

Exhibit B.19c

October 14, 1999

To: Francis Oda and Jeff Overton
Group 70 International

From: Kepa Maly

Subject: Reference to and Incorporation of Mauna Kea – Historical Research
and Oral History Interviews in planning documents (KPA Report
HiMK21-020199)

I have become very concerned about how you are using (or in some cases, not using) the research and oral history interviews which I prepared for Mauna Kea. Since September 12th I have received a number of phone calls from people to whom you have presented the "Mauna Kea Science Reserve and Halepohaku Complex Development Plan Update," and now, I am told, a "draft EIS." You should be aware, that I have received calls from native Hawaiians, community and environmental organizations, and members of the Mauna Kea astronomy community, seeking clarification of what you have been disseminating.

Below, I summarize several key points that cause me concern about your treatment of this potentially disruptive matter:

First: The primary gist of the calls is that Kepa Maly's reports support Group 70s' "master plan/development plan update proposals." If that means expanding from 50 to some 600 acres, and development of 40 or more telescope related facilities in the summit region of Mauna Kea, you are purposefully misrepresenting the work I compiled.

Second: The lack of cultural-historical information in the draft "master plan/development plan update," specifically, the cursory manner in which you have addressed the information documented in the oral historical study lacks sensitivity and integrity (I have seen drafts 1 & 2, I understand that a third draft is out). People are desperately trying to understand the traditions and on-going cultural-spiritual significance of Mauna Kea.

Nearly every call I receive is asking me "what was actually reported," and requesting copies of the documentation that you have only minimally disclosed in the "master plan/development plan update." Such requests are costly to me. I note that I am not the consultant who received \$500,000.00 plus for compilation and distribution of the information.

Third: I understand that a third draft of the "master plan/development plan update" has been circulated. If it is substantially different (contains more than two paragraphs summarizing the nearly 800 pages of research I compiled), professional ethics/standard practice would include my receiving a copy of the revised work.

Fourth: I have learned that you prepared a "draft EIS" for Mauna Kea that incorporates the oral history program summary and portions of the research/consultation documents I prepared. Evidently the work is referenced as having been "prepared for the EIS." If that statement is made in the "draft EIS," it is untrue. You may recall that when I (in hind-sight, foolishly) agreed to assist Group 70 in preparing this work, I was referencing it in association with preparation of an EIS. Francis specifically told me not to use the term EIS, as I was working on the "master plan/development plan update."

In the past, every client that I have worked with always provided me with a copy of the resulting EIS/EA – involving me in the EIS development phases to ensure that the documentation was accurately represented; and asked me to participate in any agency/public review meetings. The goal being to provide a summary of the documentation reported and answer questions that might be raised about the work I did. Instead, I only recently learned that you took the same cultural component of the "master plan/development plan update" and incorporated it into your "draft EIS." Further more, I am being called and told that you have been meeting with Hawaiians and other interested groups, presenting your version of the research I prepared.

Closing Comments:

In closing, I think back to the MKAC meeting of December 1, 1998, in which Pua Kanahale looked directly at you and the co-chairs, and asked "Why did you ask us here? You've already made up your minds about what you are going to do." I can't help but think that she had a depth of vision that eluded me. I naively believed that you would approach this process with cultural sensitivity, integrity, and compassion. The above observations, along with the recent flack about disclosure of burial sites on Mauna Kea (via the web) have dismissed any room for sensitivity, integrity, and compassion in this process.

I also guess I should have taken the resignation of your original cultural consultant from the project as my clue as to how all of this would evolve.

Kepa Maly.
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