

OFFICE OF MAUNA KEA MANAGEMENT

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Mauna Kea Management Board
Regular Meeting
Tuesday June 12, 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; Jim Kennedy

**Kahu Ku Mauna
Council Members
Present:**

Ululani Sherlock and Ed Stevens

**Interim OMKM
Staff Present:**

Walter Heen and Stephanie Nagata

Others Present: Gregory Fahlman, Ron Koehler, Ron Laub, Wendy Light, and Bill Stormont

I. CALL TO ORDER

Chair Hoke called the Mauna Kea Management Board (MKMB) Meeting to order on June 12, 2001 at 9:30 am.

II. APPROVAL OF MINUTES

Heather Cole made a correction to the spelling of Holly McEldowney's name. It was moved by Heather Cole and seconded by Barry Taniguchi that the minutes of the May 16, 2001 meeting of the MKMB be accepted with noted correction. The motion was carried unanimously.

III. DIRECTOR'S AND COMMITTEE REPORTS

A. Committee Reports

Kahu Ku Mauna Council. Ed Stevens reported the Council is working towards filling the remaining two vacancies and plans to present the names of candidates at the next MKMB meeting.

Mr. Stevens also announced the formation of Oiwi Lokahi O Makupuni O Keawe, a volunteer group that will look into alternative plans for the use of 52,000 acres of Hawaiian Homestead lands in the Humu'ula area. Access to these lands is via Mana Road and Mr. Stevens has been assigned to keep track of activities taking place on the Mauna Kea Summit Road, in particular, activities that may impact traffic through the Humu'ula lands.

Administrative Rules, Astronomy Education, Environment, Hawaiian Culture and Public Safety and Conduct. No report.

Budget: See discussion below

B. Director's Report.

Administrative Business. The appointment of a new director is delayed until the new UH president comes on board and Walter Kirimitsu has been assigned to prepare an OMKM/MKMB progress report for the new president.

Meeting with Canada-France Hawaii Telescope (CFHT). Director Heen met with Greg Fahlman, Director of CFHT, to discuss a letter sent by OMKM concerning CFHT's transport of a crane and telescope components without prior notification to OMKM. The letter briefly described OMKM's management responsibilities and its position as a public contact for activities taking place on Mauna Kea. As part of its responsibilities, OMKM is to be notified of unusual activities that take place outside an observatory building

CFHT Dome Repainting Project. On June 6, 2001, Director Heen and Stephanie Nagata visited the CFHT observatory to observe progress of the repainting project. Due to snowing conditions, the contractor was not operating that day. OMKM's main concern was to make sure paint chips were not flying into the atmosphere and water was not degrading the ground surface. The contractor is utilizing a vacuum system to remove paint chips.

Meeting with Mauna Kea Oversight Committee. On the same day OMKM visited the CFHT site, Director Heen and Stephanie Nagata were invited to meet the members of the Mauna Kea Support Services Oversight Committee, which was holding its quarterly meeting at Hale Pohaku. OMKM answered questions about its role and plans for the future. OMKM stressed the need to communicate and the need to keep the Office informed of operations that may impact the external environment (as opposed to under the dome activity), particularly projects that will be required to go through the design review process.

Alu Like. Director Heen met with Doug Knight to learn more about Alu Like's National Security Field Experience Initiative internship program with Lawrence Livermore National Laboratory. The program has been operating for 5 years and provides opportunities for Native Hawaiians to gain hands on experience in the fields of high technology and to promote high tech careers (Keck Observatory participates in this program). To date the program has 25 alumni.

With the closing of sugar on the Big Island, the demand for machinists has declined and the Hawaii Community College terminated its machine-related programs. MKMB was informed UHH is working on establishing an engineering program.

New Member of OMKM. Director Heen introduced Sloane Long, OMKM's newest office support staff member.

IV. OLD BUSINESS

A. Approval of the Project Review Process

OMKM received word that President Mortimer approved OMKM/MKMB's recommendations for the Project Review Process. MKMB members requested receiving a copy of the Memorandum from President Mortimer to Chancellor Rose Tseng citing his approval.

B. Election of Board Officers for Fiscal Year 2002

Barry Taniguchi requested moving this item to the end of the meeting.

V. NEW BUSINESS

A. Guidelines for Use of Hale Pohaku

Director Heen handed out an outline of some of OMKM's initial thoughts on the use of Hale Pohaku mid-elevation facilities (see attached). OMKM and the Board must consider the impact suggested uses may have.

Construction Cabins. There are two sets of cabins, 2 older vintage cabins (one with kitchen and recreation facilities) and 4 newer cabins. The older cabins were installed in the mid-1970's for observatory use. They closed when the Hale Pohaku dormitory opened in the mid-1980's and later reopened when Subaru and Keck began construction. There are no plans to reopen the kitchen facility due to the high renovation costs and the need to hire additional personnel to manage it. If the kitchen facility is reopened, there will be a need for new regulations for use of the kitchen.

