



## MAUNAKEA STEWARDSHIP OVERSIGHT AUTHORITY (MKSOA)

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### PUBLIC MEETING MINUTES

Thursday, June 8, 2023

10:00 am

Online via ZOOM and livestreamed via YouTube

#### AUTHORITY MEMBERS

**PRESENT, Zoom:** Chairperson John Komeiji; Doug Adams; Bonnie Irwin; Gene Bal; Kalehua Krug; Noe Noe Wong-Wilson; Rich Matsuda; Pomai Bertelmann; Kamana Beamer; Lanakila Mangaui; Laura Kaakua

**EXCUSED Members:** Paul Horner

**MKSOA SUPPORT:** Ryan Kanaka'ole, Deputy Attorney General (DAG); Kapua Roback (UHH 'Imiloa); Lisa Spain (UHH 'Imiloa); Wes Machida (Assistant to Speaker of the House Scott Saiki)

**GUESTS:** Greg Chun (UHH CMS)

#### I. CALL TO ORDER AND WELCOME PROTOCOL

The meeting was called to order at 10:02 am.

Member Krug led opening protocol with a chant performed before embarking on a journey, a chant that awakens the essence of security for safe travels.

#### II. PUBLIC COMMENTS ON AGENDA ITEMS

No online or written comments provided.

#### III. APPROVAL OF THE MINUTES OF THE MAY 16, 2023 MEETING

**MOTION:** Motion by Member Wong-Wilson to approve meeting minutes from May 16, 2023. Second by Member Bertelmann.

**ACTION:** The motion was unanimously approved.

**IV. CHAIR REPORT**

No report.

**V. GOVERNANCE**

No report.

**VI. ADMINISTRATION – Public Testimony taken (written or oral) on any of these items**

**A. REPORT: DECOMMISSIONING PERMITTED INTERACTION GROUP**

Member Mangauil provided update on CSO decommissioning regarding transport of mirror. Dismantling of the mirror will occur and will eliminate the need to obstruct highways. Full restoration of the site will occur, however the PIG noted that it is unachievable to fully restore the site and requested a change in the use of the term “full restoration” to better accurately describe what will occur.

**B. REPORT: CONSULTANTS RETENTION PERMITTED INTERACTION GROUP**

Member Adams reported that a discussion with DLNR occurred as to whether or not to wait for the next fiscal year to proceed. The professional services list is available for FY24, however other consultants can be added to the list until later this month. The PIG will continue to discuss timing and the development of the scope of work for service contracts. In the July timeframe the PIG will work with DLNR to identify suitable contractors – this is not an RFP process but rather the identification of the scope of services and working with DLNR to identify possible contractors to work with.

Wes added that next week is the deadline for submitting applications for the professional services list. DLNR will evaluate applications and determine the qualified list. The Authority Board can then determine which consultants are appropriate to do the work. July 2023 is a more accurate timeframe.

Chair Komeiji introduced Wes Machida who is assisting with administrative matters and Ryan Kanaka‘ole (DAG) to the board members.

**C. REPORT: DRAFT ORGANIZATIONAL CHART AND POSITION DESCRIPTIONS-(1) EXECUTIVE DIRECTOR (2) ADMINISTRATIVE SERVICES MANAGER (3) PROJECT DIRECTOR.**

Chair Komeiji discussed the draft organization chart and the position descriptions. July 1, 2023 is the effective date for the positions. There will be further discussion in the July meeting. Would like to get staff positions posted as soon as possible in the new fiscal year. Any comments from MKSOA members would be appreciated and will be discussed more in the July meeting.

Member Wong-Wilson noted that there are positions numbers already assigned. Mahalo for the establishment of the position numbers.

Member Bal commented that the Administrative Assistant reports to both the Executive Director and the Authority Board. Perhaps consider a dotted line to one of the entities so that it is clear on who oversees the position.

Member Kaakua recommends that the Administrative Assistant report to the Executive Director. The Admin Assistant would also serve the board even though under the Executive Director. Impartial to a dotted line report to the board, but feels that a solid line to the Executive Director is needed.

Wes explained that the rules approved by the board in March stated that the Administrative Assistant reports to the board. Unless the rules are changed, the position reports to the board. The solid line report to the Executive Director was added understanding that the Assistant would have to execute through the Director.

Member Wong-Wilson noted that the legislation that created the position has it as a direct report to the board.

Chair Komeiji noted that the position is not a Board Secretary and is less policy focused and more execution focused. Wes is working on the Program Specialist position descriptions.

#### D. DISCUSSION- TRANSITION CO-MANAGEMENT WITH UNIVERSITY OF HAWAII AND DEPARTMENT OF LAND AND NATURAL RESOURCES.

Chair Komeiji noted that on July 1 the MKSOA becomes a co-manager with the University of Hawai'i. He discussed convening a larger group of DLNR and Center for Maunakea Stewardship and other advisory groups. However the Authority needs to first have internal discussions before meeting with others. Chair Komeiji is working with DAG to figure out the best way to meet. Hoping to convene by August. Greg Chun will give examples of co-management ideas.

