

Mauna Kea Management Board
Regular Meeting
Tuesday, November 14, 2000
Private Dining Room
Campus Center
University of Hawai`i at Hilo
Hilo, Hawai`i 96720

Minutes of Regular Meeting

Members Present: Arthur Hoke, Chair; Barry Taniguchi, 2nd Vice Chair/Secretary; Heather Cole, and Harry Yada.

Interim OMKM Present Walter Heen, Interim Director; Stephanie Nagata, Interim Assistant Director; Moses Haia, Resource Specialist; and Arnold Hiura, Communication/Community Outreach.

Others Present: David Byrne, Wendy Light, and Ed Stevens

I. CALL TO ORDER

Chair Arthur Hoke called the meeting of the Mauna Kea Management Board (MKMB) to order on November 14, 2000, at 10:10 am.

II. APPROVAL OF MINUTES

Mr. Yada moved that the October 24, 2000 minutes be accepted. Heather Cole seconded the motion. The motion was carried and the minutes were unanimously accepted.

III. DIRECTOR'S REPORT

Director Walter Heen reported:

Staff Report - Staff continues to work on the By-laws and administrative rules, both of which will be reported on later in the agenda.

Public Safety and Conduct, and Environment Committees - These two committees met and initiated discussions on how to proceed with program development in their respective areas.

Mauna Kea Support Services – Staff has opened preliminary discussion with the Mauna Kea Support Services (MKSS) to explore the matter of ranger/guides for Mauna Kea. These discussions are ongoing to determine more precisely what is presently being done on the Mauna Kea as well as to obtain a better idea of the issues and concerns that OMKM should consider in determining the need for, and responsibilities of future ranger/guides.

Meeting with IFA and Keck –Bob McLaren of IFA and Fred Chaffee of Keck requested a meeting with OMKM. They asked what the process was for presenting their project to the Board. Mr. Chaffee reported that Keck is in the process of developing components for the outriggers. Director Heen requested copies of the sublease and on-site development agreement that governs development by Keck on Mauna Kea. Staff is presently reviewing these documents and will report at a later date.

Design Review – Staff continues to review the Design Review documents and Stephanie will report later in the agenda.

OMKM Staff's Role – Staff is in discussion among themselves to determine, define and refine the role Staff plays with respect to the MKMB and the Chancellor's office. There are still some areas where additional work is needed to clarify its role.

IV. OLD BUSINESS

A. Kahu Kupuna Council

Moses Haia reported that although the agenda called for action on the adoption of guidelines for the Kahu Kupuna Council (hereinafter referred to as Council), staff again requests action be deferred until the next meeting of the Board. Mr. Haia suggested any questions regarding the proposed Council be addressed to Aha Hui Ku Mauna's representative, Ed Stevens, who was in attendance as a public observer.

In the interim, staff will be meeting with Aha Hui Ku Mauna to assist with defining and clarifying the responsibilities of the Council. A request was also made to change the name of the Council to Kahu Ku Mauna ("Guardians for the Mountain") because it better identifies the Council's responsibilities to the mountain and management thereof.

Staff recommends confirming the six individuals proposed by Aha Hui Ku Mauna for Council membership: Pualani Kanahale, Ululani Sherlock, David Mauna Roy, Larry Kimura, Hannah Kihilani Springer, and Ed Stevens. Three additional individuals, which will complete the Council membership, will be submitted at a later date.

Mr. Taniguchi moved to approve the six candidates for the Council. Ms. Cole seconded the motion. The motion was carried. Approval of the name change to Kahu Ku Mauna was deferred until such time adoption of the guidelines for the Council is presented for action.

B. Design Review Committee.

1. Design Review Flow Chart

A revised flow chart was reviewed and discussion revealed the President's role in determination of the status of a project was not clearly depicted. Further discussion resulted in placing the President between OMKM and the Minor and Major boxes.

2. Design Review Document

A revised Design Review Document defining the parameters and guidelines for the DRC was distributed for discussion.