Although Subaru built the cabins, they are owned by the State, but Subaru retains the right to use them until they are turned over to the University in 2002. The charge for the use of the cabins includes meals, but does not include an allotment for maintenance. Use of the cabins vary by contractor; some contractors prefer to house their employees at the cabins, while others prefer to have their employees commute.

Hale Pohaku Dormitory. The facilities, including 72 rooms and main building, are owned by the State. Observatories, however, purchased a percentage right to use the facilities. The policy for room/meal charge is based on cost recovery and occupancy rates.

Stone Buildings. These buildings are owned by the State and are historic in nature, therefore, there may be limits on allowable renovation to the exterior. OMKM will need to think about potential uses for these buildings. It was suggested OMKM consider refurbishing the cabins into a museum using artifacts that may still be available as part of the museum display. Another suggestion was to convert the cabins into a ranger station, but Director Heen felt the ranger station should be part of the Visitor Information Station.

Fees. One way of meeting the BOR request to secure alternate funding sources would be to charge entry fees (except for use of restrooms and water). It was suggested not charging a fee to get into the VIS or for obtaining basic information, however, charging to get into the Mauna Kea summit area and for publications (e.g. booklets) beyond basic information might be reasonable. People are less likely to toss away materials they purchased. Currently the VIS is provided as a public service by the observatories at an annual cost of about \$250,000. It is expected the observatories will continue to fund operations, however expanded outreach and educational visitor programs will lead to an increase in costs.

The Office of Hawaiian Affairs and the Department of Hawaiian Homelands are exploring the possibility of constructing a kiosk near the bottom of the access road and charging a fee.

It was suggested that MKMB establish a working committee to brainstorm conceptual ideas and use of the mid-level facilities, and to look into the fee situation. Chair Hoke suggested this item be deferred to the newly elected officers. Heather Cole volunteered to be on this committee. Ed Stevens suggested hiring a consultant to do the planning.

B. Effective Date for Administering the Master Plan (MP) Process

OMKM prepared an outline on Administering the MP (Refer to attached). It was suggested that it may not be possible to set a date for it would be difficult to verify at what point in time a project was conceived. Would it be possible for OMKM to request observatories to provide a list of existing contracts?

Notifying OMKM. Most of the discussion focused on the need for guidelines and protocols for notifying OMKM on observatory activities. Observatories were unaware it needed to notify OMKM of certain types of “unusual” or “non-routine” activities. They did not know what the process was, who to notify, or what kind of communication was required. Observatories want to cooperate with OMKM but they need to know communication protocol and guidelines as to what constitutes activities that would be of interest to OMKM.

Dr. Fahlman realizes this is a difficult path, and although the procedures in the MP are generally adequate and the process workable, clear guidelines and protocols as to how to inform OMKM are not covered in the MP. Director Heen asked the Board how broadly it wanted the Office to exert the kind of oversight the MP appears to call for but does not cover. The MP has put the observatories in a situation where they cannot proceed any further except through the design review process.

Current Notification Practices by Observatories. Traditionally, communication to other users is handled through the Mauna Kea Support Services Oversight Committee (MKSSOC). Currently, information is usually sent to MKSS, which in turn notifies other observatories. MKSS acts as a filter and determines if the information needs to be passed on, and if so, other observatories are notified as well as OMKM. Director Heen stated if OMKM has the management function, there shouldn't be a filter between the observatories and OMKM; instead OMKM should receive the information at the same time as MKSS.

Notification is based on common sense and depends on the nature of the event and how much planning is involved. Advanced notification can range from a few weeks to a few months. An observatory facilities manager or Director makes a judgment call (generally erring on the side of caution) whether the activity will have an impact on other users, and if so, others are notified as soon as plans and dates are firm, but before contracts are signed.

OMKM, rather than observatory personnel, should make an unbiased determination of the impact considering all aspects of the mountain, and not just how it might affect other observatories. It was noted that OMKM is the general contact for the public and if OMKM is unaware of what is going on, it cannot fulfill its function and respond accordingly. OMKM's responsibility is to the public, not to the organization of observatories. OMKM is not looking to take control away from the observatories, but rather, is looking out for potential problems or concerns, including those that may adversely impact the observatories. The astronomy community should view the Director of OMKM as a friend, not an enemy.

Suggestions for Notification Process. Since it would be difficult for OMKM to keep track of all the activities of all 13 observatories, it was suggested to continue using MKSS as a filter, but perhaps, MKSS could lower its threshold for determining what information needs to be passed on to OMKM.

The importance of OMKM having information the same time as MKSS puts OMKM in the position of being able to respond to public inquiry immediately, rather than having to call

MKSS for the information. If OMKM does not appear to know what is going, OMKM's credibility will be reduced.

OMKM and observatories are going through a learning process, but by working together, over time observatories will be able to look at things from OMKM's perspective and not just from the perspective of the observatories – what may not be significant to observatories, may be important for OMKM to properly manage the mountain. Developing a working list of unusual activities is not practical, but eventually an understanding will be reached. For the time being, if it looks unusual, or if it is something that would trigger notifying MKSS, then OMKM should also be notified. Whatever OMKM decides, the decision needs to be communicated to appropriate parties.