Member Matsuda noted that the board should also visit Maunakea as a group as part of the discussions to develop a common understanding of the complexities.

Chair Komeiji agrees and wants to include conservation efforts, cultural context and astronomy. Late August would be a target date.

Member Bal rotates off of the Board of Regents on June 30. Unknown at this point who will serve on the Authority moving forward. Former regents can sit on the Authority as well. Also unclear at this point is who will be Chair of the Board of Regents.

Member Bal noted that the current plan is to have a Board of Regents meeting on July 6, and the outcome is to elect new leadership. Member Bal will request that a decision be made on who will be the member on the

Authority.

**VII. FINANCE**  
No report.

**VIII. OPERATIONAL UPDATE**

**A. REPORT: CENTER FOR MAUNAKEA STEWARDSHIP**

Greg Chun reported on 3 projects as examples of co-managing. The University's request is to start the co-managing process as soon as possible.

- 1) First project in planning phase is the Hokukea decommissioning. The utility building has repeater stations used by Hawaii County Civil Defense and HAMM operators. Repeaters are critical for emergency management. CMS is in discussion with Hawai'i County Civil Defense and HAMM to relocate the repeaters to the UH 88 telescope. A Memorandum Of Agreement needs to be developed between University of Hawai'i, Civil Defense and HAMM operators. Seeking long-term agreement to extend beyond 2028 transition date.
- 2) Hale Pōhaku has been selected as a candidate site for HELCO for Electric Vehicle charging stations. No charging stations presently. All State of Hawai'i vehicles are supposed to move to electric. CMS has sought exemptions for current CMS vehicles. EV charging stations would be helpful. Need permits and operating agreement with HELCO.
- 3) Two underground fuel storage tanks – diesel and gasoline – that supports CMS and Maunakea Observatory operations are required by the Department of Health permit to be decommissioned by July 2028. Engineering studies underway. The process requires a conservation district use permit and possibly an operating agreement with a vendor to maintain and operate the storage tanks. How does CMS begin to consult with the Authority? What is the mechanism/process to be addressed in transition? These are just some projects at the top of mind, but understanding that there are several things that may come up. How we jointly manage is going to be important.

Member Mangauil: How large are the tanks and where are they located?

- Greg Chun replied: Current tanks are located at the utility baseyard. One 5,000 gallon tank and one 10,000 gallon tank. Hoping to replace both with one single 10,000 gallon tank divided into two, one part for gasoline and the other part for diesel, above ground.

Member Irwin added that these are good examples to put on the table and think about how we will handle them together.

Chair Komeiji added that the scope of the project may drive how the process is considered. The board needs to decided at what point in time to discussions start about any of these projects.

Member Adams commented that there needs to be a committee structure that allows the Authority to review these activities. The Authority is not in a

position to take over right now. He would like to see a copy of the lease. The Authority decision making is constrained within the statute - things have to be on the agenda - and decision making has to be on the agenda. The permitted interaction group is taking a look at hiring consultant to help develop how this process might work, but the Board needs to come up with an initial process and broad decision making on what we take a look at initially to allow the co-managers to do what they need to do.

Member Mangaul pointed out that poor management of the past was why the Authority was created to address. There are bigger discussions to have about what the future will hold. No conversation of conservation yet. I don't feel we should be pushed or rushed to implement projects and assume for us to carry on as is. Pump breaks on some projects, big changes need to happen on the mountain. We are not here to continue the norm.

Chair Komeiji noted that at some point we will have staff, so staff may evaluate projects.

Member Matsuda agreed that staff will assist in these issues. The board needs to consider bigger picture, longer term issues and the day-to-day should move to staff.

Member Irwin noted that CMS has a similar relationship like that now with the Maunakea Management Board – major, moderate, and minor projects. The management board worked with CMS to develop a process of review.

Chair Komeiji asked Member Irwin and Greg to share what that looks like now for CMS and the Maunakea Management Board.

## **IX. EXECUTIVE SESSION**

- A. Consultation with the Authority's attorney on questions and issues pertaining to the Authority's powers, duties, privileges, immunities and liabilities pursuant to Section 92-5(a)(4) Hawai'i Revised Statutes, regarding proposed Legislation, Governance, Administration and Finance.

**MOTION:** Member Krug moved to approve to go into Executive Session. Member Bertelmann seconded the motion.

**ACTION:** The motion was approved unanimously.

Executive Session began at 10:51am, and ended at 12:26pm.

## **X. ANNOUNCEMENTS**

- A. Next public meeting, Thursday, July 13, 2023, 10:00 am.  
Member Adams noted that more time needs to be allocated for the next meeting.

## **XI. ADJOURNMENT**

**MOTION:** Member Matsuda moved to adjourn. Member Adams seconded the motion.

**ACTION:** The motion was approved unanimously.

Meeting adjourned at 12:28pm

*Approved* \_\_\_\_\_

**DRAFT**