
A BILL FOR AN ACT

RELATING TO MAUNA KEA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to:

2 (1) Extend for a period of ten years the master lease of
3 Mauna Kea lands that is currently set to expire on
4 December 31, 2033; and

5 (2) Require that all subleases of Mauna Kea lands to
6 astronomical observatories be extended for a period of
7 ten years.

8 SECTION 2. (a) Notwithstanding any other law to the
9 contrary:

10 (1) The lease between the board of land and natural
11 resources and the university of Hawaii that was
12 entered into on June 21, 1968, as General
13 Lease S-4191, as amended on September 21, 1999, as
14 General Lease S-5529, and that is transferred to the
15 Mauna Kea stewardship and oversight authority pursuant
16 to part II of Act 255, Session Laws of Hawaii 2022;
17 and



1 (2) Any other lease or easement between the board of land
2 and natural resources and the university of Hawaii
3 pertaining to Mauna Kea lands that is currently in
4 effect, expires on December 31, 2033, and is
5 transferred to the Mauna Kea stewardship and oversight
6 authority pursuant to part II of Act 255, Session Laws
7 of Hawaii 2022,
8 shall be extended, by operation of law, for a period of ten
9 years, to expire on December 31, 2043; provided that nothing in
10 this subsection shall be construed to amend, or authorize the
11 amendment of, any other term or provision within the respective
12 lease or easement except for the date upon which the lease or
13 easement expires; provided further that nothing in this
14 subsection shall be construed to affect the transfer of powers,
15 functions, and duties from the university of Hawaii to the Mauna
16 Kea stewardship and oversight authority pursuant to part II of
17 Act 255, Session Laws of Hawaii 2022, or the Mauna Kea
18 stewardship and oversight authority's power to manage Mauna Kea
19 lands after the end of the transition period pursuant to
20 section 195H-7, Hawaii Revised Statutes, or any other law.



1 (b) Notwithstanding section 195H-6(f), Hawaii Revised
 2 Statutes, or any other law to the contrary, and subject to the
 3 agreement of the respective astronomical observatory, all
 4 subleases of Mauna Kea lands to astronomical observatories shall
 5 be extended for a period of ten years, to expire on
 6 December 31, 2043; provided that nothing in this subsection
 7 shall be construed to amend, or authorize the amendment of, any
 8 other term or provision within a respective sublease except for
 9 the date upon which the sublease expires.

10 (c) As used in this section:

11 "Astronomical observatory" means any person or entity that
 12 leases any portion of Mauna Kea lands for the purpose of
 13 operating a telescope observatory or for other astronomical
 14 research purposes.

15 "Mauna Kea lands" has the same meaning as in
 16 section 195H-2, Hawaii Revised Statutes.

17 SECTION 3. This Act shall take effect upon its approval.

18

INTRODUCED BY: _____



JAN 28 2026



H.B. NO. 2593

Report Title:

Board of Land and Natural Resources; Mauna Kea Stewardship and Oversight Authority; University of Hawaii; Mauna Kea Lands; Astronomical Observatories; Lease; Subleases; Extension

Description:

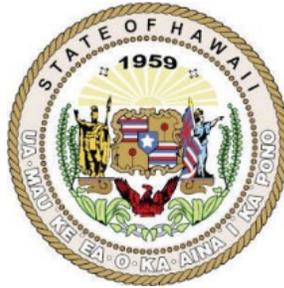
Extends for 10 years the master lease of Mauna Kea lands that is set to expire on December 31, 2033. Requires that subleases of Mauna Kea lands to astronomical observatories be extended for 10 years.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



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Chairperson

KIMO ALAMEDA
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RYAN KANAKA'OLE
KALEHUA KRUG
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MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

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TESTIMONY OF THE MAUNA KEA STEWARDSHIP OVERSIGHT AUTHORITY BEFORE THE HOUSE COMMITTEE ON WATER AND LAND February 5, 2026 9:00 A.M. State Capitol, Room 411

COMMENTS FOR H.B. 2593 RELATING TO MAUNA KEA

Aloha Chair Hashem, Vice Chair Morikawa, and Members of the Committee,

The Mauna Kea Stewardship and Oversight Authority (MKSOA) appreciates the opportunity to provide comments on HB2593.

MKSOA understands the urgency surrounding the continuation of observatory operations on Mauna Kea and the need to ensure orderly transitions as existing leases near expiration. Toward that end, the Authority is actively advancing its responsibilities under Act 255 (2022), including development of a comprehensive management plan that will establish a clear framework for astronomy-related activities on Mauna Kea. This management plan, required by statute, is intended to guide future decision-making in a manner that integrates cultural, environmental, scientific, and community considerations.

In parallel, MKSOA is working collaboratively with the University of Hawai'i through the Joint Management Committee (JMC) to explore the scope and requirements of a comprehensive Environmental Impact Statement (EIS) that would be necessary for any future observatory leases. The Authority is also evaluating how to establish lease terms that are equitable, feasible, and financially sustainable, consistent with Act 255's mandate that MKSOA strive to operate in a financially self-sustaining manner.

MKSOA recognizes that Act 255 establishes the policy of the State to support astronomy and explicitly directs the Authority to develop, negotiate, and execute agreements related to astronomy on Mauna Kea. The Authority is bound to implement this policy and carry out its statutory responsibilities in accordance with the law.

Should this measure move forward, MKSOA respectfully requests clarification on several implementation issues to ensure alignment between Act 255 and the proposed lease extensions:

- 1. Roles and Responsibilities Post-2033:**

If existing observatory leases are extended through 2043, what roles, if any, would the Department of Land and Natural Resources (DLNR) and the University of Hawai'i (UH) retain

after July 1, 2033, when management authority over Mauna Kea is statutorily transferred to MKSOA?

2. **Authority to Manage Mauna Kea:**

As of July 1, 2033, absent contractual authority over the observatory leases, would MKSOA nevertheless have full authority to manage Mauna Kea lands, or would lease-related authority remain outside of the Authority's jurisdiction until 2043?

3. **Consistency With the Management Plan:**

MKSOA's management plan is scheduled for completion by the end of this year and adoption next year. If extended observatory leases conflict with policies, standards, or frameworks established in the adopted management plan, what process should be used to reconcile those conflicts while remaining consistent with Act 255?

4. **Financial Sustainability Requirements:**

Act 255 requires MKSOA to develop a financial plan that ensures the Authority is financially self-sustaining. If current lease rents remain unchanged through 2043, would the statutory requirement for financial self-sustainability effectively be deferred until that time?

5. **Observing Time:**

Would the requirement for MKSOA to negotiate the share of observing time going to UH and that this time be prioritized for the participation of Hawai'i students or projects curated and submitted by the 'Imiloa Astronomy Center be deferred until 2043?

MKSOA offers these comments in the spirit of ensuring clarity, continuity, and lawful implementation of the State's policy for Mauna Kea. Clear guidance on these issues will assist the Authority in fulfilling its statutory responsibilities while supporting astronomy, protecting public trust resources, and honoring the intent of Act 255.

Mahalo for the opportunity to provide comments and for your consideration of these important questions.

Sincerely,
John Komeiji
Chairperson, MKSOA