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Minutes Regular Meeting

Mauna Kea Management Board

Tuesday, January 29, 2002

Institute for Astronomy, Room 131

640 N. A'ohoku Place

Hilo, Hawai'i 96720

Attending

MKMB:

Arthur Hoke, Chair; Rob Pacheco, 1st Vice Chair; Barry Taniguchi, 2nd Vice Chair/Secretary; Jim Kennedy, and Harry Yada

Kahu Ku Mauna: Reynolds Kamakawiwo'ole, Ululani Sherlock, and Ed Stevens

OMKM: Arnold Hiura, Stephanie Nagata and Bill Stormont

Others: Diana Bisel, Ron Laub, Mike McCartney, Ed McNulty, Ronald Nagata, Eloise Nakama, and Antony Schinckel.

I. CALL TO ORDER

Chair Hoke called the Mauna Kea Management Board (MKMB) meeting to order on January 29, 2002 at 9:35 a.m.

II. APPROVAL OF MINUTES

Jim Kennedy suggested several changes to the section on the Expedited Review Process. The changes did not affect the content of the original minutes but instead provided additional clarification on the project review process.

It was moved by Barry Taniguchi and seconded by Jim Kennedy that the minutes, as amended, of the November 27, 2001 meeting of the MKMB be accepted. The motion was carried unanimously.

III. DIRECTOR'S REPORT

Public Forums

OMKM has been invited to participate in several public forums:

- February 6, 2002, 8:00 p.m., UHH television, Public Access, Channel 54. Director Stormont, Chair Hoke and Ed Stevens will discuss the roles and responsibilities of the Office, Board, and Kahu Ku Mauna Council.
- February 13, 2002, Hawaii Island Economic Development Board Business Forum, radio station KPUA, channel 670. Rick West and Paula Helfrich, hosts of the radio program, invited Director Stormont to discuss the Office's role and responsibilities, and status report on the implementation of the management plan.

- March 3, 2002, Journalism Symposium sponsored by UHH. Director Stormont will be hosting a field trip to the summit for symposium participants. Participants, including international and national journalists, will have an opportunity to learn about the natural resources and cultural significance of Mauna Kea, as well as visit the Gemini and UH observatories.

Expedited Review Process

The Office was notified on January 28, 2002 that President Dobelle approved the Expedited Review Process. His approval allows the Office to follow through on recommendations made by MKMB at its November 27, 2001 meeting regarding the Subaru and Red Cross Antennae projects. The Board recommended classifying the Subaru gallery addition project as minor, and further recommended approval of the project subject to DLNR's review. The Board also recommended that since the Red Cross Antennae would have an insignificant impact, approval by the President was not necessary and instead a memo be prepared informing him of the project.

Ranger Hiring

Ads soliciting applications for ranger positions were posted in the January 6 and 13, 2002 editions of the *Honolulu Advertiser*, *Hawaii Tribune Herald* and *West Hawaii Today*. Over 160 applications were received as of the closing date of January 18, 2002. Each application will be reviewed and scored based on education, experience, knowledge, skills, abilities, and desirable qualities listed in the position description. A percentage (to be determined) of the applicants will be selected for phone interviews. Based on these interviews, a list of applicants will be established for face-to-face interviews and a field test.

A five member interview committee comprised of David Byrne (MKSS), Pua Kanahale (Kahu Ku Mauna), Doug Lentz (Public Safety and Conduct Committee/Hawaii Volcanoes National Park), Rob Pacheco (MKMB), and Director Stormont, will be meeting next week to discuss the screening and interview process. Interviews are tentatively scheduled for February 20 – 22, 2002, followed by a hike (to test physical abilities) on the summit on Saturday, February 23rd.

