

**MKSOA BOD'S
DECEMBER 12, 2024**

PRESENTATION MADE TO THE ASSET TRANSFER WORKING GROUP
NOVEMBER 15, 2024

Inventory Items of Most Relevance to the Central Task of the Working Group

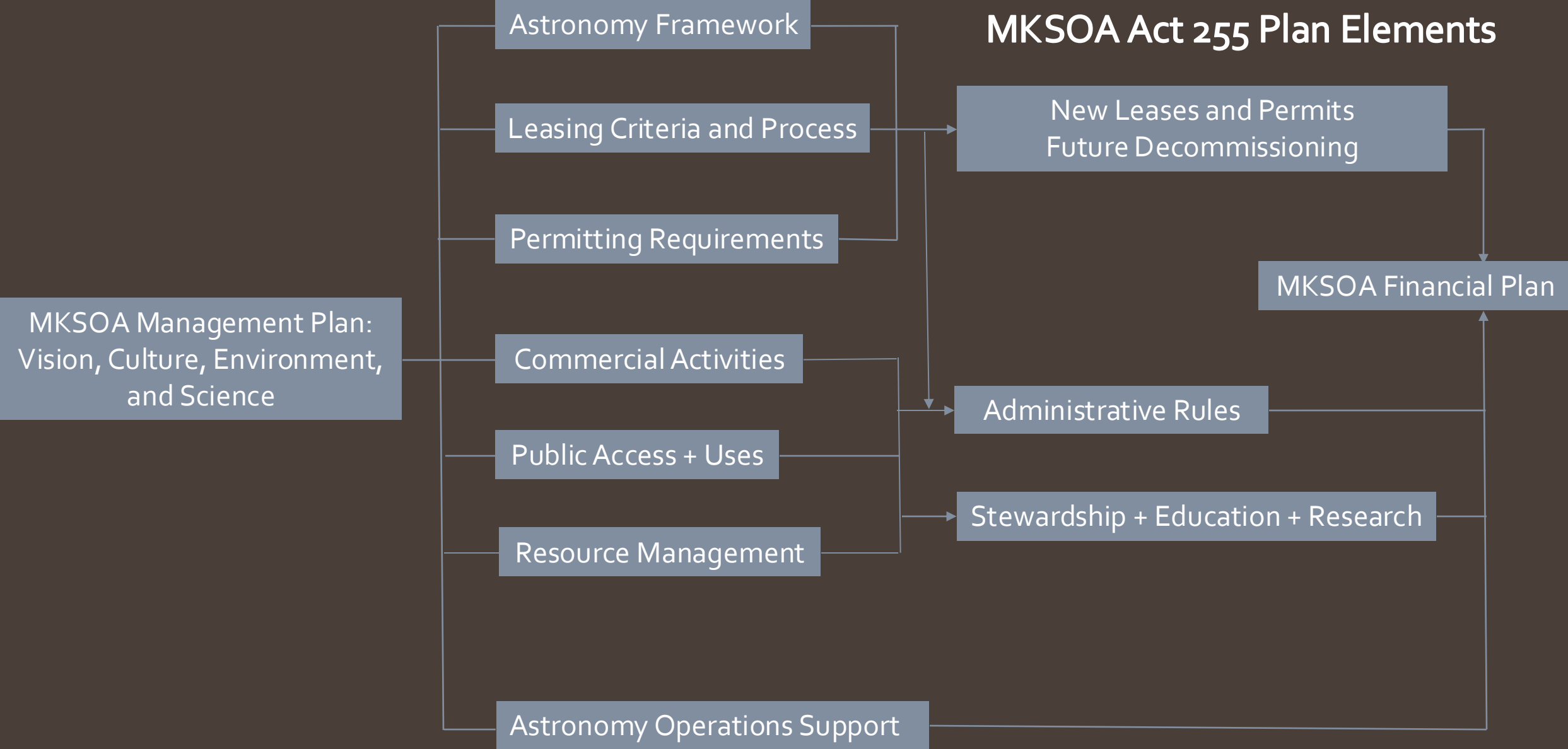
MAUNAKEA MANAGEMENT



Key Considerations:

- Culturally sensitive lands
- Diverse public uses
- Conservation district requirements
- Astronomy as State policy
- **Act 255 requirements**

MKSOA Act 255 Plan Elements



REAL PROPERTY AGREEMENTS

- General Lease No. S-5529 (Hale Pōhaku Mid-Level Facilities). Approximately 19.261 acres. Entered into on September 21, 1999, and expires on February 27, 2041.
- General Lease No. S-4191 (Mauna Kea Scientific Reserve). Approximately 13,321.054 acres. Entered into on June 21, 1968, and expires on December 31, 2033. Amended by the Partial Withdrawal of approximately 2,033.2 acres for the Mauna Kea Ice Age Natural Area Reserve on March 23, 1998.
- Grant of Easement No. 4697 (Roadway easement from Hale Pōhaku Mid- Level Facilities to the Summit of Mauna Kea). Approximately 70.798 acres. Entered into on September 8, 1981, and expires on December 31, 2033.

Subleases:

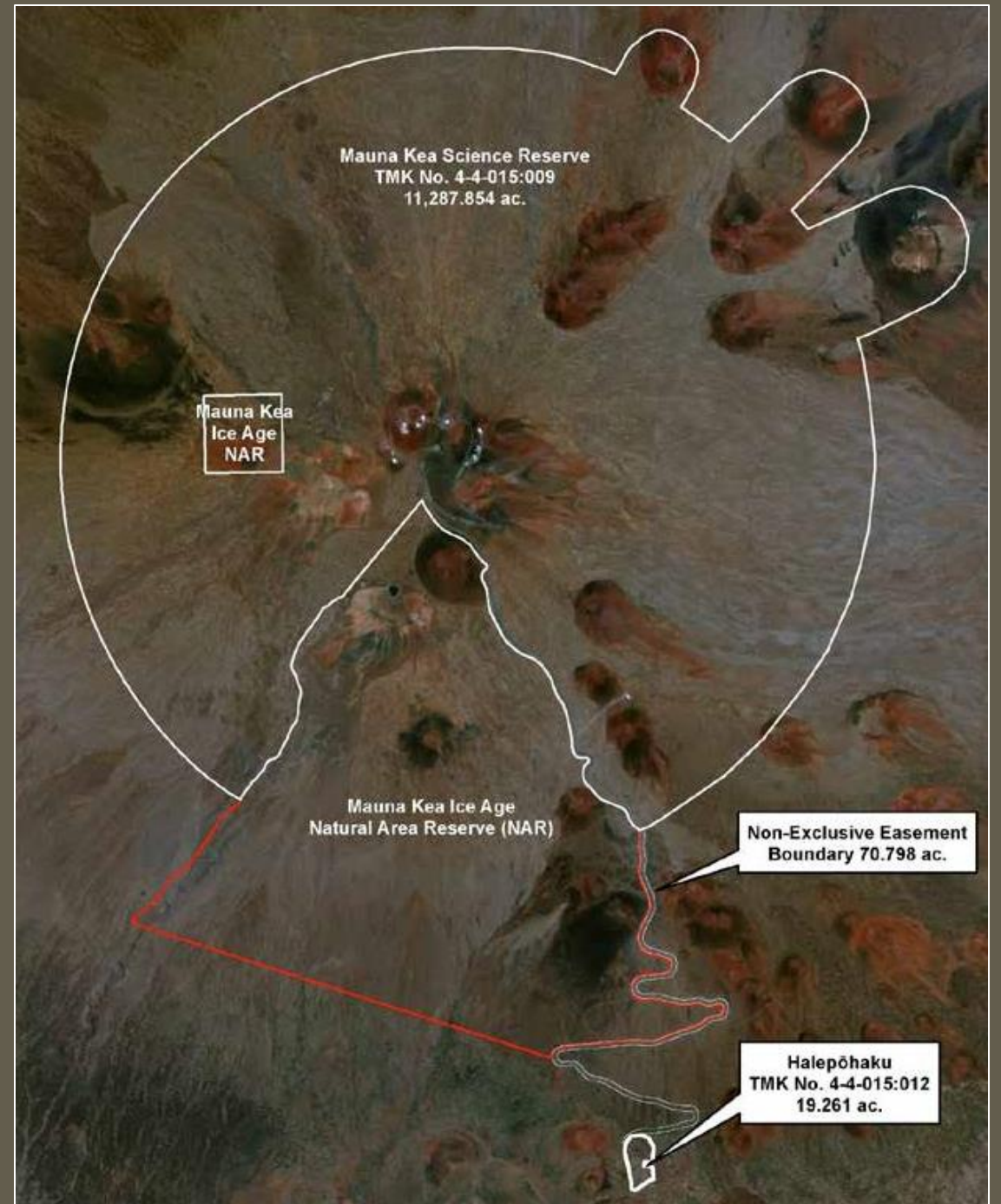
- Canada-France-Hawai'i Telescope ("CFHT"), 1975-Dec-18, Canada-France-Hawai'i Telescope Corporation
- Caltech Submillimeter Observatory ("CSO"), 1983-Dec-20, California Institute of Technology Corporation
- Gemini North ("Gemini"), 1994-Sep-26, National Science Foundation
- Subaru Telescope ("Subaru"), 1992-Jun-05, National Astronomical Observatory of Japan
- Smithsonian Submillimeter Array ("SMA"), 1995-May-15, Smithsonian Astrophysical Observatory
- Thirty Meter Telescope ("TMT"), 2014-Jul-28, TMT International Observatory LLC
- NASA Infrared Telescope Facility ("IRTF"), 1974-Nov-29, National Aeronautics and Space Administration
- Very Long Base Array ("VLBA"), 1990-Sep-28, Associated Universities, Inc.
- W. M. Keck Observatory ("Keck"), 1985-Oct-30, California Institute of Technology Corporation

