days.	21	confidentiality reasons, if you do not want to be recorded,	
22	These meetings need to be held within that period of time.	22	you can ask them to turn off their recorders.	
23	Because we have individuals who come from Washington D.C.,	23	MR. BRASS: So if that is your feeling, you can	
24	Tucson, and so on, we had a very narrow window of choice.	24	just state that at the beginning of your testimony if you	
25	And these three days are actually the only time that these	25	prefer not to be recorded. We're just going to go on into	
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	(808) 244-9300	-	(808) 244-9300	
-	10		12	
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2	gentlemen are available. As of Friday, they are in different parts of the world.	2	the testimony portion. As I said, I may mispronounce your name. Hopefully, I will get close enough that you will	
2 3	gentlemen are available. As of Friday, they are in different parts of the world. Unfortunately, the timing is such that the fair is	2 3	the testimony portion. As I said, I may mispronounce your name. Hopefully, I will get close enough that you will recognize it. Haumea Hanakahi.	
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	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST) SEPTEMBER 27, PUBLIC MEETING				
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1	that are on this land. We have an internal knowing about,	1	star (phonetic) project? Is this related? Because if you		
2	what I call, the realm of the Gods. And to arrogantly go	2	think that eventually you will not have to address national		
2	and build upon a land that has always been considered sacred	3	policy, EPA policy, that's not true. This cannot fall under		
	is a desecration. Period. Hawaiians have always held	4	national security because of the changing climate and		
5	education as a noble endeavor, and this is not about	5	politics and the face of the public. We won't allow it. So		
6	astronomy. This is a land use issue.	6	if you are planning on this just going ahead in the name of		
7	Hawaii is tired of hearing about astronomers	7	national policy, it won't happen.		
8	behaving badly, whether it's on Maunakea or Haleakala. So I	8	MR. BRASS: I'm going to ask you to wrap up your		
9	open this in the hopes that truly we can make this kakou and	9	testimony.		
10	inclusive. Make it something that we truly can reach out to	10	HAUMEA HANAKAHI: I appreciate that. My last		
11	each other's hearts about because truly we don't want to	11	comment and concern is that Maunakea, we heard a lot of		
12	stop education, stop exploration. Polynesians were	12	assertions, a lot of claims without the evidence have backed		
13	exploring these vast ocean by the same science of which you	13	it up. And we were not the only ones that felt that way as		
14	desecrate our mountain with. We were exploring the oceans	14	a community. The courts backed us up. The courts found		
15	at the time of when Christ was born.	15	that there was no evidence for this assertions we were		
16	We have a long history at this, and we did it and	16	given. And the court's have		
17	navigated in using the stars and the planets and the winds	17	MR. BRASS: In order to allow other people to		
18	and all the omens in nature. And so to go and build upon	18	speak, perhaps there will be time at the end.		
19	land and destroy life in the name of searching for life out	19	HAUMEA HANAKAHI: That's all I have to say.		
20	there makes no sense at all. I'm very concerned about the	20	Mahalo.		
21	water issues here. I'm concerned that we need an absolutely	21	MR. BRASS: I can't quite Keahi Bustamente. If		
22	comprehensive study. Hydrology study of our water tables	22	you could state your name at the beginning so the court		
23	here.	23	reporter has it correctly.		
24	On the Maunakea issues when we asked to over and	24	KEAHI BUSTAMENTE: Aloha. I'm Keahi Bustamente.		
25	over again is there mercury being used up here? Is it	25	Some quick things. That thing that is so stupid and		
	IWADO COURT REPORTERS, INC.		IWADO COURT REPORTERS, INC.		
-	(808) 244-9300		(808) 244-9300		
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	PUBLIC	MEETI	NG
	17		19
1	individual, an independent, and I parallel the feelings and	1	Maui. But, more importantly, be sincere about it. Thank
2	the views of Na Kupuna O Maui, and we oppose the	2	you.
2	construction or building development of the ATST on	3	MR. BRASS: A reminder, if you would like to speak
	Haleakala.	4	tonight, if you can sign up on the sign-up sheet, I believe
5	I feel that this proposed project will exasperate	5	there's still one outside, and that way we'll insure that
6	(sic) adverse effects presently plaguing our community and	6	everyone has an opportunity to speak. The next speaker is
7	the environment socially, culturally, and at the very core	7	Dan Sutie (sic).
8	of our existence, spiritually. Mind you, what I'm speaking	8	DAN SYTZE: Sytze. Aloha kakou. I didn't when
9	tonight I am very sincere about, and I hope that you all	9	I said my comments earlier, I did not mean to say that your
10	listen not only with your ears or your minds, but listen	10	time is not important. Please excuse me if I I know our
11	with your heart. Please.	11	emotions are high here because there are strong feelings
12	Upon review of the DEIS, which was provided by the	12	here. When the speakers are saying aloha kakou, kakou means
13	National Science Foundation, the proposed sites other than	13	between all of us. That includes you. And I say that in
14	Haleakala, such Bear Lake, California, and La Palma, Canary	14	the same spirit.
15	Islands, Spain have been determined and documented to be	15	I'm working in the field of science. I'm a
16	second and third best, i.e., alternative sites respectively.	16	technologist, I work in the homeland security arena. I'm
17	I have and continue to support the pursuit of knowledge in	17	sympathetic with the interest of science in understanding
18	all areas of education. The necessity to further study and	18	the world we live in as are many Hawaiians who some of the
19	understand the science of our sun and the effect it has upon	19	most astute scientists I know are of Hawaiian ancestry. I
20	us must continue.	20	think we could learn a lot from them.
21	However, the balance of our ecosystem relative to	21	I have a couple of comments about the impact
22	the studies and pursuit of knowledge must not be discounted.	22	statement. One is on the issue of environmental justice.
23	And I'm talking about the psychological, the emotional, and	23	And when it comes to the environment in Hawaiian thinking
24	especially the spiritual elements of our community in every	24	I'm obviously Caucasian, so all I can do is tell you what I
25	way a very important part of this ecosystem that I'm	25	have learned from my Hawaiian friends and my teacher and the
	IWADO COURT REPORTERS, INC.	1	IWADO COURT REPORTERS, INC.
	(808) 244-9300		(808) 244-9300
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2	referring to. The mind, the psychology, the body, the emotions,	2	kupunas and the older people of Hawaii. Aloha aina is that's like part of the religion. That's part of the
2 3	referring to. The mind, the psychology, the body, the emotions, the soul, our spirituality. In every person upon this planet	2	kupunas and the older people of Hawaii. Aloha aina is that's like part of the religion. That's part of the spirituality. It's love of the land, caring for the land.
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ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)	
PUBLIC MEETING	

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4	21		23
1	almost 40 years, and he worked next to the blue cube, which	1	our people came out to testify. And if you look at the DEIS
2	was a Satellight tracking facility for the U.S. military.	2	in its pendency, it lists that distribution list. And it
-	And it was pretty well known to all of us. And I worked in	3	appears that all these post cards and whatnot are mailed to
_	Silicon Valley. It was pretty well known that we were	4	all of these people, and I know who they are. However, many
5	pretty much at ground zero in the event of the hostilities	5	of the Hawaiian people are coming out because word of mouth
6	with the Soviet Union at that time. I think the intelligent	6	to these Section 106. That's why you remember that the May
7	estimates I heard about said we have redundant weapons	7	Paukukalo meeting was much larger than the March because w
8	targeted at us. And if this is a military operation up	8	had time to get the word out personally of what is happening
9	here, I'm not taking a stand for or against what you are	9	proposed to Haleakala.
0	proposing doing or for or against what is happening up there	10	My concern is this: The meetings that are held
1	right now, but I'm just saying that if that is a military	11	that are scheduled today or tomorrow or the next day, I
2	especially an offensive military type of operation up there,	12	don't know which days you are having Section 106 meetings,
3	that there's going to be nuclear weapons targeted at it, and	13	are limited to those who have submitted avoidance
4	that should be taken into account in the environmental	14	proposals not avoidance, I'm sorry. The exact opposite.
5	impact statement. Thank you very much.	15	Mitigation and minimization proposals. My concern is where
6	MR. FOLTZ: Could I make a response? My name is a	16	is the voice that you continue to hear this evening? Where
17	Craig Foltz, I'm an astronomer, and I do work with the	17	is the voice in that DEIS, besides small little sentences,
8	National Science Foundation. I'm not a solar astronomer.	18	that say the consultation occurred?
19	First of all, a question came up with respect to	19	There's stenographic recordings of all of this
20	Pan Star. This project is unrelated to this project. This	20	numerous testimony, oral testimony, which is what many of us
21	project is not designed to do any space surveillance nor is	21	do against this telescope. They want avoidance. Why do we
22	it designed to look toward potentially hazardous objects.	22	want avoidance? Because Haleakala is precious, and it is
23	And I have said this before in the past, and I'd stake my	23	an integral part of us as Hawaiians and to our culture.
24	reputation on it, that this is an academic telescope. This	24	When I read in the DEIS, page 239, no action alternative
25	is aimed at understanding the sun. That is academic. It	25	would limit solar astronomy to current technology and delay
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	(808) 244-9300		(808) 244-9300
-	22		24
1	doesn't mean it it does not have importance to us in	1	critical observation of tests, etcetera. However, the price
2	terms of our civil lives. But there is nothing about the	2	to our Hawaiian people for the impact on our culture and our
3	ATST that is in any way related to any present or future	3	personal identity would be devastating.
4	weapon system.	4	And so my concern I hope you will address
5	MR. BRASS: A reminder for people who came in	5	this is with how this whole DEIS comment period is being
6	late, if you would like to testify, there's a sign-up sheet	6	addressed, the sincerity in getting our community's input
7	on the table. We ask that you sign up so that we can assure	7	both from Section 106 for Hawaiians and non-Hawaiians alike,
8	that everyone has an opportunity to speak.	8	then I think that we need to be sure that in the
9	MIKAHALA HELM: Aloha kakou. My name is Mikahala	9	environmental impact statement that these are clearly listed
10	Helm. And I will be submitting my written testimony in	10	there. The oral testimony and everything must be listed
11	response to the DEIS prior to the by the mailing	11	there to show the depth of concern and support for avoiding
12	deadline.	12	this telescope on Haleakala.
3	This evening, I felt this was important to mention	13	In addition, I would like to also express my
4	certain things, particularly some concerns that I have. And	14	concern that this meeting I understand, Charlie, you said
15	this is about the DEIS process as well as the Section 106	15	they can only come on this particular time. But for our
		16	community, this particular evening has at least two major
	process. I have participated, I'm a consultant, Section 106	1	meetings, one is the super ferry and one is this. So from
16	process. I have participated, I'm a consultant, Section 106 consultant, and I have participated in the March and May	17	
6 7		17 18	mauka to makai we are being affected. And this is the
6 7 8	consultant, and I have participated in the March and May		mauka to makai we are being affected. And this is the
6 7 8 9	consultant, and I have participated in the March and May Section 106 meetings. And, to my surprise, the assistant	18	mauka to makai we are being affected. And this is the
6 7 8 9	consultant, and I have participated in the March and May Section 106 meetings. And, to my surprise, the assistant general counsel who had received all of our comments,	18 19	mauka to makai we are being affected. And this is the public comment period and our County fair? When you wonder
16 17 18 19 20 21	consultant, and I have participated in the March and May Section 106 meetings. And, to my surprise, the assistant general counsel who had received all of our comments, especially the bulk of us who were proposing avoidance to	18 19 20	mauka to makai we are being affected. And this is the public comment period and our County fair? When you wonder do they go every night and eat? What it is is these
16 17 18 19 20 21	consultant, and I have participated in the March and May Section 106 meetings. And, to my surprise, the assistant general counsel who had received all of our comments, especially the bulk of us who were proposing avoidance to not build this 14-story telescope on Haleakala , it was a very big surprise to me that Carleen Nunez (phonetic) who	18 19 20 21	mauka to makai we are being affected. And this is the public comment period and our County fair? When you wonde do they go every night and eat? What it is is these families are invested in this for their clubs or schools to make money and to support the county fair. So I just ask
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1	heart and acted upon. Thank you very much.	1	something up there where only the Gods live, we Hawaiians
2	MR. BRASS: Don Kanahele; is that right?	2	know when the Gods out there, yeah, we know it's only for
^	DON KANAHELE: You got the last name right. Aloha	3	the Gods, not to put another telescope. A'ole, which means
_	kakou. My name is a Daniel Kanahele. I'm a member of the	4	no.
5	Maui community. I would like to say aloha to the Maui ohana	5	I'm against, I'm opposed of this because there's
6	that's here and also to our visitors. And those who had	6	always recognition for astronomers who went to school.
7	made this possible this evening, I'm grateful to be able to	7	There's no respect for the kupuna who has the gifts. All I
8	participate in the process and to add my two cents.	8	hear about is your astrologers with big kine' certificate
9	I appreciate the science of astronomy. I own a	9	for going school. What about the kupunas that wen' learn
0	mean telescope, and I pull it out from time to time, and I	10	from the kupunas. A lot of Hawaiian innate mana come from
1	gaze into the heavens. I live in south Maui, so the east	11	within yourself, the stars. Every year we go to Pukuola
2	night skies is the brightest from where I live. And, of	12	(phonetic) on the big island. And we see the Kawaihae
3	course, that sits right over Haleakala. So I appreciate the	13	(phonetic) we see them at Kawaihae (phonetic). It sits up
4	benefits, the science of astronomy. I guess what I do not	14	right in the middle of the stars. What I'm trying to say is
5	appreciate is maybe the selection of Haleakala as a place to	15	leave the stars for the kanakas. You guys don't have the
6	build another telescope. I guess one of the reasons why I	16	pule, sometimes you don't even have the respect of the
7	don't is because I think that we have been very generous to	17	place. Sometimes even now you still don't have respect for
8	the community of astronomers throughout the world in opening	18	the people. Some of you guys do, but not all. Every time
9	up our places to telescope and we see that.	19	there's a hole drill for water, we cry. Because every time
0	On Maunakea, there are many, many telescopes that	20	the drill is going in, once it hit salt water, the land dry
1	have been built up there, and now we see perhaps the	21	up. Everything dies.
2	potential for another telescope to be several telescopes to	22	The Hawaiian, when he was born before the kumulipo
3	be built on Haleakala. So, at this point in time, speaking	23	before time, he took care of the land. Now, the land is
4	from that part of me that's connected to the aina, which	24	going back. We're not taking the land. We're not taking
5	means the land or that which takes care of us, I don't feel	25	care of the environment all around us. DLNR, the ocean,
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1	comfortable about the selection of Haleakala because of the	1	everything is falling down in Hawaii. It's just like that
2	importance of that mountain as well as other mountains here	2	Amazon. There's no Amazon anymore. The Amazon jungles, th
3	in the Hawaiian islands have to the people that live here.	3	new city is right here. You damaging Hawaii nei by building
4	Not only to the Hawaiians by blood but the Hawaiians at	4	more of these things. And it's not for us. We don't get
		5	the recognition that we were born to have. Yet you guys use
5	heart.	6	the Hawaiian culture every single day of my life, 56 years,
6	So for us this is something that is disconcerting.	-	
7	It's very serious. Maui is a popular place for many, many	7	that's all I've been hearing. Everybody else get the gift,
8	reasons and to many, many people. And the impact of that	8	the money. Kanakas no more nothing. But the culture, the
9	popularity is felt in many areas by those who live here.	9	spiritual and ke akua and that's all we live there for. Ke
0	There's a tremendous impact and, I guess, from my	10	akua, there's a triangle that we go by. Ke akua, ohana,
1	perspective I'm concerned about the cultural impact by those	11	aina. You understand the triangle of life in the kanaka's
2	who live here and those who have been connected to these	12	life, you ain't never going to understand us. By building
3	islands for many, many generations.	13	more of these things that is not even for us. I'm sorry,
4	So, as a member of the community, I would like to	14	but no can. I oppose. Mahalo.
5	add my two cents and say that I do, at this time, oppose the	15	MR. BRASS: Jonah Kamakahiikaika o'kalani Kapu.
6	building of any telescopes on Haleakala. Thank you very	16	This will be the last speaker before the break.
7	much.	17	JONAH KAPU: I no need the microphone. Aloha
8	MR. BRASS: Napahu (sic) Dizon? Sorry, I screwed	18	kakou. My name is Jonah Kamakahiikaika o'kalani Kapu. I'm
9	up your name.	19	the seventh generation. I'm from Lahaina. I might be on
0	NAPAHI DIZON: Aloha kakou. My name is Albert	20	the west side and this thing might be on the east side, but
1	Napahi Dizon. I'm a sixth generation. Any time that	21	I still get something for say.
2	somebody poke a hole in the aina, I cry. Every time when	22	When this environmental impact draft was started,
	they try to build, whether it's for water and now another	23	was there one kupuna, was there one kanaka with you guys wh
	telescope, it hurts me inside because I am of this land. I	24	said or who actually gave you guys one like, one brief
24		100	thing shout what you guve doing right now? Was there? I
	am a kanaka maoli. I'm born of this land. And to build	25	thing about what you guys doing right now? Was there? I
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1	mean, not anybody moved from Maui in eight years living in	1	table. If you would like us to read your testimony, feel	
2	Maui eight years ago who moved from the mainland. Not that.	2	free to see Cheri or I to read it for you or you can submit	
~	People from the aina, people from pili koko, the blood.	3	written testimony.	
	Right there, my uncle, who came on before, right	4	(Recess at 7:57 p.m.)	
5	now he is a makua. Pretty soon he might hala, and we got to	5	MR. FEIN: I'm going to I would like to start	
6	be the next generation for stand up. Because this right	6	the process again. Before we continue with the public	
7	now, what if the thing get passed? What, next two years	7	testimony, there is one response that we would like to make	e.
8	after that going have one other one coming up, one other one	8	As we did with the issue of military involvement and pan	
9	coming up just like Maunakea.	9	stars, there needs to be a clarification about mercury	
10	Come on now, why you guys no just build it on	10	because it certainly was an issue on the big island. I'm	
11	Maunakea? Get four or five of them over there. No need one.	11	going to ask project architect Jeff Barr to say a few words	
12	I no like drive around Maui looking at Haleakala and all	12	about that.	
13	you see is this big white ball. Come on now. I been on big	13	JEFF BARR: I would like to talk briefly I	
14	island, I seen Maunakea, and it's like I just like broke	14	don't want to take much of your time. There were two	
15	that. I no care about this. Why you guys like learn about	15	speakers that addressed the issue about the potential	
16	the sun for? I mean, come on now. I know the thing stay	16	hazardous material, mercury in particular. There's no	
17	affecting our environment and affecting the world a lot; but	17	mercury associated with the ATST at all. That is not an	
18	still yet, that's not you guys' responsibility.	18	issue. All the hazardous materials that are part of it,	
19	E ke akua like this happen, so be it. Maybe he's	19	it's not a long list, but all the hazardous materials, as	
20	trying for tell us that this world gotta change already,	20	EPA defines them, are included in the list in the draft EIS;	
21	because right now, now get this, we stay dealing with	21	so it is available. It specifically is about the mirror	
22	development, come on now. How much more issues we're going	22	cleaning and stripping process. The first speaker, the lady	
23	to have to fight for just so you guys finally need one slap	23	who talked about that, is absolutely right. That's where	
24	behind your head from our kupunas telling you guys to wake	24	most of the chemicals get used and all of the effluent, all	
25	up. Right now this is not pono.	25	of the wash water and the water that comes off of that that	C
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1	Like what auntie said about the mercury and stuff	1	has any chemical containment at all in it will be contained	
2	like that, where is that all going to go? Maunakea, they	2	and stored and transported off the site and disposed of in a	1
3	said they get one place for go but, no, straight into the	3	proper way. It won't be disposed of on Haleakala. So	
4	mountain. Come on now. We seen you guys. We wen' fight	4	that's all I wanted to say.	
5	against with you guys already. We know how you guys play.	5	MR. BRASS: We're going to continue with people	
6	I say one thing, but then when this come, all of a sudden	6	who have signed up: I apologize if I misread your name.	
7	you guys going to go into an opposite direction. Us we keep	7	A VOICE: I would like to ask for clarification on	
8	one straight line. No wander off. We stay pono. We stay	8	that. You said contained and stored and disposed of.	
9	righteous.	9	Where?	
10	This right now, like I said, it isn't pono. What	10	MR. FEIN: All hazardous waste in this state is	
11	going happen to my keiki and the next generation coming	11	handled through a transporting storage and disposal facility	/
12	after me? What will happen to them? I mean, the aina is	12	that is licensed to handle that material. In other words,	
13	already dying. What now? Our mountains going die? The sky	13	any facility on this island or anywhere in the state that	
14	going die, the ocean. I mean, come on now.	14	produces hazardous waste is under the same requirement t	to
15	So much damned messed up things in the ocean	15	manage it and dispose of it in the federally certified	
16	killing our reefs, killing our fish. Now we gotta go Burger	16	manner that this material would be.	
17	King, Dairy Queen. That's the new monarchy, Burger King and	17	FOSTER AMPONG: I think for me I would need to	
18	Dairy Queen. That's not funny. You think I not scared? I do	18	reassured with specifics. When you say properly contained	0
19	anything for my people. I stand for this land because I die	19	and disposed of by private contractor, where exactly	
20	for this land. If I have to, I will. That's all I gotta	20	what is it contained in? Is it a 55-gallon barrel? Is this	
21	say. Mahalo.	21	going to be trucked down to Kahului, put on a barge, and	
22	MR. BRASS: We'll take a five-minute break to give	22	removed from the state? Is it going to be trucked down two	
-	the court reporter a chance to wrap. A reminder that if you	23	miles in the summit and stored I think what we want to	
24	would like to speak and you have not signed up in the	24	hear is the specific, something definitive about the	250
25	sign-in sheet, please sign up on the sheet outside on the	25	hazardous material, how it's going to be removed, and whe IWADO COURT REPORTERS, INC.	ie
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1	it's going to be moved to. So to say that it's going to be	1	you up until now.
2	properly disposed of is really it doesn't leave room for	2	Sometimes very bad things can happen by mistake.
3	any assurance for us.	3	Sometimes very bad things can happen by inadvertence.
	MR. FEIN: The material will be stored in	4	Sometimes very bad things can happen because details are
5	certified containers. There are containers that are	5	looked into. And things like this can especially happen in
6	appropriate for each kind of hazardous material. Those	6	areas where we don't really understand what's happening. W
7	containers are placed in an area that has containment, so	7	don't really understand the culture, the ecology, and we
8	that any containers that were to leak would, in fact, leak	8	don't, for some reason, want to take the time to learn.
9	into the containment area and be held in that area.	9	A good example of this is, is some years ago some
0	The hazardous material that becomes hazardous	10	people from back there came and brought goats to the island
1	waste after use is stored in the certified containers. They	11	of Molokai thinking this is going to be great. We're going
2	would be taken down the mountain. It is, in fact, shipped	12	to help these people eat. But the scientists that figured
3	to Oahu. There's a facility on Oahu, Campbell Industrial	13	that out forgot one thing. Goats, by their nature,
4	Park, that manages most of the hazardous waste for the	14	procreate, and now that island is overrun with goats. The
5	state, and they are licensed to do so.	15	goats are eating all of the native habitat, and they are in
6	All of that handling must be done by people who	16	a terrible mess over there.
7	are licensed to handle it, transport it. You can't just put	17	Now, I notice in your I apologize I have a
8	it on a truck. It has to be put on a vehicle that's	18	chronic problem with my throat, and I'm not able to clear
9	certified to carry that.	19	it, but I noticed in your page 36 under cultural resources
20	FOSTER AMPONG: Is this explanatory in the DEIS?	20	you admit and acknowledge you know this. The cultural
21	Is this in writing in the environmental impact statement?	21	resources of Kolekole date back more than a thousand years
2	JEFF BARR: You are right. It says a statement	22	and are an integral part of the Hawaiian culture, both past
3	such as properly disposed of.	23	and present. In ancient times, commoners could not even
24	FOSTER AMPONG: You understand my point, that it's	24	walk on the summit because it belonged to the Gods. This
25	pretty vague.	25	was a time when people knew, maybe a lot of what you are
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1	JEFF BARR: I understand your point.	1	trying to figure out about the stars and the heavens, they
2	FOSTER AMPONG: I can say it's the same thing,	2	figured out how to navigate without telescopes, and they
3	but I could go in the back of my yard and throw it down the	3	figured out that this was a sacred place where they
4	mountain, and then I can turn around and say, hey, I	4	shouldn't even walk.
5	properly disposed of it. It's not in my property. It	5	I want to share a life experience I had with you.
6	rolled into yours.	6	I think you'll identify with this, and I hope you'll take it
7	MR. FEIN: I appreciate that because that is	7	to heart. I hope you take your scientist hats off, I mean
8	something that was handled too generally in the DEIS and	8	no disrespect, I was a math major, when you think about
9	needs to be further explained and it will be. And your	9	this. I was talking to a Hawaiian friend mine and he was
0		10	telling me about all these cultural disrespects and so
	input		
1	FOSTER AMPONG: And please don't be offended, but	11	forth. I was there, I got on my soap box and said, You
2	for over 150 years well into 200 years, foreigners, haoles	12	gotta do this, you gotta do this. And he says, Why should I
3	have come to our island and told us, hey, we promise you	13	do anything? And I said, It's unfair. He looked at me in
4	this. We guarantee you this. And look at what is happening	14	the eyes and he said, Well, isn't that your problem, not
5	to us now? So we need some honest, sincere, definitive	15	mine? And that's what the people here are talking to you
6	explanations in the DEIS, period, before you go any further,	16	about. This is your problem to show respect for this area.
7	or just cut your losses and go to Bear Lake.	17	And to think about what is happening. Throughout history,
8	MR. FEIN: Thank you very much.	18	if somebody wanted to desecrate a culture, what would they
9	MR. BRASS: We're going to continue with	19	do? They would tear down the statues of their heroes,
0	testimony. Again, I apologize if I misread your name. The	20	they'd go into their sacred spots and desecrate them.
1	next speaker is Richard McCarty.	21	Because once you take that away, the culture is gone.
2	RICHARD McCARTY: Aloha. My name is Richard	22	They can't survive, once you take the special
	McCarty, and mahalo to everybody that came and spoke. I	23	areas away and the things that are important to a culture.
4	need to talk about this from a little different slant, and I	24	So I would ask you to please join me. This is our
5	fully respect all of the ideas that have been brought before	25	problem. We need to do this. I am embarrassed that the
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1	good Hawaiian people have to come in here and talk and tell	1	these islands, although supposedly this U.S. great
2	you that they have been hurt. We know that. Let's do	2	constitution, Section 2, Subsection 2 says you must have
-	something about it. Let's leave this site alone. Thank	3	two-thirds of the senate ratify the treaty of annexation
	you.	4	which does not exist. 1898, they throw forth a resolution,
5	MR. BRASS: Kalei Kaio.	5	checkout your history, entitled the treaty of annexation
6	KALEI KAIO: (Opening testimony was given in the	6	which made claims to the national lands of the Hawaiian
7	Hawaiian language.)	7	kingdom, which the republic of Hawaii, through its 3,000
8	Aloha to our friends and foes. Aloha. I don't	8	citizens, pass over these lands that they made claims to the
9	say that lightly. A fool is one who disrespects, doesn't	9	United States in 1900 the Organic Act.
10	listen, doesn't adhere to what I have said many times	10	Well, the supposed territory Hawaiian affairs then
11	before. So if I come here and I sound angry, I am. I'm	11	become what is called or try to portray themselves
12	burning up inside. It's not the first time. I know how to	12	what's called the State of Hawaii. And in 1960, the first
13	go on. This is part of a large major campaign which have	13	supposed governor of the state of Hawaii, Quinn, then does
14	been perpetrated on my people for generations. Other native	14	what? With executive order opens up what now becomes
15	peoples have been pissed on and shit on across the islands,	15	science city at the top of Haleakala. But you see the
16	across the Pacific, across north America, across the world	16	truth is we know that land is our land. There is no I
17	since the time of that great supposed European explorer	17	challenge NSF do one title insurance deed, find out how does
18	Columbus. Looking for gold, god and glory, who cut off the	18	the State of Hawaii through executive order they don't
19	hands of the native, who sicked his maddening dogs on the	19	have title to the land. That's why the DLNR manages as part
20	women and children for the sake of science.	20	of they have no title to those lands. So they have
21	That's your history. That's the history of our	21	unlawful control of these lands.
22	peoples that we have had to endure, and we still endure.	22	What the NSF is funding right now is exactly the
23	But the good news is we still resist. As long as we resist,	23	continuation of this kind of mentality that somehow the
24	we're going to live. Now, history is the people's memory.	24 25	haole world had some kind of right to what is not theirs
25	And without a memory, man is the motive to the lower IWADO COURT REPORTERS, INC.	25	because their science says so. IWADO COURT REPORTERS, INC.
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	38		40
1	animals. So I'm here to share a little bit about history.	1	Well the truth is, put your paper down. If you
2	I know we're shot down to four minutes, so I'll	2	got the title, put your paper down and I will walk away
3	try my best. History-wise from the kumulipo, like I just	3	forever. I won't challenge it. But I must, and I have to
4	shared, when we look at the stars above, I know my ancestors	4	challenge. If I know my history, I have to stand and speak
5	over a thousand generations kealiiwahilani (phonetic) came	5	the truth, because that is the truth. And no matter how
		5 6	the truth, because that is the truth. And no matter how much lies you can put, I don't care if you have \$180,000,000
5	over a thousand generations kealiiwahilani (phonetic) came		Construction of the experimentation of the part of the present of
5 6	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars	6	much lies you can put, I don't care if you have \$180,000,000
5 6 7	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars above, and made it with La'ila'i (phonetic) and I descend	6 7	much lies you can put, I don't care if you have \$180,000,000 it don't cover the truth, because our people will fight.
5 6 7 8	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars above, and made it with La'ila'i (phonetic) and I descend from that geneology through the kumulipo. I am the stars.	6 7 8	much lies you can put, I don't care if you have \$180,000,000 it don't cover the truth, because our people will fight. MR. BRASS: We will provide an opportunity at the
5 6 7 8 9	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars above, and made it with La'ila'i (phonetic) and I descend from that geneology through the kumulipo. I am the stars. Other great kupuna: Pele, Maui, Poliahu (phonetic) had all	6 7 8 9	much lies you can put, I don't care if you have \$180,000,000 it don't cover the truth, because our people will fight. MR. BRASS: We will provide an opportunity at the end.
5 6 7 8 9 10	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars above, and made it with La'ila'i (phonetic) and I descend from that geneology through the kumulipo. I am the stars. Other great kupuna: Pele, Maui, Poliahu (phonetic) had all come and lived upon Haleakala, this akua, land of the Gods.	6 7 8 9 10	<pre>much lies you can put, I don't care if you have \$180,000,000 it don't cover the truth, because our people will fight.</pre>
5 6 7 8 9 10 11	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars above, and made it with La'ila'i (phonetic) and I descend from that geneology through the kumulipo. I am the stars. Other great kupuna: Pele, Maui, Poliahu (phonetic) had all come and lived upon Haleakala, this akua, land of the Gods. Let's talk a little bit about history. Because	6 7 8 9 10 11	<pre>much lies you can put, I don't care if you have \$180,000,000 it don't cover the truth, because our people will fight.</pre>
5 6 7 8 9 10 11 12 13 14	over a thousand generations kealiiwahilani (phonetic) came from the heavens above, of the heavens above, the stars above, and made it with La'ila'i (phonetic) and I descend from that geneology through the kumulipo. I am the stars. Other great kupuna: Pele, Maui, Poliahu (phonetic) had all come and lived upon Haleakala, this akua, land of the Gods. Let's talk a little bit about history. Because when I look at your culture reports it sounds like, man, some people missed some classes or courses here. There's a bunch of history that was just ignored. 1842, President	6 7 8 9 10 11 12 13 14	much lies you can put, I don't care if you have \$180,000,000 it don't cover the truth, because our people will fight. MR. BRASS: We will provide an opportunity at the end. KALEI KAIO: Our people will fight. Let me just finish by saying this, go ahead do what you gotta do. I've been in this world long enough to understand. We will have to fight like Maunakea. We will have to fight. We will have to struggle. If it means civil disobedience, that's
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ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)
PUBLIC MEETING