3. Staff Recommendations

- a. Wherever the Master Plan indicates a representative from UH in the review process, that representative(s) should be someone from OMKM or MKMB.
- b. OMKM should coordinate all meetings for the Design Review process. This will ensure OMKM is kept in the loop and informed of design review activities.
- c. OMKM should be allowed to make site visits during the construction phase and OMKM should be responsible for handling complaints.
- d. DRC should be composed of professionals, and individuals selected should serve for the duration of a project. OMKM will be responsible for coordinating DRC meetings but DRC members would set meeting dates. Members of the DRC should be compensated with a nominal fee for attending meetings, plus travel expenses. A professional fee should also be paid upon submittal of a written professional opinion. These fees should be part of the applicant's cost of the project.
- e. Design review procedures, and DRC compensation and organizational structure should be made a part of the Administrative Rules.

4. Construction Phase Review

It was agreed that oversight during the construction phase was needed. Concern was expressed whether OMKM had the expertise or appropriate personnel to review construction activities or to recognize activities or impacts that should be monitored.

It was suggested using the DRC for this function and adding "contracting professional services as deemed necessary" for construction phase recommendations and adding "and other professional services" to the duties of DRC members.

Mr. Taniguchi moved to approve the written Design Review document as amended, but stated the flow chart still needed to be amended. Mr. Yada seconded the motion. The motion was carried.

C. By-Laws

Moses Haia stated the present form of the by-laws did not change from the last meeting. Staff recommended the bylaws be adopted in its present form with the understanding that the by-laws can be amended at any time upon Board approval.

Mr. Taniguchi had some minor changes that did not change the concept of the by-laws, such as terminology and grammar. Mr. Haia suggested that changes be submitted and the by-laws be adopted at the next meeting. Mr. Taniguchi suggested the by-laws be adopted in concept. Walter Heen concurred that the Board adopt the by-laws, and he also

suggested the Board authorize staff to make orthographic changes and bring up those changes up at the next meeting.

Mr. Taniguchi moved to adopt the by-laws in concept subject to orthographic changes to be presented at the next meeting. Ms. Cole seconded the motion. The motion was carried.

D. Committee Reports

Hawaiian Culture: No report.

Education: No report.

Environment: Ms. Cole reported the committee met and selected 9 individuals to participate in the resource group. Rob Pacheco, chair of the committee, will be writing a letter to Ed Stevens asking if the Council would like to select a member to participate in the group. She also mentioned the names will be announced and brought up for Board approval upon acceptance by the individuals to serve.

Public Safety and Conduct. Mr. Yada reported the committee met on November 3, 2000. Tentative members of the resource group include Doug Lentz of Volcano National Park, Ron Koehler of Mauna Kea Support Services, and MKMB members – Arthur Hoke, Robert Pacheco and Mr. Yada. It is also anticipated someone from DLNR's Division of Forestry and Wildlife would be included, but at this time that person has not been identified. It was decided the size of group would be kept to six and the group would invite resource people as needed.

Ron Koehler presented significant information about procedures on Mauna Kea. Doug Lentz will provide samples of rules and park policies for the committee to use in developing rules and policies.

Mr. Yada will be chairing the committee

Administrative Rules - No report

Budget: Mr. Taniguchi reiterated the committee prepared a budget that was submitted to the Board of Regents, which approved the budget. It is now in the hands of the legislature for funding. In conversation with President Mortimer, Mr. Taniguchi feels the President is committed to getting the full amount requested.

E. Letterhead

Mr. Hiura circulated various renditions of one of the logos presented at the previous meeting. Requests for quotes were sent to several printers in Hilo and he is still waiting for replies. Minimum runs will be made due to the temporary location of the office.

The logo with the aerial view was selected. Mr. Hiura explained this version of the logo offers a generic approach to astronomy and did not emphasize the observatories, which he felt OMKM did not want to be strongly identified with. It also contains the Southern

Cross constellation and the mountain, both of which hold significant meaning to the Hawaiian culture.

