

OFFICE OF MAUNA KEA MANAGEMENT

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Mauna Kea Management Board
Regular Meeting
Wednesday, May 16, 2001
Building 393, Room #1
Hawai'i Community College
1175 Manono Street
Hilo, Hawai'i 96720

Minutes of Regular Meeting

Members Present: Arthur Hoke, Chair; Robert Pacheco, Vice Chair; Barry Taniguchi, 2nd Vice Chair/Secretary; Heather Cole; Barbara Robertson

**Kahu Ku Mauna
Council Members
Present:**

Ululani Sherlock and Ed Stevens

**Interim OMKM
Staff Present:**

Walter Heen, Stephanie Nagata, and Arnold Hiura

Others Present:

Ron Koehler, Rolf-Peter Kudritzki, Antony Schinkel, Bill Stormont, and LeGrand Velez.

I. CALL TO ORDER

Chair Hoke called the Mauna Kea Management Board (MKMB) Meeting to order on May 16, 2001 at 9:35 am.

II. APPROVAL OF MINUTES

It was moved by Barry Taniguchi and seconded by Barbara Robertson that the minutes of the March 13, 2001 meeting of the MKMB be accepted as circulated. The motion was carried unanimously.

III. OLD BUSINESS

A. Committee Reports

Kahu Ku Mauna Council. No report.

Administrative Rules. No report other than Director Heen stating the rules are still being drafted and revised. There still remains uncertainty over whether the University has statutory authority to develop these rules. The legal foundation for developing rules needs to be researched, perhaps by the UH Legal Counsel's office.

Barry Taniguchi stated the Board of Regents are responsible for adopting rules and holding public hearings, but OMKM/MKMB may be designated to coordinate the public hearings. It does not appear the authors of the Master Plan (MP) understood the process.

OMKM will continue to proceed with drafting rules. After the Administrative Rules committee reviews the draft, it will be submitted to the Board and Kahu Ku Mauna for their review.

Budget: No report. Barry Taniguchi asked for a summary of the legislature's appropriation for OMKM. Director Heen stated the legislature appropriated \$1,009,421 for Fiscal Year 2002. It was noted the appropriation is for one year only which may be an indication the legislature wants to see how OMKM plans to spend its funds before appropriating additional funds for the 2nd year of the biennium. Director Heen also indicated Mauna Kea Management was a separate line item in the budget.

Astronomy Education. Barbara Robertson reported a planning meeting with MKMB committee members Jim Kennedy, Heather Cole and herself was held on April 16. A meeting including 15 individuals from the education community was held on May 7 at Gemini's Hilo headquarters. Jim Kennedy provided an overview and described MKMB's various resource groups including Astronomy Education. Participants gave a summary of the programs they were involved in. Although a representative from Hawaiian Studies was unable to attend, it appears that their program has much to offer.

Some of the issues discussed included the need to clarify and coordinate community efforts as well as take maximum advantage of existing programs. The intent is not to duplicate effort, but instead to find a niche for MKMB to assess needs in areas not already covered.

Environment: Rob Pacheco reported the committee is attempting to fine tune priorities. Because the topic is so broad encompassing biological, geological, physical, and recreational issues, the group split into three subcommittees: Research/surveys, Protection and Restoration, with each subcommittee responsible for developing programs.

There was also discussion about gathering information to be deposited into a library, the need to establish a baseline of information, and the need to understand community concerns. Education and management programs will be tabled until some of these issues are addressed.

The group also believed there was a need for ranger/guides on Mauna Kea. The committee's next meeting is scheduled for May 29.

Hawaiian Culture: Barbara Robertson summarized the results of the facilitated workshop held on March 31, 2001 at Hale Pohaku. Participants agree there needs to be a re-assimilation of Hawaiian culture on Mauna Kea from a Hawaiian perspective. Other ideas that were generated included preservation, respect, and seeking and furthering the knowledge of Mauna Kea. Kepa Maly gave a historical perspective of Mauna Kea that led to the idea of restoring original Hawaiian place names. The group felt a priority should be given to creating a resource library of materials pertaining to Mauna Kea, including Hawaiian cultural information, scientific and historical materials. An initial funding of \$150,000 would be needed to initiate the project.