	PUBLICI	MEETII	
4	41	4	43 Your own literature describes it as a carred
1	is obvious to us. There's an attempt here supposedly to	1	Your own literature describes it as a sacred
2	keep the community out of here. All you had to do was go to	2	place. If you look at Section 9, 9.1 in the very first line
	the last meeting at Paukukalo. We had three times more	3	you have a statement that says there are specific spill
-	people there. Thank you.	4	emergency plans for hazardous waste. That tells me that
5	MR. BRASS: I'm sorry, I'm unable to read the	5	there's a possibility that hazardous waste will spill. This
5	first name of the next speaker, but the last name is	6	is a sacred place. What gives you or anyone the right to
7	Hashino. Remember to state your name when you come up.	7	interfere with the cultural practices and the sacredness of
8	NAMEAINA HOSHINO: No worry. Aloha. My name	8	this site? What gives you the right to put an emergency
9	Nameaina (phonetic) Hoshino. (Hawaiian Language was spoken)	9	spill plan in place and perhaps deny all of the children
0	for you guys to coming over here (Hawaiian language was	10	that will come after us to enjoy this sacred place? Shame
1	spoken). This place Haleakala is house of the sun. You	11	on you. Shame on all of you.
2	guys like look at the sun? What that prove to you, brah?	12	Your answer is to compromise. Your answer is to
3	Proving nothing. This place is a sacred place, brah. And	14	mitigate. That is not acceptable. Not here, not now, not
4	what the thing going do for our culture, huh? If I stay	14	ever. You have other choices. You have other places you
5	sailing out there, I stay looking at that place, hey, I	16	can go. Your own literature speaks to those other places.
6	think going throw me off, because us we used to look at the	17	There is only one Haleakala. Build your telescope somewhere
7	stars, not this telescope.		else. We will not go away, we will not be silent, we will
8 9	You know how pissed off it makes us, huh? This	18	not forget. This is a sacred place. Mahalo. MR. BRASS: Walter Kanamu.
9	thing, I no can see this thing passing because we get hard times already, this developing. Our water issues, us, we no	20	WALTER KANAMU: I wanted to be last. I may take
1	can sustain right now. Even Molokai get hard time with	21	more than four minutes. Aloha kakou. The last meeting I
2	water problems. This thing, this going be poho. I'm going	22	went to for this telescope proposal I spoke from the na'au.
3	to try stop everything in my power for stop that thing from	23	This time I have a little bit palapala to share with you
4	being built.	24	folks, but it's still from the na'au. I wrote some brief
5	You guys, we call you guys invasive. You guys not	25	things here.
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	(808) 244-9300		(808) 244-9300
_	42		44
1	from here. This is our kuleana. This is our land. You	1	Over a thousand years ago a group of explorers set
2	guys no can respect 'em, you guys go home to the United	2	sail in search of paradise. After voyaging for several
3	States or Bear Lake or whatever that place is called. You	3	thousand miles, the call they heard became a reality. These
4	can build your telescope up there. Everything I seen on	4	explorers knew they were blessed to have found paradise as
5	that book, all that passing of weather, all that, that's all	5	well as paradise was blessed to be found by these explorers.
6	for nothing that. That's all for nothing. I look in you	6	For hundreds of years, they lived as one. The explorers
7	guys eyes, okay, see this precaution going happen, we have	7	knew there was life in the air, life in the stones, life in
8	some more kanakas come here, they going tell you the same	8	the trees, life in the winds and the leaves, life in the
9	fricking thing. They going tell you the same thing. You	9	plants and the birds, the waves and the seas. They took
0	guys no more right for build up there. This is our aina.	10	care of everything that feeds. They were my ancestors.
1	Mahalo.	11	Today, we trample over native plants just because
	Tranalo.		
2	MR. BRASS: Vicki McCarty.	12	our shoes don't know the difference. We fail to experience
		12 13	our shoes don't know the difference. We fail to experience the soft cushion under our feet that the native understory
3	MR. BRASS: Vicki McCarty.		
3 4	MR. BRASS: Vicki McCarty. VICKI McCARTY: Aloha kakou. My name is Vicki	13	the soft cushion under our feet that the native understory
3 4 5	MR. BRASS: Vicki McCarty. VICKI McCARTY: Aloha kakou. My name is Vicki McCarty. I stand before you very humble, and I address you	13 14	the soft cushion under our feet that the native understory affords us. We never notice the cooling sensation of soft
3 4 5 6	MR. BRASS: Vicki McCarty. VICKI McCARTY: Aloha kakou. My name is Vicki McCarty. I stand before you very humble, and I address you respectfully. I understand you've come from a long way, far	13 14 15	the soft cushion under our feet that the native understory affords us. We never notice the cooling sensation of soft mud that's oozing up between or toes as we pass near a
3 4 5 6 7	MR. BRASS: Vicki McCarty. VICKI McCARTY: Aloha kakou. My name is Vicki McCarty. I stand before you very humble, and I address you respectfully. I understand you've come from a long way, far away. I came from Lahaina. You've not had any meetings in	13 14 15 16	the soft cushion under our feet that the native understory affords us. We never notice the cooling sensation of soft mud that's oozing up between or toes as we pass near a gentle stream of water. We never take time for walk the
3 4 5 6 7 8	MR. BRASS: Vicki McCarty. VICKI McCARTY: Aloha kakou. My name is Vicki McCarty. I stand before you very humble, and I address you respectfully. I understand you've come from a long way, far away. I came from Lahaina. You've not had any meetings in Lahaina. You've ignored places on this island that have	13 14 15 16 17	the soft cushion under our feet that the native understory affords us. We never notice the cooling sensation of soft mud that's oozing up between or toes as we pass near a gentle stream of water. We never take time for walk the forest and enjoy the playful game of the i'iwi and apapane
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	PUBLIC	MEETI		-
	45		47	
1	give us pleasure. We never take time to lie alone in a lava	1	WALTER KANAMU: Anybody want to let me continue	
2	tube and wonder who was there before us and listen to hear	2	or	
1	their voices. We never stop under a keawe tree with the	3	A VOICE: You can continue. We don't mind.	
k	full moon above us and notice the leaves and branches like	4	MR. BRASS: We have about four more people. If	
5	arteries and veins of the heart pumping life through the	5	they can speak, then we'll take a break, then you can sign	
6	tree and returning it back to the aina. We never give our	6	up to speak again.	
7	mana to those we touch so they feel and experience our	7	WALTER KANAMU: You got people here from Lahaina,	
8	essence.	8	you got people here from Wailuku, Kahului, Hana. In your	
9	We never give, yet we call ourselves Hawaiian.	9	draft statement, in your picture, you don't have one picture	
10	When it's time to kick off the shoes and walk the aina, live	10	depicting Kahikinui right below you. Right on your border.	
11	each step and feel with all that surrounds you, hear what	11	There's nothing. Of course, they are going to have a hard	
12	you always see, and touch what you've always heard. If we	12		
			time seeing it from Maalaea, Kahului. Hey, brah, I'm right	
13	do not see life in everything around us besides ourselves	13	on your border. All of my people are going to be when	
14	we're not Hawaiian.	14	you get one spill, when your sewer system overflows, when	
15	This book is called Kuli Kaumana (phonetic) it's	15	your hydraulic leaks, all of that stuff is going to affect	
16	from the University of Hawaii. And what I just spoke to you	16	me. That's my border right where you are. Did you check	
17	I read and it's in this book.	17	that? Do you know that? I don't think so. Living	
18	(Hawaiian language spoken.) Ua mau ke ea o ka aina	18	indigenous forest ecosystems. Okay, I'm letting you know	
19	i ka pono, ua mau ke ea o ka aina i ka pono, ua mau ke ea o	19	that now. In the statement that you have, one thing that	
20	ka aina i ka pono. You guys understand that? That is our	20	stands out the most to me, no significant affect. In your	
21	motto, the Hawaiian motto, the state motto. Do you know what	21	entire proposal it says that everything you do will not have	
22	it means? Does anybody here know, braddah, what does it	22	a significant affect. Well it's already affecting, and you	
23	mean?	23	have not even started. Ua mau ke ea o ka aina i ka pono the	
24	Literally, the life of the land is perpetuated in	24	life of the land is perpetuated in righteousness. It is	
25	righteousness. Not only in righteous but by the righteous.	25	alive and my organization life will preserve and perpetuate	
	IWADO COURT REPORTERS, INC.		IWADO COURT REPORTERS, INC.	
	(808) 244-9300		(808) 244-9300	
1	10			
	46		48	
1	46 You see, from long time ago, I believe akua led the	1	it. Mahalo.	
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	You see, from long time ago, I believe akua led the		it. Mahalo.	
2	You see, from long time ago, I believe akua led the Hawaiians to this land. God led the Hawaiians to this land.	2	it. Mahalo. MR. BRASS: Brianna Welker.	
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	49		51
1	there. So the very last thing that I would challenge you to	1	conservationists. My ohana, my wife and I, promote the
2	do is go to Haleakala. Don't go to the site of your	2	importance of education. But not all education is found in
1	telescope. Go to the mountain that these people are talking	3	textbooks. Our education in our Hawaiian people most of
N	about. I don't care how long you are here for. Find the	4	that knowledge was passed on from our ancestors. Hawaiians
5	time for it. And maybe, just maybe, you'll begin to	5	did not have books because Hawaiian was not a written
6	understand what these people are talking about.	6	language. The knowledge was committed to memory, and that
7	MR. BRASS: Bill Medeiros.	7	knowledge was passed down from generation to generation such
8	BILL MEDEIROS: Aloha kakou. My name is Bill	8	as the kumulipo that was mentioned, the oli and the mele.
9	Kauakea medeiros. And I would like to make significance of	9	On the alterative sites that you list on your EIS
10	the fact that when we give our Hawaiian names there is	10	sacred places, not very many places have host cultures that
11	significance and legacy in our names. My Hawaiian name	11	protect their places that have been passed on from our
12	comes from Hana. It is part of the name of a rainfall in	12	ancestors. Science is not an exact discipline. Just take
13	Hana, part of the Hana chant, which is the noe noe ua kea	13	the story of the mongoose in Hawaii. The mongoose was
14	ohana (phonetic), which is the misty white rain of Hana.	14	brought to Hawaii to kill the rodents that were in the cane
15	And my Hawaiian name is also the name of my mother and my	15	fields. But science did not figure that the mongoose was up
16	father.	16	at day and the rat was asleep, and the rat came out at night
17	And I say kahumai (phonetic) to the ohana and the	17	and the mongoose was asleep. So the mongoose became a pest
18	people in the back because my kupuna always told me not to	18	in Hawaii, and we never got rid of the rodents.
19	face my back to people; but in this situation, there's no	19	So you can see why people are very suspicious of
20	alternative.	20	science and of people that declare that what they say is
21	I was born in Hawaii and raised in the ahupuaa of	21	exactly true. I was part of the defense system. I worked
		22	for the United States Air Force, and I was certified in
22	Hana and Keanae. I am kanaka maoli, our ohana traced our	23	
23	ancestry and our geneology through the Piilani blood line.		secret clearances. And I would say I'm going to wrap it
24	My mother and grandmother were kanaka maoli and	24	up. I would say that for the proponents of this project
25	their first language was Hawaiian. I was fortunate as a	25	that say that there's nothing connected to a defense system,
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	(808) 244-9300		(808) 244-9300
	50	1	52
1	very young person to accompany my mother on many trips as	1	I would say that even if it was, you would not know that or
2	very young person to accompany my mother on many trips as she visited the kupuna of our villages.	2	I would say that even if it was, you would not know that or you would not be an authority to disclose that information.
	very young person to accompany my mother on many trips as she visited the kupuna of our villages. And I remember as a child of about six years old	23	I would say that even if it was, you would not know that or you would not be an authority to disclose that information. So we cannot believe that as being absolutely true.
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10/25/2006 10:35:19 AM

