

Testimony Presented before the
Senate Committee on Ways and Means

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HB1174 HD3 SD1

RELATING TO THE UNIVERSITY OF HAWAII, MAUNA KEA

April 6, 2009 at 9:30 am

Chair Kim and members of the Ways and Means Committee

HB1174 HD3 SD1 allows the University of Hawaii (UH) to adopt administrative rules to regulate activities within the lands UH manages on Mauna Kea. This bill also provides UH with the ability to enforce these rules, and to assess and collect administrative fines for violations of these rules.

The Ranger Corps **supports** the intent of this bill. Enforcement abilities of administrative rules would better allow the Ranger Corps to serve the mountain and those coming here from the standpoint of health and safety, and resource management and protection. Proposed changes would allow for better regulation of commercial activity, as well as special events and activities on the mountain.

Health and safety concerns for those traveling to Mauna Kea is a major issue. From an enforcement perspective in helping ensure those coming here do so safely. Following are issues the rangers observe on a recurring basis: 1) people traveling above Hale Pohaku (located at the 9,300 foot elevation) without receiving proper health and safety educational information; 2) people traveling above Hale Pohaku on the un-paved summit road without a four-wheel drive vehicle; 3) driving off the designated Mauna Kea Access Road; 4) unsafe vehicle operation on the Mauna Kea Access Road, as well as lack of observance of generally accepted travel rules; 5) general lack of knowledge on how to drive on steep, gravel roads; 6) overall traffic and off-road vehicle management and control, especially on high volume visitor days (i.e. snow days); 6) dangerous snow play activity; 7) enforcement of road closures; and 8) regulation of alcohol consumption and drug abuse. The Ranger Corps requires the authority to enforce rules in relation to these issues.

Protection and management of Mauna Kea's resources is a primary goal of the Ranger Corps. This is a place of incredible natural, cultural and historical resources. However, the following occurrences on the mountain have been observed: 1) driving off designated roads; 2) littering; 3) destruction of cultural and/or archaeological sites and suspected artifact removal; 4) vandalism of various kinds, whether to protected sites or existing structures and trails; and 6) unpermitted camping and building of fires and other activities that could result in wildfires. Without enforcement authority, the Ranger Corps is only an observation and documenting entity. Our hands are tied without the ability to prevent future occurrences of this kind, leaving these resources vulnerable to damage and desecration.

Commercial activity is an increasing issue on Mauna Kea. As awareness of Mauna Kea as an important cultural, historical, natural and scientific site increases, so do the number of visitors to this place, requiring additional need for regulation of commercial activity. The Ranger Corps requires the ability to enforce the requirements of the commercial tour permits, to prevent unpermitted commercial companies from conducting operations on Mauna Kea, and the ability to enforce the use of film permits. In addition, many larger non-commercial groups come to the mountain. Authority to require these groups to obtain a Special Request would allow the Rangers to provide these groups with necessary health and safety information, an orientation on the cultural and environmental significance of Mauna Kea, as well as ensure appropriate conduct and activity while visiting the mountain.

Special events and activities occur on Mauna Kea. Such events take the form of bike races, running events and snow competition. In order to help ensure the health and safety of participants as well as protect all the resources of this place, the Ranger Corps again would require the authority to regulate such events and all summit activities. Without any enforceable rules in place to address these activities, there is little that the ranger can do.

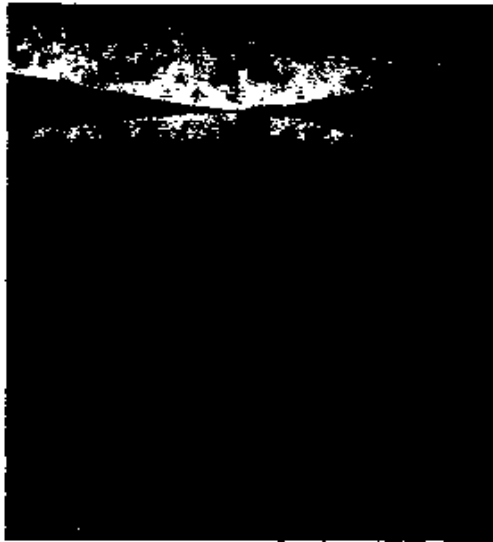
Mauna Kea is a culturally and environmentally unique and significant place. The Mauna Kea Ranger Corps program was developed to protect the mountain. The comprehensive management plan that the University is hoping will be approved shortly by the Board of Land and Natural Resources contains much needed management guidelines and recommendations, but without administrative rules to enforce them, Rangers hands are tied.

Attached are photos illustrating some of observances by the Mauna Kea Rangers.

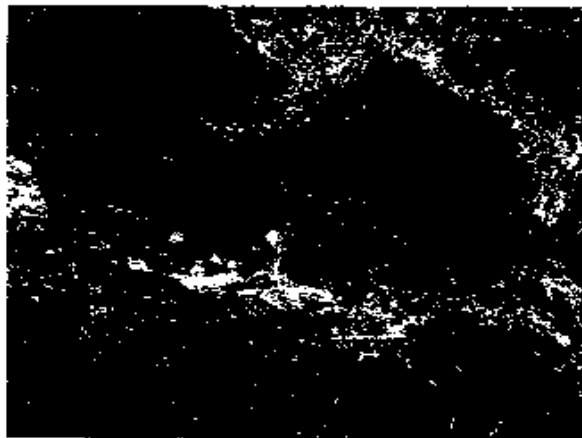
Thank you for the opportunity to comment on this bill.



Fire dancing on the summit.



Creative stacking of rocks



Hole left in the ground after removal of rock to form
a stack of rocks



Graffiti



Hiking off trail leaves footprint marks on the summit puu.



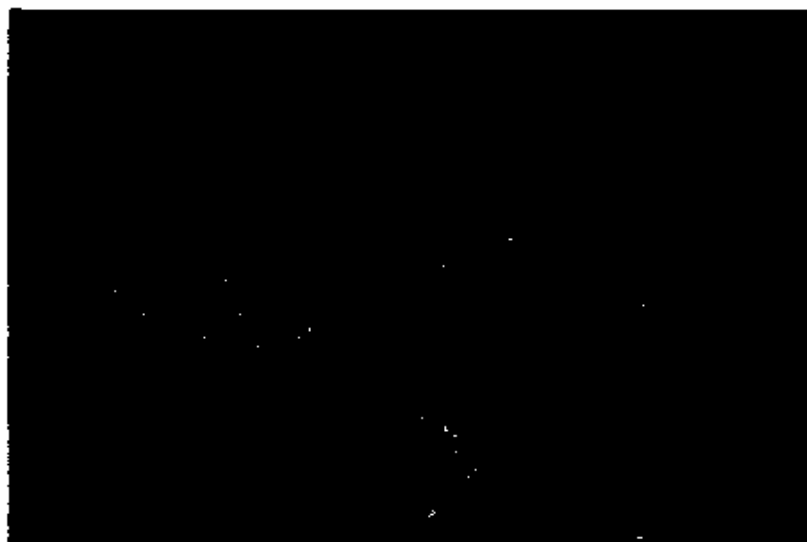
Lele prior to vandalism



Vandalized lele



Traffic congestion on the summit access road. A ranger vehicle (yellow roof light) is trying to weave its way through traffic. If there was an accident requiring emergency response, an ambulance would not be able to make it through the traffic. Parked cars on the side of the road impeded two way traffic flow.



Graffiti on the slope of the summit pu'u