Public Safety and Conduct. No report. Director Heen stated parts of the rules were given to the committee for its input.

B. Director's Report.

Meeting with Observatory Directors. OMKM staff met with observatory Directors on April 5th. The purpose was to open dialogue with the observatories, explain OMKM's role and discuss new management directions. In general, the directors accepted OMKM's role

and were eager to cooperate, however there was much concern over when to contact OMKM regarding planned activities on Mauna Kea. Case in point was the late notification of Canada-France-Hawaii Telescope's (CFHT) transport of a crane and telescope components to the summit. Directors requested OMKM develop guidelines. Discussion also focused on projects that were planned or were in the planning process prior to or around the time the MP was approved (e.g. CFHT and Keck domes are, or will shortly be undergoing repainting, projects that were planned in advance of the MP).

It is understood that major projects are required to go through the Master Plan review process, however, they asked how OMKM plans to deal with maintenance (routine by their standards) projects as well as those just described. Application of the MP to these types of projects poses a legal dilemma. A schedule or mechanism for judging a project's status for exemptions from the MP needs to be developed.

Directors want to see the MP work. But legal issues must be resolved. Clearly all parties need to come to an understanding beyond the legal aspects in managing the mountain.

Arthur Hoke asked if the domes would be painted in the same or different color. Director Heen stated the color would remain the same. He also indicated the MP was fuzzy on the subject of painting and the color issue.

Commercial Operators. OMKM staff and Board members, Arthur Hoke, Barry Taniguchi and Harry Yada met with existing commercial operators and applicants on April 17 at the Waimea Community Center. The purpose was to gain an historical and current perspective of commercial activity on the mountain as well as to solicit suggestions for developing rules on commercial activity.

Arthur Hoke asked about Brad Hollister, an unlicensed operator, and whether OMKM could take action against him. Director Heen indicated that unless we catch an unlicensed operator "in-the-act", OMKM couldn't do anything. However, those who are actually observed on the premises will be sent a letter stating they are in violation. For example, K-Leap, an unlicensed operator, was sent such a letter after recently being observed on the mountain and whose guide ignored requests by VIS personnel to leave the premises. Letters citing violations will be kept in the file for future reference.

Rob Pacheco indicated that vehicles with no identification or PUC numbers may be hard to recognize by VIS staff.

New Outrigger Coordinator for NASA. NASA has appointed a new program coordinator, John Lee, to oversee the permitting process of the outrigger project. Mr. Lee recently visited the Big Island and met informally with a number of Native Hawaiian groups to get first hand their comments and concerns about the project.

Meeting with DLNR. OMKM staff met with Sam Lemmo of the Land Division, Holly McEldowney of Historic Preservation, Betsy Gagne of the Natural Areas Reserve System and Carol Terry of the Division of Forestry and Wildlife on March 23. OMKM requested this meeting to learn from DLNR, lead state agency for permits and approvals relating to Mauna Kea, the permitting process, procedures and requirements. This knowledge would be helpful to OMKM when reviewing projects and ensuring the applicant has obtained all necessary documents. OMKM would also be better able to advise applicants interested in proposing a project to OMKM.

It became apparent that applicants seeking a CDUA permit must also submit schematic plans to the Land Division for review. It was suggested that the MP and DLNR schematic review processes be combined, thus eliminating an extra review process by the applicant. For example, a Land Division representative could be part of the MP review panel.

Harry Yada. Although Harry Yada, recently appointed interim Division Manager for the Land Division, will be based in Honolulu, he has expressed to the Chancellor, his willingness to continue serving on the Board, unless Chancellor Tseng decides to replace him. Chancellor Tseng will be retaining Mr. Yada on the Board. It was suggested that whoever replaces Mr. Yada in the Hilo office might be considered a future member of the Board.

OMKM Director Search Status. Director Heen stated that all major appointments (including the new director) are being held until new UH President, Dr. Evan Dobbelle comes on Board in July.