	PUBLIC	MEETI	
	53		55
1	here today.	1	(Recess at 8:57 p.m.)
2	For instance, many of us do not know that the sun	2	MR. BRASS: One last chance, if you would like to
2	has a 27-day rotation system. And why don't we know it?	3	sign up to speak, and then Cheri and I will figure out how
	Because we were never told. There is the powerful	4	many minutes each of the speakers who signed up will have.
5	gravitational force of the sun that we never knew because we	5	We have four people who five people who have
6	were never told. We were held to our past and to our	6	signed up to speak. Anyone else who would like to speak for
7	grandparents' past. I would like to see us let go to the	7	the first time or again? We have about 40 minutes left
8	children of today and tomorrow and to be able to learn even	8	before we need to start wrapping things up. So we're going
9	more. We have solar technology today that is giving us the	9	to give each person about eight minutes to speak, and we
10	power we need, giving us inventions that we need. I would	10	appreciate your cooperation with the time limits. It's the
11	like to see the children move forward, and I personally	11	only way we can figure out to give an equal chance for
12	consider the ATST a blessing and a gift to Maui and to our	12	people to speak.
13	country.	13	The first speaker is Kapali Keahi.
14	I know that there are resistances to this, and I	14	KAPALI KEAHI: I wanted to speak last, but that's
15	respect everything that has been spoken tonight. But there	15	okay. That's everybody. Anyway, aloha kakou to the ohana
16	are even more to be said, and there is the children to	16	over here and the kupunas from this area aloha no. My name
17	consider. The children have the future, and we are not part	17	is Kapali Keahi, I'm from Lahaina. I never read the EIS,
18	of their future. The children's future belongs to them and	18	but I no really read EIS. To tell you the truth, like, what
19	their children. And I would like to see the ATST as an	19	I know is, like, we always confronted with developments that
20	opportunity for them to learn about the sun that all of us	20	is really not in our best interest and not in our favor. So
21	have no idea about yet. But the children can take that	21	we always shoot 'em down from the get go. And mainly we
22	information and soar with it.	22	like see things happen the way we want it to happen. And
23		23	right now, it's not a good time for you guys. It's never
23	I am a native Hawaiian, and this is my mana'o.	23	going be. As long as that flag is waving, it's never going
	There are no children here to speak for their future. And	24	be one good time for you guys. And we can say this now in
25	this is why I am here. I am here to speak for their future.	23	
	IWADO COURT REPORTERS, INC.		IWADO COURT REPORTERS, INC.
	(808) 244-9300		(808) 244-9300
			50
	54		56
1	I liken this to most of the resistances are to the	1	this day and time because, well, your predecessors, your
2	I liken this to most of the resistances are to the outside of the structure. It is like having a beautiful	2	this day and time because, well, your predecessors, your ancestors wen' shut our people up. And the only reason why
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2 3 4	I liken this to most of the resistances are to the outside of the structure. It is like having a beautiful ukulele that plays incredible music and criticizing the case of the ukulele. When we look inside, we can see the	2 3 4	this day and time because, well, your predecessors, your ancestors wen' shut our people up. And the only reason why America is here is because of the military. I mean, anything that goes on on our island,
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1	frankly, just you guys should just go back to where you come	1	understand that.
2	from and stay there. Thank you. Aloha everybody. Aloha.	2	So tonight, when the meeting is concluded, you
2	MR. BRASS: Kamaile Kekahua.	3	will know 99 percent of the people that spoke out tonight
N	KAMAILE KEKAHUA: Aloha. I wanted to be the first	4	are against the ATST being built on Haleakala. And that
5	one to speak but that's okay. I thought I wen' sign up	5	should weigh very heavily on your next on the final EIS
6	first. Are you familiar with Pele?	6	draft. That's number one.
7	MR. FOLTZ: To some extent.	7	The other thing I wanted to share with you is that
8	KAMILE KEKAHUA: To the extent as in she's a deity	8	you heard many people speak tonight, the young, the opio,
9	of the volcano on the island of Hawaii. Well, this is	9	you heard our makua Kaio, Mr. Kanamu. You heard them say ua
10	actually a sharp rebuke to what was mentioned before. And	10	mau ke ea o ka aina i ka pono, the life of our land is
11	for the life of me first of all, I have to say that I'm	11	perpetuated in righteousness. But understand for us kanaka
12	going to speak for those children that are not here.	12	maoli, it goes a lot deeper than just those words. The
13	Because (Hawaiian language spoken). I am a child of this	13	those words were spoken back in 1845 when Admiral Thomas from the British government had to return the government and
14	land of my ancestors and I'm also a child of my predecessors.	14	
16	I mentioned Pele because for the life of me I	16	the authority and the sovereignty sovereignty of the Hawaiian kingdom to Kaukeuli (phonetic) and forgive my
17	cannot understand how it is that Pele is for education in a	17	frankness, some idiot before him invaded the kingdom
18	way where she would allow and want for a structure that is	18	unlawfully. And as Kalekoa had stated, and he progressively
19	15 stories tall to be built right on top of what exactly she	19	and accurately explained to you chronologically how the
20	is.	20	Hawaiian kingdom, my ancestors, were recognized throughout
21	Earlier, I was talking to Keahi, and we were	21	the world as an independent sovereign state completely. And
22	talking about something else, and he was saying, Well, it's	22	he also mentioned and articulated for you that today, the
23	not like they are Gods. And, you know what, a lot of times	23	State of Hawaii, who claims to have title by way of that
24	scientists that have come to Hawaii have tried to play	24	executive order in 1960 to have title to that land doesn't
25	exactly that role as a god, to dictate the ways that we do	25	have it completely. I'm sure, if you, being an attorney, a
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1	things instead of learning exactly from that ancient wisdom	1	man of law, would research the facts you would discover
2	that was here prior to any kind of impact to Hawaii.	2	this. Granted the State of Hawaii of would never admit
3	Scientists have brought their foreign concepts	3	this, right now as we have in the past and we are currently
4	here, some have worked, a lot hasn't. However, that does	4	and we will be in the future, we kanaka maoli will stand up
5	not mean that some would be a 15 or 14-story tall building	5	and fight for our rights, for our land, for our identity.
6	right on top of Haleakala. And the question is: Who is it	6	To sum it up, what all these people were
7	for? As it was earlier mentioned, is it for us? Because it	7	expressing to you so eloquently, even though you heard many
8	is not for us. It is not for the Hawaiian people. It is	8	of them with their passion and some of them had eha, and
9	not for the Hawaiian people of different ethnicities. We're	9	rightfully so, the ill feelings because of the injustices
10	Hawaiian, but I'm Hawaiian something else, something else,	10	and atrocities that were committed to our kupunas. And that
11	something else. I come from many backgrounds. However, we	11	was passed on from generation to generation up until now.
12	speak from our Hawaiian core, because this is where we are	12	Even as we speak, these crimes are still being committed.
13	from. And I just have to end too with saying I resist, I	13	You had cultural genecide and spiritual genecide and future
14	resist for my generation, I resist for my son's generation,	14	genecide. The theft of our identity. Not only our land,
15	and I resist as a keiki.	15	but imagine a whole race of people suffering the Stockholm
16	MR. BRASS: Foster Ampong.	16	Syndrome right now. A clinical condition, and you probably
17	FOSTER AMPONG: Aloha again. I felt compelled and	17	recognize this made famous, the Patty Hearst case back in
18	very important for me to get on the record and, excuse me,	18	the '70s, a whole people suffering the Stockholm Syndrome
19	the sister before me made the please I know this is going	19	thinking that the only way we would survive from today's
20	to sound anal and technical, but this is the kind of thing	20	world is to agree and cooperate with our captors.
21	that I do. For the record, so you hear it verbally from me,	21	On one hand, I can speak and articulate myself on
22	those opposing the ATST tonight who have already spoken up	22	one level. Right now, I'm giving you everything from my
1	until me, have been 15 against it. There was only one	23	na'au. Need to take heed of what has been said and spoken
1			
24	person that supported the construction. And I feel very	24	tonight. Even for the young men who showed their feelings,
24 25	person that supported the construction. And I feel very strongly and deeply that it's important that all of you	24 25	that's passion. Yes, they are angry; yes, they are hurt.
	person that supported the construction. And I feel very		

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	1 But don't discount them. They are speaking from their	1	the keiki Bob. It's something that is thought out in the	
	2 heart, from their soul. Kalekoa very educated man, well	2	Hawaiian culture. Not to make light of things, but my point	
	respected. He spoke from his na'au. That's his soul.	3	is that in our culture things are done purposefully. Any	
N	Now, we want you to speak to us, okay? And I got	4	way, that's my short mana'o.	
	5 to tell you this in all honesty and fairness. You guys	5	One thing that I gathered in all of these meetings	
	6 screwed up the way you guys arranged and scheduled this	6	that I have been to, is I seen the power that is needed for	
	7 meeting completely. And, for the record, let's not mince	7	the air force telescope. The power production that's needed	
	8 words, let's cut to the chase. You guys screwed up. In the	8	is massive. Estimated ten percent of Maui's electricity to	
	9 future, talk to the people from Maui. Don't be afraid to go	9	run that one. This one is way bigger. Way bigger. Much	
	0 out to the rest of the community to listen to what they	10	bigger. That makes me a little nervous because, yes, we do	
1		11	have the windmills but my mana'o on that is that's a	
	2 say. Go back to Paukukalo, go to kula, go to Haiku, go to	12	sustainable type of energy. So I have a little bit of a	
1	3 Hana, go to Lahaina, go to Kihei. Come to Olowalu where I	13	different spinoff on that. But what we're looking at is a	
	4 live. Only get maybe ten or 20 people, but I guarantee you	14	structure here that the power production of it, and don't	
	5 we all show up.	15	get me wrong, in the air force I worked avionics. I know	
	6 Listen to the people. Take the effort. Be	16	what is power. I worked on big aircrafts that needed a lot	
	7 sincere. Don't schedule meetings like you have on this	17	of power. Our national guard has a new C-17, the latest and	
	8 I understand you had some challenges, but I'm pretty sure	18	the greatest aircraft in the world. And, believe me, that	
	9 you all can overcome that. So I will end with that. And,	19	jet has power. So that's a concern for me.	
	20 again, don't build this thing on Haleakala. Go to the other	20	The other thing is, I just came from the north	
2		21	western Hawaiian island meeting and what kills me is to	
	2 earlier mentioned. Thank you.	22	compare it to the Haleakala meeting that I was there last	
	MR. BRASS: I apologize for not being able to say	23	night. The bottom line is all of these people are trying to	
	4 this. The last name is Kamakawiwaole.	24	do something to save things, something now. It's a reactive	
2	5 KAHO'OKIPA'OLU'OLU KAMAKAWIWAOLE: Aloha kakou.	25	situation now, because all of them know from the start the	
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1	62		64	
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	PUBLIC	1	
4	65		67
1	going to do something about it. That's far gone already.	1	described in the EIS. The mirror will be supported on an
2	Far gone. Mahalo.	2	optic system that I'm not qualified to talk about. But it
	MR. FEIN: Thank you. I appreciate that input. I	3	won't be floating. It certainly won't be floating on
-	would like one of our visitors to respond to that issue of	4	mercury.
5	ten percent of Maui's power will be used by that facility.	5	MR. KUHN: Advanced technology for making mirro
6	That's something that's the kind of information that	6	no longer what you are speaking about is from the old
7	ends up being in the media, and it is not accurate.	7	days. We used to take a bag of mercury that was used to
8	Jeff, would you mind?	8	support the mirror because the mercury was heavy it
9	JEFF BARR: I don't know how much power.	9	won't happen. (Inaudible). It uses electronic actuators and
0	MR. KUHN: 140 megawatts.	10	motors.
1	JEFF BARR: The peak power potential, if you turned	11	MR. FOLTZ: I'm the former director of the
12	on every sautering iron and lighting in the place and	12	telescope. It uses a six and a half meter mirror and the
3	operating a miracle facility at the same time, it would be	13	secondary mirror at the top is half the size of this. The
4	one megawatt. We hope to keep that down to something like	14	actuators that one uses can be dramatic where they are
5	600 kilowatts, which would be basically 60 percent of that	15	powered by air cells. It could be hydraulic, which is a
6	in order to keep our own power flows down. I honestly don't	16	concern. And in our telescope, it was such a concern that
7	know how much the air force uses, but I believe it's	17	we would not use hydraulics, not because of spills but for
8	approximately that same range. So just overall, that's the	18	other reasons due to contamination.
9	perspective.	19	You can also use motors, you can use things that
20	A VOICE: That's less than half a percent?	20	are called PAs of stacks, and these are crystals.
21	JEFF BARR: Less than half a percent.	21	Basically, what you need to do to support a mirror these
22	A VOICE: I think you referred to something I said	22	days the mirror will go on the telescope in an optical
23	earlier about stripping of the mirrors that the mercury that	23	sense is floppy. It will not hold its shape if you just put
4	is generated from that. You said that won't be happening.	24	your hands under it and picked it up.
5	Can you explain how it will not be happening if that's the	25	What you need to do is to sense the shape of the
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_	66		68
		1	
1	technology that's released up until now?	1	mirror to a thousandth of an inch, which is like something
	technology that's released up until now?	1	mirror to a thousandth of an inch, which is like something like a thousandth of the diameter of a human hair. You
2	JEFF BARR: The chemicals that are the first	2	like a thousandth of the diameter of a human hair. You
23	JEFF BARR: The chemicals that are the first place what they are stripping off the mirror will be	2 3	like a thousandth of the diameter of a human hair. You sense that and you correct the mirror. As Dr. Kuhn said,
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PUBLIC MEETING

APPENDIX D(1): TRANSCRIPTS - DEIS PUBLIC COMMENTS MEETING, CAMERON CENTER, SEPTEMBER 27, 2006 SEPTEMBER 27, 2006

	PUBLIC	MEETI	NG
	69		71
1	telescope will not. We would not make the decision to build	1	telescope that I was the director of was a six and a half
2	such a design.	2	meter telescope, a nighttime telescope.
1	A VOICE: Do you know if the air force	3	A VOICE: This is four meters?
N.	MR. FOLTZ: I don't know anything about the	4	MR. FOLTZ: This is four meters.
5	telescope. I defer to Jeff. No. According to that.	5	A VOICE: You are looking at the sun, right, so
6	A VOICE: But on Maunakea they have it?	6	four meters is big in diameter. So is this telescope going
7	MR. FOLTZ: I'm not an expert on the telescope on	7	to be used to capture or absorb the sun?
8	Maunakea. I have used it, but I'm not an expert on their	8	MR. FOLTZ: Would you like me to explain why it
9	design. So I would be remiss if I said absolutely not. You	9	has to be that size?
10	probably know better than that I. But this is a new	10	A VOICE: No, no, no. For the point I'm getting
11	telescope. Mercury is a hot button element. Say mercury,	11	at is it's okay. You telling me it's four meters that's
12	don't put that in the design. It's like we're not going	12	fine. But I'm kind of looking at it where you are looking
13	don't do that. It's stupid.	13	at the sun, you want to build this telescope to study the
14	A VOICE: You understand our concern because we	14	sun, but then I'm not a scientist
15	were told over and over again that there was no mercury	15	MR. FOLTZ: I understand.
16	being used, and then we found out in the documents it was	16	A VOICE: But the sun has a lot of power. So
17	not only used but it had leached into the ground.	17	looking at it through a magnifying lens is one thing, but
18	MR. FOLTZ: I understand that, and I don't know	18	what it's telling me also is that you could also capture the
19	that in detail, and I'm not in any way disputing what you	19	power and that lens could be used as well to do that.
20	are saying, nor am I trying to soft petal your concern. You	20	MR. FOLTZ: You could make this telescope I'm
21	have every right to be concerned. And all I could say is	21	not being disrespectful. You could make it a solar hot
22	where the spill I pledge to you, if you personally want	22	A VOICE: That's my point. Now I can get to the
23	to go up and inventory the chemicals, and I'm still working	23	point in question that I have. Will this facility or any
24	for NSF, if someone in this room wants to go see whether	24	other facility that you may build in the future be used to
25	there are weapon systems in that building, I'll make sure	25	capture or harness the sun's power?
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1	(808) 244-9300		(808) 244-9300
-	70		72
1	you go up.	1	MR. FOLTZ: No.
2	MR. BRASS: We have two people in the back row	2	A VOICE: Do you have other telescopes currently
2 3	MR. BRASS: We have two people in the back row that had questions. We have a question.	2 3	A VOICE: Do you have other telescopes currently in operation in the United States or throughout the world?
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		C MEETI	
4	73		75
1	in and hits this mirror, this four and a half meter dish	1	MR. BRASS: Last person signed up is Walter
2	concave mirror, which focuses the light, it makes an image	2	Kanamu.
3	of the sun up here. So all of that power, and it's about 20	3	WALTER KANAMU: Hana ho. Back to the book again.
	kilowatts.	4	If you go to Kahikinui right now and a you sit up at 3,000
5	MR. WAGNER: 12.	5	or 4,000 feet elevation, and you sit on the aina, and you be
6	MR. FOLTZ: You take ten irons and you plug it in	6	still and you be quiet and you listen, guess what you can
7	your house, you are using 12 kilowatts of power. It's like	7	hear? Everything that goes on in the observatory. You can
8	12 irons on your ironing board is about how much energy is	8	hear the grinding, you can hear the rumbling in the earth.
9	used. It's not terrible. You don't want to do it. You pay	9	The sounds emitted up there travel all the way down. All
10	for it. You might burn your shirts. But, anyway, up here	10	the way down and affects us. I know you cannot hear it in
11	is what is called a heat stop. Its job is to take most of	11	Lahaina or Wailuku or Kahului, but we hear it in Kahikinui.
12	that light, collect it, and take the heat away. And it	12	All of that the vibrations, everything, go down into our
13	takes it away and fluid I'm just getting started. The	13	aina. And I want to preserve what we have left because
14	heat is eventually dissipated through a chilling system	14	Haleakala has influenced a lot of my writing.
15	which will probably involve nothing else.	15	As I revealed in one of the writings, I would like
16	So the heat is taking away the little bit of	16	to share this with you. (Hawaiian language was spoken) That
17	sunlight you are interested in studying. You are looking	17	means I listen to the voice of my ancestors. They cry out
18	at the small part of a it shows in great detail. It	18	to me. Return to the land of your love. Return to the land
19	sends down all the way down to the base, to the instrument.	19	of your God. (Hawaiian language was spoken.) I want to
20	So in terms of it's not collecting an enormous	20	look into your eyes he tell me. I want to be close to you
21	amount of energy, number one. Number two, all of that	21	pili. I want to see your mana and listen to your voice, the
22	energy is dissipated within the structure. Yes, it's true.	22	voice of your heart crying out to me. (Hawaiian language
23	If you pointed this at the sun and you stood here or you put	23	was spoken).
24	a piece of metal or a hot dog here, you would heat it very	24	My answer to that is here I am today. Here I am
25	quickly, and you would do damage.	25	today. I will take care of you, the aina. And you take
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-	74		76
1	A VOICE: I really appreciate your candor and your	1	care of me. And that's where I am today. I want to share
2	honesty. Thank you. So I'm not going to apologize for my	2	this other one. Manukani is a pu'u right below the
3	candor.	3	observatory. I wonder why Hawaiians call it manukani.
4	MR. FOLTZ: I don't expect one.	4	Manukani.
5	A VOICE: It still does not give me the confidence	5	So I went camping up there by myself. This was in
6	or the reassurance that an accident could be unavoidable.	6	1997 when I wrote this one. And I asked akua, why manukani?
7	And with your explanation that you lost a colleague and a	7	I took my guitar up there all of these are songs I
8	friend and that there are telescopes throughout the world	8	took my guitar up there and I sat there and camped up in the
9	and there have been accidents. With all due respect to your	9	mountains, and I asked akua why manukani? The sun went
10	president, when you say that you guys are being honest and	10	down, the moon came up, the moon went and gone, the sun cam
11	truthful, Bush said the same thing. We know, hello, that	11	back out and still no answer.
12	guy lied through his teeth.	12	In search of the meaning, I found myself on top of
13	My point is this: Right now, technically, I have	13	the pu'u manukani. All alone I sat and waited. The reward
14	not heard any factual or confident assurances that this will	14	for waiting was the sound of a thousand birds singing,
15	be safe for the general public. And I have	15	chirping, and screeching. Only there were no birds and no
16	MR. BRASS: Can I interrupt you so that we can	16	trees. The Hawaiians call it manukani. Manu is the bird,
17	give this one gentleman who signed up a chance to speak?	17	kani is the sound. On top of the pu'u o manukani, looking
18	A VOICE: Okay. Let me conclude by this. I'm not	18	out into the sea on top of the pu'u o manukani the birds
19	confident. Even more so, I'm even more scared and more	19	began to sing to me. At first I'm siting all alone. It
20	opposed now than I was two hours ago when I walked in. And	20	feels like there's nobody home. The Kona winds come from
	I don't want nobody hurt. So the safety factor is extremely	21	the sea, the clouds are all surrounding me. I feel the
21		22	chill run through my bones. It seems to say, I'm not alone.
	Important.		And as the clouds fly over me, I hear the sound of manukani.
	important. MR. FOLTZ: I understand. I don't expect you to	23	And as the clouds hy over the, i hear the sound of manukani.
22	MR. FOLTZ: I understand. I don't expect you to	23	I hear the birds of manukani. The Hawaiians call it
24	MR. FOLTZ: I understand. I don't expect you to trust me.		I hear the birds of manukani. The Hawaiians call it
22	MR. FOLTZ: I understand. I don't expect you to	24	

