



MKSOA MEMBERS

JOHN KOMEIJI
Chairperson

*LAURA KAAKUA
*DOUG ADAMS
*BEN KUDO

KAMANA BEAMER
PAUL HORNER
KALEHUA KRUG
LANAKILA MANGAUIL
NOE NOE WONG-WILSON
RICH MATSUDA
POMAI BERTELMANN
*BONNIE IRWIN

*ex-officio

MAUNAKEA STEWARDSHIP AND OVERSIGHT AUTHORITY (MKSOA)

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PUBLIC MEETING MINUTES

Thursday, December 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; Ben Kudo; Laura Kaakua; Doug Adams; Paul Horner; Kalehua Krug; Pomai Bertelmann; Kamana Beamer; Lanakila Mangaui; Bonnie Irwin;

EXCUSED Members: None

MKSOA SUPPORT: Ryan K.P. Kanaka'ole, Jordan Ching, Deputy Attorney General (DAG); Pua'ena Ahn (MKSOA Executive Assistant);

GUESTS: Greg Chun, Executive Director (UHH CMS); Kaleo Pilago, Education and Outreach Officer (UHH CMS); Justin Yeh, Resource Manager (UHH CMS); Alan Downer, Administrator (SHPD)

I. CALL TO ORDER AND WELCOME PROTOCOL

The meeting was called to order at 10:03 am. Opening remarks by Member Horner on Hawaiian values- kalāhikiola.

II. PUBLIC COMMENTS ON AGENDA ITEMS

In Person: None

Zoom: Shanti Mahaparamashiva – Provided testimony on agenda items A and B.

III. APPROVAL OF THE MINUTES OF THE NOVEMBER 9, 2023 MEETING

MOTION: Motion by 2nd Vice Chair Matsuda to approve meeting minutes from November 9, 2023. Second by Member Horner.

ACTION: The motion was approved.

IV. CHAIR REPORT

- A. 2nd Vice Chair Matsuda appointed to permanent Director of Keck. 2nd Vice Chair Matsuda reiterated his commitment to MKSOA. Congratulations by the Board.

V. GOVERNANCE

No report.

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

- A. INFORMATIONAL: Mauna Kea Traditional Cultural Property Designation Next Stages- Alan Downer (AD)

Traditional Cultural Property (TCP) recommendation to the State Historic Preservation Division (SHPD) for listing to the Hawai'i Register of Historic Places (HRHP) is complete, Mauna Kea above 6500 feet has been recommended for nomination to the national register by the US National Park Service (NPS), listing as a TCP is likely. There are two applicable statutes to the management of historic properties- Chapter 6E of Hawai'i Revised Statutes (HRS) already completed, and a requirement for review under Section 106 (Sec. 106) of the National Historic Preservation Act (NHPA). A requirement exists for federal undertakings to undergo review under Sec. 106 according to 36 Part 800 of the Code of Federal Regulations. The current National Science Foundation (NSF) intention to contribute approximately 800 million dollars to the Thirty Meter Telescope constitutes a federal undertaking and is therefore subject to review under Sec. 106 . Hawai'i Supreme Court has stated that completion of Sec. 106 review cannot be substituted for HRS 6E review or vice versa. Listing on HRHP does not make a difference in that Sec. 106 applies to properties that are both listed or merely eligible, and that Mauna Kea was always eligible.

Chair Komeiji Question: Is Sec. 106 review done in conjunction with NSF review or are they two separate reviews?

Administrator Downer: NPS has 45 days to respond to recommendation, NSF is aware that Mauna Kea is a TCP, and therefore eligible and subject to Sec. 106 and is undertaking an Environmental Impact Study (EIS) under the National Environmental Policy Act (NEPA), which is a far more substantial undertaking in itself

Member Adams Question: Other places in State that as historical/cultural sites, is there a template for other agencies in terms of requirements?

