



## MAUNAKEA STEWARDSHIP OVERSIGHT AUTHORITY (MKSOA)

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### PUBLIC MEETING MINUTES

Thursday, September 14, 2023

10:00 am

Online via ZOOM and livestreamed via YouTube

#### AUTHORITY MEMBERS

**PRESENT, Zoom:** Chairperson John Komeiji; First Vice-Chair Noe Noe Wong-Wilson; Second Vice-Chair Rich Matsuda; Doug Adams; Bonnie Irwin; Ben Kudo; Pomai Bertelmann; Kamana Beamer; Paul Horner; Laura Kaakua

**EXCUSED Members:** Kalehua Krug; Lanakila Mangaui

**MKSOA SUPPORT:** Kapua Roback (UHH 'Imiloa); Jordan Ching, Deputy Attorney General (DAG); Pua'ena Ahn (MKSOA Executive Assistant); Wes Machida

**GUESTS:** Greg Chun, Executive Director (UHH CMS)

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

The meeting was called to order at 10:02 am. Opening protocol by Vice-Chair Noe Noe Wong-Wilson, pule Nā 'Aumākua.

#### II. PUBLIC COMMENTS ON AGENDA ITEMS

No public comment on agenda items.

#### III. APPROVAL OF THE MINUTES OF THE AUGUST 10, 2023 MEETING

**MOTION:** Motion by First Vice-Chair Noe Noe Wong-Wilson to approve meeting minutes from August 10, 2023. Second by Second Vice-Chair Matsuda.

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

#### IV. CHAIR REPORT

##### A. MEETING WITH GOVERNOR

Positive discussion with Governor and among Board members on the matter of co-management. Additional meeting expected to be convened to continue the discussion.

**B. CHAIR ATTENDANCE OF MAUNA KEA MANAGEMENT BOARD MEETINGS**

Chair was invited by MKMB to attend their meetings to develop relationship and increase communication with MKSOA.

**C. POTENTIAL LAWSUIT BY OFFICE OF HAWAIIAN AFFAIRS**

Chair notified of MKSOA potentially being added as a defendant in a previously existing lawsuit by OHA against DLNR

**D. CALL FOR EXECUTIVE SESSION**

Chair intends to call for Executive Session to discuss above mentioned lawsuit

**V. GOVERNANCE**

**A. CREATION OF PERMITTED INTERACTION GROUP REGARDING INVESTIGATION AND DEVELOPMENT OF A MASTER PLAN FOR MAUNAKEA LANDS.**

PIG to be created in order to address long-term management planning, including but not limited to carrying capacity for astronomy and conservation as per Act 255. Vice-Chair Matsuda to chair PIG, Vice-Chair Wong-Wilson, Members Beamer, Krug and Kudo to compose the PIG.

**B. CREATION OF PERMITTED INTERACTION GROUP TO INVESTIGATE AND DEVELOP THE AUTHORITY'S COMMUNICATIONS AND COMMUNITY OUTREACH PROGRAM.**

PIG to address the need for open and forthcoming communication with the community as well the possibility of retaining a consultant on these matters. Chair Komeiji appoints himself to chair the PIG, Members Mangauil, Horner, Kaakua, Bertelman to compose the PIG. Chair also stated intention to create a future PIG to address the need for development of Administrative Rules. Member Adams stipulated that community outreach should be removed from the purview of the consultant-investigation PIG.

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

**A. STATUS: APPROVE THE MKSOA EXECUTIVE DIRECTOR POSITION DESCRIPTION AND POSTING FOR MKSOA EXECUTIVE DIRECTOR POSITION.**

Wes Machida reports that the position has been created, however as an exempt position, the exemption requires approval by HGEA. Position could be posted as early next week, but cannot be filled without HGEA approval. Based on initial survey and the Board's experience, salary range for ED position should range from \$160k-\$225k+, with due consideration to the complexity of the position and candidates' experience and qualifications. Future positions authorized by the Legislature should be chosen by the ED rather than the Board.

Position descriptions for Project Director, Administrative Services Officer, Compliance Program Specialist, Research and Reporting Program Specialist have also been submitted to DLNR Personnel Office for review.

**B. STATUS: RETENTION OF CONSULTANTS**

Report will be ready for October 12, 2023 Board Meeting.

**VII. FINANCE**

**A. REIMBURSEMENT FOR MKSOA RELATED TRAVEL AND EXPENSES**

Wes Machida reviewed DAGS travel requirements as possible reason for delays in reimbursement for previous travel.

**B. BUDGET**

**I. Additional headcount request-Information Technology Specialist**

IT Specialist needed to meet MKSOA's current and anticipated future technology needs, request must be made to Legislature to approve added position.

**II. FY 2024 Budget Request**

Due consideration must be given to Legislative budgetary constraints as a result of Maui emergency for FY 2025 budget request.

**VIII. OPERATIONAL UPDATE**

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

Executive Director Chun offered to provide full CMS briefing for all members of MKSOA Board, which some have already received.

Internal Review completed for four Type-A projects, to be submitted to DLNR for Concurrence:

- i. Re-painting of NASA IRTF: Lead paint found in old paint, RRT-Certified contractor who is equipped to remove and contain lead paint secured, soil testing also to be completed.
- ii. Installation of safety handrail on roof of Gemini-North, CDUP had already been issued, Gemini had originally wanted anchors for lifeline supports but determined that lifelines would be insufficient for worker safety. The request is to

- amend CDUP to accommodate this change.
- iii. Repeaters: CMS to seek Site Plan Approvals for radio repeaters from Hōkū Kea facility to be relocated to the roof of summit lunchroom facility. No expected ground disturbance.
  - iv. Visitor Information Station: CMS to seek Site Plan Approval from DLNR to enclose alcove for storage of day use equipment such as outdoor displays and solar telescope.

CMS and MKSOA to continue to develop process to integrate MKSOA into CMS project approval process in the interest of co-management.

CSO Decommissioning Update: Mirror support frame has been removed from structure and has been sited for disassembly and transport down the mountain and shipment to Chile from Kawaihae. This phase to be complete by next week, next phase to begin 9/25 through Fall '23 and restart in Spring '24. CalTech required to provide an independent Construction Monitor in addition to CMS-provided independent Construction Monitor. Archaeological Monitor to be on site upon commencement of ground disturbance activities. CalTech also required to have Biological Monitor during ground disturbance activities and Cultural Monitor for the duration of entire operation. All Monitors have Stop-Work authority.

Hōkū Kea Decommissioning Update: Project has been put out to bid, pre-bid site meeting scheduled, to be followed by site visit. Project will not commence until next year following completion of bidding process.

## **IX. EXECUTIVE SESSION**

- A. The Authority has recognized the need to convene in Executive Session pursuant to Section 92-5(a)(4), HRS, to consult with the Board's attorney on questions and issues pertaining to the Authority's liabilities on the following matter:
  - I. Motion to Join MKSOA as Party in *OHA v. State of Hawaii, et al.*, Civ. No. 17-1-1823-11

**MOTION:** Vice-Chair Wong-Wilson moved to enter into Executive Session. Vice-Chair Matsuda second.

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

Board entered into Executive Session at 11:42 am.

Board returned from Executive Session at 12:01 pm.

## **X. ANNOUNCEMENTS**

- A. Next public meeting, Thursday, October 12, 2023, 10:00 am.

## **XI. ADJOURNMENT**

**MOTION:** Vice-Chair Matsuda moved to adjourn. Vice-Chair Wong-Wilson second.

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

Meeting adjourned at 12:05 pm.

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