 1 the sea, on top of the pu'u o manukani a makiki screeches 2 from the tree, the l'iwi sings to me, the chirping apapane in the trees. Oh, yeah. One more please. While everybody 5 thinks it's funny to say with a laugh of the town will keep 6 on laughing, yes keep on laughing, you're going to take us 7 all down. Humpty dumpty sat on a wall, humpty dumpty had a 8 great big fall. For all the soldiers on the land and all of 9 the sailors on the seashore and all of the fighters in the 10 sky, tell me is there going to be war? Is there going to be 11 war? Humpty dumpty sat on a wall, humpty dumpty had a great 12 big fall. 13 Kahoolawe, Kahakuloa, Kaneohe, Nilhau, Pearl 14 Harbor, Diamond Head, Bello's Field and Kahuku, Schofield 15 Barracks, Moanalua, Barber's Point and Makua, Wheeler Field, 16 Punchbowl, Mokuleia, Haleakala. House of the sun or house 17 of star wars. Do you want any more? We cannot give you any 18 more? Is there going to be war? Humpty dumpty sat on the 19 wall, humpty dumpty dua great big fall. It's time for 20 action to stop the faction. The desecration of our land. 	ed printed at were hatever e mation nto the there's d is you look stimony
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19wall, humpty dumpty had a great big fall. It's time for19submitted up to the point of publication, every comm	
20 action to stan the faction. The decorration of our land 20 was submitted in favor or against was published in the	
21 We're just like magnets in the ocean attracting missiles 21 as part of the I don't think we left out any comme	nts.
22 from all foreign lands. 22 There were hundreds, and they are all in the DEIS.	
23 In the middle of the deep blue sea just set your 23 A VOICE: Are you meaning written comme	nts?
24 sights on me. Do you want any more? We cannot give you any 24 MR. FEIN: Written, yes.	
25 more. Is there going to be war? Humpty dumpty sat on a 25 A VOICE: The understanding of people who) attended
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78 1 wall, humpty dumpty had a great big fall. What everybody 1 the meetings was that it was going to be part of the	
1wall, humpty dumpty had a great big fall. What everybody1the meetings was that it was going to be part of the2still think it's funny? Hawaiians only want to be free.2MR. FEIN: Yes. When I said that, I misspond	
3 Get back the land do what you can. It's time to help 3 that time, at the March 28th meeting. I said that the	
4 yourself be free. It's time for sovereignty.	
5It's time for sovereighty.444445It's time for sovereighty.I have more from5It is available through the Freedom of Information A	
 6 Kahikinui. I hope you can see how this land affects my life 6 request and will be provided to anybody who wants in the second sec	
7now. And I think it's well worth preserving and7A VOICE: Are you saying that if I object right	
 8 perpetuating and enough of desecration already. That's all 8 now to the fact that all of these people's time that the fact tha	
 9 I have to say mahalo. 9 put into saying things tonight is only available to the 	'
10 MR. BRASS: We're out of time this evening. I 10 public with if I say that that doesn't go into the	
11 want to remind you that up until October 23rd you have the 11 public record. People only know I said that and all the	ne
12 opportunity to submit written testimony. There's also a 12 other things people said tonight, if they get a lawyer	
13 meeting tomorrow night in Pukalani starting also at seven 13 do a Freedom of Information Act request?	
14 and in Kula on Friday night also at 7:00 p.m., so those are 14 MR. FEIN: I'm going to allow the represent	ative
15 opportunities for you. You have heard the testimony. 15 of the general counsel to	
16 A VOICE: I have a question about letting the 16 A VOICE: I think that's outrageous. You a	re
17 public know is it in the Maui News so the public knows? 17 wasting our times here.	
18 MR. FEIN: It's been in the Maui news two separate 18 BIJAN GILANSHAH: Let me clarify. There's	s pages
19 weeks, Haleakala Times, Maui Times. 19 in the transcripts in the DEIS hearings (inaudible) a	nd the
20 A VOICE: Did it have 6:00? 20 comments that are made, written comments. (Inau	dible)
21 MR. FEIN: Seven yes, sir. 21 the comments you make get put into the DEIS and a	ddressed
A VOICE: I just want to make sure that the individually or collectively. For instance, if there's an	ı
objections to the timing of this get entered into the public 23 objection to the timing because of the county fair, the	iat
24 record. 24 goes right into the text of the DEIS as an objection r	noted
25 MR. FEIN: Everything that we said was entered 25 by several commenters where 18 people said X.	
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	PUBLIC	MEETI	
	81		83
1	A VOICE: It goes into the public record	1	said that, I mean that should make a difference whether
2	(inaudible)	2	National Science Foundation makes a decision on funding this
	BIJAN GILANSHAH: by people and all comments	3	project or not.
_	have to be addressed and arranged and similar comments	4	BIJAN GILANSHAH: That's a good point. When I
5	(inaudible).	5	seen it in other documents, often you will see several
6	A VOICE: This is confusing. It's not a direct	6	commenters say X. That's a typical EIS document. Several
7	answer.	7	many, dah, dah, dah. Let me look at that and see why that is
8	MR. WAGNER: I think there's confusion about the	8	standard practice and see what we can do to assess the
9	difference between a transcript which is translating and	9	differences. But it is standard practice, and I don't know
10	codifying everything that's said and taking the comments	10	how it developed or but it's vague
11	then and putting them in the document. I mean, the comments	11	A VOICE: Don't you think it's fair to take the
12	about we're concerned about mercury goes into the document.	12	transcript, a letter, as a group.
13	All of the words that are said go into the transcript. Does	13	BIJAN GILANSHAH: I'll look at that too. The
14	that make sense?	14	interesting thing is bury (inaudible) bury stuff. The EPA
15	A VOICE: No, that doesn't make sense right now.	15	says, don't do that. I want you to insert it into the actual
16	I feel completely confused, and I'm pretty well educated.	16	text of the document versus just throwing it 300 pages to
17	A VOICE: So everything tonight gets transcribed?	17	people. It may or may not read page 272.
18	Is this verbatim when it comes out? Is this verbatim?	18	MR. BRASS: We need to wrap up. We need to be ou
19	THE COURT REPORTER: As much as I can. As much as	19	of here.
20	I can.	20	A VOICE: Who is in charge of selecting the script
21	A VOICE: You stated that you, not you but the	21	that goes in if it's not verbatim? And is that a neutral
22	other gentleman, stated that in the final EIS, what is said	22	person, or is that a person, a proponent of the project?
23	here doesn't all get put into the EIS.	23	How does that work?
24	BIJAN GILANSHAH: you are saying the verbatim	24	BIJAN GILANSHAH: It's an agency
25	transcript. I will double check and make sure that doesn't	25	A VOICE: There's no control on the selective
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-	82		84
1	happen. I have never seen it. The law requires that every	1	script that goes into the record.
2	substantive comment, everything that was said, substantive	2	BIJAN GILANSHAH: It's like the draft EIS. We
3	timing of these meetings, the change in the timing of the	3	will write the final, that's true. We'll have to go through
4	meetings gets right into the text. The action says it's not	4	the control is the law requires it.
5	enough for an agency to take stuff, throw it in the back in	5	A VOICE: But there's a lot of latitude of what
6	the appendix, and bury it. It says you have to walk through	6	you put in.
7	everything that is said and address it. It actually	7	BIJAN GILANSHAH: Yeah, it all has to go in.
8	increases; otherwise, I assume the rule is there because	8	A VOICE: You say it doesn't go in verbatim.
9	they take it, throw it in the back 400 pages, buried,	9	BIJAN GILANSHAH: It doesn't go in verbatim. All
10	whatever versus addressing each substantive comment, put it	10	substantive comments go in.
11	in, and we have a responsibility to respond to timing,	11	A VOICE: But that's selected by somebody.
12	County fair. All of that gets in and responded to.	12	BIJAN GILANSHAH: Yes, and if there's anything
13	A VOICE: It seems when you consolidate these	13	that's vague as to what is or what isn't a (inaudible), we
14	comments, as you hear it in the evening, it seems I'm	14	would err very much so on obviously the issue of the
	just questioning this that it may be listed in the document	15	county fair, mercury, all of that. It's not in the agency's
15		16	interest to not address all comments. It's just not. The
		1.0	
16	but not given a weight that the majority of the people	17	law requires it all.
16 17	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just		
16 17 18	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was	17	MR. FEIN: Our permit has expired.
16 17 18 19	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was mentioned at the meeting. I'm just questioning	17 18 19	
16 17 18 19 20	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was mentioned at the meeting. I'm just questioning BIJAN GILANSHAH: This document?	17 18 19 20	MR. FEIN: Our permit has expired.
16 17 18 19 20 21	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was mentioned at the meeting. I'm just questioning BIJAN GILANSHAH: This document? A VOICE: I'm talking about this DEIS. When you	17 18 19 20 21	MR. FEIN: Our permit has expired.
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15 16 17 18 19 20 21 20	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was mentioned at the meeting. I'm just questioning BIJAN GILANSHAH: This document? A VOICE: I'm talking about this DEIS. When you talk about Section 106 meetings that we had, and it mentions, like you are saying, it seems to (inaudible) more	17 18 19 20 21 22 23	MR. FEIN: Our permit has expired.
16 17 18 19 20 21 22 21 22	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was mentioned at the meeting. I'm just questioning BIJAN GILANSHAH: This document? A VOICE: I'm talking about this DEIS. When you talk about Section 106 meetings that we had, and it mentions, like you are saying, it seems to (inaudible) more than one person saying something, but it doesn't seem to say	17 18 19 20 21 22 23 24	MR. FEIN: Our permit has expired.
16 17 18 19 20 21 22	but not given a weight that the majority of the people expressed this particular statement or sentiment. It just seems like it's a little comment that that's what was mentioned at the meeting. I'm just questioning BIJAN GILANSHAH: This document? A VOICE: I'm talking about this DEIS. When you talk about Section 106 meetings that we had, and it mentions, like you are saying, it seems to (inaudible) more	17 18 19 20 21 22 23	MR. FEIN: Our permit has expired.

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1	CERTIFICATION	
1 2 3 4	STATE OF HAWAII)) SS.	
4	COUNTY OF MAUI)	
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7	I, GLORIA T. BEDIAMOL, CSR/RMR 262, Notary Public	
8	in and for the State of Hawaii, do hereby certify: That the proceedings were taken by me in machine shorthand and was thereafter reduced to print under my	
9	supervision by means of computer-assisted transcription; that the foregoing represents, to my best ability, a true	
10	and correct transcript of the proceedings had in the foregoing matter.	
11	I further certify that I am not an attorney for any of the parties hereto, nor in any way interested in the	
12	outcome of the cause named in the caption.	
13		
14	Dated this 25th day of October, 2006.	
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16	Signature on File	
17	NOTARY PUBLIC, State of Hawaii My commission expires: 1/18/08	
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Appendix D(2): Transcripts DEIS Public Comment Meeting, Pukalani Community Center, September 28, 2006

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3	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)
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6	PUBLIC MEETING
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10	Held at the Pukalani Community Center, Pukalani, Maui,
11	Hawaii, commencing at 7:00 p.m. on September 28, 2006.
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19	REPORTED BY: Lynann Nicely, RMR, CSR No. 354
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1		ATTENDANCE			
2					
3	MEETING FACILITATORS:				
4					
5		David Brass and Cheri Nashiwa, Mediation Services of Maui			
6					
7	PANEL	MEMBERS PRESENT:			
8 9		Dr. Jeff Kuhn - Associate Director of the University of Hawaii, Institute for Astronomy (Oahu)			
10		Dr. Craig Foltz - Program Officer with the National Science Foundation, Washington D.C.			
11		Dr. Charlie Fein - KC Environmental (Maui)			
12 13		Jeremy Wagner - ATST Project Manager with National Solar Observatory, Tucson, Arizona			
14		Jeff Barr - ATST Project Architect			
15		Mike Maberry – Assistant Director, University of Hawaii, Institute for Astronomy (Maui)			
16 17		Bijan Gillanshah, Office of the General Counsel of NSL			
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1 DR. FEIN: Good evening and aloha, ladies and gentlemen. My name is Dr. Charlie Fein. I am the 2 vice president of KC Environmental Incorporated. KC 3 Environmental was the preparer of the Draft 4 5 Environmental Impact Statement that we are discussing this evening. I'm going to make some б 7 brief remarks to begin with and then we'll proceed 8 with the public comment part of the program.

9 There have been quite a few meetings on the 10 Advanced Technology Solar Telescope already, public meetings. If you did read the Draft Environmental 11 Impact Statement, Chapter or Section 5 describes 12 13 nine previous meetings, three beginning in July 2005 and other informal and formal meetings that have 14 15 been held since. These other meetings occurred with various organizations, groups, individuals, on Maui 16 at various times throughout the last 15 months. And 17 as I said, these are all documented in Section 5 of 18 the DEIS. 19

20 So tonight the purpose of this meeting is 21 specifically to hear comments from the public on the 22 Draft Environmental Impact Statement for the 23 Advanced Technology Solar Telescope. Those comments 24 will be recorded and become part of the 25 administrative record for this project and

ultimately all comments will be addressed

individually or collectively in the final

3 Environmental Impact Statement.

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4 If you wish to comment, there are several ways 5 to do so. If you wish to provide vocal testimony 6 this evening, we ask that you sign up and provide 7 your name so that you will be called upon in turn to 8 give that testimony.

9 You can also provide written comments. We have 10 comment forms at the front of the room. If you wish to comment on those forms, you write whatever you 11 12 choose to write and put it in the drop-off box. You 13 also have until October 23rd to provide written comments on the document, the end of the comment 14 15 period. And there is one more meeting tomorrow 16 evening at the same time at the Kula Community 17 Center and if you wish to attend and provide 18 comments there, you're welcome to do so.

19Although there are representatives of the20project here, we respect the comments that we've21received from earlier meetings and we are not22providing presentations this evening. If you direct23your question to any of us, we will respond as24appropriate. However, bear in mind that this25document was prepared in part by more than 30

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individuals. They could not all be here this
 evening for practical reasons and so there may be
 questions that come up that we cannot answer. We
 will, however, ultimately answer all the questions
 you have.

6 The EIS is a draft. We're aware that it can 7 contain errors. We also know that there will be 8 differences of opinion about the content and the 9 conclusions. And that's why we encourage everybody 10 to participate in the public comment process.

With that, allow me to introduce the 11 12 individuals who are here this evening. Craig Foltz, 13 representing the National Science Foundation, is the 14 program officer for the project. Jeremy Wagner, 15 project manager from the National Solar Observatory. 16 Jeff Barr, the project architect. Dr. Jeff Kuhn, Associate Director of the University of Hawaii 17 Institute for Astronomy. Mike Maberry, the 18 assistant director for IFA here on Maui. And Bijan 19 Gillanshah, Office of the General Counsel of NSL. 20 21 All of these individuals are here to listen to the 22 comments tonight.

Our primary purpose tonight is to hear your
comments on the Draft Environmental Impact
Statement. With that, I'm going to turn the process

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1 over to our mediators who will explain -- or

2 facilitators, I'm sorry, who will explain the ground 3 rules for this evening. David.

DAVID BRASS: Good evening. My name is David 4 Brass and this is Cheri Nashiwa. We're both 5 facilitators with Mediation Services of Maui. And б we are not here as mediators. Mediators work with 7 8 parties to help then come up with their own 9 resolution to a conflict. We're here to provide --10 hopefully to provide a safe, respectful environment that allows everyone to state their comments 11 12 regarding the draft environmental impact. We're not 13 affiliated with any of the parties in this. We're simply here to create a process that allows everyone 14 15 to speak.

In order to ensure that everyone who wants to speak has an opportunity to speak, we are going to be working with time limits on the speech. So if you have more to say than can be said within the time constraints, please take advantage of the other meeting tomorrow night and also take advantage of the opportunities for written comments.

23 What I'm going to do now is I'm going to turn 24 the mike over to Cheri -- I'm sorry, I always forget 25 about this part. We have an agenda. It's a simple

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1agenda. We're in this part right now, opening and2ground rules. We're going to take a break at 8:003and a break at 9:00. Part of the reason for those4breaks is that we have a court reporter here who is5recording all of the proceeds of the meeting and she6needs a break. So we'll take a five-minute break at78:00 and 9:00.

Those are opportunities, if you haven't already 8 9 signed up to speak, for you to go ahead and sign up. 10 After the 9:00 break, we'll collect all the remaining sign-up sheets and that's what we'll work 11 12 with to call your names and have you come up and 13 submit your comments. So if you haven't signed up to speak and you would like to speak, please go back 14 15 and sign up on one of the sheets. They will bring 16 then up to us and we'll continue to call names.

We do have to close at 9:50 because the county requires that we be out of here at 10:00, which means we need to clean up the whole room or the people who set it up need to clean up the whole room by 10:00.

22 CHERI NASHIWA: So here are the ground rules 23 that we will be enforcing tonight. Turn off all 24 cell phones or put it on silent just because they're 25 distracting. Again, sign up to speak. One person

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speak at a time. And that is again for the court reporter, she can't type two people talking at one time. Speak into the microphone, again for the court reporter, slowly and clearly. Use respectful language and tone. And time limit is four minutes with a one-minute wrap up.

7 What's going to happen is you'll be using this 8 microphone to speak into. At the one-minute wrap up 9 -- after your four minutes, I will come and stand 10 next to you and show you the yellow card which means 11 to wrap it up and you have one minute to wrap up. 12 That's just for fairness for everyone who wants to 13 speak tonight.

14 So if we're ready, David will be announcing the 15 names of the people who signed up. Again, state 16 your name when you're at the microphone.

17 DAVID BRASS: It's important that you state 18 your name clearly at the beginning. I will do my 19 best to read names. I'm not particularly good at 20 handwritings, so I may mispronounce your name and I 21 apologize in advance for that.

22 Our first person to speak tonight is Mary23 Evanson.

24 MARY EVANSON: Thank you very much for this25 opportunity to speak. My name is Mary Evanson. And

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I didn't bring my glasses, so I hope I can read this.

Although I was born and raised on Oahu, I came
to Maui often when I was a child. And Maui was
always No Ka Oi, the very best.

6 I have always loved Haleakala and am very 7 protective of it. There is only one Haleakala on 8 this planet and it is a very beautiful and spiritual 9 place for many people and it must be protected 10 forever.

