

REPORT OF THE PERMITTED INTERACTION GROUP TO INVESTIGATE  
THE STATUS OF THE TRANSITION OF MAUNAKEA STEWARDSHIP  
FROM THE UNIVERSITY OF HAWAI'I TO THE MAUNA KEA STEWARDSHIP AND  
OVERSIGHT AUTHORITY

JANUARY 9, 2026

The purpose of this report is to share the findings and recommendations of the Mauna Kea Permitted Interaction Group ("MIG") that was appointed by the Board of Regents ("BOR") on August 21, 2025, to investigate the status of the transition of Maunakea Stewardship from the University of Hawai'i to the Mauna Kea Stewardship and Oversight Authority ("MKSOA").

Deliberation and decision making regarding this report will take place during a subsequent special meeting, tentatively scheduled for February 5, 2026, pursuant to the statute on permitted interactions under the Sunshine Law, Section 92-2.5(b), Hawai'i Revised Statutes ("HRS").

I. PURPOSE AND SUMMARY OF PERMITTED INTERACTION GROUP MEETING

A. On August 21, 2025, the BOR met to consider creating a permitted interaction group to investigate the transition of Maunakea oversight from the University of Hawai'i to the MKSOA and authorized the MIG to engage with the university administration, government officials, and outside individuals or groups as needed.

B. The BOR appointed the following regents to the MIG:

1. Gabe Lee, O'ahu Regent, and BOR Chair
2. Neil Abercrombie, O'ahu Regent
3. Lauren M. Akitake, Maui Regent
4. Wayne Higaki, Hawai'i island Regent and Regent-member of the Mauna Kea Management Board
5. Mike Miyahira, Hawai'i island Regent and Regent-member of the Mauna Kea Management Board

Regents Higaki and Miyahira co-chaired the MIG.

C. The MIG met eight times on the following dates: September 5 and 29, 2025, October 27, 2025, November 7 and 12, 2025, December 8, 2025 and January 8, 2026.

- D. Tasks accomplished and meeting subjects and attendees included the following:
1. Appointed co-chairs and discussed the scope of the MIG.
  2. Consultation with legal counsel.
  3. Received status updates from Ben Kudo (BOR Chair's designee to the MKSOA), Greg Chun (Executive Director of the Center for Maunakea Stewardship ("CMS")), and Doug Simons (Director of the Institute for Astronomy).
  4. Met with Dawn Chang (Chair of the Board of Land and Natural Resources ("BLNR")), Riley Smith (Member of the BLNR), Michael Cain (Administrator for the Office of Conservation and Coastal Lands at DLNR), Ian Hirokawa (Acting Administrator, DLNR), and Deputy Attorney Generals.
  5. Met with representatives of the DLNR and MKSOA, including Chair Dawn Chang, John Komeiji (Chair of MKSOA), John DeFries (Executive Director of the MKSOA), Neil J. Kaho'okele Hannahs (Member of the MKSOA), Christopher Daggett (consultant to MKSOA), Rich Matsuda (Maunakea Observatories member of the MKSOA), and Deputy Attorney Generals.
  6. With the assistance of President Hensel and Administration, issued the attached letters (2) to Mr. Komeiji and Mr. DeFries, and received the attached letter from Mr. Komeiji and Mr. DeFries (collectively, Attachment 1).

## II. FINDINGS

- A. Since Act 255 of 2021 was signed into law, the University of Hawai'i Administration, especially the CMS, has continued to work diligently to improve its stewardship of, and fulfill our obligations to Maunakea stewardship, all the while continuing to support astronomy on Maunakea.
- B. Act 255 requires the University of Hawai'i and the MKSOA to jointly manage Mauna Kea, and the BOR and the Administration has sought to work collaboratively with and support the work of the MKSOA, in anticipation of the transition of stewardship on July 1, 2028.
- C. This transition is complex and requires numerous formal actions to be taken by MKSOA, to transition the real property, physical assets, people, programs, and legal requirements attached to UH's leases, subleases, and permits before the transition can take place on July 1, 2028.
- D. That said, urgent steps need to be taken now to ensure the viability and sustainability of responsible stewardship and astronomy on Maunakea.
- E. While July 1, 2028 is still a few years away, the University has been clear and consistent in its communications regarding the urgent need to initiate

diligence and negotiations for future leases with the existing observatories with land interests and legal permits.

