

# Maunakea Management Board

## Late Written Testimony

September 1, 2020

## Ward Public testimony for the Mauna Kea Management Board 9.1.20

### RE: Director's Report

The University of Hawaii Board of Regents has apparently approved the restructuring plan promulgated by Dr Greg Chun, despite significant opposition from MKMB, MKO, numerous community members, faculty and students. The fact that the approved plan was submitted to the BOR without even the courtesy of an opportunity for the MKMB to review the document before submission confirms and mirrors the irony and outrage felt by the native Hawaiian rightholders, Kahu Ku Mauna members, the kai'i protectors, the OMKM Environment Committee, the environmental allies such as KAHEA, Sierra Club, and other members of the public that have pointed out for years that community input is a sham, to be shrugged off and ignored as a nuisance.

The testimony in opposition to the Restructuring Plan (there was NO SUPPORT) has as its base a long history of the University's repeated decisions to take the path of most resistance against communities, especially Hawaiian cultural practitioner communities, that oppose development of Mauna Kea.

The fact that community members cannot provide input during the meeting except in advance on MKMB action agenda items (not on reports by Kahu Ku Mauna and the Director, which are not provided in advance) and the lack of any other opportunity for community listening sessions, really means that the community has no meaningful input. The thousands of protectors who signed petitions, stood on the mauna for nine months, and those of us who used the legal system to educate the decision-makers through the contested case process were not included in the restructuring discussion, despite intense interest and expertise.

The 2020 Master Plan is apparently being promulgated without input as well, and if I were a member of your board, I would seriously consider whether time spent on the MKMB Board matters was time well spent, considering the lack of significance the University and the BOR give its reasoned guidance. If (in fact), you have an opportunity for input that matters, you may want to reconsider your role, both in the University decision-making process and your role as community representatives.

Director Nagata, please provide the Board with detailed information regarding the National Science Foundation's initiation of an "Informal Outreach Process for the Thirty Meter Telescope". Speaker Scott Saiki on August 13, has issued an announcement about this, yet there is no item on the MLMB agenda regarding the process. What rightholders and stakeholders are being engaged? How is that engagement being sought? Are all communications online, or will there be an opportunity for public hearings via scoping at the outset? Will the MKMB play a role?

RE agenda item VI. Signage.

Under Existing conditions at the Project Site:

Cultural Resources: The sentence “Contemporary cultural practices occur across the affected landscape”, may be true, but **the statement falls far short of the recognition that the site as a sacred landscape recognized as a traditional religious site by native Hawaii practitioners.**

To give you a bit of background on this, I summarize testimony given by religious practitioners from the contested case hearing held in 2015:

When the missionaries came to the Hawaiian Islands, they brought with them their religion that proclaimed their faith the “true” faith and did not allow for coexistence with other religions. The religious conversion to Christianity by the Hawaiian indigenous leadership led to the suppression of the traditional Hawaiian faith.

One of the methods of suppression was to convert issues of faith into issues of cultural practices. Refusing to acknowledge the traditional faith as a religion acted to remove the protections provided by the First Amendment to the U.S. Constitution. Faith practices became “cultural practices.”

Similarly, the continuing spiritual practices of the indigenous people are termed “contemporary cultural practices” to create a false separation of the traditional faith practices from current practices, as if a religion can only be continued by whatever was done in the past. Of course, the Catholic Church did not cease to exist because the Church decided to allow the mass in English.

While the temples of the traditional ka po’e of Hawai’i were destroyed, the traditional faith continued. As Kahu Ku Mauna has made clear on more than one occasion, the traditional Hawaiian faith is family based and no one family tells another how to practice. The families are the closest equivalent to churches and, at the same time, do not constitute a monolithic religion.

In closing, I also remind you that while there is no objection to the signage proposed, the continued pollution of the perched and dike-enclosed aquifers at the summit are the subject of intense cultural concern. Spillage of sewage, construction runoff, industrial chemicals and fossil fuel pollutants are a continuing source of concern regarding the management of the conservation district, traditional cultural property, and historic district. The problems associated with accidental and inadvertent spillage are reflected in some of the opposition to further development at the summit region.