I understand why Haleakala was chosen for this 11 12 ATST project and I understand why the university 13 wants it bad, the prestige that it would bring to the university. But what is the cost to our small 14 15 island and what is the cost to future generations? 16 This project is so huge, it will change Haleakala 17 forever. Please, find another place for this 18 project.

19I am deeply troubled by the Draft EIS. This20document has many errors and it is printed and21distributed to many individuals, to libraries, and22is on the internet. A document like this should be23checked and double checked and checked once again24before it is posted on the internet. People from25all over the world now can check in and learn all

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kinds of erroneous things about this project, about
 Haleakala.

I really expected more from this document that
has the National Science Foundation logo on the
cover.

I just want to bring up a few of the mistakes б or errors that I found in it. This an error that I 7 brought to the preparer of the documents' a while 8 9 ago. This is a map. It has Haleakala Highway going 10 through Science City. I brought it to their attention and their response was oh, this came from 11 the Maui County website. Therefore it must be 12 13 right. I don't think so. The fact that he knew 14 this was wrong and copied it again. Do two wrongs 15 make a right? No. It may be manini, but it is an 16 error that should have been corrected.

The other error that I found -- I don't know 17 how many times, I lost track of how many times 18 Haleakala Crater Road is mentioned. And I also 19 20 mentioned this to the preparer sometime ago. There 21 is no Haleakala Crater Road anymore. There used to 22 be. But several years ago the Maui Fire Department felt, for safety concern, Haleakala Highway should 23 24 extend from Hana Highway all the way up to the top of the mountain, and therefore Haleakala Crater Road 25

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1 is no more.

2 There is mentioned a couple of times ko'a. 3 Ko'a is a shrine that one finds down on the 4 shoreline. They're saying there is a ko'a up on the 5 top of the mountain? I don't think so. I asked two 6 archeologists about this and they confirmed that no, 7 probably not. There is some coral up there, but it 8 has nothing to do with a shoreline.

9 Also, they have the west and east ahu that were 10 constructed up there. In some places of the Draft EIS it says they were constructed and others they 11 12 were reconstructed, that they were -- this is just a 13 little example of the errors that I found in the document. There may be others. I hope not, but I 14 15 do not feel comfortable with the document. Thank 16 you.

DAVID BRASS: There is I believe a collection
box for written testimony on the table, so if you
would like to leave your full testimony there, I
would encourage you to do so.

21 The next speaker is Penrod Vladika.

22 PENROD VLADIKA: Good evening and thank you for 23 this opportunity to speak to everybody here. I'm 24 vice principal at Kalama Intermediate School. This 25 is my twenty-first year as an educator in public

schools. I have a degree in geology and a minor in
 mathematics, master's in education.

3 Last year I formed an astronomy club at Kalama 4 Intermediate School and have been very active with 5 the Haleakala Amateur Astronomers. Rob Ratkowski is 6 here to represent that group. And also with the 7 Institute For Astronomy, several astronomers that 8 have been collaborating with our school and our 9 students.

10I'm real excited about this. The kids are real11excited about this. We had our first star party12last Saturday. And I was hoping to show a couple13slides of that. Obviously I'm in favor of the14telescope and the construction of this very15important instrument.

16 I'm in favor of the Pan-STARRS of course also.
17 And our students are going to be working with the
18 astronomers and these two instruments in the future
19 when they're finished with their construction.

20 So, a picture is worth a thousand words. I 21 brought a few pictures to show you of some images 22 that some of our students have been -- well, I made 23 my main point.

Anyway, I purchased a solar telescope myself and I do a lot of solar imaging and it's been a lot

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1 of fun for me and I just wanted to share that with students. So I bring my solar telephone up to 2 Kalama. I take it up to the summit for the best 3 imaging because that's where the best imaging is. I 4 compare notes with other solar amateur astronomers 5 from around the world and the imaging from up at the б summit is just suburb. It's just obviously the best 7 8 place in the world to do this. And what's so much 9 fun about that is setting it up there and seeing all 10 the people come from around the world to ask to look and see and to experience the joy of discovery. And 11 12 that's what it's all about for me is to have this 13 opportunity for children to learn and to discover.

And one of the projects we're really interested in is with the Pan-STARRS is to find some of these earth-crossing asteroids that have hit the earth in the past and had a tremendous impact on life on earth in the past and we now know that the possibility of that event happening again is very real, that's why Pan-STARRS was built.

And our students are going to be involved in a workshop with the IFA here in October to learn how to use different imaging packages and software to analyze asteroids and be able to determine their orbits. So these are middle school students --

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APPENDIX D(2): TRANSCRIPTS – DEIS PUBLIC COMMENT MEETING, PUKALANI COMMUNITY CENTER, SEPTEMBER 28, 2006

1 sixth, seventh, and eighth grade students. That's just real exciting for me because my passion is 2 astronomy also. I taught astronomy for six years to 3 gifted students in eighth grade in Texas and that 4 was just an enormously enriching experience for me 5 and I think for the kids, too. What else can I say б 7 here? I just -- I have one minute? I'm sorry you 8 can't see the images.

9 I think again I can be here later if anybody 10 wants to see these. We had about 40 students and 11 parents come up last Saturday night and look through 12 a variety of telescopes and got to see things that 13 they had never seen before.

14One of my first impressions that got me15involved in astronomy was going to up to Los Angeles16and looking through the 12-inch size refractor that17they had their images of the moon looking at live18viewing of the moon. That first got my interest.19And then going up to Mt. Palomar in San Diego area20and looking at the enormous observatories there.

I see there is a unification of science and the mountain also. It's called the House of the Sun. You know, to me it's an addition, it's unifying in a way and it's very spiritual also to me as just an average citizen. Thank you.

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1 DAVID BRASS: A reminder that if you would like to speak tonight, there are sign-up sheets back in 2 the back of the room. Please sign up if you would 3 like to speak. 4 Our next speaker is Marilyn Parris. 5 MARILYN PARRIS: Aloha. I'm Marilyn H. б 7 Parris, superintendent of Haleakala National Park. And we are the adjacent neighbor to the 8 9 observatories. 10 Established in 1916, Haleakala National Park houses the last and best opportunity to preserve for 11 12 all times a maturing Hawaiian volcanic landscape 13 which has nurtured and sustained unique biotic ecosystems and a rich cultural heritage. 14 15 The park's purpose as established by law is to 16 preserve the scenic character and associated 17 Hawaiian culture, while simultaneously providing educational, inspirational, and recreational 18 opportunities compatible with preserving the natural 19 20 and cultural resources and values within the park. The significance of the park mission and purpose I 21 think is validated by our current visitation which 22 is at 1.7 million a year and our visitation is 23 24 growing. 25 Haleakala National Park represents a highly

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diverse volcanic, geological and biological habitat
ranging from over 10,000 feet to sea level. It
contains the relatively few intact remnants of a
unique and disappearing Hawaiian biota found nowhere
else in the world and for which has been designated
as part of the world biosphere reserve system.

Haleakala National Park includes over 24,000
acres of remote and pristine designated wilderness,
acclaimed for its beauty, serenity, and tranquility
where visitors can temporarily escape from civilized
society. It contains abundant archeological and
historical remains of the pre-European contact
Hawaiian civilization.

Haleakala National Park is Maui's number one
tourist destination and an integral part of the
tourist-based island economy.

17 The National Park Service's primary mission at Haleakala National Park is to ensure these resources 18 and values remain authentically represented and 19 20 available for the enjoyment of all peoples in 21 perpetuity. The preservation of Haleakala nurtures 22 the mind, body and spirit of these islands, her unique environment, and her many peoples. 23 It is the National Park Service's contention 24 that this Draft EIS falls far short in adequately 25

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evaluating the numerous cumulative impacts to our resources, our visitor experiences, and our overall park operations with the construction of this ATST. Therefore, the National Park Service must strongly oppose the construction of this facility adjacent to our boundary based on the information presented within this Draft EIS.

8 We will be submitting more detailed 9 documentations of these omissions, shortfalls, and 10 our concerns to the National Science Foundation. 11 Thank you.

DAVID BRASS: Before I call the next person, I neglected to mention that we have a representative from the Maui News here who is recording to assist her in make an accurate report of this meeting. If you would prefer not to be audio recorded, just let her know and she'll turn off her recorder.

18 The next person is Frank Skowronski.

19 FRANK SKOWRONSKI: My name is Frank Skowronski.
20 I'm the principal in a very modest tech firm on
21 Maui, licensed to practice in the state since 1978.
22 I will leave the spiritual implications to Haleakala
23 to my others and try to concentrate on the
24 architecture and structure of the building.
25 I have a couple questions from the people or to

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1 the people who prepared this statement. And one of them is that is there some location in the EIS that 2 does a comparison of the size and scope and scale of 3 the projected improvement as compared to other 4 existing structures on the island of Maui? Is this 5 buried in the EIS or have I overlooked it? б 7 SPEAKER: No, we don't have a comparison. FRANK Skowronski: In lieu of that, may I offer 8 9 some observations about the size and scale of the 10 proposed construction. The Maui Medical Group is a well known building 11 12 in Wailuku. It's on Main Street and High. It's 13 seven stories tall. It's 68 feet high. It's about a 6,000 square foot footprint. As I read your 14 15 Environmental Impact Statement, you're proposing to 16 build a structure that is over twice that size, both in its height and in its footprint. Is that a 17 correct characterization? 18 SPEAKER: Yes. 19 20 FRANK Skowronski: The Maui County office 21 building, which is on High Street just a half a block away from the previous building, is an 22 eight-story structure that's 104 feet tall. It has 23 24 a footprint of approximately 10,000 square feet -- a little over 10,000 square feet. And the proposed 25

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APPENDIX D(2): TRANSCRIPTS – DEIS PUBLIC COMMENT MEETING, PUKALANI COMMUNITY CENTER, SEPTEMBER 28, 2006

1 construction that you're asking for on Haleakala is going to be another four stories taller than that? 2 SPEAKER: Approximately 40 feet higher. 3 FRANK Skowronski: Approximately the same 4 footprint. Okay. The other structures on Maui that 5 compare to this -- the Maui Marriott on the б 7 Kaanapali coast is 136 feet tall. This building is proposed at 143 feet tall. The Alii Towers on the 8 9 Kaanapali coast is approximately 142 feet high, 10 11 stories. The new proposed Maui Hyatt Vacation Club is proposed at 12 stories, 144 feet high. 11 12 Okay. As constructed and as the island exists now, 13 your proposed construction on Haleakala is going to be the tallest building that's ever been constructed 14 15 on this island. Not the tallest structure -- there 16 are towers, there is the windmills, there is a 17 couple of other events that have been constructed that are taller, but as far as a mass is concerned, 18 as far as a structure is concerned, this is going to 19 be the tallest structure ever built in the county. 20 21 Is that a fair characterization? Am I missing any 22 of the buildings? Okay.

The County of Maui Building Code allows only a
12-story structure. So if you were to build this
structure any place other than federally owned land,

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1 you would not be able to get a building permit because you would be too high. But you don't have 2 to get a building permit to build on this site. Is 3 that true? 4 SPEAKER: That is correct. 5 FRANK Skowronski: So there will be no county, б 7 state, or federal reviews of the construction drawings of this proposed construction. 8 9 SPEAKER: That is incorrect. 10 FRANK Skowronski: Okay. Which -- who --SPEAKER: The State of Hawaii requires all 11 construction plans to be submitted with a 12 13 conservation district use application. Those plans, blue lines, and all of the construction details 14 15 including the construction plan will be reviewed 16 carefully by the state and become part of the 17 application process. FRANK Skowronski: But not a building permit. 18 You will not be applying for a building permit. 19 20 SPEAKER: That's correct. A county building 21 permit is not required. 22 FRANK Skowronski: On the Appendix G, there is a reference to a soil placement area. Can you 23 24 explain what the soil placement area is on the top of -- in the course of this construction? 25

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1 SPEAKER: Yes. I actually have some graphics I could show you, and it's in the EIS, in the Draft 2 EIS, showing the locations where -- I can just 3 verbally describe it might be --4 FRANK Skowronski: Well, it makes reference to 5 4,000 cubic yards of cut rock and fill that you will б 7 be moving around on the top of the mountain. 8 SPEAKER: Maybe I should use a microphone. I 9 would like to actually address some of this stuff 10 because -- not cutting into your time. But yes, right, in order to place the building, we have to 11 create a platform. And at the primary site, that's 12 13 going to take about 2,500 cubic yards of removed material. And it won't be removed off the top of 14 15 the mountain. Because of cultural reasons, it has 16 to be placed there on the mountain. So there are other areas we've identified where the soil removed 17 will be placed. Of course, as you know, there will 18 be additional excavation for foundation and that 19 20 soil also will stay on the mountain and also be 21 placed in one of -- we've identified two locations. FRANK Skowronski: As I understand the soils 22

23 report and the proposed construction, the
24 construction is a double sleeve construction in
25 which you have an 84-foot diameter concrete mat that

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- houses the telescope, and then wrapped around there
 is another foundation that sleeves over to hold the
 enclosure.
- 4 SPEAKER: Right.

5 FRANK Skowronski: Now, that perimeter footing 6 is being held up by 123-foot diameter caissons that 7 go 21 feet into the top of the soil.

8 SPEAKER: You've got it just about exactly 9 right except for the fact that the caissons will 10 also be under the mat foundation for the pier as 11 well. There is a total of 21 caissons and the 12 average length on those is 16 feet. I think 21 feet 13 was --

14 FRANK Skowronski: So is the excavation of the 15 footings and the caissons that are going to be 16 replaced on top of the mountain in the effect as if 17 it's a pu'u?

SPEAKER: One of the soil placement areas --18 and this is not something we invented out of whole 19 20 thought -- came out of the scoping meetings. One of 21 the soil placement areas is what's now referred to as the Reber Circle site and it previously was a 22 pu'u or a hill there. And in order to restore that 23 24 hill and to actually do some restoration as part of the project, that was suggested to us by Kapuna 25

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Maxwell that that would be an appropriate placement
 of the soil and would actually do some beneficial
 reconstruction.

DAVID BRASS: Actually, to be fair to everyone
else, could you guys talk later? Get those
questions answered later.

7 FRANK Skowronski: The idea here is that you're building a 14-story building that you 8 9 couldn't possibly build anyplace else on the island 10 aand you're going 21 feet into the soil to hold it up. And you're building something that is the 11 12 largest structure -- tallest structure that's ever 13 been built on the island and you're putting it on the highest elevation and the highest parcel that is 14 15 buildable on the island at the highest wind force and this construction warrants an EIS of no 16 significant impact? Is that the essential 17 implication of the Draft EIS? 18 DAVID BRASS: Mr. Skowronski, I'm sorry, there 19 20 is more people signed up. 21 FRANK Skowronski: I'm sorry. Thank you. DAVID BRASS: The next speaker is Verna Nahulu. 22 VERNA NAHULU: My name is Verna Nahulu. I'm a 23 24 retired elementary schoolteacher and I live in Keokea, Maui. I really -- I'm coming here to 25

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represent the children. And I feel that we are criticizing the outside of a structure as if we had a Stradivarious lying inside of a case and we are criticizing the case when the real value, the real value is inside. And I feel that ATST is a Stradivarious. It has so much value for the children who should be allowed to own their future.

8 And as a native Hawaiian, I see that there is 9 so much that we were not allowed to learn because in 10 our time our grandparents kept us tied in with their 11 past and we were not allowed to go forward into our 12 own future.

13 For example, the sun has a 27-day rotation 14 period and we never knew this, although we studied the sun and skys, we never knew this. And why? 15 16 Because certain information is not allowed to the 17 children because the children are being held to the 18 past traditions, et cetera. And I am here to say that it is time for us to allow our children a 19 20 forward look at the education that can come from the 21 ATST. So much is being offered, so much to learn, to discover, and I don't want the children to be 22 23 held back.

I've written a book for children under six tolearn physics. I think the children have to begin

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learning from the very beginning and my book introduces the language of physics as well as the excitement of measurement. And I'm just not -- I'm in favor of the ATST, obviously, because I don't think our children have the opportunity for higher learning here, especially the very young children, so much as is kept from us.

8 Gravitational force of the sun, we were never 9 informed of that. And why? Because it is not part 10 of our grandparents' past. And so much is held away from us. And my whole presence here is to ask that 11 12 the children be allowed the education that comes 13 from such a structure, from within the structure, and not be held back any more. And very young 14 15 children need to begin very early. There is solar 16 technology, everything about solar technology is 17 going on. This is a solar telescope that our children can learn and discover and should be 18 allowed the freedom of education. Thank you very 19 20 much.

21 SPEAKER: At this point we're going to take a 22 5-minute break to give people an opportunity to sign 23 up to speak. So if you would like to speak, I would 24 encourage you to go back and sign up on one of the 25 sign-up sheets.

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- 1Reminder that there will be another meeting2tomorrow evening at the Kula Community Center at37:00 and that you may also submit written testimony4until October 23rd. Take a 5-minute break now and5please sign up if you would like to speak.
- 6 (Brief recess.)

7 DAVID BRASS: At this point no one else has 8 signed up to speak, so what I would like to do is 9 give you one last opportunity to sign up to speak. 10 And if no one wants to speak, then the meeting will be over for this evening. One last opportunity to 11 go up and sign up on the sign-up sheet to speak if 12 13 you would like to speak tonight. Otherwise, we'll conclude this meeting. 14

15 A VOICE: Some people are not coming until 16 later because it's until 10:00, so they're doing the 17 fair. So, I mean, because it's set for 7:00 to 18 10:00, I don't think it's fair to close it up. 19 DAVID BRASS: Why don't we take a longer break

20 then and wait. And when we've got at least five
21 people signed up on the sheet, I will call the
22 meeting back together.

23 (Brief recess.)

24 DAVID BRASS: In case anyone came in after we 25 went over the ground rules, we ask that you turn off

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1 your cell phone so there are no interruptions. We ask that you sign up to speak. We do ask you to 2 speak one at a time because the court reporter can 3 only record one voice at a time. So if two people 4 are speaking, she'll miss something. We do ask that 5 you speak into the microphone slowly and clearly so б 7 the court reporter can capture what you're saying. 8 It's helpful if you say your name at the beginning 9 so that she has that as part of the information. 10 Please use respectful language and respectful tone in your comments. And there is a time limit of four 11 12 minutes and then we'll -- Cheri will give you a 13 reminder of one minute to wrap up your comments. If you have more extensive comments that you would like 14 15 to make, there is another opportunity to speak tomorrow night up at the Kula Community Center. 16 There is also the possibility up until October 23rd 17 to submit written testimony. So I believe the forms 18 are on the back table for written testimony or you 19 20 can simply write it yourself.

21 Richard Lucas.

22 RICHARD LUCAS: Thank you. My name is Richard 23 Lucas. I live in Haiku. This is such an exciting 24 proposal here. You guys are going to be up at the 25 top of Haleakala in this 14-story building. You're

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1 going to be watching the sun all day long, learning from the sun, finding all of these great new 2 discoveries, and yet during your shift when you go 3 down to the bathroom and you wash your hands and you 4 turn on the hot water, it's being generated from 5 burning fossil fuels down from Haleakala because you б 7 can't even put a single solar panel up here like we 8 do in our houses so we're not burning up as much as 9 of this carbon in your one little facility.

10 This is your picture here. Thanks for bringing this. This is a picture of all the clutter on the 11 top of Haleakala. This is what it looks like. Wait 12 13 a minute. This is your facility here, so let's just take that out for a second. You see all these other 14 15 buildings and all of this other activity that's going on up there. Okay. 500 KVA is the power load 16 of all of these facilities. Now, ignore all the 17 other facilities. Look at your one little facility. 18 670 KVA. You're using one and a third times more 19 20 power than all of the other facilities on this 21 mountain top.

And where is that power coming from? Well, you're expecting Maui Electric to generate it for you. And where does Maui Electric get their fuel? They import more oil. We all know what oil has

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gotten us into. They are going to import more oil
 to give you guys the electricity to exceed the power
 requirements of the entire top of this mountain.

My question for you is a real simple one. What 4 is there in your proposal that's going to offset the 5 amount of carbon that Maui Electric is putting into б the air that we breathe and our kids breathe and our 7 grandchildren breathe here on this island? What are 8 9 you going to do in terms of carbon credits? Are you 10 going to plant trees? Are you going to pay others to plant trees? How are you going to offset all of 11 12 this additional pollution that you're putting into 13 our air so that you can run your air conditioners up here on the top of Haleakala? 14

15 SPEAKER: Would you like a response?

16 RICHARD LUCAS: Yes, that's why I asked the 17 question.

SPEAKER: The National Solar Observatory intends to close two observatories, one in Arizona and one in New Mexico, and so the net will be reduction.

22 RICHARD LUCAS: And how much of a reduction? 23 SPEAKER: I can get those numbers and we can 24 address that. But that is our intent is to take 25 those two operating facilities and close them and

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1 then operate ATST.

2	RICHARD LUCAS: Okay. And so if there remains
3	a balance, do you have any proposal for offsetting
4	with carbon credits or other actions to offset the
5	amount of carbon that's going to be produced into
6	the atmosphere to power your facility here or power
7	the difference between your facility here and the
8	two facilities you're closing?

