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Minutes Regular Meeting

Mauna Kea Management Board
Tuesday, April 27, 2004

Kūkahau'ula, Room 131
640 N. A'ohoku Place
Hilo, Hawai'i 96720

Attending

- MKMB:** Chair Arthur Hoke, 2nd Vice Chair/Secretary Barry Taniguchi, and Barbara Robertson
- OMKM:** Stephanie Nagata, Dawn Pamarang, and William Stormont
- Others:** A. Alonzo, Doug Arnott, Gary Fujihara, Ron Koehler, Ron Laub, Wendy Light, Antony Schinckel, and Deborah Ward

I. CALL TO ORDER

Chair Hoke called the Mauna Kea Management Board (MKMB) meeting to order on April 27, 2004 at 10:05 a.m. noting that a quorum was not present.

II. APPROVAL OF MINUTES

The approval of the minutes of the March 23, 2004 meeting was deferred until the next meeting of the MKMB.

III. DIRECTOR'S REPORT

A. Legislative Issues

Following the March 2, 2004 briefing before four committees of the Senate and House (see minutes of the March 23, 2004 MKMB meeting), Senator Lorraine Inouye introduced two Senate Concurrent Resolutions (SCR): 1) SCR 120 requested the Legislative Reference Bureau conduct a study of the feasibility and necessity for creating a Mauna Kea management authority; and 2) SCR 162 called for a study to evaluate the necessity for and impact of implementing a new project permitting process for proposed developments.

Hearings for both SCR 120 and 162 were held on April 14 before three Senate committees – Water, Land and Agriculture; Education; and Science, Arts & Technology. Director Stormont presented testimonies on behalf of OMKM on both resolutions. Paul Neves on behalf of the Royal Order of Kamehameha I, Kealoha Pisciotta for Mauna Kea Anainahou, Deborah Ward for Sierra Club, OHA, and others provided testimony in favor of the resolutions. The Hawaii Island Economic Development Board, Barry Taniguchi and Jim Kennedy expressed their concerns regarding these resolutions.

Both measures were passed by all three committees and were subsequently passed by the full Senate. The resolutions were then sent to the House for consideration. Neither measure was heard in the House. Although the session is not yet over, as concurrent resolutions, SCR 120 and 162 are dead.

Director Stormont also mentioned that the Office of Hawaiian Affairs' (OHA) April newsletter had an article on the March 2 briefing. Unfortunately the article fails to mention any of the testimonies presented by OMKM and also contains some erroneous information. Director Stormont is drafting a letter to OHA to clarify some points.

A question was raised seeking clarification whether Paul Neves represented the Royal Order of Kamehameha I at the April 14 hearing. Was he speaking on his own behalf or for the Royal Order? Director Stormont replied Mr. Neves spoke on behalf of The Royal Order of Kamehameha and, according to Mr. Neves, was authorized to do so. Director Stormont further added that the office later received information from The Royal Order stating Mr. Neves was no longer authorized to speak on their behalf.

Director Stormont then asked board members how they felt about written correspondence from the Board to the legislators regarding the roles of the Board, the Office, and Kahu Kū Mauna with respect to management of Mauna Kea, as well as addressing how management has shifted from IfA to OMKM and from UH Manoa to UH Hilo. Chair Hoke replied it would be something worthwhile doing. Director Stormont will draft something for the full Board to hear at a future meeting.

B. Request to General Counsel

The University's General Counsel's office is reviewing the Office's inquiry regarding vicarious and personal liability for board members.

C. Wēkiu Bug

Wēkiu Data Review

Associate Director Nagata reported on the office's efforts regarding the wēkiu bug. In an effort to continue survey work begun in 2002, in August 2003 OMKM convened a meeting of a group of scientists who previously worked on the bug to discuss research needs and priorities. At that meeting the Fish & Wildlife Service (FWS) indicated they are required to review all candidate species and asked the Office to convene a group of scientists to review all of the available data on the wēkiu bug. OMKM agreed to this request, and as a result, discussion on research needs was postponed until the review of the bug data is completed.

The group convened in September to review the data and it was decided a look at the raw data would be helpful. The committee reconvened in December. At this meeting, it was determined there were still sufficient threats that existed, human and as well as natural, that warrants the bug's listing as an endangered species. The FWS has determined that listing the wēkiu bug is warranted but precluded. That is, listing the bug as endangered is warranted, but there are other species waiting to be listed with higher priority.