UH MANAGEMENT AREAS

Maunakea Science Reserve
GL S-4191 (Dec 31, 2033)

Hale Pōhaku
GL S-5529 (Feb 27, 2041)

Roadway Corridor
ROE S-4697 (Dec 31, 2033)



Appendix F: Astronomy Site Descriptions and Depictions

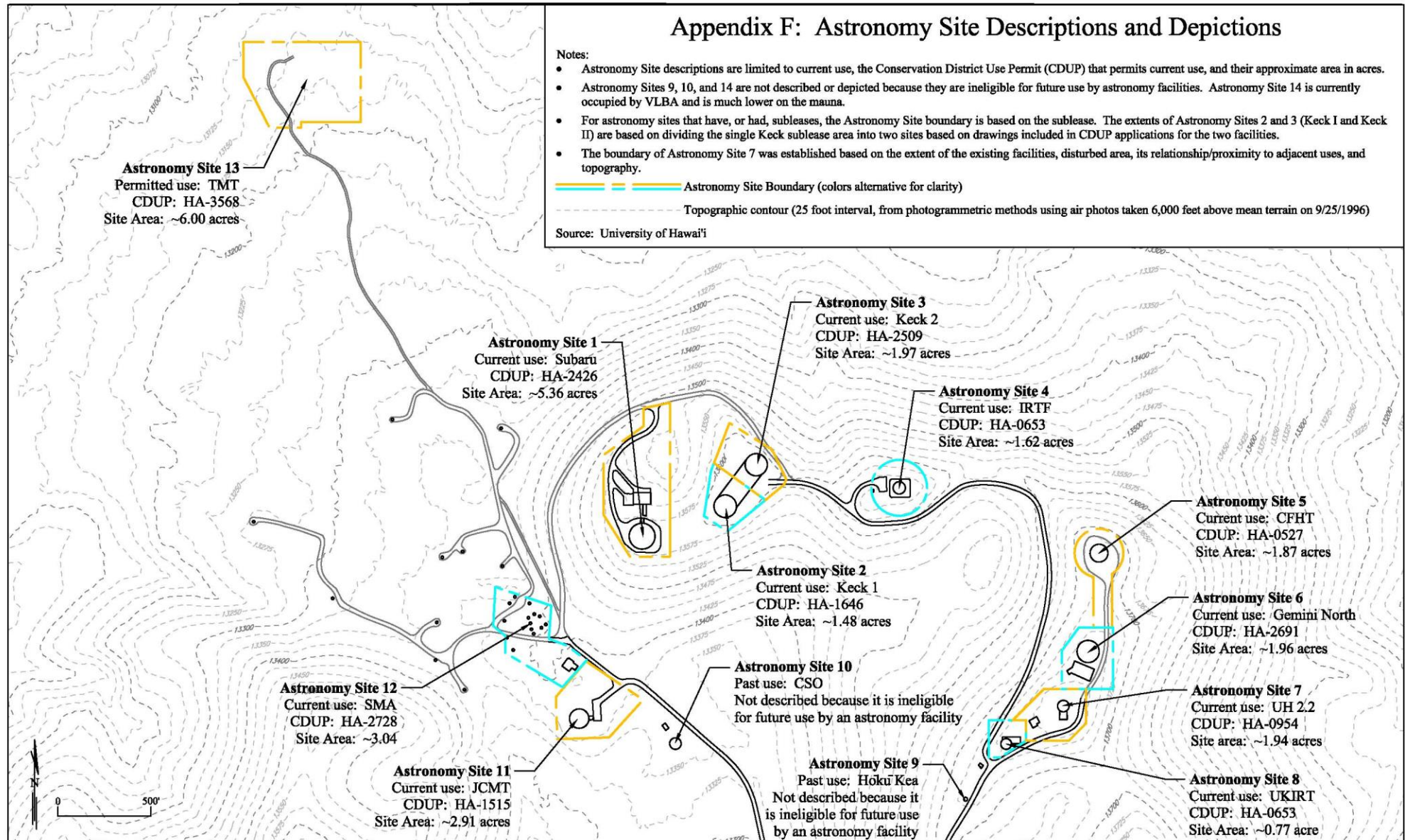
Notes:

- Astronomy Site descriptions are limited to current use, the Conservation District Use Permit (CDUP) that permits current use, and their approximate area in acres.
- Astronomy Sites 9, 10, and 14 are not described or depicted because they are ineligible for future use by astronomy facilities. Astronomy Site 14 is currently occupied by VLBA and is much lower on the mauna.
- For astronomy sites that have, or had, subleases, the Astronomy Site boundary is based on the sublease. The extents of Astronomy Sites 2 and 3 (Keck I and Keck II) are based on dividing the single Keck sublease area into two sites based on drawings included in CDUP applications for the two facilities.
- The boundary of Astronomy Site 7 was established based on the extent of the existing facilities, disturbed area, its relationship/proximity to adjacent uses, and topography.