C. Underground Storage Tank (UST) Removal

OMKM received a copy, and was asked to comment on an application for a DLNR Department Permit to remove an UST on Mauna Kea. OMKM views the plans to remove the UST a minor project and does not anticipate any significant impact to the mountain.

IV. NEW BUSINESS

A. IFA Perspective by Rolf-Peter Kudritzki

Background. He has been the Director for seven months and is still learning. As the Director of the Institute he reports to Senior Vice President and Executive Vice Chancellor Dean Smith, although he would prefer to report directly to the President. His life's advocacy is astronomy and feels Hawaii is the best place for astronomic research. He is also personally interested in cultural values, and has been interested in Pacific cultures since he was a child. In Germany, he served 10 years on a county council as a Green Party representative.

IfA has played a significant role in astronomical research. It is considered a leading institution and a center for cutting edge research. Mauna Kea now houses the world's most powerful telescopes. Today, astronomy is a very popular and visible science, but many in Hawaii may not see astronomy as important. IfA supports the Master Plan and its implementation, and hopes it is a constructive process. It also wishes to continue contributing to the community, education and outreach, and staying abreast of community concerns.

Dr. Kudritzki entertained questions from the Board.

Move to Hilo and IfA Building. Barry Taniguchi asked whether IfA intends to move to Hilo. Dr. Kudritzki indicated IfA has practically moved to Hilo. From a scientific perspective, it makes sense to move to Hilo, however, IfA needs an adequate budget – there is a building, but no funds to run or maintain it. The legislature funded only a fraction of its budget request.

Moving completely to Hilo is also difficult because education is part of its mission. Although IfA does not have an undergraduate program, it currently supports 30 graduate students and provides teaching support to other UH Manoa degree programs. IfA also helps support UHH's undergraduate astronomy program in Hilo.

Arthur Hoke asked if IfA would be willing to donate its Hilo building to OMKM. Dr. Kudritzki asked if OMKM were to take over the building, would it be able to make use of all the space, in particular the laboratory and shop areas. When asked if he would consider renaming the IfA building to the “Mauna Kea Building”, Dr. Kudritzki indicated he had no objection to changing the name of the building.

Future Development. Did Dr. Kudritzki envision more telescopes on the mountain? Yes, he envisioned there would be a new generation type telescope. Canada and Europe are developing future plans, as well as IfA, however, there are no funds and the technological challenges have not been solved. IfA favors using existing sites rather than develop presently undisturbed areas. Although it is in a very preliminary stage, CFHT plans to recycle its existing site. Ed Stevens asked about flyers published by IfA regarding its proposed projects. Dr. Kudritzki stated those plans were still in the conceptual stage.

The Board asked that it be given a list of proposals, and requested IfA keep the Board informed of projects during the formulation stage. Dr. Kudritzki will have copies of those flyers sent to Board members.

Rob Pacheco indicated that issues, such as what Mauna Kea is experiencing, are cropping out at other sites in Hawaii. Observatories need to find locations by weighing issues and how the community would be involved. The trade-off is going to be between what one wants to achieve and learn, and what may end up being disturbed or destroyed. This is true for all types of development.

NASA Outrigger Project. Dr. Kudritzki did not know whether NASA will be doing an Environmental Impact Study.

Observation Time. IfA is given a percentage of time on all the telescopes and is used by IfA faculty and graduate students. There is a program committee that reviews and decides which proposals to accept. There is a 3:1 ratio of proposals received to those accepted. Only the best scientific proposals are accepted. In the case of Gemini Observatory, anyone may apply and it also has a program committee that reviews and selects proposals. Gemini does not charge for observation time, but the observers are responsible for their own travel costs.

Funding. Many IfA observers apply for grants; and grant monies fund all graduate students. Most of IfA’s appropriated funding covers salaries. A large portion of its funding comes from non-State rather than State sources. For example, IfA receives twice the amount of Federal funds compared with state funds. Dr. Kudritzki indicated one of the measures of success of any institution is the ability to obtain outside funding.

Dr. Kudritzki expressed his desire to continue dialogue with the Board in the future.