- F. As was noted in the letter from Chair Lee and President Hensel, dated November 20, 2025, disinvestment in astronomy has already begun, with the Canada France Hawai'i Telescope making the decision to cancel its \$500M upgrade to its telescope, due to the uncertainty of a future lease.
- G. The TMT International Observatory (TIO) is entertaining relocating the telescope to La Palma, Canary Islands, Spain, given the uncertainty of a future lease on Maunakea, and its finances. Without TIO's financial participation and with other observatory partners unable to invest in astronomy on Maunakea, the financial sustainability of stewardship of and astronomy on Maunakea is in question.
- H. The University of Hawai'i is also experiencing difficulty in bearing the full costs of astronomy and stewardship of Maunakea during this period of joint management, especially given federal cuts to research funding, and it has repeatedly requested that MKSOA share in or assume the costs of the stewardship of Maunakea. Assurances have been made by Mr. Komeiji and Mr. DeFries that proper consideration will be made of this request at an appropriate time.
- I. On October 24, 2025, Governor Josh Green, and U.S. Senators Brian Schatz and Mazie Hirono, and U.S. Representatives Ed Case and Jill Tokuda (collectively, "CODEL") signed the attached letter formally acknowledging TIO's request to relocate to a disturbed site, and explicitly committing to work with MKSOA and the University of Hawai'i to promptly establish a clear and transparent procedure for obtaining the necessary permits associated with a decommissioned site (Attachment 2).
- J. Act 255 (2022) sets forth as a matter of policy the prioritization of the "reuse of footprints of observatories that are scheduled for decommissioning, or have been decommissioned, as sites for facilities or improvements over the use of undeveloped lands for such purposes." See [Section 195H-6\(d\)\(2\)](#) of the Hawai'i Revised Statutes.
- K. The Administration has identified that one step that might be taken at this time to advance this policy is to amend the Master Plan to expressly allow for re-use of already disturbed sites.

### III. RECOMMENDATIONS

Based upon the foregoing, the MIG makes the following recommendations:

- A. Instruct the Administration to commence the process to amend the Master Plan to allow for re-use of already disturbed sites, as recommended by the

October 24, 2025 Governor / CODEL letter and as set forth as a matter of policy by Act 255.

B. Dissolve the MIG.

**Attachment 1: Letter issued on November 20, 2025**



UNIVERSITY  
of HAWAII\*  
SYSTEM

Ke Kulanui o Hawai'i

Gabriel Lee  
Chair, Board of Regents

Wendy F. Hensel  
President

November 20, 2025

Chair John Komeiji  
Mr. John De Fries  
Maunakea Stewardship and Oversight Authority (MKSOA)  
640 N. A'ohökū Place  
Hilo, HI 96720

jkomeiji1@gmail.com  
john.defries@hawaii.gov

Dear Chair Komeiji and Mr. De Fries:

Thank you for continuing to work with the University of Hawai'i (UH) to effectuate the letter and intent of Act 255 (2022). Thank you also for the valuable time spent on November 7, 2025, with members of our Board of Regents permitted interaction group (MIG) formed to assist with the transition of stewardship of Maunakea from the University of Hawaii to the Mauna Kea Stewardship and Oversight Authority (MKSOA), as well as staff from the Center for Maunakea Stewardship, Institute for Astronomy and the Office of General Counsel. As you requested, the following are the administration's and MIG's collective responses to the draft bill that we obtained from Chair John Komeiji in mid-October, and some suggestions for moving forward. As we have done for decades, UH will continue to honor our commitments to stewardship on Maunakea, and support astronomy as Act 255 requires and the Governor and Congressional Delegation have requested in their attached October 24, 2025 letter (Exhibit 1)<sup>1</sup>.

COMMENTS ON DRAFT BILL

As an overview, as you know, Act 255 was established to ensure the careful stewardship of the mauna as well as to ensure the "support of astronomy" on Maunakea as a state policy. It is not clear to us how that support is demonstrated in the bill.

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<sup>1</sup> We are copying the Governor, Congressional Delegation, and Board of Land and Natural Resources Chair Dawn Chang to ensure they are aware of the University's efforts to find a path forward as was requested in the October 24<sup>th</sup> letter. Both the MIG and UH staff have met separately with Chair Chang and her staff, as well as the MKSOA permitted interaction group (MKSOA PIG), Mr. De Fries, and their consultant. We would welcome a meeting of all three groups together.

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The highest strategic priority for the University is and has been lease renewal, and the bill does not address the multifold concerns arising from the fact that the master lease for the science reserve expires in 2033<sup>2</sup>.

Astronomy on Maunakea requires investment by the countries, scientific agencies, and universities that currently hold valid subleases and permits to operate the observatories. That investment pays for, among other things, Maunakea Access Road to be maintained so that all members of the public can reach the summit of Maunakea, not just observatory employees. The bill would establish unprecedented regulatory and legal authority in one agency, with challenges likely<sup>3</sup>. Uncertainty is not conducive to investment, and our greatest concern is that the lack of progress to establish a stable state governance structure as of July 1, 2028, discourages the necessary investment that enables not just scientific discoveries and high-quality jobs, but access to the mauna by practitioners and members of the public alike. This uncertainty has already resulted in dis-investment on the order of approximately half a billion dollars, given the lack of a long-term lease in place<sup>4</sup>, and TIO is exploring the Canary Islands as an alternative site; no one is willing to fund major projects without long-term leases in place. It also goes without saying that the fewer the number of observatories, the higher the amounts of investment needed from the remaining observatories.<sup>5</sup>

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<sup>2</sup> We attach as Exhibit 2 the oft-discussed timeline showing finalization of a new master lease long after the dates by which decommissioning of telescopes would need to start.

<sup>3</sup> One helpful framing comment for the bill was that the Kahoolawe Island Reserve Commission (KIRC) was the model for Act 255, and the bill. Respectfully, the contemplated regulatory framework presented in any bill will need to account for the extent and types of activities needing to be regulated on Maunakea that do not exist on Kahoolawe.