9 SPEAKER: I'm not sure I follow. I'm not sure 10 I follow the --

11 RICHARD LUCAS: If you close two facilities and 12 they amount to 50 percent of the power requirements 13 of this new facility that you're building, are there 14 any proposed actions to offset the carbon production 15 for that 50 percent differential? And if not, are 16 you willing to at least consider that and look into 17 that possibility?

SPEAKER: Yes, we are willing to consider that. 18 I would like to ask Jeff, though, to speak to your 19 specific -- first of all, I wanted to make one 20 21 correction when you held up the picture. You put your hand over -- you put your hand over the 22 23 Pan-STARRS telescope. That's actually a photograph of the facility as it is now. The solar telescope 24 25 is not on that rendering.

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- 1 RICHARD LUCAS: Okay.

2	SPEAKER: But a minor error. The solar
3	telescope is considerably bigger and does have
4	significant energy needs because of the cooling
5	requirements.
6	We've looked briefly at the possibility of
7	using photovoltaics and Jeff Barr may want to
8	comment on that.
9	JEFF BARR: We have I fully admit there is
10	something a little counterintuitive to have Advanced
11	Technology Solar Telescope that has a higher than
12	average power requirement and not take advantage of
13	solar generated power.
14	We looked into that and we actually had a study
15	that MECO sponsored, Maui Electric Company
16	sponsored, on what logical and efficient ways for us
17	to reduce our power consumption overall, our peak as
18	well as our sort of overall average use. And they
19	suggested a lot of alternative technologies and they
20	looked at the possibility of using solar power. And
21	in fact, you can see here on the side this refers to
22	approximately the kind of panels that were available
23	as a kind of off the shelf.
24	I mean, we really even though we're a solar

25 observatory, studying solar physics, we don't have

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1 any kind of access to any advanced kind of solar panels that as you say you wouldn't use on your own 2 house. So basically we have the kind of off the 3 shelf technology and showing what it would take --4 the other thing that I have shown here on this 5 picture is they're dark. This is a picture of some б 7 solar panels installed on the roof on a hangar in 8 Pearl City and this is typical. As most everybody 9 knows who's seen them, solar panels, photovoltaics, 10 are dark in color. For the same reason we can't paint the building itself a dark color like the 11 mountain rock, we can't cover it with these dark 12 13 panels without doing more harm than good, requiring 14 more cooling than the panels would actually provide 15 themselves in terms of what it would do to the 16 temperature of the air around the telescope.

17 So we're stuck with the idea of then putting 18 them in site areas around and maybe taking advantage of the roof of the utility building and some of the 19 other areas. This is 2,000 photovoltaic panels 20 21 which were the same type referred to in the MECO 22 study, about 14 feet each, providing 155 watts each, based on a fairly efficient type of panel. This 23 24 amount of site space -- and I've taken some liberties here. I made this up. This isn't 25

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1 something MECO generated. If I extrapolate what they have, how much area would I have to cover in 2 order to generate enough power to make a significant 3 difference in terms of the power needed for ATST, 4 which as you state is a significant number. And you 5 had it just about right that 670 kilowatts of power, б 7 I can -- what's shown here would generate about half 8 of that. This would provide something like 9 330 kilowatts. So we would be halfway to our peak 10 requirement by covering virtually every area, every site area and getting pretty darn close to the 11 12 petrel burrows and some of the other environmentally 13 sensitive areas around -- archeological sites and a lot of other kinds of spaces that it would be 14 15 insensitive of us to probably put solar panels in 16 all these places that I've shown here and it would 17 require an entirely new EIS, really, because we would be expanding our footprint by something like 18 three or four times, as you can see. 19

20 So the bottom line is that as counterintuitive 21 as it is, a solar panel is not really an efficient 22 energy savings alternative for the project and this 23 was clearly stated in the MECO study and confirmed 24 by our own investigation into the subject. And as I 25 say, we may end up doing something, we might do a

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APPENDIX D(2): TRANSCRIPTS – DEIS PUBLIC COMMENT MEETING, PUKALANI COMMUNITY CENTER, SEPTEMBER 28, 2006

kind of a demonstration project of some kind, but
 it's a kind of a nonstarter as a rule.

RICHARD LUCAS: The MECO study as I see this 3 dealt with whether or not you could accomplish 4 energy savings. In other words, save money as 5 opposed to dealing with the issue that I raised and б 7 that is offsetting the carbon that's being produced 8 by burning fossil fuels to power up your facility. 9 I mean, obviously this just creates a bigger problem 10 by taking up more space up there.

SPEAKER: Yes. One of the problems with the 11 solar cell technology is that when you do a 12 13 calculation like that, you're ignoring the energy that was used to fabricate the solar cells, which is 14 15 substantial. And when you take the energy that was 16 used to fabricate the cells, add it in and compare it with the energy that's generated by the cells, 17 there is a loss of 15 percent. 18

19RICHARD LUCAS: I understand that. My question20wasn't directed to covering the whole site with21solar cells. My question was directed to carbon22dumping and carbon credits to offset the power usage23that's generated by your site.24So I mean you've answered my question, which

25 was is it something you'll look into. I would

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1	appreciate to see, you know, after you look into it,
2	what your conclusions are.
3	SPEAKER: This could be included in the final
4	EIS and we certainly appreciate it.
5	RICHARD LUCAS: I appreciate that. Thank you
6	very much.
7	DAVID BRASS: Next speaker is Suzanne Burns.
8	SUZANNE BURNS: This has been a real eye opener
9	for me. I've never been to anything like this
10	except for the first meeting that we had. You
11	remember that one, Jim.
12	SPEAKER: Yes, I do. Thank you.
13	Suzanne BURNS: I've been told I've said things
14	that have touched people at that meeting. I don't
15	intend to just touch people. So I'm going to try
16	again.
17	I went up to the top of Haleakala this summer
18	and I worked at EOS. Now just after the meeting, I
19	found out I was going to be at EOS and I was really
20	torn up this whole summer even when I was up there.
21	I mean, throughout the time I was up there.
22	I don't know if you guys know this, but when
23	you go on sacred ground, if you are a woman and it's
24	not one of the three good weeks of the month, then
25	you don't go. Well, I was up at you know what I

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1 mean. We'll leave it. If you work for two months straight, there is going to be some breaking of that 2 rule, as a woman. I broke that rule. I needed to 3 use the bathroom while I was up there, so I broke a 4 couple more rules. Things you just don't do on 5 sacred land. б 7 I talked to one of my kupuna. It was really 8 hard for me to continue on the path doing my project 9 just knowing how much my Hawaiian friends and 10 relatives felt against it. I didn't realize how special Haleakala was 11 12 until I went there. There was a couple scientists 13 in this room that taught me that as well. So here's something I wrote after my experience 14 15 and I hope it does something more than just touch

16 you.

I am Hawaiian and this is my home. I would
like to welcome you to my home if you behave as you
would like any guest in your home.

20 When I come to your home, I will try to learn 21 your ways and to keep harmony. When something is 22 meant for me, I will only take enough for me and my 23 family. I will not diminish your natural resources 24 or supplies for profit. I will not take what is not 25 mine to take.

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APPENDIX D(2): TRANSCRIPTS – DEIS PUBLIC COMMENT MEETING, PUKALANI COMMUNITY CENTER, SEPTEMBER 28, 2006

When I come to your home, I will treat your 1 things with respect. I will not desecrate your 2 3 sacred objects, alters and cemeteries. I will not trespass where I am not welcome. 4 When you show me your hideaways, I will keep 5 then as our secret so your grandchildren can enjoy б 7 then. 8 I will protect your natural resources by 9 cleaning up after myself. I will be careful not to 10 bring things that don't belong in your mountains, valleys, streams, and oceans. I will be careful not 11 12 to disturb nature's sometimes delicate structure. I 13 will not justify any cause to be great enough to disrespect your cultural rights or rights as a human 14 15 being. 16 I hope we can share and learn from each other. 17 I hope we can respect each other despite our religions and despite what we believe. 18 I am a student of MCC. I am a neo budding 19 scientist. I think I'm shooting myself in the foot 20 21 here, you know, cutting some possibilities, but 22 that's okay because there is always science, you can go to the second site, you can make it -- push 23 24 yourself beyond the limits that you have today and 25 make it better.

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1 You can have lots of telescopes, but you got one Haleakala. You got one culture here. There is 2 one Haleakala. And very few places that are sacred 3 to us and that one is just deteriorating. So please 4 think about what I said. And it's not just for you, 5 Jeremy, it's for everyone. Thank you. б 7 DAVID BRASS: Mele Stokesberry. 8 MELE STOKESBERRY: Hello. My name is Mele 9 Stokesberry and I'm a Kula resident. And I brought 10 this picture up here to show you and just ask everybody to think about how big this is. It really 11 12 doesn't show in this picture quite how big it is. 13 It's going to be 143 feet high and 10 -- well, 143.10 feet high. 14 15 Maybe that number doesn't mean anything to you,

16 so compare it to this. The telescope will be at the 17 same height as the top of our county building in 18 Wailuku and then add -- that's at 90 something feet. 19 And then add another 44, 50 feet to that at least. 20 Okay.

21 So this is my statement. I oppose the 143-foot 22 high ATST being built on Haleakala. There are other 23 places that it could be built and it's probably a 24 good project, but I don't think it belongs on 25 Haleakala. Its tremendous size cannot be placed on

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Haleakala without irreversible harm of a very 1 serious nature to the endangered petrels whose 2 burrows are all around the proposed site, without 3 ruinous harms to the view planes, serenity and 4 sacredness of the mountain, and without as yet not 5 fully charted harm to the entire summit environment б due to the tremendous amount of excavation and 7 disturbance that it will entail. 8

9 Although I am a board member of the Friends of
10 Haleakala National Park, a group that also opposes
11 the ATST, I am speaking as an individual. Thank
12 you. Aloha.

13 KAHOOKIPA OLU KAMAKAWIWOOLE: And I'm back. 14 Just have a couple more things I was thinking about 15 last night as I left the meeting that we had in 16 Wailuku. And according to your EIS, I read a lot of statements that says your studies, your surveys, and 17 I'm sure as testimony was last night and probably 18 tonight before I came, too, there is a lot of 19 20 cultural issues and feelings that come out where 21 this project is concerned. And again to auntie who described the height and the physicalness of it, 22 they describe it in the EIS and what they do is they 23 24 try to convince you, you know, it is big, it's massive, and it's white, and you're going to see it 25

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for miles, [inaudible] so that actually all you're going to see is that little piece on the top. And that, according to this, is not a severe impact. It's not a severe impact.

Let me demonstrate it another way. Let me try 5 to analyze it another way. If a man is standing б 7 here and I punch him right in the face, picking that 8 event, okay. Now, shut off all the lights. It's 9 pitch black. I'm going to punch him in the face. 10 He doesn't see it coming, he doesn't see my fist. Does that change the severity of the impact? 11 12 Whether it's 140 feet high or whether it's 13 14 centimeters high, it doesn't belong up there. Period. End. 14

15 Also in here I notice that you talk about 16 mitigation. Why is mitigation even in here? Why 17 would there be a need to mitigate unless something 18 was going to be wrong in the first place? Mitigation, by definition, you need soften it up. 19 20 You need to lessen that blow, that impact. Why 21 would you even add it in here unless there was something to bring to cause that you would have to 22 put it in writing to cover your okoles? 23 24 I find it very disturbing that even in the -in how you guys describe mitigation, minimize the 25

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1 impact. How? By trying to fake out the public that you know what, this big building is not that big, 2 it's not that white, the visualization that you're 3 going to see and the height and everything is a 4 manini thing because of the way it's situated, 5 you're only going to see this much. Again, I refer б 7 back to my demonstration. Is the height and the weight and the color really -- is that the issue? 8 9 That's not the issue.

10 And even on one of their definitions, avoid the impact all together by not taking a certain action 11 or parts of an action, it's right in the EIS. Then 12 13 don't take part in the action. Don't do it. And that's A, that's the option of mitigation. Don't do 14 15 it. Don't take the action. It's in your EIS and 16 yet we're not willing to follow it. It's incredible 17 to me.

18 Also, I'm not the smartest Hawaiian here and I'm not the smartest person, I don't claim to be, 19 20 but what I like to do when I find myself in issues 21 and in this kind of debating issues is I like to 22 surround myself with smart people. And I'm glad you guys are here because it's incredible how much I've 23 learned from your EIS. In here you claim to 24 mitigate the cultural aspects by providing programs. 25

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1 Programs, in your specific writing, to Native Hawaiians and women. Now, if I'm not mistaken, and 2 this is federally funded, unless I'm mistaken. You 3 guys need to teach me that trick because I'm going 4 to fight right now with my own [inaudible], my own 5 Princess Pauahi in her personal monies cannot even б 7 provide for Native Hawaiian programs, the school 8 that she provided for. She cannot even do that now. 9 That same federal government is fighting us and 10 telling us we cannot do that with somebody's personal money. But yet you guys are a federal 11 12 agency saying you guys going to come to Maui and 13 give us this program. That's incredible because I need to know that and take it to the Ninth Circuit 14 15 Court and tell then you guys are mistaken because 16 I've got these smart brothers in here that are 17 promising us this special program for Native Hawaiians. That's incredible. 18

19Technology is going to boom, I believe that.20Like I said last night, I'm a 20-year veteran of21electronics, optic fibers. I love technology. I'm22in a three-year IT program right now with the County23of Maui. Technology is going to happen. I will24embrace it. I love it. But not at the point, like25auntie point out, that you're going to somebody's

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1 house, tell them what's good for them and tell them we know you're not happy, we got this other thing 2 we're going to do for you to soften the load. 3 One last thing I want to --4 SPEAKER: I have something for him real quick. 5 Is it okay? It was an answer that I found. б The 7 only answer that -- your question about why 8 mitigation is in here is to make the impact -- the 9 only thing I could say so far as the mitigation is 10 to make the significant impact of the potential impact on the resources and effective environment to 11 12 the historic and cultural resources mitigatable to 13 be less than significant. KAHOOKIPA OLU KAMAKAWIWOOLE: Well, and like 14

15 you said, I'm reading right out of Section 1508, 16 which is quoted in the EIS, and it says right in 17 here there, it says including avoiding the impact 18 altogether by not taking a certain action or 19 actions. Don't take the action to build.

20 DAVID BRASS: At this point that's all the 21 people signed up so far, so what I would like to 22 suggest is we take another couple of minute break to 23 give people a last opportunity to sign up. And this 24 is a real serious 5-minute break, see if people 25 still want to speak still and if not, we'll wrap

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1 CERTIFICATE 2 STATE OF HAWAII) 4) 5 COUNTY OF MAUI) 6 . 7 I. LYNANN NICELY, RPR. Notary Public for the State of Hawaii, certify: 9 That on the 28th of September, 2006, the meeting minutes were taken by me in machine shorthand and were thereafter reduced to print under my supervision by means of computer-assisted transcription: that the foregoing represents, to my best ability, a true and accurate transcript of the proceedings had in the foregoing matter. 13 If urther certify that I am not attorney for any of the parties hereto, nor in any way interested in the outcome of the cause named in the caption. Dated this 10th day of October, 2006. 15 If wronmission expires: 1/24/2010 19 . 20 . 21 . 22 . 23 . 24 .	1	45
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Appendix D(3): Transcripts DEIS Public Comment Meeting, Kula CommunityCenter, September 29, 2006

1	ADVANCED TECHNOLOGY SOLAR TELESCOPE (ATST)
2	PUBLIC MEETING
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12	PROCEEDINGS
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14	Held at the Kula Community Center, Kula, Maui, Hawaii,
	Held at the Kula Community Center, Kula, Maui, Hawaii, commencing at 7:10 p.m. on September 29, 2006.
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1	ATTENDANCE
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3	MEETING FACILITATORS:
4	David Brass and Cheri Nashiwa, Mediation Services of Maui
5	Services of Madi
6	
7	PANEL MEMBERS PRESENT:
8 9	Dr. Jeff Kuhn - Associate Director of the University of Hawaii, Institute for Astronomy (Oahu)
9 10	Dr. Craig Foltz - Program Officer with the National Science Foundation, Washington, D.C.
11	Dr. Charlie Fein - KC Environmental (Maui)
12	Jeremy Wagner - ATST Project Manager with National Solar Observatory, Tucson, Arizona
13	Jeff Barr - ATST Project Architect
14	
15	Mike Maberry – Assistant Director, University of Hawaii, Institute for Astronomy (Maui)
16	Bijan Gilanshah, Esq., National Science Foundation, Washington, D.C.
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PROCEEDINGS

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3 MR. FEIN: Aloha and good evening everyone, and 4 thank you for coming this evening. There have been various 5 public meetings on the Advanced Technology Solar Telescope before this beginning in July of 2005. In fact, this is the 6 7 twelfth public meeting since that time. There have been 8 meetings with groups like this, formal meetings. There have 9 been informal meetings. There have been visitations to the 10 site. There have been meetings with groups at other venues 11 and so on. So this is really the twelfth meeting for the 12 public. The purpose of this meeting is different from 13 earlier meetings. The purpose of this meeting is to hear 14 comments from the public on the Draft Environmental Impact Statement. This impact statement was prepared by my 15 16 company, and my name is Dr. Charlie Fein. KC Environmental 17 Incorporated is the company that prepared the document, and the document was submitted for public review on September 18 19 8th. There is a 45-day public comment period of which we are somewhere in the middle. That public comment period 20 ends on October 23rd. 21

Everything you say here tonight we submit becomes part of the administrative record for the project. All comments will be addressed individually or collectively in the final Environmental Impact Statement, and that's a

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matter of law. So anything that you submit will be 1 addressed and there are several ways to submit comments. 2 3 One is by giving oral testimony this evening. The second is 4 by submitting written comments. We've provided a comment 5 sheet, or you can prepare comments on your own. You can submit them tonight. There's a drop box in the back of the 6 7 room or you can mail them to either myself at KC 8 Environmental, and the address is in the back of the room or 9 to the National Science Foundation. So there are other 10 opportunities to comment besides this evening.

11 Now, although there are representatives of the 12 project here tonight, we respect the comments we received at 13 earlier meetings, and we are not going to be providing 14 presentations to you this evening on the project. If you direct a question to one of the individuals here, we will 15 16 answer as appropriate. However, I will point out that the 17 Draft Environmental Impact Statement was prepared by more than 30 individuals; that is, the contributions of more than 18 19 30 individuals went into the document. And as a practical 20 matter, they cannot all be here tonight and there may be questions that we could not answer, but we will ultimately 21 22 answer all of the questions that are posed. The EIS is a 23 draft, and I'm going to emphasize that again. It is a draft 24 document, and we are aware that it may contain errors. And 25 we know that there will be differences of opinion about the

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1 content and conclusions. It is not a final document. It is
2 a document for the public to review and comment on and
3 provide input that would be important for the final
4 Environmental Impact Statement. That's why we encourage
5 everybody to participate in this process and I'm pleased to
6 say the participation has been very good during these days
7 of public meetings.

8 With that, I would like to make a couple of other 9 comments. First of all, we have a videographer here this 10 evening. The videographer has nothing to do with the 11 project or with my company. She's an independent 12 individual. If you do not wish to have your testimony 13 videotaped, all you need to do is ask that you not be 14 recorded and you will not be recorded.

MR. RIZZO: Where would this videotape be shown?
MS. PRINCE: I'm hoping to submit it to Akaku
Community Television.

18 MR. RIZZO: The whole thing?

19 MS. PRINCE: The whole thing.

20 MR. RIZZO: Thank you.

21 MR. FEIN: Before we continue, I would like to 22 just introduce the individuals who are here with us this 23 evening representing the project. First Craig Foltz 24 representing the National Science Foundation as the program 25 officer for this project; Jeremy Wagner, the manager for the

National Solar Observatory; Jeff Barr, the project 1 architect; Dr. Jeff Kuhn, Associate Director of the 2 3 Institute for Astronomy University of Hawaii; Mike Maberry, 4 Associate Director for the Institute for Astronomy, and Bijan Gilanshah with the Office of the National Counsel of 5 the National Science Foundation. With that, I'm going to 6 7 turn this proceeding over to our facilitators who are here 8 this evening to provide the context for the ground rules for 9 giving testimony. David.

10 MR. BRASS: Hi, my name is David Brass, and I'm 11 the facilitator with Mediation Services of Maui. We've been 12 asked to come to these meetings to facilitate the process of 13 testimony and ensure that everyone is provided with a safe, 14 respectful environment to submit their testimony.

MS. PRINCE: Hi. Earlier you asked me not to videotape you, so do you want me to keep the camera on now, or do you want me to turn it off?

18 MR. BRASS: You can go ahead and videotape me.
19 MS. PRINCE: Okay. Thank you.

20 MR. BRASS: So we're here just to provide the 21 context for people of a safe environment to make your 22 testimony. We're going to be following a fairly loose 23 agenda tonight. We're in the opening part of the agenda. 24 Cheri is going to be going over the ground rules in a few 25 moments, and then we'll open up for comments. We ask that you sign up on the signup sheets at the table by either door if you would like to make comments tonight. We'll take a break around 8:00. Part of the reason for that is to give the court reporter an opportunity to rest her fingers, and it's also an opportunity for people who haven't signed up yet to make comments to do so. And then we'll go back and receive more comments.