Ranger Training and Machinist Programs

HawCC has developed a preliminary ranger training program plan based on information provided by OMKM. Target date for training to commence is summer 2002. Rangers will also enroll in emergency and first aid courses as they become available. HawCC compiled a preliminary budget of \$200,000 for the purchase of equipment to update its machinist training program. Director Stormont stated feedback from various observatories indicates individuals receiving training on the type of equipment HawCC's proposes to purchase will meet observatory needs.

Plans and budgets for both the ranger and machinist programs have not been finalized. There will be some cost savings as the result of using primarily HawCC resources for curriculum development and instruction. Instructors outside HawCC system, however, will be paid. Funds will become available in March 2002.

NASA/Keck Outrigger Proposal

Conservation District Use Application (CDUA). At the request of DLNR, OMKM submitted comments in early December 2001 on the CDUA for the outrigger telescopes project. OMKM recently received notice that public hearings by the Board of Land and Natural Resources (BLNR) on the CDUA are tentatively scheduled for March 20 in Kona (State Park Pavilion at the Old Kona Airport), and March 21 in Hilo (County Council Meeting Room). The BLNR will likely put the CDUA on its April 26, 2002 agenda.

Memorandum of Agreement (MOA)

At the request of OHA, NASA hosted another meeting of the concurring parties on January 16 and 17, 2002. After a morning of opening statements the parties spent the remaining time clarifying the content and wording of the MOA.

The MOA uses the terms "known" and "possible" burials which Mr. Stevens believes are misleading. It may be interpreted that only "known" and "possible" burials exist on the summit, thereby resulting in a

careless approach to excavation at the construction site. Despite the absence of burial records, Kahu Ku Mauna acknowledges the entire summit of Mauna Kea is a sacred burial site. Chair Hoke stated that even though excavation will occur on a disturbed site, it is not known what lies under the proposed sites for outriggers 5 and 6.

Discussion of off-site mitigation included comments from the Office of Hawaiian Affairs (OHA) Chairman Clayton Hee. Mr. Hee, who stated that while he did not speak for the Hawaiian people, suggested: two, \$5 million scholarship funds for local high school graduates (one for students pursuing undergraduate degrees and the other for those pursuing graduate degrees); and five, \$2 million endowed chairs at the University of Hawaii. Mr. Stevens stated it was his impression that Mr. Hee spoke on behalf of himself and not OHA.

John Lee, NASA representative, stated the off-site mitigation package was \$2 million and OMKM would be responsible for coordinating the establishment of an advisory group that will determine the use and distribution of the funds.

Mr. Bell, project manager for the outrigger telescopes project, requested input and comments on a video that will be developed as part of the awareness training for construction employees.

Mr. Stevens expressed concern over the change in the use of the term “consulting” to “concurring” parties. The term consulting is more in line with the intent of the National Historic Preservation Act, whereas concurring implies that the parties signing the MOA approve the project, which may not necessarily be the case.

Best Management Practices (BMP)

OMKM submitted comments on the draft BMP and has been notified its comments will be incorporated in the final draft. Mr. Bell also indicated language describing the photo documentation procedure during construction (see discussion below, Schematics Design Meeting of the Design Review Process) will be added to the BMP.

Schematics Design Meeting of the Design Review Process

Senior Advisor Walter Heen presided over the Schematics Design meeting, the second of four meetings of the design review process. Discussion included potential discovery of burial sites and their treatment. Assurances were made that work will be done in accordance with the MOA and BMP.

Mr. Stevens presented a photo showing the excavation of the foundation for the Keck I telescope. Photo documentation was deemed an important tool in monitoring construction activity and Keck was asked to take daily photos from the Subaru, Gemini, and IRFT sites. Mr. Stevens will provide a copy of his photo for OMKM’s records.

Minutes of the Schematic Design meeting are being finalized and will be distributed to Board members.