<sup>4</sup> We are informed that the Maunakea Spectroscopic Explorer (MSE) project was paused indefinitely at CFHT last year. This approximately \$500M replacement for the Canada France Hawaii Telescope was in a planning phase for about a decade. The design featured reusing the bulk of the existing CFHT building while upgrading the telescope to a larger aperture and outfitting it with an advanced system of multi-object spectrometers. The CFHT Board terminated all work on MSE after their Board meeting last December. This was in large part due to the recognition that securing the funding for such a project was essentially impossible w/out a long-term lease in place for CFHT. Relatedly, TIO has not been able to make rent payment and another observatory has fallen in arrears in making monthly payments for their share of fixed costs. The concerns in this regard continue to escalate.

<sup>5</sup> HRS Section 195H-6(c) requires that MKSOA adopt a financial plan that strives for financial self-sustainability after the sixth year following the transition period. We understand that MKSOA members may not yet be acquainted with the finances on

Based on the above concern, we do not believe transfer of HRS Chapter 183C authority found in Parts I and III of the bill is optimal, given that the Board of Land and Natural Resources (BLNR) / the Department of Land and Natural Resources (DLNR) have the staff and expertise to administer this law, and the practical challenges of MKSOA taking on this challenge-rich authority. We defer to BLNR / DLNR as to whether they can and will enter the staffing MOA called for in Part III of the bill.

Regarding Part II, we are not clear how transfer of assets is possible without the attendant obligations and liabilities. We understand that the working group headed by MKSOA Member Ben Kudo is to present a report in March 2026, and UH has participated in that working group with the intent that transfer of assets be effectuated in as expeditious and conflict-free a manner as possible.

Regarding Part IV, we asked but did not receive an answer to the question about how observatories (owned by countries and universities) might be made by act of law to accept the Conservation District Use Permits (CDUPs) from UH, with attendant obligations. If the non-UH observatory-related CDUPs do not transfer, UH is to retain the CDUPs, but without a sublease with an observatory, how would UH be expected to perform / enforce the CDUP obligations on someone else's land / observatory? Finally, if the transfers occur before July 1, 2028, these transfers would need to be approved by BLNR, and subject to contested case hearings, which again, do not help with timeline concerns.

Regarding Part V, we agree that this is a prudent position to have the UH's Hawaii Administrative Rules (HARs) for Maunakea remain in place until MKSOA creates its own. As we explained at the November 7 meeting, the proposal to include observatories under the purview of the HARs, which generally prohibit commercial activities without permits, raises the question of whether astronomy is being considered a commercial activity and, thus, would also need permits from MKSOA to conduct their activities, including due process hearings? In addition, we appreciate the proposal to have the Chair of the MKSOA issue departmental permits, like the BLNR Chair, but the MKSOA Chair is a volunteer and not a State employee like the BLNR Chair who has the staff to assist with issuance of departmental permits; so, if this proposal is to have DLNR staff do the work pursuant to an MOA, again, we defer to BLNR / DLNR as to whether they can and will enter the staffing MOA called for more expressly in Part III.

Regarding Part VI, we largely support this piece of the bill, to leave in place the UH 2022 Master Plan, comprehensive management plan, and administrative rules in place

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Maunakea, including the over \$1M of UH Hilo tuition and other funds used to subsidize stewardship operations. We would be happy to meet to discuss this, and we appreciate the MKSOA taking up the issue of sharing stewardship costs at its December 11, 2025 meeting.

until MKSOA develops their own. With respect to the financial plan, as stated above, the financial plan will need to be adjusted based on whether TMT is built and how many observatories are left. Timing is of the essence; as Appendix E of [UH's Master Plan](#) states, the target date for having new agreements in place with the continuing non-UH observatories is January 1, 2027.

Regarding Part VII, we would defer to the Department of the Attorney General for its legal review of this provision.

### MOVING FORWARD

As noted above, we would welcome a meeting with the MKSOA PIG, BLNR Chair and respective staff to meet to discuss the path forward, including any alignment on proposed legislation.

We have heard of a suggestion from Chair Komeiji that the UH leases be extended by five years, beyond 2033. [HRS § 171-36\(a\)\(2\)](#) prohibits BLNR from entering into leases longer than 65 years, which is the term of the Mauna Kea Science Reserve lease between UH and BLNR expiring in 2033. [HRS § 171-95.1](#) expressly prohibits the extension beyond 65-years of “any lease to the University of Hawaii of lands within a conservation district of which the University of Hawaii has subleased a portion for the purpose of constructing an astronomical observatory.” Legislation would be necessary to expressly allow, notwithstanding these statutory provisions, BLNR to extend existing UH and observatory leases and subleases for five years, and HRS Section 195H-6(f) would need to be deleted. We could discuss pursuit of this legislation.

Another topic for discussion might be starting the significant work needed to secure new agreements for the observatories and their investors. For example, HRS Section 195H-6(f) prohibits new leases from being issued or existing leases renewed, but it does not prohibit the environmental work that can be done in advance of new leases being issued, presumably by MKSOA. Following the logic of the bill in adoption of UH's Master Plan, comprehensive management plan, and administrative rules until MKSOA has their own, as Director Greg Chun had mentioned, we request MKSOA consider moving forward with an environmental impact statement to issue new leases to those observatories that have existing leases, and start the work of negotiation with the observatories regarding the terms of those leases. UH will assist in any way we can, and we respectfully suggest that a good place to start might be discussions with MKSOA about letters of intent or MOUs, including timelines, regarding UH's own observatories.