8 We'll take another break at 9 to see if there's 9 anyone else who would like to sign up to make comments. And 10 then if there are more people to make comments, we will 11 continue to receive comments until about 9:50. And we'll 12 need to close by 9:50 so that we have time to -- for the 13 staff that set up the room to clean up the room and be out 14 of here by the agreed upon time, which is 10:00. So I'm 15 going to turn the mic over to Cheri to go over the ground 16 rules.

MS. NASHIWA: Okay. The ground rules that we'll 17 be following tonight and that I plan to enforce is that we 18 19 ask that all cell phones be turned off or be on silent. You 20 must sign up to speak, and David will be announcing the names to call you up to make your statement. One person 21 22 speak at a time, and of course, that's because of the court 23 reporter is recording, and she can only type one person 24 speaking. Speak into the microphone slowly and clearly. 25 Use respectful language and tone, and just to be fair to

everyone in the room, we will be doing -- we'll be allowing 1 four minutes of comment plus a one-minute wrapup. So what's 2 3 going to happen is you'll be standing at that middle mic. 4 After that four minutes, I'll come stand next to you and 5 show you this yellow card to wrap up. And after that one minute, I'll ask you to stop. I guess we can get started. 6 7 MR. BRASS: I'll apologize in advance if I 8 mispronounce your name. I'll do the best that I can. The 9 first commenter is Warren Shibuya.

MR. SHIBUYA: Good evening, National Science 10 11 Foundation, National Solar Observatory, KC Environmental, 12 Inc., and University of Hawaii Institute for Astronomy, I'm 13 Warren Shibuya. I'm retired. Mahalo for this opportunity 14 to testify on the Advanced Technology Solar Telescope project proposal for the siting on the summit of Haleakala, 15 Maui. I listened to numerous testimonies and tried to find 16 17 a possible workable arrangement amongst various very valid community interests and concerns and comments as reflected 18 19 in the EIS.

20 Tonight I present four proposals for public and 21 ATST consideration and hope that this begins a positive 22 dialogue and working discussion amongst us. I do not 23 represent any interest group, but I serve on Maui's General 24 Plan Advisory Committee to develop plans to 2030. 25 Unfortunately, these four points do not fix injustices, but

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provides a heading toward a workable win-win for almost 1 everyone. First of all, I ask NSF, NSO, UH-IOA, which is 2 3 the Institute for Astronomy and state, contribute to and 4 subscribe to a work force development program on Maui and hire Maui residents to work on the ATST project, not only 5 the usual OJT, which is on-the-job training, but 6 7 programming, educational funding, supporting studies of 8 mathematics, physical and gaseous sciences, solar physics, 9 thermal and plasma dynamics, engineering and Hawaiian 10 culture.

11 This proposal needs joint community, state and 12 business support; state to provide land facilities and 13 faculties to create a four-year university Hawaiian college 14 of sciences, technology and engineering on Maui emphasizing close partnership with ATST and NSF. Secondly, ATST is to 15 16 employ Maui residents as much as possible and develop ATST 17 work force to a close working relationship amongst NSF, NSO, 18 UH, state, Maui County and contributions from private and 19 business partners, startup organizations to manage 20 development and implement plans, coordinating funds for construction and staffing needs, everyone's buy-in and 21 22 long-term commitment to making this proposal and ATST 23 project work for everyone. No one group can do it alone. 24 All mentoring and bootstrap type programs needs everyone's 25 involved commitment.

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Thirdly, as initially suggested by Uncle Charlie 1 2 Maxwell, ATST establish a Maui solar and Hawaiian cultural 3 center featuring staff multimedia facilities and systems to 4 share information, educate and ignite the passion and 5 encourage Maui students getting needed skills and seek ATST employment. This cultural center informs the Hawaiian 6 7 culture through programs, explanation of online solar images 8 and solar disturbance impact on earth and satellite 9 communications, our environment and even astronauts in space and customized curriculum or presentations for residents, 10 11 students educators and visitors.

12 Maui solar and cultural center would proudly share 13 ancient Polynesian navigational ohana concept and malama 14 aina skills, accomplishments and beliefs. Four, ATST adopt and enter in written contract a sunset for the ATST 15 16 structure and program. Suggest at least four cycles with 17 each cycle is 23.5 years each cycle for a total of approximately 90 years. This sunset clause is precedent 18 19 setting and requires ATST to remove ATST structures and 20 restore use of summit grounds to original sacred configuration. Also asking UH Institute for Astronomy to 21 22 remove most of remaining historical radio telescope 23 structure used in the early 1950's by UH professor Dr. Grote 24 Reber.

25

With consent and job science surveillance by

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appointed Hawaiian members, you can then find yourselves
 site 5443 would be restored to its original pu'u, which is
 24 feet higher than what it is today. ATST excavation
 surcharge would fill this.

5 Also, as I testified earlier, Hawaiian names or 6 nomenclature would replace all nonHawaiian streets, road 7 facility names, currently posted at the Haleakala summit. 8 Please support these proposals and allow them to happen for 9 everyone. Mahalo for your patience and understanding.

10 MR. BRASS: I forgot to mention that if you are 11 more comfortable having one of us, Cheri or I, read your 12 testimony, you're welcome to write something and hand it to 13 us at any time and we'll be happy to read it for you 14 tonight. The next commenter is Mary Evanson.

MS. EVANSON: Thank you for this opportunity to be 15 16 here this evening. Tonight I'm going to be speaking for the 17 Friends of Haleakala National Park. My name is Mary 18 Evanson, and I'm the vice-president of the group. This is a 19 draft that we will be handing in tonight, and then there 20 will be a final that we will mail in before the end of the comment period. The Friends of Haleakala National Park 21 22 strongly oppose its locating the Advanced Technology Solar 23 Telescope project on Haleakala. This project will adversely 24 change the summit of Haleakala forever causing irrevocable 25 loss of natural, cultural and scenic resources negatively

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1 impacting the significance of Haleakala National Park.

2 Another site should be given priority for the 3 ATST. The Friends ask that the no action alternative be 4 selected for Haleakala, and we challenge the draft EIS's 5 assumption that significant impacts to the natural and cultural resources can be mitigated. We reject the 6 7 conclusion on Page 4-12 that impacts to the endangered 8 Hawaiian petrel and the 'ua'u are less than significant. 9 There is no evidence that suggests that construction noise, vibration or human proximity will not impact the 'ua'u 10 11 nesting sites. The fact that mitigations are proposed on 12 Page 4-81 supports the credibility of our assertion. We 13 reject the conclusion of Page 4-6 to 4-8 that construction 14 and operations related impacts are significant but mitigable to less than significant impacts. 15

Native Hawaiians in written and verbal comments 16 have overwhelmingly stated that the construction and 17 18 operation of ATST constitute significant impacts and that no 19 mitigation the draft EIS provides will compensate for the 20 defilement of the cultural and spiritual values this project represents. It is clear to the Friends that the majority of 21 native Hawaiians prefer the no action alternative. The 22 23 mitigations proposed on Pages 4-79 and 4-80 have been 24 derived from the Cultural Resource Evaluations and 25 Traditional Practices reports of January 2006.

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1 This document was commissioned by the promoters of 2 the ATST, and as a result, lacks credibility as an unbiased 3 expression of the thinking of the native Hawaiians. Even 4 the principal author has stated opposition to this project 5 and was motivated to propose token mitigation feeling the 6 project was a done deal based on his past experience.

7 The Friends believe that the ATST promoter should 8 listen foremost to the native Hawaiians who are unaffiliated 9 with the Institute for Astronomy. We understand the project's funding source, the National Science Foundation, 10 11 has not yet conducted the required senior review, and 12 furthermore, it will not be available to the public until 13 November. The Friends would like to know why the public 14 comment period closes before this review has been disclosed. 15 Thank you very much.

16 MR. BRASS: Leslie Bruce.

17 MR. FOLTZ: May I respond very briefly? My name 18 is Craig Foltz. I'm the program officer and the facilities 19 lead for the Division of Astronomical Sciences at the National Science Foundation. The senior review that you 20 referred to, Mary, is absolutely unaffiliated this with 21 project. It is a review of our current facilities with an 22 23 eye towards how we move into the future. The 24 recommendations of that review do not bear in any way on the 25 recommendation or not, to fund this or not. And the

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deadline for this submittal was set, and it was actually set 1 before the release date, before the release date for the 2 3 senior review was set. But thank you for your comments. 4 MR. BRASS: Leslie Bruce. 5 MS. BRUCE: Good evening. My name is Leslie Ann Bruce. I was born on Maui, and when I was a child, my 6 7 father provided bamboo for his structures. I presently am a 8 resident of Hana, and I represent only myself this evening. 9 I'm a retired teacher and writer who currently serves on the General Plan Advisory Committee of Maui County. This 10 11 proposed use of Haleakala summit for another telescope is 12 undesirable, culturally offensive and ethically 13 questionable. It's undesirable because it is a further 14 covering of our mountain's open space and special viewscapes. It destroys our sense of place. It is 15

16 culturally offensive because it further intrudes on our 17 sacred Hawaiian aina.

Haleakala, as we all know, has mythological 18 19 significance of the highest value. It is a storied place 20 for the island 's namesake, Maui, who has Pan Pacific importance to many Polynesian cultures in addition to 21 22 Hawaiian culture. People I know on the island, including 23 myself, feel hurt, offended and invaded by outsiders' 24 intrusions on our wahipana, our sacred places, that lose 25 their pristine character and cultural significance by being

APPENDIX D(3): TRANSCRIPTS – DEIS PUBLIC COMMENT MEETING, KULA COMMUNITY CENTER, SEPTEMBER 29, 2006 used for large, obtrusive structures that obliterate the
 emptiness we value so highly on our mountaintop.

3 The NSF proposal is ethically questionable because 4 it imposes on Hawaiian people, Hawaiian culture and the singularly important place on Maui that should suffer no 5 more intrusions. NSF should decide to do what is best for 6 7 Haleakala. Please choose the action -- no action 8 alternative and move your Advanced Technology Solar 9 Telescope elsewhere. Thank you for this opportunity to 10 share my manao with you.

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MR. BRASS: Melissa Prince.

12 MS. PRINCE: Good evening, my name is Melissa 13 Prince, and I'm the one videotaping the meeting tonight. I 14 do a lot of government meetings. I do it for free usually. I just want to give you all an idea of what I go through. 15 16 This week on Wednesday night, there was a meeting for the 17 Superferry at the Wailuku Community Center, so I managed to get there. I wanted to be here for this meeting tonight --18 19 that night, but it was conflicting. You had the same meeting on the same night. And also the County Fair is 20 happening this weekend. And then Thursday night the Akaku 21 board was having an important meeting. They were getting 22 23 ready to hire a new CEO.

For those of you who are following the free speech arguments that are going on, our channel has been under

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heavy attack. We are worried that we could lose our right to speak out, and so I attended that meeting. So now I come up here on Friday night and I come up here to take the meeting, and I'm asked not -- you know, to turn off the camera. And from what I understand, if it's a public meeting in a public place, I have a right to record it.

7 However, personally I will turn off the camera if 8 somebody feels uncomfortable. I will do that. But thank 9 you for those of you who have spoken allowing me to tape. And I just want to make it clear. Somebody was saying that 10 11 the last tape that I turned in with this commentary at the 12 Hawaiian Homes hall, I turned in the middle portion of the 13 whole meeting, and they said, well, you took it out of 14 context. I just want you to all know I try not to do that. I don't want to even edit. To tell you the truth, I don't 15 16 have time to edit. I do so many government meetings, they 17 can go on for hours. I'm not getting paid for this. So I 18 apologize for taking out the middle portion, but I felt like 19 that was where most of the public testimony was. So I turned it in. 20

And then I turned in the third thing a few weeks later. And I haven't even yet turned in the first hour, so I will try to do that. But I just want you all to know I try not to manipulate the footage if I can. You know, but lately just to let you all know, heads up, Akaku has been

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rejecting some of my tapes saying that the audio is too low 1 and because I don't have a fancy computer at home to do my 2 3 own editing. It's hard to get to Akaku. I can't always get 4 the audio backup, so I've had two things rejected. You 5 know, the Navy is planning to increase testing and training in Hawai`i waters. I went there and taped that. That was 6 7 rejected because the audio was junk. And then the U.S. 8 Interior Department was here, the Hawaiian director was 9 here. That was rejected because the audio was too low. I mean, you know, I'm trying. I'm trying to get 10

11 the news out because Maui News doesn't always carry these 12 things. So I'm just trying to stay as neutral as possible. 13 I'm a little upset right now because I'm tired. I was in 14 Wailuku this morning, ran home to Haiku and I'm up here now, 15 so I am wiped out. Okay. Thank you. That is all. 16 MR. BRASS: Verna Nahulu.

17 MS. NAHULU: Good evening, my name is Verna Kai'ulani Nahulu. I'm a retired elementary school teacher, 18 19 a member of the Kula Board of Directors and a chairperson of 20 the street-naming commission. I am a native Hawaiian living on the Hawaiian homestead in Keokea, so I am a native 21 22 Hawaiian who is strongly in favor of the ATST. There are no 23 children here to give their testimony, and so I feel that 24 I'm partly representing the children in Maui. There is so 25 much to learn from -- from new technology in our world

APPENDIX D(3): TRANSCRIPTS – DEIS PUBLIC COMMENT MEETING, KULA COMMUNITY CENTER, SEPTEMBER 29, 2006 today, that an island way out in the Pacific, sometimes we don't have the facilities, we don't have enough of the educators that are in the mainland at other schools. I have taught in Hawai`i as well as the mainland. We are sometimes left out. Our children are sometimes left out of information going on nationally, and we're out here, so we don't get all of the information that we need.

8 Now, here comes ATST. They are a great source of 9 information and can share their discoveries, their knowledge, and I feel that the ATST is a great blessing and 10 11 a gift to our children, our children's future and our 12 children's education. I feel personally that there are a 13 lot of things that I didn't learn as a child from my 14 grandparents because they were concerned that we should be more connected to their past. I feel today that our 15 children should own their future and that we should not hold 16 17 them back to our past, that they should speed on ahead.

18 They belong to the world of tomorrow and they 19 should be able to speed on ahead with knowledge that the ATST can provide here as well as knowledge of other 20 facilities like the ATST. I don't think we should negate 21 their contribution. I think we should -- it should all be 22 23 included here and as far as my native brothers and sisters 24 are concerned about the sacredness and the -- our native 25 culture's advanced gods, godesses and all the people that we

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also learn from. I'm a channeler of Pele. And very, very early on, I asked her what's your take on the ATST. And she says I am strongly in favor of it. She said do everything you can to have them be installed at the summit because I feel that Haleakala is for education. For those people who feel that Pele's home is in Haleakala, Pele's home is in Halemaumau.

8 She asks me to come to Halema'uma'u for 9 conferences there and that is where she resides. She said Haleakala is for the education of people and the children 10 11 here. So in wrapping up, I would like to say that my 12 Hawaiian ancestors felt it was so important to know about 13 the sun, to know about the stars and to know the skies, 14 because when we traveled throughout the Pacific, through 15 Easter Island, to Tahiti, to far places, okay, to far 16 places, that it was necessary to know about the sun.

17 Why we are keeping this knowledge away from our 18 children today, I do not know. So I just want to come and 19 say that the ATST is like a Stradivarius violin in a case, 20 and we are criticizing the case instead of looking inside 21 the case and seeing that there is something of great value. 22 Thank you for listening.

23 MR. BRASS: Next we have written testimony from 24 Mele Stokesberry submitted by e-mail. The 143-foot high 25 Advanced Technology Solar Telescope, ATST, that is proposed

to dominate the top of Haleakala with a 40-foot deep excavation under it must not be built at this location. It's tremendous size cannot be placed on the summit of Haleakala without irreversible harm of a very serious nature to the endangered petrels whose burrows are all around the proposed sites.

7 The ATST would also cause ruinous harm to the 8 viewplanes, serenity and the sacredness of the mountain and 9 its yet not fully characterized harm to the entire summit environment due to the huge excavation and disturbance it 10 11 will invade. There are other acceptable sites in the world 12 for this telescope. The location is an intrusive structure 13 in the middle of a national park in the middle of an area of 14 archeological importance and fragile habitat of endangered species and on the summit of a mountain sacred to the host 15 16 cultural people. It's just bad ecology and bad politics. 17 Although I am a board member of the Friends of 18 Haleakala National Park, a group that also opposes the ATST, 19 I am submitting this testimony as an individual. Mele

20 Stokesberry, Kula, Maui.

21 The next commenter is Dick Mayer.

22 MR. MAYER: Thank you very much. I'm 23 vice-president of the Kula Community Association, but I'm 24 not speaking today on behalf of the association. We will be 25 submitting our comments separately before the deadline. I'm

also on the General Plan Advisory Committee for Maui County, 1 and we will also be looking at this area. It's part of our 2 3 overall plan over the next six months to a year. At your 4 scoping meetings, I made a number of comments, wrote them down. Unfortunately you made replies or you had replies in 5 your draft to many of the people who submitted comments that 6 7 day or subsequently. My comments were left without your 8 reaction, your comment, and I think that is something that's 9 negligent on your part.

I made, for example, the comment that at the 10 11 scoping meetings you were saying that the height of the 12 telescope would be 92 feet, and you repeatedly on several 13 occasions during the meeting left that impression. You also 14 left that impression with Maui News and did not correct it 15 in due time with the Maui News. And finally, we find out 16 it's not 92 feet, which would have been lower than the 17 present facility up there, but it's 143 feet high. And I think that has mislead the public and maybe has lulled the 18 19 public into thinking it's a smaller facility than it 20 actually is. To compound the problem, the photos which were taken of the facility were aerial photos, which made the 21 building and the site and the impact of the buildings much 22 23 smaller impacts in some respects. The photos were taken 24 from an angle such that it looked like the top of the 25 building was far below the summit of Haleakala when, in

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fact, the top of this telescope would be approximately 100 feet higher than anything else on the top of that mountain. It will look like the nipple on the top of a breast if you can imagine the analogy there sticking up quite bit above the summit of the mountain, 100 feet taller than the top of the mountain.

7 What I didn't see in looking through the draft were a description of the impact on Haleakala National Park 8 9 and the visual element at the top of that mountain. We have somewhere in the order of 2 million people a year going to 10 11 the summit of Haleakala in this building with it's site A 12 and B is going to be right in the face of these people. 13 It's a very bright object up there, and it's certainly going 14 to be a visual -- in the visual viewplane. You have some photos up there that simulate it, but it doesn't give I 15 16 think the true impression of how big this building will be 17 right near the very summit of the mountain.

18 You also have only looked at areas within the 19 18-acre site as if that's the only area on Haleakala that 20 you looked at. You looked all over the world and then decided to stay only within that 18-acre area, which is very 21 22 close to the national park, the national treasure of the 23 United States. And I'm speaking on areas not related to the 24 concerns of Hawaiians and their cultural history, because I 25 think those have been very well documented, but rather from

the viewpoint of the general public of the United States 1 that comes to Hawai`i and people around the world who come 2 3 to Maui as one of our major tourist sites to enjoy the 4 tranquility, the beauty, the scenes, the views, the sunrises, the sunsets on top of Haleakala and have this 5 facility put right in their face very close across that 6 7 little divide rather than looking at other sites on top of 8 the mountain maybe a mile away from the summit 9 three-quarters of a mile away, further to the south, maybe dropping it to down to 9,800 feet so it wouldn't stick above 10 11 the top of the mountain.

12 The community plan for upcountry Maui calls for a 13 master plan of the summit. The university did a master plan 14 only of their 18 acres. There is a strong need to have a master plan that will integrate the use of the top of that 15 16 mountain by the Air Force, the University of Hawaii, the 17 Hawaiians, who wish the preserve the cultural qualities of the top of the mountain -- I'll keep going, thank you -- as 18 19 well as the national park and the various telescopes up 20 there. That master plan is called for in the community plan of this county, which is the law of this county. So until 21 22 that master plan is done, I believe this is jumping ahead in 23 the timetable of what needs to be done unless the federal 24 government with their \$180 million they claim for this 25 project wishes to help us do that master plan so that we can

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1 site the facility properly. And I thank you very much.

2 MR. FEIN: I'm going to briefly respond to two 3 items. The first was the incorrect reporting by the Maui 4 News in our very first scoping meeting of the height of the 5 telescope at 92 feet. That was an error. The figures that we brought, the graphics that we brought correctly showed 6 7 the 143-foot structure. And it was unfortunate that it was 8 misreported. There was a correction. Unfortunately, those 9 kinds of things do get stuck in the public eye.