Wēkiu and other Biological Research

Following the data review committee meetings, OMKM once again held a meeting to discuss research needs and priorities regarding the wēkiu bug and other biological research. At that meeting, it was determined that a candidate conservation agreement (CCA) for the wēkiu bug should be developed. Such an agreement would be a management plan that would involve all the stakeholders on the mountain. It was suggested that a course composed of graduate students develop a draft CCA.

The group again met last week to discuss further research for the wēkiu bug and other biological elements of Mauna Kea.

It was suggested that individuals outside of UH should also be involved in the development of the CCA. Associate Director Nagata explained that the UH course will be a directed studies class with Dr. Sheila Conant overseeing the students. They will be interfacing with our office and the Environment Committee as they develop the plan. The development of the CCA will require working with all the stakeholders and interested parties. Director Stormont added that Bishop Museum is currently an active part of this process.

Doug Arnott questioned whether the rising temperatures on Mauna Kea had been factored in the study and not just the impact of projects and buildings on Mauna Kea. Associate Director Nagata replied those factors would be looked at in future research. Director Stormont added that Dr. Brenner is recording average temperature as part of his pre-construction wēkiu bug monitoring project.

D. NASA/Keck Outrigger Telescope Project

Ken Kumor and Carl Pilcher from NASA visited and provided updates on the status of the federal environmental impact statement (FEIS). NASA anticipates it will release a draft FEIS in June and hold public meetings the following month on the Big Island and Oahu. Following the issuance of the draft FEIS, there will be a 45-day comment period. NASA will send copies of the draft to everyone who requests a copy as well as to every public library in the state.

The Board of Land and Natural Resources has not yet made a decision regarding the issuance of a Conservation District Use Permit. Director Stormont stated the current extension for the CDUA expires on June 9, 2004. A question was raised whether it would be prudent to wait for the draft FEIS to come out before going forward with the approval process. It was suggested that the MKMB recommend to President Dobbelle that UH request another extension from the BLNR pending the completion of the draft FEIS. Director Stormont stated the Office would draft correspondence to present to the board at a future meeting.

E. New Chancellor for Hawai'i Community College (HawCC)

The local newspapers printed articles about a candidate for the chancellor's position for HawCC. The articles state that this person may have some potential advisory capacity with respect to Mauna Kea. The office is trying to seek clarification on just what that means. Since OMKM and the MKMB were not apprised of this situation and it was uncertain what the role of the new chancellor would be with respect to the management of Mauna Kea, it was suggested the chair of the MKMB write a letter to President Dobbelle requesting clarification regarding what was reported in the news articles. Chair Hoke agreed and will ask Kahu Kū Mauna to write a letter as well.

F. Elections of Officers

Elections for board officers will be held in June.

IV. COMMITTEE REPORTS

A. Kahu Kū Mauna

None

B. Administrative Rules, Astronomy Education, Environment, Hawaiian Culture, and Public Safety and Conduct Committees

None

V. OLD BUSINESS

UH Hilo Department of Physics & Astronomy's Proposal to Replace the Existing 24" Telescope with a New Educational Telescope of Similar Size

Director Stormont recently met with Dr. Bill Heacox who indicated his department was leaning towards and probably will propose the minimal project option (see minutes of the March 23, 2004 MKMB meeting). Dr. Heacox indicated he is aware of the project review process and what needs to be done internally to meet the requirements of the Master Plan. He is also in contact with DLNR regarding the state permitting process.

VI. NEW BUSINESS

SMA's Proposal to Install a Safety Platform on the SMA Hanger Building

Action could not be taken on SMA's request to install a safety platform on its summit hanger facility and was deferred to the next meeting. Dr. Antony Schinckel was invited to give a brief summary of his project. He indicated that most of the work would be internal such as the installation of a ladder to access the roof. Presently there are a couple of instruments on the hanger roof that are not readily accessible and that this is a safety concern. SMA would like to mount these instruments onto a steel platform that will sit on the roof.

VII. ANNOUNCEMENTS

None.

VIII. NEXT MEETING

Associate Director Nagata will poll board members for a meeting either next week Tuesday, May 4 or Friday, May 7.

IX. ADJOURNMENT

Chair Hoke adjourned the meeting at 10:40 a.m.

Respectfully submitted:

Signed by Barry K. Taniguchi
Barry K. Taniguchi, Secretary, MKMB

May 4, 2004
Date