Finally, it is our understanding that discussion on a financial stability plan between UH and MKSOA is being agendized at the December 11, 2025 MKSOA meeting. We are formally requesting here that MKSOA share in the costs of jointly managing Maunakea going forward through the end of the transition period ending June 30, 2028. For the

Chair Komeiji and Mr. De Fries  
November 20, 2025  
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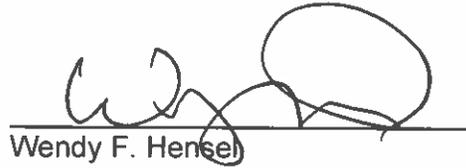
first two and a half years of this five-year transition, UH has borne the full costs of management. We would respectfully request that MKSOA consider covering all of the costs for the remaining two and a half years.

If you have any questions regarding the above, please let us know, and we look forward to meeting again to discuss how to move forward expeditiously.

Very Truly Yours,



Gabriel Lee  
Chair, Board of Regents



Wendy F. Hensel  
President

c: Governor Josh Green, M.D.  
U.S. Senator Mazie Hirono  
U.S. Senator Brian Schatz  
U.S. Representative Ed Case  
U.S. Representative Jill Tokuda  
BLNR Chair Dawn Chang  
Board of Regents Maunakea Permitted Interaction Group Members  
Regent Wayne Higaki  
Regent Neil Abercrombie  
Regent Lauren Akitake  
Regent Mike Miyahira

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

October 24, 2025

Dr. Henry T. Yang  
Chair, Board of Directors  
Thirty Meter Telescope International  
Observatory  
100 West Walnut Street, Suite 300  
Pasadena, California 91124

Dr. Saku Tsuneta  
Co-Chair, Board of Directors  
Thirty Meter Telescope International  
Observatory  
100 West Walnut Street, Suite 300  
Pasadena, California 91124

Aloha Drs. Yang and Tsuneta:

We would like to formally acknowledge your commitment to addressing the Hawai'i community's request for a possible relocation to a disturbed site and to fulfilling the requirements set forth in Act 255, SLH 2022. We further wish to express our appreciation for TIO's ongoing efforts to understand the diverse perspectives surrounding the construction of TMT and issues extending beyond it, as reflected in TIO Project Manager Liu's engagement with over 1,500 community members and his dedication to working in close partnership with community across a broad range of topics.

The Governor and appropriate officials in his Administration will work with the Board of the Mauna Kea Stewardship and Oversight Authority (MKSOA) and the University of Hawai'i to promptly establish a clear and transparent procedure for obtaining the necessary permits associated with a decommissioned site. This effort will involve careful planning and coordination to define the key steps and requirements of the permitting process, including both administrative and legal procedures, as well as an

**Exhibit 1**

anticipated timeline, thereby ensuring clarity, accountability, and compliance with statutory obligations.

We look forward to working with TIO and the broader community to honor the shared responsibility for stewardship of Maunakea and the success of this project.

Mahalo,



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Brian Schatz  
U.S. Senator for the State of Hawai'i



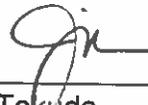
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Mazie Hirono  
U.S. Senator for the State of Hawai'i



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Ed Case  
U.S. Representative, Hawai'i District 1



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Jill Tokuda  
U.S. Representative, Hawai'i District 2



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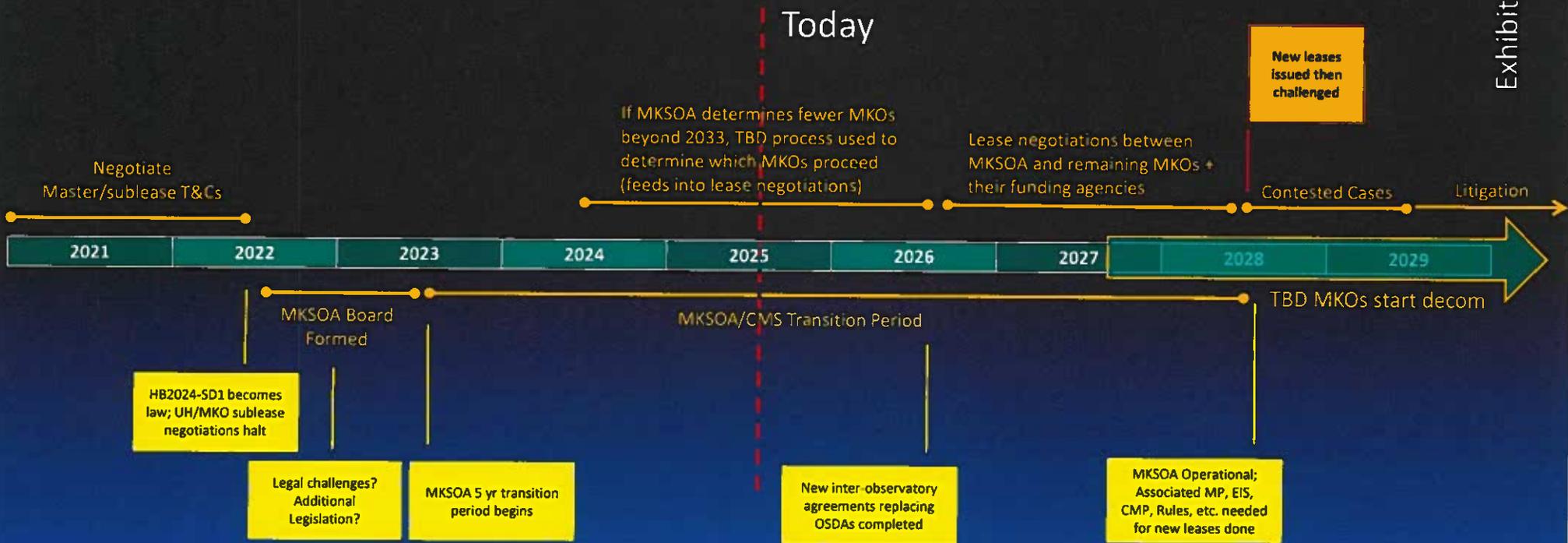
Josh Green, M.D.  
Governor, State of Hawai'i