Administrator Downer: US National Park Service (NPS) guidance published in early 1990's, met with resistance by federal agencies, is not

a standardized set of management practices, suspects that each historical/cultural site is unique, hard to deal with in a categorical fashion relative to the particular characteristics of each place. The US Forest service is coming up with specific protocols for Mt Shasta, San Francisco Peaks, and one other [unspecified] in New Mexico. The best guidance comes from NPS regarding cultural landscapes but is still an evolving practice. Ultimately, historic preservation is a process not an outcome.

B. INFORMATIONAL: Executive Director Position Posting- Member Horner

Candidate pool narrowed down from several applicants, a number were not qualified, 4 interviews complete. One last applicant came through and will be reviewed. All 4 interviewed candidates were all of high quality. Member Kaakua: position will be very public and under high scrutiny, grateful to all applicants for creating a strong candidate pool
Member Bertelmann: Good candidate pool, submissions were thoughtful and possessed great experience.

The Authority anticipates convening in Executive Session pursuant to Section 92-5(a)(3), HRS, to consult with the Board's attorney on questions and issues pertaining to the Authority's power, duties, privileges, immunities, and liabilities.

C. INFORMATIONAL AND VOTE: Transition Working Group- Member Kudo

Second working group (long term transition working group), according to Act 255 all assets relating to management of Mauna Kea are to be transferred to MKSOA, wanted to be selective, proposal is to form a transition working group to facilitate transfer of real and personal property that are relevant to MKSOA. Working group would have two permanent seats- one from MKSOA, one from UH, with the possibility of one from DLNR. Group could always bring in financial and other staff as needed due to scheduling difficulties inherent to larger groups. No decisions or policies would be made, only recommendations. Transition tasks would take place in stages:

1) Accurate inventory of all assets- possibly ready from CMS by early next year to be reviewed; 2) Analysis of inventory will be the meat of the work from fiscal, management and legal standpoint, for example: contract with Xerox for 10 machines; 3) After a matrix of all assets is compiled, a draft transfer plan will be presented to MKSOA, UH regents and possibly DLNR for review pending approval; 4) Implementation of transfer- preferably within 30 days, but some may take years due to a potential need for negotiations or response time from federal govt. Transition may take 1-2 years for assets and property, may not be finished by 2028 transition period. Goal is to reach stage 4 by mid-2025. Post July 1, 2028 deadline something may inevitably come up, post-closing transfers and analysis may be needed.

Chair Komeiji: Asks that Member Kudo lead this working group.

Member Kaakua: Regarding the potential of having a representative of DLNR (if necessary), ask that another person besides her be that person.

Member Kudo: DLNR person may not want to sit in on a meeting about transfer of mundane items such as desks and computers.

1st Vice Chair Wong-Wilson: Agrees that small group is more efficient but working group may exceed length of some members terms, asks that two MKSOA members sit on the working group in order to ensure longevity & continuity.

Member Kudo: No issue with that request, only concern is scheduling in large groups, but is amenable to the wishes of the Board.

D. INFORMATIONAL: Communication and Community Outreach Permitted Interaction Group (PIG) Report- Member Kaakua

Two avenues were recognized by PIG, communication and community outreach. Both are highly important, PIG would like to see a communications director position, its recommendation is to secure a contractor individual or firm for website, social media, strategies, public/community relations in the meantime. Regarding community outreach, MKSOA has been very quiet and has needed to get their bearings. Now is the time to get out in the community and share updates and engagement by two means- community talk story sessions separate from regular board meetings, as well as to hold monthly Board meetings in alternating locations in the community. Board may need to create another PIG for planning. A proposed meeting schedule would be quarterly near the equinoxes and solstices, in person, on Hawai'i island for next year, and the following year on other islands. Meeting schedule could be used both for community talk stories or regular meetings. There was also discussion of the desire for a more culturally grounded entity to lead stewardship of Mauna Kea and that Board and/or community meetings could potentially be structured differently but still meet sunshine requirements- i.e., to agendize protocol/‘aha/ceremony and allow for connection with community.

