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**Minutes
Regular Meeting**

Maunakea Management Board
February 18, 2020
Institute for Astronomy

Kūkahau'ula, Room 131
640 N. A'ohoKū Place
Hilo, Hawaii 96720

Attending:

- MKMB:** Chair Roberta Chu, Greg Chun, Julie Leialoha, and Doug Simons
- Kahu Kū Mauna:** Shane Palacat-Nelsen (via Polycom)
- OMKM:** Stephanie Nagata, Wallace Ishibashi, Jessica Kirkpatrick, Fritz Klasner, Joy Yoshina
- UH/BOR:** Bonnie Irwin and Gary Takeuchi (via Polycom)
- Others:** Laura Aquino, Mary Begier, Margo Bunnell, Hanalei Fergerstrom, Cory Harden, Jo-Anna Herkes, Stewart Hunter, David Lonborg, Genevieve Runningwind,

I. CALL TO ORDER

The Maunakea Management Board (MKMB) meeting was called to order at 2:40 p.m. It was noted that those in attendance constitute a quorum.

II. KAHU KŪ MAUNA REPORT

Kahu Kū Mauna chairman Shane Palacat-Nelson reported the Council looks forward to communicating and working with MKMB regarding the decommissioning of telescopes.

III. PUBLIC COMMENTS

Speaker Dwight Vincente gave a brief summary of treaties and events that took place in the Kingdom of Hawaii dating back to the Northwest Ordinance of 1787.

IV. DIRECTOR'S REPORT

Administrative Rules

Ms. Nagata stated that, following approval by the Board of Regents, the Governor approved the Administrative Rules for Maunakea on January 13, 2020. The Rules became official on January 23, 2020. The Governor felt that with the opening of the Maunakea access road and the return to normal activity on the mountain, it was time to approve the Rules.

A. Caltech Submillimeter Decommissioning

Cal Tech is preparing its Site Deconstruction and Removal Plan and Site Restoration Plan, which will describe the process and extent of removal of the observatory and how it plans to restore the site following facility removal. Cal Tech is also in the process of preparing its Draft Environmental Assessment.

B. Board of Regents Resolution 19-03

The Board of Regents (BOR) will be briefed at their February 20, 2020 meeting on the decommissioning process and schedule for the Cal Tech and the HoKū Kea observatories.

C. Outreach

OMKM had a booth showcasing its work in land management at the American Astronomical Society conference in January 2020. Many of those who stopped by were unaware there was dedicated management occurring on the mountain.

D. Dawn Pamarang Retirement

Dawn Pamarang an important member of the OMKM team, officially retired at the end of December. Mrs. Pamarang worked tirelessly at OMKM for the past 16 years. She was an exceptional member of the OMKM team and was a backbone of the office. Congratulations and much aloha to Dawn.

E. Ed Stevens, Founding member of Kahu Kū Mauna

Director Nagata noted the passing of Ed Stevens in November. He was a longstanding member of Kahu Kū Mauna. Ed was a champion for making sure that Native Hawaiians participated directly in the management and development of policy regarding Maunakea. He played a significant role in the preparation of the Master Plan, calling for community-based management based on the Island of Hawai‘i. He chaired Kahu Kū Mauna for many years and was a voice for the council at the MKMB meetings participating in the decision-making process. A memorial service celebrating his life was held on this past Saturday in Kona.

V. PROGRAM REPORTS

Natural Resources

Fritz Klasner stated the next Environment Committee meeting will be scheduled sometime in March. The pavement of the new Visitor Station parking lot is completed. Part of the project calls for replanting the area with native vegetation. Frost and snow this past Winter damaged seedlings and OMKM make an assessment of the damage. OMKM will be participating in UH Hilo’s Earth Day in April. Finally, OMKM plans to retrieve the acoustic faunal (bird) recorders and re-set the recorders for the spring.

VI. AGENDA ITEMS

A. Approval of the Notice of Intent to Decommission Hōkū Ke‘a Telescope

UH Hilo Chancellor Bonnie Irwin stated she was aware of the MKMB’s reservations in decommissioning Hōkū Kea, as related to the siting of UH’s new teaching telescope. She approved funding for all of the “soft costs,” including all the studies for the new telescope. She also looking for other funding sources so that UH Hilo does not have to bear the total cost, but she is prepared to do so if necessary. She noted that the Regents want better community consultation on the new teaching telescope including the location. UH Hilo is in the process of initiating that process. She stressed that UH Hilo is committed to the new teaching telescope because it is in school’s best interest as well as Hawai‘i Island students. She gave assurances that UH Hilo keep this project moving forward along with decommissioning of the summit site.

MKMB member Julie Leialoha requested clarification on whether the hiring of the contractor was through Chancellor Irwin. Ms. Irwin affirmed and added that the first half of those expenses, essentially all of the prep work and excluding actual dome construction, was approved by UH Hilo. Ms. Irwin stated she was assured by UH System that it intends to reimburse UH Hilo for those costs, but in the meantime, UH Hilo approved the start of the project. She added that the consultant-selection recommendation for the new teaching telescope was completed, and the recommendation has been submitted for approval by the University System.

MKMB member Dr. Greg Chun stated he was aware that the Notice of Intent to decommission Hōkū Ke‘a raised a lot of comments and feedback from the community when this matter first came before the board. Concerns expressed included the desire to ensure that the University and the community did not lose access to a teaching asset, which is the primary purpose of Hōkū Kea. He recalled The MKMB was of the mind of moving forward with the decommissioning of the dome site, with assurances from the UH Hilo that a new teaching telescope would be funded, and a site located, so that the community, the school and our students wouldn't lose that asset.