- c: Wendy Hensel, President, University of Hawai'i  
John Komeiji, Chairperson, Maunakea Stewardship and Oversight Authority



# Today - Some Key Schedule Milestones Under the UH → MKSOA Transition

Exhibit 2



JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LIEUTENANT GOVERNOR



JOHN KOMIJI  
*Chairperson*

\*KIMO ALAMEDA  
POMAI BERTELMANN  
NEIL HANNAHS  
PAUL HORNER  
\*BONNIE IRWIN  
\*RYAN KANAKA'OLE  
KALEHUA KRUG  
\*BEN KUDO  
LANAKILA MANGAUII  
RICHI MATSUDA  
NOE NOE WONG-WILSON

*\*ex-officio*

## MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

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November 30, 2025

Gabriel Lee, Chair Board of Regents  
Wendy F. Hensel, President  
University of Hawai'i System  
2444 Dole Street, Bachman Hall  
Honolulu, Hawai'i 96822  
Via E-mail: c/o Amy Luke ([aluke@hawaii.edu](mailto:aluke@hawaii.edu))

Aloha e Chair Lee 'olua 'o President Hensel,

Mahalo for your letter of November 20, 2025 sharing concerns about issues that arise with the 2033 expiration of the master lease for the Mauna Kea Science Reserve and comments on a bill we have had the Legislative Reference Bureau draft to address the governance needs of the Mauna Kea Stewardship and Oversight Authority (MKSOA). Our responses are set forth in six sections: context; theory of transformation; draft legislation; process for negotiating future lease agreements; Governor's letter to TIO principals and next steps.

## **Context**

In addition to Mauna Kea's value for astronomical study, the summit region of Mauna Kea is a spiritual and special place of significance that is home to cultural landscapes, fragile habitats, and historical and archaeological artifacts. While the citizens of Hawai'i appreciate astronomy's many significant discoveries that contribute to humanity's study and understanding of the universe, the proposed Thirty Meter Telescope project became a flashpoint for the debate of complex issues involving indigenous rights, historical injustice, environmental decline, economic growth, cultural preservation, educational opportunities and scientific exploration.

In the face of protests and concerns raised about the impacts upon the spiritual significance and environment of this extraordinary natural resource engendered by the growing astronomy research facilities, the Mauna Kea Stewardship and Oversight Authority (MKSOA) was created under Act 255, Session Laws of Hawai'i 2022 **to bring about a more harmonious coexistence of these and other uses atop the mountain.**

MKSOA is well-aware that the timeline for lease renewals on Mauna Kea is a critical issue and we welcome UH's ideas, suggestions and assistance, in accordance with our theory of transformation and strategic framework.

## **Theory of Transformation**

To accomplish this legislative mandate, our Authority was designed to represent a broad range of key stakeholders...a lineal descendant, astronomy leader, the Hawai'i Island Mayor, cultural practitioner, the UH-Hilo Chancellor, community engagement advocate, land manager, educator, business executive, the Department of Land & Natural Resources Deputy, celestial wayfinder, tourism operator and land use attorney.

From the outset, our twelve members understood that if we could not unify, there would be little chance of achieving the goal of harmonious coexistence among citizens across Hawai'i Nei. What we have learned through dialogue

amongst ourselves, presentations to stakeholder organizations and discussions with those who have attended our community outreach meetings. It is that the manner in which we conduct our business will have a powerful influence upon how the public perceives, challenges or embraces the outcomes of our oversight decision-making.

If our respective experiences have taught us anything, it is that we should strive to move at the speed of trust, rather than being driven by the expedience of transaction. Lease extensions, approval of new encumbrances, resource permits and other actions that appear to assert the interests of a single sector above all others are likely to be met with the same dissent and resistance that have caused so many past projects to become mired in contested cases, litigation, protests, arrests and discord...myriad expressions of frustration and dispute escalations that have frayed the fabric of our society and confounded investors and community alike.