F. Newsletter

Mr. Hiura reported the newsletter would be an 8.5" X 11" format. A draft layout was circulated for review. There will be some spot color with black and white text. He thanked Ed Stevens for the contribution of his article.

Spec sheets were sent to printers for quotes and he is still waiting for bids.

For the first issue, Chair of the Board, Arthur Hoke and Director Heen were asked to submit articles. It is still anticipated the final layout will be 8 pages as originally planned.

In the future, articles from other entities that have relationships with Mauna Kea will be sought which will provide a forum for a variety of ideas. Although OMKM will maintain oversight of the newsletter, including editorials as agreed earlier, the newsletter will not focus strictly on OMKM or MKMB, but will involve the Hawaiian, environmental, and astronomy communities, as well as the general public.

The Office is currently compiling a mailing list. A list has been obtained from Group 70 that includes IFA's "Vision" mailing list, and state schools and libraries.

Staff of OMKM will be finalizing the logo which will be ready in time for the newsletter's production.

V. NEW BUSINESS

No new Business

VI. DATE OF NEXT MEETING

The next meeting will be held on Tuesday, November 28, 2000. Location is still to be announced.

VII. ANNOUNCEMENTS

Mr. Stevens asked that although the adoption of the guidelines was deferred, but since the six members were officially confirmed, could the Kahu Kupuna Council officially meet with the six members. Chair Hoke confirmed the official status of the Council. Mr. Stevens indicated the Council would begin the process of screening for the additional three seats on the Council. These names will be submitted to the Board for confirmation.

A discussion followed regarding whether the Council should be a regular item on the agenda and provide a report similar to other board committees, or should Council representatives sit on various committees to provide input. It was determined that neither was appropriate and instead the Council should be allowed to report any issues or concerns it has at each Board meeting. It was further determined that the Council, as one of three entities identified in the Master Plan, has the privilege of providing comment at any time during the MKMB meeting.

Furthermore, the Council sits as its own entity in reviewing plans. There is a separate process established for the Council's review of projects that allows it to make recommendations to the entire Board prior to any decision-making. It has also been determined that the Council meetings are not subject to sunshine rules since the Council does not have any decision-making authority, but instead only provides recommendations to the Board.

Mr. Stevens asked Director Heen for clarification regarding Keck's construction progress. Director Heen clarified his earlier statement that Keck was in the process of constructing components, but was not doing any site preparation or excavation on Mauna Kea. Once the three reviewing entities are set up, the Keck outrigger project will be required to go through the project review process. Keck is also undergoing the Section 106 review process, however, there has been some delay due to the disruption of OHA. OHA is one of several organizations, including the Hawaii Island Burial Council and Aha Hui Ku Mauna, listed as consulting agencies.

Mr. Stevens indicated that in the past he made several attempts to include procedures for excavation. A very brief paragraph on excavation procedures is included in the Addendum to the Master Plan. Mr. Stevens' proposed that when an excavation is involved, or when ground is disturbed, a qualified person, preferably a trained archeologist, must be involved during the excavation process since such a person can recognize the change in soil and/or cinder conditions as the digging approaches a burial site. If it is necessary to proceed, the question arises as to how does one treat that site, thereby necessitating the development of appropriate procedures, and perhaps a permitting process.

Mr. Stevens believed this was a very important part of the review process, and this should be one of the MKMB's major concerns, rather than how a building will be constructed, which is not the expertise of the Board. The Board's expertise should be recognizing that the excavation process poses a potential threat to the cultural environment. Mr. Stevens' comments were well taken and noted.

VIII. ADJOURNMENT

Chair Hoke adjourned the meeting at 11:50 a.m.

Respectfully Submitted,

Signed by Barry K. Taniguchi

Barry K. Taniguchi, Secretary, MKMB

Date: 11/28/2000