



MAUNAKEA STEWARDSHIP AND OVERSIGHT AUTHORITY (MKSOA)

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PUBLIC MEETING MINUTES

Thursday, March 14, 2024

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; Ryan K.P. Kanaka'ole; Doug Adams; Paul Horner; Kamana Beamer; Bonnie Irwin;

EXCUSED Members: Kalehua Krug; Lanakila Mangaui; Pomai Bertelmann

MKSOA SUPPORT: Jordan Ching, Deputy Attorney General (DAG); Pua'ena Ahn (MKSOA Executive Assistant);

GUESTS: Greg Chun, Executive Director (CMS)

I. CALL TO ORDER AND WELCOME PROTOCOL

Chair Komeiji called the meeting to order at 10:03 am. Opening remarks by 2nd Vice-Chair Matsuda reflecting on comment by community at the previous night's Community Talk-Story on continuing to clarify the intent and purpose of MKSOA. Reading from opening paragraphs of Act 255- regarding polarization between stakeholders on Mauna Kea, and fostering a mutual stewardship paradigm in the protection of Mauna for future generations.

II. PUBLIC COMMENTS ON AGENDA ITEMS

Written testimony on all items received by Kamaluhiaokalani Mauna

III. APPROVAL OF THE MINUTES OF THE FEBRUARY 8, 2024 MEETING AND FEBRUARY 29, 2024 SPECIAL MEETING

MOTION: Motion by Member Kanaka‘ole to approve meeting minutes from February 8, 2024, and February 29, 2024. Second by 1st Vice-Chair Wong-Wilson.

ACTION: The motion was unanimously approved.

IV. CHAIR REPORT

- A. Report on the House Judiciary Committee Hearing regarding HB 2692- Sunshine law.- Some opposition to the bill, particularly the appropriate use of the term “Ho‘oponopono” and perception of attempts to evade transparency. Chair’s testimony reiterated that MKSOA Board is a “working Board”, Bill passed out of committee, passed through House, passed Water and Land Committee (WTL), Ways and Means Committee (WAM) has not yet scheduled a hearing.
- B. Report on status of SB 2297 relating to BLNR/DLNR’s powers and duties after transition period.- Bill attempts to reinsert BLNR in oversight role over MKSOA requiring BLNR approval for decisions, Chair objected to bill, bill passed out of Senate WTL 3-2 (2/3 voted in favor with reservations), Joint Judicial/WAM committee, no hearing scheduled- died in committee
- C. Report on National Science Foundation May 2024 meeting-Extremely Large Telescope program- National Science Board has taken a position that only 1 of 2 telescopes would be funded and will meet to decide which of the two will receive funding. US Senate appropriations bill stated that NSF should fund both telescopes. Competing directives to NSF. No further information available, MKSOA has no direct involvement in this process

Chair also noted that four Board members’ terms end June 30, currently awaiting Governor’s message of intent to reappoint. WAL would have to hold confirmation hearing. Member Kudo’s hearing was humorously referred to as a “love fest” and was unanimously confirmed. Term of appointment has not been scheduled. Chairman of UH Board of Regents was not confirmed and resigned, BOR Vice-Chair in turn had to appoint a new Chair. Mahalo for the community meeting, another talk-story session will probably be held in May, also to be attended by incoming ED Hire John De Fries. Presentation and discussion appear to be well received by community.

V. GOVERNANCE

No Report.

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

- A. Report on Executive Director (ED) De Fries on-boarding with MKSOA- Incoming ED De Fries currently has jury duty and was unable to attend Community meeting or this Board meeting, likely start date is approximately April 3rd.

- B. Report on status of other MKSOA personnel positions: Project Director (PD), Administrative Services Officer (ASO), Program Specialist-Research and Reporting (PS-RR), and Program Specialist-Compliance (PS-C), applications have been received for ASO position. Executive Director should take on the kuleana of hiring to build the team he needs, Boards typically do not do that.

VII. FINANCE

AMENDMENT TO AGENDA: To allow Chair to share recent development regarding State Budget

MOTION: Motion by Member Kanaka'ole, Second by Member Adams

ACTION: Motion carried unanimously.

Senate WAM has removed \$9M from MKSOA budget for 2023-2024 Fiscal Year. Statement of impact submitted by MKSOA reflected a requested remaining budget of approx \$4M, which is \$1M more than what MKSOA would have been originally left with. Largest portion would be reserved for master plan consultant. Anticipate that Lahaina wildfire crisis will have ongoing fiscal impact on MKSOA budget for the next few years.

Member Kanaka'ole: DLNR budget was combined with that of MKSOA and other attached agencies for a budget lapse of approx 15-20% under two different scenarios.

Chair Komeiji: Just to clarify, MKSOA is not being singled out and that cuts are likely taking place across all divisions of DLNR and all State departments.

Member Matsuda: Point of clarification of when cuts would take place?

Member Kanaka'ole: Fiscal Year 2025. Budgeting is by biennium and we are entering the second half.