Therefore, our emerging theory of transformation prioritizes transparency, inclusivity, silo-busting, educating, balancing interests, integrating knowledge systems and consensus-building. And as our strategic framework emerges, we must then demonstrate accountability by adopting policies and rules respectively, to ensure that our regulatory decisions comport with our desired strategic outcomes.

This is the backdrop for our consideration of your requests to address the matter of lease renewal for the Mauna Kea Scientific Reserve. While we respect that this is the University's "highest strategic priority," we cannot negotiate the lease in a vacuum. Indeed, we believe that to do so would turn considerable public sentiment against the University, exacerbate the "uncertainty [that] is not conducive to investment" and jeopardize your long-term interests.

This would not benefit the University, and it is not what we want either. Instead, we are channeling all the resources we can muster into forging a new paradigm of mutual stewardship to replace past practices that have precipitated so much dissension and hurt in our community.

## Draft Legislation

This is where the draft legislation comes into play. Thank you for sharing your opinions about this version of the bill. The overarching principle in our efforts to formulate a legislative bill is to reaffirm the original intent of Act 255 by proposing refinements that bring clarity to several core elements, to include:

- **Relating to Part I:** essentially, this section reflects the original intent of Act 255 and the purpose for the legislative bill.
- **Relating to Part II:** UH's support is requested in affirming that the current property interest of DLNR (with respect to the Mauna Kea Lands) should be transferred to MKSOA via operation of law. Additionally, all parties and stakeholders will remain intently focused on the efforts of the long-term transition working group under the stellar leadership of UHS-BOR designate to MKSOA, Ben Kudo to ensure that we are all clear about the transfer of assets and what happens to the attendant obligations and liabilities.
- **Relating to Part III:** UH's reservations about this proposed amendment are duly noted. Consequently, we have scheduled a meeting between MKSOA's board interactive group and DLNR Director Chang, to find a resolution that can be supported by DLNR, UHS, MKSOA and a range of community-based constituents.

UH's most recent proposal to MKSOA seeks to: 1) determine the number of observatories on Mauna Kea; 2) determine the appropriate terms and conditions of the new leases; 3) negotiate the new leases and assign the leases to MKSOA at the appropriate time. While we are committed to act with a sense of urgency, we believe it is critical for these decisions to be informed by the emerging Strategic Framework and Management Plan that we are currently developing with input of all stakeholders and expect will be completed in early 2027. To move forward in the manner, you propose would violate the intent of Act 255 and further injure the fragile trust and confidence within our communities.

- **Relating to Part IV:** MKSOA remains open to more ideas from UHS on the methodologies that can effectively be deployed in transferring the CDUPs and we have tasked our senior staff to explore the range of options within the JMC and to seek legal guidance when necessary.
- **Relating to Parts V and VI:** thank you for supporting the premise of having UH's Hawaii Administrative Rules (HARs) for Maunakea remain in place until MKSOA develops and formally adopts, its own set of HARs; coupled with your support for the UH 2022 Master Plan and CMP to remain in effect, as well.
- **Relating to Part VII:** on the matter of MKSOA's sovereign immunity status, we concur with UH's deference to the State's Attorney General.

### **Process for Negotiating Future Lease Agreements:**

Foundational to MKSOA's ability to negotiate future lease agreements is the completion and formal adoption of our new management plan by Q1 2027. While we are open to ideas that are intended to fast-track the process, we are also protective of the need and the time it takes to earn and maintain the community's trust and support.

However, we appreciate Dr. Greg Chun's proposed compromise of commencing with an EIS on the basis of various carrying capacity scenarios. To this end, initial meetings with consultants and experts in this field will be convened immediately. In as much as the JMC is not a legal entity, the designation of the EIS applicant will be an important decision that should be mutually agreed upon.

### **Governor Green's Letter to TIO Principals:**

As stated in the October 24<sup>th</sup> letter, the Governor's intent is:

*. . . to promptly establish a clear and transparent procedure for obtaining the necessary permits associated with a decommissioned*

*site. This effort will involve careful planning and coordination to define the key steps and requirements of the permitting process, including both administrative and legal procedures, as well as an anticipated timeline thereby ensuring clarity, accountability and compliance with statutory obligations.*

Effectively, what Governor Green is calling for is within the jurisdiction of DLNR and UH; until that regulatory responsibility transfers to MKSOA on July 1, 2028. Currently, DLNR has authority over the CDUP process and UH is responsible for the Proposal Review Process as described in Section 6 of the Maunakea Master Plan (2022). As part of the UH process MKSOA could be called upon for input and assistance.

In as much as President Hensel and Chair Komeiji were copied on the letter, MKSOA convened a meeting on October 30 that included leadership and legal counsel of DLNR, CMS, OCCL to collaborate in setting forth the steps and estimated timeline for a proposal to navigate through these multiple jurisdictions. Once complete, MKSOA will request a meeting with the Governor to review the requirements of the current permitting process that will be in effect until authority transitions to MKSOA on July 1, 2028.

