



MAUNAKEA STEWARDSHIP AND OVERSIGHT AUTHORITY (MKSOA)

600 'Imiloa Place, Hilo, HI 96720
Telephone (808) 272-0259

Website: <http://dlnr.hawaii.gov/maunakea-authority/>

PUBLIC MEETING MINUTES

Thursday, March 13, 2025

10:00 am

Online via ZOOM and livestreamed via YouTube

Meeting Recording Available at

<https://youtube.com/live/j4zCYqF9xDc>

AUTHORITY MEMBERS

PRESENT, Zoom: Chairperson John Komeiji; First Vice-Chair Noe Noe Wong-Wilson; Second Vice-Chair Rich Matsuda; Paul Horner; Bonnie Irwin; Neil Hannahs; Kimo Alameda; Pomai Bertelmann;

EXCUSED Members: Ryan K.P. Kanaka'ole; Ben Kudo; Kalehua Krug; Lanakila Mangaui;

MKSOA SUPPORT: Pua'ena Ahn, Executive Assistant, Board Secretary (MKSOA); John De Fries, Executive Director (MKSOA); Lloyd Unebasami, Interim Administrative Services Officer (MKSOA); Bill Stormont, Project Director (MKSOA); Craig Iha, Deputy Attorney General (AG)

GUESTS: Greg Chun, Executive Director (CMS); Rodrigo Romo, MKSS General Manager (CMS); Nahua Guilloz, Director of Stewardship Programs (CMS); Mary Beth Young, Administrative Group Manager (CMS); Joy Yoshina, Program and Project Compliance Officer (CMS); Mike Miyahira, Regent (UH BOR)

I. CALL TO ORDER AND WELCOME PROTOCOL

Chair Komeiji called the meeting to order at 10:02 am. Opening remarks by 2nd Vice-Chair Matsuda.

II. PUBLIC COMMENTS ON AGENDA ITEMS

No Testimony.

III. APPROVAL OF THE MINUTES OF THE FEBRUARY 13, 2024 REGULAR BOARD MEETING

MOTION: Motion by 1st Vice-Chair (1st VC) Wong-Wilson to approve meeting minutes from February 13, 2025 10:00 am Regular Board Meeting. Second by 2nd Vice-Chair (2nd VC) Matsuda.

ACTION: The motion was unanimously approved.

IV. CHAIR REPORT– Public Testimony taken (written or oral) on any of these items

- A. Report by Chair Komeiji: Legislative Update: Sunshine Law, final decision-making authority and CDUP-related bills were submitted this session. Act 255 specified amendments would be in order in the future, disappointing that House either did not forward or declined to hear MKSOA bills. Highly unusual that Senate Water and Land (WTL) Committee informational briefing was canceled and never rescheduled, next steps being considered. (4) Board members up for re-appointment and confirmation this session. Awaiting respective lists of nominees per Act 255.
- B. University of Hawai‘i System President Hensel Meeting Update: Very cordial and productive meeting, commitment made to ensure transition will occur appropriately, seeking resolution on any disagreements. Comment on meeting by ED De Fries.
- C. Status of OHA Lawsuit CIVIL NO. 1CCV-24-000082 (KLH)- ORDER DENYING PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGEMENT filed March 25, 2024 [Dkt. 37]: To recap, OHA’s argument was that Act 255 violates Contracts Clause of US Constitution- Judge’s ruling that OHA lacks standing to file suit has, in effect dismissed these claims (but not the case itself). OHA lacks an interest in any contract they claim was infringed upon by the creation of MKSOA. Justice Klein was also granted motion to withdraw as counsel due to lack of communication with OHA. OHA has requested postponement of trial due to lack of counsel, MKSOA has no objection. Comment by ED De Fries on opening communication with OHA CEO in light of leadership changes. Comments and questions by Board Members.

V. GOVERNANCE– Public Testimony taken (written or oral) on any of these items

- A. Board Retreat Date: Sunday, March 23, 2025- Honolulu; Logistical issues may interfere with the ability to hold retreat, staff to follow up with Board by tomorrow on status.