Secondly, this building is not -- would not be 100 10 11 feet taller than anything on the summit. The advanced 12 electrooptical system or AEOS telescope is 120 feet above 13 ground level. This telescope would be at maximum 23 feet 14 taller than that, although in a different location on the summit. So, in fact, it would be 23 feet taller than that 15 16 building if they were both at the same ground level, which 17 they are not. I just wanted to make those comments.

MR. MAYER: I believe some of that was incorrect. 18 19 At the scoping meeting, several people asked the question on 20 the height of the building, and it was stated at the meeting, not in the Maui News, that the height of the 21 22 building was 92 feet. And many people left that meeting 23 thinking it was 92 feet. The diagrams behind correctly said 24 143 feet, but the individuals conducting that meeting 25 repeated 92 feet several times.

MR. BRASS: Suzanne.

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2 MS. BURNS: Hello, my name is Suzanne Burns. I 3 wanted to comment in regards to what auntie just said. I'm 4 sorry, I didn't get your name. 5 MS NAHULU: I'm Verna. 6 MS. BURNS: I know it's hard to stand up alone and 7 so I appreciate your strength, but you spoke on behalf of 8 Pele, which I don't understand because I don't have that 9 ability, so I won't go further than that. But you spoke on behalf of children. A lot of people that are doing things 10 11 for the children right now are at the Fair and that's why 12 they're not here talking. And I talked to the kids at my 13 college and nobody is interested in going and studying this. 14 They like the stars, but this is for the sun. 15 MS NAHULU: Elementary school kids? MS. BURNS: Yes. 16 17 MS NAHULU: Not college kids? 18 MS. BURNS: And when they grow up, they would 19 probably still like to enjoy Haleakala, the ones I talked 20 to. So if you can get those kids to back you up, please. I have no more right now. Thanks. 21 22 MR. BRASS: Kaho'o Kamakawiwo'ole. 23 MR. KAMAKAWIWO'OLE: Aloha, I'm Kaho'o 24 Kamakawiwo'ole, and I just have a couple of comments. 25 Again, I was thinking about the keikis and all this new

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advanced technology is going to provide them. You know, we 1 2 already have the Faulkes Telescope north up there, and it's 3 interesting to me as I study more about this that the 4 Faulkes, the capabilities of this telescope can be done remotely. In fact, a lot of the information is being sent 5 all the way back and controlled by the United Kingdom. I'm 6 7 sure that if we could borrow that technology, if we don't 8 have it already, we could position this scope wherever it 9 needs to be other than Haleakala, funnel all of that data back to all of the State of Hawai`i DOE and the kids can 10 11 control it and see what it's like.

12 And with all that federal money that you have, 13 take the whole class from Hawai`i to wherever this other 14 location is. That's the best education we can give our keikis is get them off of Maui and see how other people are 15 16 doing business. That is a whole other education the kids 17 are not going to get here. My second comment is just that I think in reading the EIS, it's very shortsighted. As uncle 18 19 has stated already right before I walked in, it only is 20 looking at the po'o, only at the top of what they call what they're trying to include in this EIS. The fact of the 21 22 matter is Haleakala has been and is known to be a sanctuary, 23 if you will, and I don't mean -- I mean sanctuary in a sense 24 of a church sanctuary, a sacred sanctuary. And please, we 25 cannot, we cannot allow it to be a sanctuary like a reserve

sanctuary. We don't want to go there. We're there now with
 the northwest Hawaiian islands.

3 And one of the things that I brought back from 4 having discussions about our monument now is that the idea is to bring the monument to bring the islands to the 5 children, because we can't take the children to the islands, 6 it's so devastated already. And I don't want to see the day 7 8 when I can only talk about and show pictures of Haleakala 9 and being on the summit to my kids. I want to take them there and not have to rely on having to bring pictures to my 10 11 kids and my grandkids. Thank you.

MR. BRASS: At this point, we're going to take a short break. And this is an opportunity to sign up if you haven't already. It's about 8:00, so we'll take a break now, and if you would like to testify, please sign up. And we'll reconvene in about five to ten minutes.

17 (Recess taken.)

18 MR. BRASS: We're going to come back together now 19 if you could return to your seats. If you want to continue 20 your conversation, if you could step outside so the people 21 in the room can hear. I believe we're going to start with a 22 response to one of the last comments from one of the project 23 representatives.

24 MR. BARR: My name is Jeff Barr, and I'm the 25 project architect. I'm the person who made the original

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presentation Mr. Mayer referred to regarding the height of 1 the telescope and the building. And this is from memory and 2 3 I'm pretty certain of it, but I pointed out at that time 4 that the center of the telescope, the center of the mirror was at 92 feet, which is 28 meters above the ground and that 5 was required for seeing reasons, for clearance of the 6 7 imaging of the telescope. And I also pointed out that the 8 building was higher than that, and it was required to --9 it's dimension was determined by rotational and maintenance requirements of the telescope. 10

11 And again, I mean if there's one moment I could 12 relive, it would be to make it clearer. The slide that I 13 had up also had the 143-foot dimension on it, but again, it 14 probably could have been clearer. And I certainly should have made that clearer in the beginning. And when I saw 15 16 that in error in the paper, we made a correction as quickly as we can as Charlie pointed out. But again, I don't -- I'm 17 almost certain that I did not say that the building was only 18 19 92 feet all, although I did make it clear that the building 20 height was set by the telescope height, which was 92 feet, so I just wanted to add that. 21

22 MR. FEIN: And we would also like to respond 23 formally to the question as to why not put this facility in 24 the saddle area.

25 MR. MAYER: Let me phrase the question.

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MR. FEIN: Go ahead, Dick.

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2 MR. MAYER: I took the liberty of grabbing one of 3 your things here. This is the significant criteria for this 4 decision, and one of the things is the visual impact and there are several other things of that sort on here. I'm 5 asking the question why put it right in the face of the two 6 7 million tourists and local residents who go up to that the 8 top of that mountain who want to enjoy the views of the 9 natural environment? It's really right in their face. Air Force did it. That doesn't mean this one should also do it. 10 11 And I'm asking why only that 18-acre site was 12 looked at and why a site a half-mile to the south in the 13 saddle was not seriously looked at or evaluated or commented 14 on in this EIS. It seems if it would be put down there, it would be around two or 300 feet elevation lower. I don't 15 know how much effect that would have on the solar 16 17 observations. And it would certainly take it out of the 18 face of most of the people who go up to the top of that 19 mountain. 20 MR. WAGNER: I'll respond to that. Hello, my name

is Jeremy Wagner. I'm the project manager for ATST. There's several questions there, and I'll try and answer them as best I can. The 18 acres, and Mike you might want to address that, but the 18 acres was set aside by executive order for observatory purposes. A long range development

plan was produced by IFA-U of H, which was reviewed by the 1 public. And it included two sites in the long range 2 3 development plan for a telescope like ATST potentially. 4 When we looked at sites around the world, we identified sites that could be potentially good sites for a telescope 5 with requirements like ATST. And the site up on Haleakala 6 7 within that 18 acres which was identified for observatory 8 purposes was considered, okay.

9 Putting the telescope outside of that in the saddle presents a number of issues. One, whether or not you 10 11 can actually build a telescope there. It isn't a site that 12 is commensurate with the requirements for this telescope 13 because it is down in a saddle. And in order to meet the 14 science requirements, the observing requirements for ATST, 15 you have to be up out of the ground layer. You have to be 16 up out of the disturbed air that comes out across the surface of Haleakala. And so if you went into the saddle, 17 18 it is lower, but the telescope would actually have to be 19 significantly higher and essentially the same height that it 20 is at the top based on my assumptions about rotors, wind produced rotors coming off of the top of the mountain, based 21 22 on the trade winds. And so it actually doesn't help 23 telescopes there because it's not a good site for 24 telescopes, for example.

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That's why the telescopes end up being situated on

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ridges upon the top of the mountains typically, okay. It is 1 also more visible -- this is my understanding based on the 2 3 viewplane work that's been done -- a saddle position is much 4 more visible to the communities down below. That's one of the reasons -- we've looked at the alternate site and the 5 primary site, the B site up on Haleakala Observatory and 6 7 there's a trade there between how visible they are. Because the Reber circle site, which is the alternate site, is 8 9 higher and more visible. The Mees site is lower and less visible because it's further away from the ridge. It's 10 11 blocked by the Air Force facility. It's blocked by the 12 ridge itself, so there's a trade between those two sites, 13 which were identified in the long range development plan for 14 the 18.166 acres, which was identified by the executive board for observatory purposes on Haleakala. And I hope 15 16 that helps.

17 MR. MAYER: But you didn't look down there at all. You didn't do any testing. That low area, it's very broad. 18 19 It's not like you're sitting there in a little canyon. 20 You're in a very broad area, and you could put it further away from the edge of the hill. And the point I'm making is 21 it looks at all the alternate sites, 180 sites around the 22 23 world, and you only looked at the 18-acre site right in the 24 face of everybody who is up there.

25 MR. WAGNER: I'm not an eco expert, but there is a

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reasonableness issue. There are many, many sites which can 1 be considered unreasonable because you couldn't consider 2 3 building there. And so there are many, many sites in the 4 world, but they won't support the requirements for the 5 telescope, and they're not reasonable to build. The top of the Sears Tower, for example, you could put a telescope up 6 7 there, but it's not reasonable, nor is it a good site. 8 Haleakala, I mean Uncle Charlie told me once, and he's not 9 here, but Uncle Charlie told me once that it took us years of studying -- I mean I'm a haole, I'm a mainland haole --10 11 and it took me years of study to figure out what Hawaiians 12 knew, that Haleakala is an excellent site to observe the 13 sun.

14 MS NAHULU: May I respond?

15 MR. BRASS: If you have a question.

16 MS NAHULU: I would like to respond. Short. I've been to Haleakala. In order to see Science City, I have to 17 18 go up further to the 10,000-foot level to see Science City. 19 I have never, ever had those telescopes in my face. I have looked down to the summit with the pu'us and everything. I 20 do not see Science City. It is in the back. I see only the 21 22 summit below me, and I've been up there many times. So I 23 think it is a mistake saying that it is in our face because 24 it certainly is not. I have to go up to Science City to see 25 those things, and I do. Thank you.

MR. WAGNER: Thank you.

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2 MR. BRASS: Thank you. Our next commenter will be 3 Michael Howden.

MR. HOWDEN: My name is Michael Howden. I live in 4 5 Kula, and I've lived on Maui in Kaupo and Ulupalakua for close to 40 years now. I really come to share my manao in 6 7 terms of relative to my training as a haumana with Papa 8 Henry Auwai, Lahau Lapahau and the Hawaiian culture. One of 9 the things I noticed in beginning to read this report that pu'u kolekole was considered a place of prayer and inner 10 11 attunement. And I've got to say that for all of us who love 12 this mountain and who have been touched by it, it doesn't 13 matter in my heart whether you have ku'oko'a, but how you 14 receive it.

15 And I find the -- I find this incredible that this 16 European scientific mindset would want to impose upon a 17 sacred landscape what can only be considered in spiritual terms really a monstrosity. This is a place of prayer. 18 19 It's a place sacred for ceremony. And I think at some 20 point, this madness toward building and accumulation and the carelessness with which this is approached in terms of 21 imposing on this landscape something that would be not only 22 23 cultural desecration, but an aesthetic and spiritual desecration. And I don't -- I don't see this obviously 24 25 simply as a native Hawaiian issue. I see it as a community

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issue and really in some senses a metaphor for Maui's destiny, whether we simply become concerned so much with externals or whether what Maui has been and what Hawai`i has been in terms of a place of healing and a place of prayer and of great inner nourishment or whether we just go onward.

6 I mean we don't know how to live on the earth. 7 We're -- you know, I work on the -- I'm a member of the 8 Board of Water Supply for Maui County, and the issues before 9 us are really like the poisoning of the water sources. And when we look at that as a board, then we have to look at, 10 11 well, what kind of agriculture do you have on top of these 12 water resources and what are the health effects of all this. 13 And you can't look at it as just one thing. And I don't 14 think that -- you know, I mean I admire what I've learned from science. But I think science has been very impersonal 15 16 and amoral. And science has also produced what the Hopis 17 call the gourd of ashes, the nuclear weapons, which threaten life on earth, all life on earth. 18

And we just keep on doing this when there are people who are homeless, people who are dispossessed. I mean we're not looking at what the needs of our community are, and we're just going on toward this madness. Thank you.

24 MR. BRASS: Do you have your written testimony 25 ready? That's all the people who have signed up so far to

speak. So what we're going to do is we're going to take
 another break for about ten minutes and give you an
 opportunity to sign up to speak if you wish.

4 (Recess taken.)

5 MR. BRASS: We're going to come back together now. 6 If you would like to speak and haven't, please sign up and 7 do so. We have one speaker signed up so far. Frank Rizzo. 8 MR. RIZZO: Good evening, aloha everyone. I just

9 want to say a couple of things. I've been to a number of these meetings. I've had a unique opportunity over the last 10 11 20 years of accompanying hundreds of school children from 12 Maui up to the observatories. And as far as school field 13 trips go, kids are kind of giddy. But what I've seen many, 14 many times are just a small group of these children that are 15 very excited and just really in awe of what's going on up there at the different facilities. And I just think it's an 16 important thing. I believe that this is a great 17

18 opportunity.

19 It's opportunity knocking at the door to have a 20 facility like this. How appropriate, a solar observatory 21 state-of-the-art up at the house of the sun. I've heard a 22 lot of testimony from a lot of different people. To make a 23 long story short, the thing that really kind of gets me 24 though is listening to a lot of the Hawaiian people that 25 have been showing up at all these meetings and they're very, very disturbed that this is going to be going on sacred
 land. And I can relate to that. And to me, I've got mixed
 emotions on that. I think that would be very disrespectful.

4 I don't know enough about Haleakala to know how much of the mountain is sacred. Is it the whole mountain? 5 Is it just the area around the national park? Is it certain 6 7 sections? I don't know that, so I guess I am just going to 8 end it here. I am in favor of it. If it could go in an 9 area around the summit that is respectful to the Hawaiian people, if that could be pursued, I think that would be a 10 11 great thing for everybody.

12 I know people are concerned what it looks like. 13 It's an observatory. It's going to look like an 14 observatory. You talk about ugly buildings. The County building is an ugly building. And somebody else was talking 15 16 about Haleakala National Park keeping it, you know, pristine 17 and just experiencing Haleakala National Park. I wish the 18 park lady was here, because I would tell them to get rid of 19 the bike tours and that would really clean up Haleakala 20 National Park. But anyway, I'm in favor for it. I think it's a great opportunity. If it could be done in harmony 21 22 with the community, mostly with the Hawaiian people, I think 23 that would -- you know, it's a challenge, but if that can be done, I think it would work out. And thank you everybody 24 25 for your time.

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MR. MAYER: Are you a teacher?

2 MR. RIZZO: I'm not a teacher, no. I have 3 accompanied, yes, hundreds of children up there for over 20 4 years.

MR. MAYER: In what capacity?

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6 MR. RIZZO: Photography, taking photographs of 7 these people and just, you know, listening to a lot of them. 8 And, you know, it's just -- like I said, it's a school field 9 trip. You get 20 to 30 kids, but there's 2 or 3 kids in the group that are asking all the questions. They're very 10 11 excited, "Can I come back up?" My minute still going there. 12 I'm wrapping it up, by the way. I've been to too many of these things already. A lot of the local children really 13 14 express interest and they're pleased to know that they can get a great education here, especially that they don't have 15 16 to go to the mainland. They can stay with their families. 17 They can get the education that they want and have got an 18 opportunity to do some fantastic science, some great 19 technology and something really worthwhile here in Hawai`i. And I don't know, that's just kind of -- I've got 20 a young son and he's interested in science. And aside from 21 aesthetics and all that other stuff, you do want to kind of 22 23 keep the observatories together. Yeah, it's huge. It's 140

feet and whatever it is, but today I was driving around the island. And I was looking up at the summit all day today,

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and it was cloudy and you can't really see it. And when 1 it's not cloudy, you've got that shiny AEOS dome up there. 2 3 It is what it is. People don't want it looking like Mauna 4 Kea. I guess enough said. I just wanted to pass along the 5 children aspect of it, you know, the local community here, because there is an interest with the local people, the 6 7 local children that I've seen that, you know, they're 8 excited about what's going on over here. 9 And, you know, they don't have to go to the

10 mainland to do something like that. They can do it here.
11 Anyway, thank you.

MR. FEIN: There is nobody else signed up this evening, but we have this room until 10:00. So we are not going to leave right now. There's still an opportunity to speak if you wish to sign up. Did you have --

16 MS. BURNS: Can I just make a request?

17 MR. FEIN: Yes.

18 MS. BURNS: Suzanne Burns. I know this might be 19 farfetched, but because the meetings are set up at the same 20 time as the Superferry and the Fair, I mean you can see the difference in the showup. Could you please -- I mean I know 21 that I talked to -- is it Shannon? Sharon, sorry. And I 22 23 know this is the only time that you all could make it down 24 here. And I know there's going to be a lot of people who 25 have some questions. So maybe you all can't make it, but

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it's for us to speak, so if you could please think or 1 consider setting up a time where we could in a Hawaiian 2 3 community. You know, this is not -- not a lot of Hawaiians 4 live up here. So please consider it before the 23rd, just 5 let them speak. Is that a possibility? I know you guys went out, and this is what, the ninth session? 6 7 MR. FEIN: Yeah, the twelfth. 8 MS. BURNS: Twelfth session I know. 9 MR. FEIN: The comment period that ends on the 10 23rd means that you can submit any question you want up to 11 that point. And it will be responded to as quickly as we 12 possibly can. 13 MS. BURNS: So it's going to be responded to -- we 14 can write until the 23rd, and then we'll have a response? 15 MR. FEIN: Yes. 16 MS. BURNS: Can we write again in response to your 17 response? 18 MR. FEIN: You can write 100 times if you wish. 19 MS. BURNS: Okay. And it will all go into the 20 record? MR. FEIN: Yes, that's correct. 21 22 MS. BURNS: Is this going to go on Akaku? 23 MS. PRINCE: I hope so. MS. BURNS: Last chance, everybody, write for the 24 23rd, 23rd of October. 25

1 MR. FEIN: I probably should clarify that one 2 thing. If, for example, let's say you do write 100 times, 3 let's just use that as an example, and each time you say I 4 would like -- I would like NSF to consider building this 5 facility on the moon, and you do that 100 times, we will respond to it collectively, not, you know, each time. There 6 7 is a -- you know, that is the question, and we will respond 8 to the question, but not 100 times. 9 MS. BURNS: Well, I wasn't planning on dragging 10 anything out. 11 MR. FEIN: No. 12 MS. BURNS: Thank you, 13 MS. MONRO: I don't usually speak in front of people. My name is Sharon Loando Monro. But I just wanted 14 15 to let you know, Suzanne, that you're welcome to take all of 16 the public comment sheets tonight since this is the last 17 meeting and please distribute it to anybody you want to and they can submit it back to us, okay. 18 19 MS. BURNS: Thank you. 20 MR. BRASS: So my understanding is that at this point, we're going to kind of take a break again. And the 21 22 representatives will still be here to answer questions and 23 if anyone else should sign up to provide comment, then we'll 24 receive that comment as well. 25 MR. MAYER: I made a comment during the break that

I need to make publicly on the record. The photos, the 1 pictures that are taken, the two of them that are again 2 3 aerial shoots are the same misleading type of photos -- it 4 gives you a nice dissection of the whole area. And that's fine, but the true pictures that we need to have are 5 pictures taken from ground level from the observatory at the 6 7 summit of Haleakala. In the draft document, there's some photos there, but when the public comes out and meets, they 8 9 see those. And certainly these are so much better quality 10 than are in the publication.

11 The original photos of pictures or diagrams that 12 are in the draft and eventually in the final should be from 13 ground level from the summit at the highest point there, 14 what would the tourists, the two million tourists a year that go up there actually see. That would be one thing. 15 16 And the second thing is I would like to know what the impact 17 would be on the national park and on the experience in the 18 national park of this observatory and the collective 19 assemblage of observatories that are being built up there. 20 Thank you.

21 MR. BRASS: Okay. So we're going to go into a 22 break, and please feel free to sign up if you would like to 23 if you haven't had a chance to make a comment and you would 24 like to or talk to any of the representatives here.

25 I'm just checking in with everyone to find out if

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anyone else would like to sign up to make comments this evening. Last call. Okay. So it appears there's no one else who would like to provide comments, so we're going to go ahead and close the meeting tonight. Thank you for coming. б (The meeting ended at 9:25 p.m.)

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2	CERTIFICATION
3	
4	I, RACHELLE PRIMEAUX, Notary Public for the State of
5	Hawaii, certify:
б	That the proceedings contained herein were taken by
7	me in machine shorthand and were thereafter reduced to print
В	under my supervision by means of computer-aided
9	transcription; that the foregoing represents, to the best of
10	my ability, a true and accurate transcript of the
11	proceedings had in the foregoing matter.
12	I further certify that I am neither attorney for any
13	of the parties hereto nor in any way concerned with the
14	cause.
15	Dated this 13th day of Oct ., 2006.
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