Wekiu Baseline Monitoring

Dr. Greg Brenner, an entomologist hired by the California Association for Research in Astronomy (CARA) was granted a scientific collecting permit from DLNR allowing him to conduct baseline monitoring surveys of wekiu bugs on Pu‘u Hau ‘Oki and Pu‘u Wekiu. Dr. Brenner met with staff and Holly McEldowney of the Historic Preservation Division to explain his monitoring project. Staff and Ms. McEldowney were reassured that the monitoring efforts will avoid, or keep to a minimum, disturbance to the two Puus. Staff is also comfortable with Dr. Brenner’s trapping procedures and monitoring schedule. Dr. Brenner was asked to submit a schedule of his activities to the Office.

Two sampling sessions are planned. The first is scheduled to begin on February 1, and the second in April/May. Dr. Brenner indicated that although CARA has funded only two sampling sessions, if the permitting process for the proposed outrigger project extends beyond spring, additional samplings will likely be funded.

Construction Camp Use Priorities

Walter Heen, with input from Ron Koehler, is working on use guidelines for the construction camps.

MKSS has been receiving a number of inquiries for use of these cabins and requested guidance from the Office on use priority and development of charge rates.

The Subaru cabins will be turned over to the State in February 2002, however, it is not certain which State agency will have jurisdiction, UH or DLNR. Staff was asked to ascertain which agency will have control over the cabins. If UH is given control, it was suggested that President Dobelle put the cabins under OMKM control. If DLNR is given control, UH should develop and enter into an agreement to manage the cabins.

Town Hall Meetings

Director Stormont announced the town hall meetings originally planned for late February and early March will be rescheduled for late spring or early summer.

Communication/Outreach Update

Arnold Hiura introduced Mike McCartney and Ed McNulty of KHET. Mr. Hiura is discussing with KHET the possibility of producing a documentary on Mauna Kea. While in Hilo, Messrs. McCartney and McNulty visited the summit and scheduled meetings to explore the idea of a Mauna Kea video. Mr. McCartney stated he came to learn and seek permission from groups affiliated with Mauna Kea. KHET's role would be producer of an OMKM project. In answer to a question whether segments from the overall video could be developed, Mr. McCartney indicated the scope of the content of Mauna Kea lends itself to segmentation.

Mr. Hiura announced the update to the web site is about 50 percent complete. He is working on improving the navigation and access aspects. The objective of the update is to develop a more timely and current website.

Recent Activities on the Mountain

The recent winter storms and resulting snow attracted a large audience and created heavy traffic congestion. After the last storm when snow fell below the 9,000 ft elevation, the road had to be closed 2 miles below Hale Pohaku. It was estimated that 200 cars waited for the road to reopen. Prior to reopening the road to the public, observatory personnel were allowed to travel to the summit to check their facilities.

OMKM received reports of off road driving by all terrain vehicles and 4X4 trucks in the vicinity of the Very Long Baseline Array site. Concern was expressed about potential damage to known archaeological sites in the area and the need to curtail this type of activity. However, Division of Conservation and Resource Enforcement (DOCARE) officers do not respond to complaints on state leased lands. Property management on such lands is the responsibility of the lessee. Director Stormont indicated potential damage to archaeological sites may be a legitimate reason to get a DOCARE officer to respond to complaints in the Science Reserve. Activities that are damaging to historical sites fall under the jurisdiction of DOCARE even though such sites are on leased land.

Ed Stevens requested establishment of rules to ensure the protection of cultural sites be made a priority. Director Stormont indicated the process for the adoption of rules will take about a year. Chair Hoke asked if the legislature could adopt and impose interim rules. Mr. Yada indicated the statutes give UH the right to establish its own rules. At one time Walter Heen investigated the possibility of establishing UH's leased portion of Mauna Kea as a separate campus, thus giving UH the authority to enforce violations on its property. Since these types of questions require legal opinions, it was suggested that UH legal counsel be on hand at Board meetings.

In the absence of rules, it was suggested the road to VLBA be chained at the entrance, or berms or barriers of boulders be placed to prevent vehicles from driving off-road.