VIII. OPERATIONAL UPDATE: CENTER FOR MAUNAKEA STEWARDSHIP

- A. Report on decommissioning of Hoku Ke'a observatory: Project is in final stages, cultural and safety briefing conducted. Mobilization on 21st of March or later, project team meeting to determine start date today. CalTech Submillimeter Observatory- transformer was removed by HELCO on February 29, cultural and safety briefing also conducted. Job went smoothly, dome & foundation removal to start in April
- B. Report on Ku Kahu Kū Mauna (KKM) cultural guideline review: Currently working on developing a plan regarding update of management actions of cultural resources. Recommendations regarding annual historic site monitoring program, Thirty Meter Telescope (TMT) permit has cultural matters that need to be addressed. Due to increased activity in certain sensitive areas, additional

site protection measures needed. Review will also include cultural artifacts inventory, plan for how artifacts will be curated, displayed, and/or returned, State Historic Preservation Division will also have a role. Currently developing on a Scope of Work for hiring of a consultant to assist, excellent way to develop joint management roles between CMS and MKSOA, not ready to issue Request for Proposals

- C. Additional Updates: Very Long Baseline Array request writeup for replacement of a GPS antenna- Type A project, minor repair, complies with HRS 135(d)22, no permit needed from Office of Conservation and Coastal Lands. Underground fuel storage tank removal/replacement update- current tanks will be replaced with a single 10,000 gallon above ground tank, system design currently being finalized, estimated cost \$2.4M, proposed update to MKSOA pending final budget approvals at April or May meeting and seek MKSOA approval. Also recommended that an MKSOA representative participate in planning meetings, as replacement tanks will be part of assets transferred during transition period. Transition Working Group (TWG)- inventory of leases, permits, contracts, physical assets and real property is complete and has been shared with working group. Initial meeting took place on March 7th, a good start. Education and Outreach (E&O)- CMS hosted Rotary Club youth leadership camp, First Nations Futures at Halepōhaku. Both programs have their own curriculum, CMS supplements with ‘āina-based learning activities. E&O presented STEM education program at Kanu O Ka ‘Āina focused on land stewardship and ‘āina based learnin, kumu at Kanu interested in future learning opportunities. Stargazing program at Visitor Information Station continues to generate strong interest among visitors, special offering being piloted for Kama‘aina-only.

Member Adams: Regarding the addition of MKSOA representation, what is the time commitment?

CMS ED Chun: Regarding decommisioning and replace met of fuel tanks, meetings are weekly-biweekly. Anticipating a larger time commitment for Cultural Resource Management Plan update, will take the larger part of the rest of the year

Chair Komeiji: Need to talk to incoming Executive Director De Fries about the amount of need for direct Board involvement on an organizational-structure level

Member Adams: Will the meetings be hybrid or in-person?
CMS ED Chun: Mostly hybrid

Member Kudo: Regarding fuel tanks, is an Environmental Impact Statement (EIS) required? Has one started? Is EA included in project timeline?

CMS ED Chun: An Environmental Assessment (EA) will be required, has not been started because budget has not been approved, but is included in timeline

Member Kudo: Is there an update of Commercial Tour Operator

licenses?

CMS ED Chun: No update on CTO licenses, CMS is relying on UH system, no progress at this time in part due to other priorities

1st Vice-Chair Wong-Wilson: How often does KKM meet? MKSOA involvement would mean participation in KKM meetings? Can cultural artifact inventory and how artifacts are handled be shared with MKSOA?

CMS ED Chun: KKM meetings are monthly, prefer to mostly use KKM meetings to work with consultants, clarification needed from TWG on how inventory information is shared

Member Kudo: Working group has not reached that level of detail, method is to take up more difficult and problematic items first. Working group had chosen to take up permits, licenses and leases first, not sure when cultural artifacts will come up. Aware of complexity of those issues, is there any certain issue regarding cultural artifacts?

1st Vice-Chair Wong-Wilson: I or Member Mangauil should be involved regarding handling of cultural artifacts

Chair Komeiji: Clarifying that 1st Vice-Chair Wong-Wilson wants to be involved with KKM process, not TWG

Member Kudo: Welcoming experts to make recommendations on those types of inventory, clarifying that TWG does not make decisions, only recommendations

1st Vice-Chair Wong-Wilson: Clarifying request to be involved CMS decisions regarding the disposition of cultural artifacts

IX. EXECUTIVE SESSION

None

X. ANNOUNCEMENTS

- A. NEXT AUTHORITY MEETING- APRIL 11, 2024, 10:00AM-12:00PM
COMMUNITY TALK STORY SESSION- MARCH 13, 2024, 6:00PM-8:00PM
DLNR-DOFAW HILO BUILDING- 19 E. KAWILI ST. (yesterday)

XI. ADJOURNMENT

MOTION: 2nd Vice-Chair Matsuda moved to adjourn. 1st Vice-Chair Wong-Wilson Second.

ACTION: The motion was approved unanimously.

Meeting adjourned at 10:51 am.

Approved _____