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

- A. Report of Executive Director De Fries:
 - 1. Update on Interim and Permanent Offices- Project Director (PD) Stormont
 - a. Interim Office- Work in progress: Clarification by ED De Fries of working terms “temporary,” and “interim” offices, and space-need computations based on number of authorized positions. Mahalo to ‘Imiloa.

PD Stormont: Interim office move in by June 1 could be

authorized pending lease negotiations. Potential for USGS Hawaii Volcano Observatory office availability for longer term due to Federal cuts.

2. Status of Management Plan Request for Proposals (RFP)- Interim Administrative Services Officer Unebasami, Evaluation Committee Chair: First RFP was canceled, sole offeror did not meet qualifications. 2nd version of RFP almost ready to go. Gov. approval to work with RCUH pending. Certain amendments made in 2nd version to expedite process; separate RFP may go out for a section that was removed from 1st version. Comments by ED De Fries: mahalo to Project & Milestones PIG and Member Kudo. Follow up meetings with individual Board members and Executive staff to take place regarding UH Comprehensive Management Plan and Maunakea Master Plan in April and May.
3. Next Community Talk Story Session in Waimea in April, Date TBD: Tentatively 4/17 or 4/24. Member Bertelmann and 2nd VC Matsuda to work on location. Talk-stories no longer to be held on same day as Regular Board meeting. Reminder by 1st VC Wong-Wilson that 4/24 is Merrie Monarch week, therefore not a feasible date.

B. Long Term Transition Working Group (TWG)- Member Horner:

1. TWG February Meeting Update- Observatory Operating Agreements Continued and CMS Fiscal Overview: Ongoing work by Special Counsel on compiling a matrix, meeting next week. Leases and Operating Agreements highly complex. Clarifying questions and comments regarding Leases and CDUPs.

VII. FINANCE– Public Testimony taken (written or oral) on any of these items

- A. Report by Interim Administrative Services Officer Unebasami- February Financial report including appropriations, budget, expenditures, balance: Details contained within attached document available at <https://dlnr.hawaii.gov/wp-content/uploads/2025/03/Item-VII-March-MKSOA-Financial-Report.pdf>

VIII. CENTER FOR MAUNAKEA STEWARDSHIP (CMS)– Public Testimony taken (written or oral) on any of these items

- A. Operational Update- Report by CMS ED Chun: Verbal update- Relatively calm on the mountain recently- weather has been good and crowds have subsided. UH President visit, Environmental Assessment for Underground Fuel Storage Tank project underway.
- B. Joint Management Committee (JMC)- CMS, MKSOA
 1. Report by CMS ED Chun and MKSOA ED De Fries:
 - a. Halepōhaku Warehouse Power Restoration Project: INFORMATIONAL, Type A project. Plan to restore power to warehouse for VIS that was removed for Ingress-Egress project. Details contained in attached document available at <https://dlnr.hawaii.gov/wp->

content/uploads/2025/03/Item-VIII-B-1-HP-Warehouse-Power-CMS-Fiscal-Overview.pdf

- b. CMS Fiscal Overview TWG Presentation: Breakdown of CMS organizational structure, governing documents incl. HAR, CMP, MKMP, General Lease, CDUPs, Subleases, OSDAs. Money flow. Differences between “Stewardship” and “Shared Services” sectors of CMS and respective cost centers and revenue streams. Details contained in attached document available at

<https://dlnr.hawaii.gov/wp-content/uploads/2025/03/Item-VIII-B-1-HP-Warehouse-Power-CMS-Fiscal-Overview.pdf>

Questions from Board members.

IX. EXECUTIVE SESSION

No Executive Session.

X. ANNOUNCEMENTS

- A. NEXT AUTHORITY MEETING- APRIL 13, 2025, 10:00AM-12:00PM, DOFAW-HILO, 19 E. KAWILI ST

XI. ADJOURNMENT

Comment by Chair Komeiji regarding the ongoing public debate as to whether a vote is necessary to adjourn a meeting.

Meeting adjourned at 11:43 am.

Approved _____