Dr. Chun continued noting that President Lassner suggested a proposal that would have the MKMB approve the NOI with the condition that UH would move forward with the concurrent siting and planning for a new teaching telescope. Further, the permitting for the decommissioning of Hōkū Ke‘a would not move forward until the new teaching telescope was permitted.

Dr. Simons stated he partly agreed with Greg’s summary, but wanted to see the new teaching telescope installed and commissioned, as opposed to simply proposed. He recognized there are many things that could go wrong after a permit is issued. Dr. Simons also believes everyone favors removing the summit facility and installing the teaching telescope, and to do so in a timely manner. He further stated the Board, if procedurally allowed, could discuss a resolution to approve the NOI today subject to certain conditions, given the input from the Chancellor and others from the university.

Ms. Leialoha concurred with Dr. Simons stating the intent is to ensure that there is a teaching telescope. Even if MKMB were to approve the NOI in good faith but there is no way of knowing at this point what could transpire later on. She felt the Board should move forward to approve the NOI to decommission the Hōkū Kea with a caveat that we actually somehow approving a teaching telescope in some capacity.

Dr. Chun stated the university does not control the process once the Conservation District Use Application is submitted and there is no guarantee that a permit for a new teaching telescope would be issued. That puts the board in the difficult neutral position for a long time without being able to remove the telescope facility at the summit. Dr. Chun stated he wants everybody to understand the permit approval is one concern from the university's perspective.

Chair Chun asked Ms. Nagata whether the Board could do an “approval of the NOI, subject to...” Ms. Nagata replied that there appeared to be agreement on how such a resolution would be worded and whether it could be voted on. Ms. Nagata asked UH Counsel Gary Takeuchi whether the Board could approve such an action.

Mr. Takeuchi replied that it was the Board’s decision to place the conditions it wanted on its approval. Mr. Takeuchi also stated there are many parts to the process beyond UH’s control and no clear timelines.

Action

It was moved by Doug Simons seconded by Julie Leialoha that the Board enter into Executive Session regarding the Notice of Intent to decommission HoKū Kea, and Senate and House Concurrent resolutions 37. The motion was carried unanimously.

C. Executive Session

Executive session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS §92-5(a)(4), regarding the Notice of Intent to decommission Hōkū K'ea telescope and Senate Concurrent Resolution 37 and House Concurrent Resolution 37.

VI.

AGENDA ITEMS CONTINUED.

A. Notice of Intent to Decommission Hōkū K'ea Telescope

Dr. Chun presented a motion for the Board. The motion read: Given the interest of the community for assurances that UH Hilo will continue to provide access to its students and the community to a teaching telescope, and the need for the university to proceed with its decommissioning commitments, I move that the Maunakea Management Board accept UH Hilo's Notice of Intent to decommission the Hokū Kea telescope on the summit area of Mauna Kea, subject to the following conditions:

- Number 1: All planning and permitting for decommissioning Hokū Kea should proceed expeditiously up to the point of actual removal of the structure and restoration of the site.
- Number 2: Planning and permitting to deploy the new telescope shall go forward concurrently with the planning and permitting for the decommissioning of Hokū Kea.
- Number 3: Removal of Hokū Kea -- the removal of Hokū Kea Observatory structure and site restoration shall commence upon the new teaching telescope having been successfully permitted and installed at a site acceptable to UH Hilo, subject to Paragraph 5, Hilo.
- Number 4: From time to time UH Hilo will present to Maunakea Management Board updates about decommissioning and deployment activity, including information about permitting and funding needed on both projects.
- Number 5: If funding, permits, or anything else needed to successfully complete decommissioning of Hokū Kea, or the commissioning of a new teaching telescope cannot be secured in a manner acceptable to UH Hilo, Maunakea Management Board will be consulted for recommendations on how to proceed, so as to allow UH Hilo to fulfill its commitment to decommission Hokū Kea without a delay.
- Number 6: Maunakea Management Board members will support UH Hilo's plan for a new teaching telescope by advising and participating in community outreach to ensure that the community has the opportunity to provide input on the proposed use and siting of the new telescope.
- And 7: Maunakea Management Board encourages the UH Board of Regents to support in writing these proposed conditions on decommissioning the Hokū Kea facility on Maunakea, and the deployment of a new teaching telescope.

Action

It was moved by Greg Chun and seconded by Doug Simons to approve the Notice of Intent to Decommission Hōkū K'ea telescope with conditions. The motion was carried unanimously.

B. Discussion on Senate Concurrent Resolution 37 and House Concurrent Resolution 37
[Blue Ribbon Task Force]

Director Nagata stated that only the House resolution was heard we understand some amendments were made. However, that resolution has not moved out of committee and we do not know any of the amendment details. Knowing that the Board needs to provide six days' notice to take action, and thus cannot react very quickly to any Legislative activity, Ms. Nagata asked if the Board wanted to make a general statement or submit testimony.

Ms. Leialoha stated that because we do not know what the changes are, it is difficult to take a stance at this time. If the legislature moves this resolution forward that includes Maunakea, then we should submit testimony. A recommendation was to authorize the MKMB Chair to speak or submit testimony on behalf of the Board indicating MKMB's intentions and ensuring that we are part of this resolution.

Action

It was moved by Dr. Chun and seconded by Julie Leialoha that should Maunakea become a subject of the work of the Reconciliation Commission, that the Maunakea Management Board and Kahu Kū Mauna be consulted as part of those deliberations, and that the MKMB Chair submit testimony to this effect on behalf of the Board. The motion was carried unanimously.

VII. ANNOUNCEMENTS

There were no announcements.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4 p.m.

Respectfully submitted:

Signed by Julie Leialoha

7/22/2020

Julie Leialoha, Secretary, MKMB

Date