**Next Steps:**

- 1) **An Invitation to Chair Lee and President Hensel:** please accept our invitation to join the MKSOA Board Meeting on December 11, 2025, at 10:30am where your November 20<sup>th</sup> letter to us (Komeiji and De Fries) will be on the agenda; giving both of you an opportunity to expand on your views and share pertinent insights in a dialogue with the MKSOA board members. You will be joining Institute for Astronomy Director, Doug Simons who we've invited to update MKSOA on the decommissioning process on Mauna Kea and Dr. Greg Chun who has a standing invitation each month for operational updates.

- 2) **MKSOA Appearance at CFHT's Board of Directors Meeting:** for the second consecutive year, John De Fries is invited to present at this annual meeting. Your reference to the Maunakea Spectroscopic Explorer (MSE) project being terminated by a decision at last year's board meeting due to the absence of a long-term lease is surprising since this subject did not arise in a Q&A segment with De Fries at last year's meeting. The upcoming CFHT board meeting is scheduled for December 10-11 and De Fries will seek clarification at that time.

The CFHT Director has been very engaged in the MKSOA series of community meetings over the past twenty months and he is a valuable representative of the astronomy industry. Likewise, MKSOA values the opportunity to meet monthly with the Mauna Kea Observatories (MKO) consortium and we now look forward to the one-on-one sessions with the respective observatory directors, beginning in mid-December 2025.

- 3) **Proposed Stabilization Fund:** while Act 255 does not mandate the sharing of operational costs during the five-year transition phase, this topic was opened for discussion with CMS as a gesture of good faith and as a potential means by which to accelerate aspects of the transition phase (like the early transfer of staff members, in ways that are fully compliant and mindful of the staff's well-being).

Dr. Chun and Nahua Guilloz have been very helpful in providing timely information and guidance. To accommodate time for more research into the terms and conditions under which an agreement could be structured, this topic will not be appearing on December's MKSOA meeting agenda but, it remains as an important element in fortifying our unified work efforts within the JMC and with the CMS team.

In closing, it should be emphasized that the sustained communications between the respective permitted interactive groups is essential as UH and

MKSOA move forward. We understand that the impending expiration of the master lease for the Mauna Kea Science Reserve is a matter of utmost concern to the University. Hawai'i's support for astronomy is recognized in Act 255. So, too, are Mauna Kea's spiritual significance and environmental importance. Our Authority asks for your continued support of our efforts to balance these interests so that we might "bring about a more harmonious coexistence of these and other uses atop the mountain'.

Respectfully Submitted:

  
John Komeiji, Chair

  
John De Fries, Executive Director

cc: Governor Josh Green

U.S. Senator Mazie Hirono

U.S. Senator Brian Schatz

U.S. Representative Ed Case

U.S. Representative Jill Tokuda

BLNR Chair Dawn Chang

Board of Regents Maunakea Permitted Interaction Group Members

Regent Wayne Higaki

Regent Neil Abercrombie

Regent Lauren Akitake

Regent Mike Miyahira



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Ke Kulanui o Hawai'i

**Gabriel Lee**  
Chair, Board of Regents

**Wendy F. Hensel**  
President

December 5, 2025

Chair John Komeiji  
Mr. John De Fries  
Maunakea Stewardship and Oversight Authority  
(MKSOA)  
640 N. A'ohōkū Place  
Hilo, HI 96720

jkomeiji1@gmail.com  
john.defries@hawaii.gov

Dear Chair Komeiji and Mr. De Fries:  
Thank you for your thoughtful letter of November 30, 2025.

We are encouraged by the steps forward identified by the Mauna Kea Stewardship and Oversight Authority (MKSOA) and appreciate your acknowledgement of the critical nature of the timeline for lease renewals on Maunakea. We share your commitment to acting with urgency while honoring transparency and engagement. The University is dedicated to the stewardship of Maunakea and the long-term preservation of its precious natural, cultural, and astronomy resources.

Nevertheless, we remain concerned about funding and the development of meaningful timelines for lease renewals. To that end, we are committed to continued engagement and appreciate your kind invitation to attend your MKSOA Board Meeting on December 11, 2025.

Unfortunately, neither of us is available at that time. As you note, Director Simons, Dr. Greg Chun, and Chancellor Irwin will be available. They are able to answer questions about the letter and the ongoing work of the Joint Management Committee, as well as ensure that the MKSOA members (as noted in Footnote 5 of our letter) and the public have been briefed about concerns regarding the financial viability of astronomy (and stewardship of Maunakea). As you know, and as noted in our letter, Act 255 requires that MKSOA adopt a financial plan that strives for financial "self-sustainability", i.e., no general funding, by 2035, so we believe this is another shared concern.

UH has consistently demonstrated our commitment to progress and sustained communication as demonstrated by our discussions on the Joint Management Committee, meetings between staff of the Center for Maunakea Stewardship and MKSOA, meetings of our permitted interaction groups, and other meetings we hope

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Chair Komeiji and Mr. De Fries  
December 5, 2025  
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to schedule. We look forward to continuing to work together to move the transition along expeditiously and find solutions that are in the best interests of the identified priorities of this state.