VII. FINANCE

No report.

VIII. OPERATIONAL UPDATE: CENTER FOR MAUNAKEA STEWARDSHIP

A. Informational-Natural Resources Update- Justin Yeh, CMS

Current Resource Management staff include Resource Management Associates, a PIPES Intern, Native Plant Restoration Assistant/Guides as well as numerous volunteers. Current Management Actions are performed in accordance with 2022 Comprehensive Management Plan Update and are divided into categories such as Cultural and Natural Resource Management, Education and Outreach, and Activities and Uses

Monitoring, Evaluating, Updating. Standard Operating Procedures are primarily comprised of cleaning, inspections and surveys for invasive arthropods and vegetation. Restoration activities include volunteer weed pulls and propagation. There are 263 historical sites within UH managed lands and an additional 109 sites within the Mauna Kea Ice Age Natural Reserve. There are also several active ongoing research permits. Future goals include a restoration plan for Halepōhaku, reassessment of arthropod and cultural site monitoring plans, as well as co-management with MKSOA.

B. Informational- Education and Outreach Update- Kaleo Pilago, CMS

Program develops and implements education and outreach (E&O) projects and activities on Maunakea and in the community. Primary goals are the management and protection of natural and cultural resources through E&O initiatives such as hands-on field projects, presentations, participation in community events, as well as networking, partnerships and collaborations with educational institutions, community groups and government agencies. Primary goals also include the incorporation of Hawaiian practices into daily operations through protocol and 'Ōlelo Hawai'i training with CMS staff and mandatory protocol for fieldwork. E&O focuses on three primary areas: exploration, conservation and community. Exploration focus includes community E&O geared toward the importance of significant cultural and historical sites on the Mauna through huaka'i to various Pu'u, Waiau, Keanakāko'i and through presentations. E&O opportunities are also provided through field projects, events and activities which encourage exploration into STEM related careers in conservation, resource management, astronomy, education and 'āina stewardship through internship and career opportunities, student employment and mālama 'āina projects. A Kama'āina Observatory Experience is also currently in redevelopment. The conservation focus is addressed through mālama 'āina projects specific to the unique natural and biocultural ecosystem of Maunakea. Volunteers outplant native flora, assist with maintenance of the conservation area and learn about native plant propagation. Preservation and protection of cultural sites and critical habitat is also supported through partnerships with DLNR, NARS and other organizations. Community focus includes partnerships and collaborations with the public, educational institutions and participation through informational tabling at community events. Efforts underway to enhance Visitor Information Station (VIS) by improving displays. E&O also hosts public events and activities which emphasize traditional practices, share Hawaiian cultural knowledge and foster deeper appreciation of Maunakea's cultural, spiritual and historical significance. E&O has hosted a total of 14 events of the types mentioned and has made contacts with approximately 342 people.

IX. EXECUTIVE SESSION

- E. 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 power, duties, privileges, immunities, and liabilities on the following matters:

1. Commercial Tour Operator Licenses

MOTION: Member Horner moved to enter into Executive Session. Member Bertelmann second.

ACTION: The motion was approved unanimously.

Board entered into Executive Session at 11:45 am.

Board returned from Executive Session at 12:46 pm.

X. ANNOUNCEMENTS

- A. Legislature Opening Day- January 17, 2024
Chair Komeiji requests as many Board members be present at Legislature opening as possible
- B. 2024 Authority Meeting Schedule
Keep 2nd Thursday from 10am-1pm blocked out for now, Communications and Community Outreach PIG report needs to be considered.
- C. Next Meeting: January 11, 2024, 10:00 am

XI. ADJOURNMENT

MOTION: 2nd Vice Chair Matsuda moved to adjourn. Chair Komeiji second.

ACTION: The motion was approved unanimously.

Meeting adjourned at 12:50 pm.

Approved _____