Ron Laub reported witnessing two paragliders on the summit taking off under very poor visibility conditions. He expressed concern that under such conditions the paragliders could have landed in sensitive areas.

IV. COMMITTEE REPORTS

A. Kahu Ku Mauna Council

Ed Stevens expressed the desire of the Council to put the stewardship of Lake Waiau under OMKM. The Lake should remain under the Natural Areas Reserve System (NARS) with OMKM having oversight authority. Director Stormont stated it was his desire to develop a co-management agreement with DLNR over the NARS parcels on Mauna Kea. He realizes, as well as members of some of MKMB's committees, that management of the cultural and natural resources of Mauna Kea based on artificial boundaries is not feasible because these elements are part of larger integrated system.

B. Environment Committee

Rob Pacheco reported the committee met on January 8, 2002. Most of the meeting was devoted to bringing members up to date on OMKM and Board activities. Committee members were concerned about the legality of IfA's filing of a CDUA without NASA's final National Environmental Policy Act (NEPA) document. Inquiry with DLNR indicated this is not unusual, but the applicant is required to submit all necessary documents within 180 days of submittal of the CDUA, otherwise the BLNR can deny the application without prejudice.

The three subcommittees have been working on developing programs in protection, restoration and research/surveys. They were asked to prioritize and develop corresponding budgets for consideration by the Board.

C. Astronomy Education and Budget Committees

No report

D. Public Safety and Conduct Committee

The committee met on January 23, 2002. Ron Koehler invited Jeff Loo from the rescue squad of the Hawaii Fire Department to discuss emergency equipment. Mr. Loo suggested that emergency equipment similar to the rescue squad's be stored on Mauna Kea. Response time to emergencies on Mauna Kea is increased by the additional time it takes to load the special equipment required to handle the type of emergencies that occur on the mountain. Storing emergency equipment on the mountain eliminates the equipment loading time at the Fire station.

There have been complaints that inadequate and inconsistent explanations were given by personnel assigned to guard the access road during bad weather periods. The committee suggested that Ron Koehler develop and distribute prepared statements for his staff. Because the mountainous terrain often times blocks communication, personnel at the road closure site cannot receive timely updates on the road's condition. Providing staff with prepared general statements regarding why the road is closed and under what circumstances the road will be reopened should help to reassure the public that the crew is working to secure safe road conditions.

Although there does not appear to be any literature on the dangers of taking children under the age of 16 to high altitudes, Mr. Loo mentioned that children are less able to recognize the onset of illness and instead they will continue to carry on with their activity until they suddenly drop or become ill. Adults know when they start to feel ill and can take appropriate action.

Caution was advised in enforcing the rule about children under 16 without proven documentation. It was suggested a flyer describing the hazards of high altitude be prepared and distributed to the public.

E. Hawaiian Culture Committee Meeting

Chair Hoke reported the committee met on November 27, 2001. Information for inclusion in the brochure was distributed for members' review. The committee also discussed how to approach the development of a protocol for Mauna Kea. Because information on traditional protocol for Mauna Kea is unavailable, developing one is a personal issue and there may be many different perspectives on proper protocol. It was suggested that a protocol including commonly observed practices be developed for visitors to the mountain. Members agreed that an archivist be contracted to begin acquiring materials on the culture and history of Mauna Kea for a cultural resource library.

V. ANNOUNCEMENTS

Harry Yada announced that in addition to the IfA CDUA for the outrigger telescopes project, the BLNR public hearings tentatively scheduled for March 20 and 21, 2002, might include adoption of the management portion of the Master Plan and commercial tour permitting. These issues will be the topic of discussion at a meeting with OMKM and DLNR on Thursday, January 31st.

VI. NEXT MEETING

The next meeting is scheduled for February 19, 2002.

VII. ADJOURNMENT

Chair Hoke adjourned the meeting at 11:27 a.m.

Respectfully submitted:



Barry K. Taniguchi, Secretary, MKMB

February 19, 2002

Date