

MAUNAKEA STEWARDSHIP AND OVERSIGHT AUTHORITY

“Co-Management Working Group”

The State of Hawaii, Legislature promulgated Act 255 signed by the Governor on July 7, 2022 engendering the Maunakea Stewardship and Oversight Authority (hereinafter referred to as the “Authority”). Act 255 provides for a “transition period” of five (5) years beginning July 1, 2023 whereby the Authority is mandated to “jointly manage” the Maunakea lands with the University of Hawaii. In order to fulfill and carry out the aforesaid joint management mandate and responsibility, both the Authority and the University of Hawaii, Board of Regents have agreed to the formation of an operational management working group (hereinafter referred to as the “Co-Management Working Group”).

It is intended that the Co-Management Working Group, during the aforesaid transitional period, jointly manage the operational and management issues pertaining to the Maunakea lands, and that it be terminated on or by July 1, 2028 or extended for a period not exceeding one (1) year therefrom if deemed necessary to complete its responsibilities. The responsibilities of the Co-Management Working Group will initially include the establishment of procedures, protocols, and systems to receive and handle various types of operational and management issues in a manner consistent with Act 255. The Co-Management Working Group will then be responsible to take any necessary action to handle the operational and management matters coming before it consistent with the purpose and intent of Act 255. Pursuant to Act 255, the day-to-day operation of the Maunakea lands will be carried out by the Center for Maunakea Stewardship as directed by the Co-Management Working Group.

The Co-Management Working Group will be structurally and functionally established as follows:

- A. The Co-Management Working Group will be composed of the following members and invitees:
 1. University of Hawaii – The Chair of the Board of Regents or its designee and one (1) additional member of the Board of Regents;
 2. Authority – The Chair of the Authority or its designee and one (1) additional member of the Authority;
 3. From time to time and when deemed appropriate by the members of the Co-Management Working Group, invite the Director of the State Department Land and Natural Resources or its designee; and
 4. The Co-Management Working Group may also invite third parties, consultants or staff to assist in the conduct of its work.

- B. The Co-Management Working Group will have the authority to perform the following functions:
1. To establish categories or a hierarchy of operational/management issues in which a *joint decision* is required by both the University of Hawaii and the Authority, including any third parties deemed necessary by the Co-Management Working Group;
 2. To establish categories or a hierarchy of operational/management issues which can be decided and carried out *solely* by the Co-Management Working Group; provided that such decisions shall be reported to the Authority and University of Hawaii governing bodies;
 3. To establish categories or a hierarchy of operational/management issues which can be carried out *solely* by either the University of Hawaii or the Authority;
 4. To investigate and analyze the operational and management issues presented;
 5. To make recommendations to the Authority and University of Hawaii as to a course of action or alternatives deemed appropriate in accord with the above protocol;
 6. To issue notices, communications or information, which are deemed necessary and prudent, including but not limited to, providing guidance and input to the University of Hawaii and Authority on community engagement and outreach;
 7. To establish clear and timely communication and messaging to existing staff and employees of the Center for Maunakea Stewardship on any issue which may affect their position, employment role and function during the transition period and beyond;
 8. To establish protocols of working with the various advisory groups and boards which serve Maunakea, including but not limited to, Maunakea Management Board, Kahu Ku Mauna, Environment Committee, Mauna Kea Support Services Oversight Committee, etc.;
 9. To provide input and direction on the fiscal and budgetary matters affecting the management of Maunakea, including the Center for Maunakea Stewardship;
 10. To implement any decision of the Co-Management Working Group; and
 11. To perform any and all other actions necessary to carry out the purposes stated herein and consistent with Act 255.