Very Truly Yours,



---

Gabriel Lee  
Chair, Board of Regents



---

Wendy F. Hensel  
President

c: Governor Josh Green, M.D.  
U.S. Senator Mazie Hirono  
U.S. Senator Brian Schatz  
U.S. Representative Ed Case  
U.S. Representative Jill Tokuda  
BLNR Chair Dawn Chang  
Board of Regents Maunakea Permitted Interaction Group Members  
Regent Wayne Higaki  
Regent Neil Abercrombie  
Regent Lauren Akitake  
Regent Mike Miyahira

**Attachment 2: October 24, 2025 Letter from Governor Green and  
the Congressional Delegation to TIO**

**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA



EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

October 24, 2025

Dr. Henry T. Yang  
Chair, Board of Directors  
Thirty Meter Telescope International  
Observatory  
100 West Walnut Street, Suite 300  
Pasadena, California 91124

Dr. Saku Tsuneta  
Co-Chair, Board of Directors  
Thirty Meter Telescope International  
Observatory  
100 West Walnut Street, Suite 300  
Pasadena, California 91124

Aloha Drs. Yang and Tsuneta:

We would like to formally acknowledge your commitment to addressing the Hawai'i community's request for a possible relocation to a disturbed site and to fulfilling the requirements set forth in Act 255, SLH 2022. We further wish to express our appreciation for TIO's ongoing efforts to understand the diverse perspectives surrounding the construction of TMT and issues extending beyond it, as reflected in TIO Project Manager Liu's engagement with over 1,500 community members and his dedication to working in close partnership with community across a broad range of topics.

The Governor and appropriate officials in his Administration will work with the Board of the Mauna Kea Stewardship and Oversight Authority (MKSOA) and the University of Hawai'i to promptly establish a clear and transparent procedure for obtaining the necessary permits associated with a decommissioned site. This effort will involve careful planning and coordination to define the key steps and requirements of the permitting process, including both administrative and legal procedures, as well as an

anticipated timeline, thereby ensuring clarity, accountability, and compliance with statutory obligations.

We look forward to working with TIO and the broader community to honor the shared responsibility for stewardship of Maunakea and the success of this project.

Mahalo,



---

Brian Schatz  
U.S. Senator for the State of Hawai'i



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Mazie Hirono  
U.S. Senator for the State of Hawai'i



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Ed Case  
U.S. Representative, Hawai'i District 1



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Jill Tokuda  
U.S. Representative, Hawai'i District 2



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Josh Green, M.D.  
Governor, State of Hawai'i

- c: Wendy Hensel, President, University of Hawai'i  
John Komeiji, Chairperson, Maunakea Stewardship and Oversight Authority

**Section 195H-6, Hawaii Revised Statutes**

**[§195H-6] Transition; management plan.** (a) The authority shall have a transition period of five years beginning July 1, 2023; provided that all of the initial members have been confirmed by the senate. During the transition period, the authority shall jointly manage Mauna Kea lands with the University of Hawaii; provided that the authority's day-to-day operations shall be carried out by the center of Mauna Kea stewardship for the transition period established in this subsection.

(b) The authority shall develop a management plan to govern land uses; human activities, other uses, and access, including permitted uses for frequent and seasonal users; stewardship; education; research; disposition; and overall operations. The management plan shall:

- (1) Be developed during the transition period;
- (2) Be finalized, approved, and operational by the end of the transition period;
- (3) Be updated at least every ten years with a focus on long-term, comprehensive, and coordinated planning for all of the Mauna Kea lands;
- (4) Consider the State's energy and sustainability goals, as well as impacts to climate change, including adapting to climate change and developing mitigation measures to climate change;
- (5) Prepare for and establish the framework, criteria, and procedures for any leases and permits;
- (6) Incorporate indigenous management and cultural processes and values; and
- (7) Include an aspirational statement to acknowledge and contextualize unresolved social justice issues that underpin the conservation, preservation, and public use of Mauna Kea.

(c) The authority shall adopt a financial plan that strives for the financial self-sustainability of the authority after the sixth year following the transitional period established in subsection (a).

(d) The authority shall be responsible for the establishment of a framework for astronomy-related development on Mauna Kea. The framework may include:

- (1) Limitations on the number of observatories and astronomy-related facilities, or an astronomy facility footprint limitation;

- (2) Prioritizing the reuse of footprints of observatories that are scheduled for decommissioning, or have been decommissioned, as sites for facilities or improvements over the use of undeveloped lands for such purposes; and
- (3) A set of principles for returning the lands used for astronomy research to their natural state whenever observatories are decommissioned or no longer have research or educational value.

(e) During the transition period, the authority may take any actions necessary to prepare for the assumption of total authority over Mauna Kea lands at the end of the transition period, including the adoption of rules pursuant to section 195H-13(b).

(f) Notwithstanding any other law to the contrary, commencing on July 1, 2022, and until the expiration of the transition period, no new lease shall be issued and no existing lease shall be renewed involving any Mauna Kea lands; provided that, upon the expiration of an existing lease during the transition period, a lessee may continue to hold the land as a holdover, subject to any terms and conditions as may be mutually agreed upon by the authority and University of Hawaii. [L 2022, c 255, pt of §2]

### **Revision Note**

In subsection (f), "July 1, 2022," substituted for "the effective date of this chapter" pursuant to §23G-15.