- B. Ranger/Guides.** OMKM has enlisted the services of MKSS to conduct a four-month exploratory project to assess areas of need (e.g. protection, preservation, or interpretative services) and responsibilities for permanent ranger/guides. MKSS will provide one staff member seven days a week for four months. At the end of the four months, OMKM will have a clearer vision of job duties and responsibilities and can recruit its own ranger/guides. This project is strictly information gathering.

Ed Stevens asked what the experience criteria would be. Previous volunteer experience at VIS would place the emphasis more on guides rather than enforcement. Director Heen indicated that OMKM is in the process of discussing what we want the temporary

ranger/guides to do. Regarding educational and cultural aspects of this project, OMKM intends to contact the Kahu Ku Mauna Council for its advice.

Heather Cole felt too much emphasis was placed on visitor orientation guides, and not enough emphasis was being placed on enforcement. She also questioned why no one wants to give a definition to these positions. It was noted there are different types of rangers, and not all rangers carry guns. Arthur Hoke cautioned we should not get locked into a specific definition right now.

Rob Pacheco felt the existing personnel were well trained and experienced, and the four-month trial period will help determine what will eventually be needed.

There will likely be incidents of confrontation on the mountain, and a presence on the mountain is needed. For example, trail bikes and trucks transporting trail bikes need to be stopped. A kiosk would be able to monitor and stop people planning to engage in unwanted activity. VIS staff generally stops people and in very few instances people insist on continuing.

V. ANNOUNCEMENTS

A. Guidelines for Hale Pohaku Use.

Ron Koehler requested OMKM/MKMB advice on the use of Hale Pohaku. Currently, IfA and MKSS maintain a restricted policy. Generally only official members of a research team are allowed to use Hale Pohaku. He also mentioned he is getting more requests for the use of the construction cabins – Royal Order for a summer solstice event, and a UH high altitude study -- and some people are beginning to view the cabins as public use. He would like OMKM to develop guidelines.

Mr. Koehler further explained the cabins are in excellent condition. Heather Cole felt there was community potential for the use of the cabins. Mr. Koehler also indicated that Hale Pohaku was experiencing 45% occupancy, but expects it to decline after the Subaru and Gemini activities are completed and as more remote observing comes online.

Rob Pacheco indicated that as work on new and/or revitalized sites begin, construction crews might want to use the cabins. If the cabins are used to accommodate community activities, this use could be disrupted when the construction begins. Since OMKM would know in advance any development schedule, community use could be scheduled around the construction schedule.

Mr. Koehler also stated there is need for maintenance and operations guidelines, e.g. no cooking. He was asked to start developing a checklist and drafting rules.

B. Smithsonian Expansion Plans

Ed Stevens requested clarification of the Smithsonian Project, in particular the development of 12 additional arrays and 24 pads. Antony Schinkel stated the projected additions do not exist as a real project or plan. At the time it was conceived, it was a concept for possible future expansion, but as far as he knew, there are no internal plans for expansion. Further, current thinking at the Smithsonian is more biological oriented rather than physical, and therefore, there is little chance that the conceptual expansion plans will receive funding.

C. Board Officers Terms to Expire.

Executive Board Positions will be terminating at the end of June. Board members were reminded they would need to elect new officers at the next meeting.

D. Website

Arnold Hiura presented a status report on the development of the Web Site: Malamamaunakea.org. At the present time, the site is still under construction and public access is not available. However, Board members will be able to preview it soon and Mr. Hiura would like comments before posting for public view. He indicated it would have links to other sites. The newsletter, agendas, committee reports and activities will be included.

VI. DATE OF NEXT MEETING

Next Meeting is scheduled for June 26, 2001 in the new IfA building in University Park.

(Note: an errata message was sent via email after the meeting. The next MKMB meeting is scheduled for June 12, 2001 at the current location, Hawaii Community College, not the IfA building as announced at the meeting.)

VII. ADJOURNMENT

Chair Hoke adjourned the meeting at 11:30 a.m.

Respectfully submitted:

Signed by Barry K. Taniguchi

Barry K. Taniguchi, Secretary, MKMB

6/12/01

Date