— Astronomy Site Boundary (colors alternative for clarity)

- - - Topographic contour (25 foot interval, from photogrammetric methods using air photos taken 6,000 feet above mean terrain on 9/25/1996)

Source: University of Hawai'i



LAND USE ENTITLEMENTS CDUPS+

CDUPs related to Improvements Owned by Private Entities (“MKO CDUPs”):

- CFHT, 1974-May-24, CDUP 0527
- CSO, 1982-Nov-17, CDUP 14923
- Gemini, 1994-Apr-12, CDUP 2691
- Subaru, 1991-Sep-27, CDUP 2462
- SMA, 1994-Nov-18, CDUP 2728
- TMT, 2017-Sep-28, CDUP 3568
- IRTF, 1975-Aug-29, CDUP 06534
- VLBA, 1989-Jan-13, CDUP 2174
- Keck I (includes temporary use of concrete batch plant and expansion of Hale Pōhaku), 1984-Aug-24, CDUP 1646
- Keck II, 1992-Apr-10, CDUP 2509

CDUPs related to Mauna Kea Access Road and Improvements Owned by the University (“UH CDUPs”):

- Hōkū Ke‘a Observatory Decommissioning Project, 2023-April-14, HA-39065
- Air Force Telescope, Planetary Patrol Telescope, 2.2-Meter Telescope (“UH 88”), 1977-Sep-9, CDUP 09546
- JCMT, 1983-Feb-25, CDUP 1515
- UKIRT, 1975-Aug-29, CDUP 06537
- UKIRT dormitory at Hale Pōhaku, 1976-May-14, CDUP 0781
- Hale Pōhaku Mid-Level Facilities and Visitor Center (“Mid-Level Facilities”), 1982-Apr-23, CDUP 1430
- Hale Pōhaku dormitories, 1977-May-13, CDUP 0895
- Hale Pōhaku subdivision and construction workers camp, 1986-Feb-14, CDUP 1819
- Infrastructure Improvements to Maunakea Visitor Center, 2018-Jun-8, CDUP 3812
- Mauna Kea Access Road, 1974-Jun-14, CDUP 0537

SCIENTIFIC COOPERATIVE AGREEMENTS/ OPERATING AND SITE DEVELOPMENT AGREEMENTS

- Details various terms and conditions between UH and each MKO
- Contains both common elements across agreements as well as conditions specific to the relationship between UH and the particular MKO.
- This is where UH observing time allocations are documented.
- Requires unbundling of what are unique UH-relevant conditions versus what MKSOA would assume based on their legislated authorities.

Examples:

- Contributions to building of the mid-level facilities at Hale Pōhaku (Multiple)
- Contributions to building of MK infrastructure (Multiple)
- MKSOA "shall make every effort to ensure renewal, extension, or renegotiation of said General Lease." (Gemini)
- MKSOA "shall use its best efforts to secure Lessor's consent and to provide its own approval or objection within SIXTY (60) days after receipt by Sublessor of any request for approval for such structural alteration or addition." (Gemini)

UH ASSETS

In addition to the above, the University also holds over 20 permits and approvals issued under Hawai'i Administrative Rules (“**HAR**”) Chapter 13-5 for uses within the conservation district. Many of the conditions of approval imposed under these permits and approvals are ongoing commitments under the 2009 Mauna Kea Comprehensive Management Plan (“**CMP**”), updated by the “Comprehensive Management Plan 2022 Supplement,” approved by BLNR on July 22, 2022 (“**CMP Update**”).

Improvements Owned by the University (“**UH Assets**”):

- UH 88, 2.2-meter (88-inch) telescope
- JCMT, 15-meter telescope
- UKIRT, 3.8-meter telescope
- Mid-Level Facilities (Hale Pōhaku)
- University-owned conduit and fiber optic network (“**UH Network**”)

OTHER

- Staffing/Positions
- Accounts (e.g., Maunakea Management Special Fund, Summit Utilities Decommissioning Fund, RCUH accounts, etc.)
- Inventory of Physical Assets
- Operations permits
- Files and Records

TRANSFERS ASSUME THESE ARE IN PLACE

- MKSOA Management Plan to fulfill CDUP requirements
- MKSOA Administrative Rules to manage public access, commercial activities, and other activities that MKSOA has jurisdiction for
- Organizational capacity to assume operations
- Regarding future real property agreements with UH, MKOs, and others: clarification on how does MKSOA hold land “title” for current UH-managed lands?