C. Budget

Mr. Taniguchi presented the budget that was prepared by the Budget Committee. The budget is a combination of two amounts: 1) Legislature's appropriation of \$1,009,421 for fiscal year 2001-2002; and 2) remaining balance of the \$400,000 for Fiscal Year 2000-2001 (carryover of about \$122,744). The combined total of the two sums is \$1,132,165. Major classifications proposed to the Chancellor are provided on the attached copy of the draft.

After operating expenses, there is remaining balance of \$139,687 for programs. OMKM will attempt to utilize resources of other programs. Program funds may not be evenly divided among the committees, but that will depend on what the committees develop and on what OMKM can tap from existing outside programs.

The MP's mandate for managing the mountain (including ranger coverage and infrastructure to handle the design review process) was used as a guide. The Legislature's appropriation appears to cover only operating costs (based on OMKM's \$2 million budget request). Program funds may not have been funded due to lack of detailed information, which was not available at the time the budget was drafted last October. With the development of programs by the committees, those programs can be incorporated into the budget request for Fiscal Year 2002-2003 (note: OMKM was only funded for fiscal year 2001-2002 or one year).

It was moved by Barry Taniguchi and seconded by Rob Pacheco to recommend to the Chancellor Fiscal Year 2001-2002 Budget. The motion was carried unanimously.

V. ANNOUNCEMENTS

- A. West Hawaii Article.** Dr. Fahlman wanted to inform the Board that CFHT is looking at conceptual ideas that are in still in the "blue sky phase." He was referring to a story that appeared in *West Hawaii Today* that contained remarks by Nelson Ho on development of a replacement concept for CFHT facilities. If CFHT decides to proceed, it is mindful of the MP guidelines, and intends to inform OMKM if a project idea is being considered for development.

It was stressed that it is important for observatories to get information to OMKM as early as possible. A lesson learned from the NASA outrigger project is that the lack of ownership and input by the community in the process will lead to adverse reaction. Ed Stevens stated it would be proper to advise OMKM and MKMB about future projects, especially when brochures are prepared and disseminated.

B. Hawaii Island Chamber of Commerce (HICC)

The HICC is sponsoring a luncheon featuring Dr. Rolf Kudritzki. Date of the luncheon is June 20, 2001. Please call HICC at 935-7178 for more information.

VI. DATE OF NEXT MEETING

To be announced.

VII. ELECTION OF OFFICERS

It was moved by Mr. Taniguchi and seconded by Dr. Kennedy to nominate Arthur Hoke for Chair. It was moved by Mr. Taniguchi and seconded by Rob Pacheco to close the nominations and cast a unanimous ballot. The motion was carried unanimously.

It was moved by Mr. Taniguchi and seconded by Dr. Kennedy to nominate Rob Pacheco for First Vice Chair. It was moved by Dr. Kennedy and seconded by Mr. Taniguchi to close the nominations and cast a unanimous ballot. The motion was carried unanimously.

It was moved by Ms. Cole and seconded by Dr. Kennedy to nominate Barry Taniguchi for Second Vice Chair/Secretary. It was moved by Mr. Pacheco and seconded by Dr. Kennedy to close the nominations and cast a unanimous ballot. The motion was carried unanimously.

VIII. ADJOURNMENT

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

Respectfully submitted:

Signed by Barry K. Taniguchi

Barry K. Taniguchi, Secretary, MKMB

7/17/01

Date

USE OF HALE POHAKU MID-ELEVATION FACILITIES

I. Facilities

- A. Dormitories
- B. Dining and meeting areas, and maintenance facilities
- C. Visitor Information Station
- D. Stone cabins.
- E. Construction cabins
- F. Parking lot adjacent to Construction Cabins

II. Present Uses

- A. Dormitories, Dining and Meeting Areas are reserved for use of the observatories, providing meals and sleeping facilities
- B. Visitor Information Station is used to acclimate visitors to the summit; to inform them of Mauna Kea's unique place in the area of astronomy, to present brief educational lectures and exhibits about astronomy and the mountain; provides water and restroom facilities; provides evening star gazing using three small telescopes
- C. Stone cabins are virtually unused
- D. Construction cabins are intermittently used for group gatherings and lectures; some overnight stay is allowed; cooking facilities are installed, but suffering from disuse.
- E. Parking lot adjacent to the construction cabin is used by commercial operators for star gazing activities and general parking.

III. Master Plan Uses

- A. Master Plan envisions expansion of VIS under OMKM management to provide visitor satisfaction without going to the summit, and to provide headquarters for rangers.
- B. Master Plan proposes that OMKM manage the services and facilities at HP, and dormitories should remain under present use; new concessions managed by OMKM
- C. MP proposes that the construction cabins, which become fully available to the state in 2002 continue to be maintained for educational/research/cultural uses with preference given to students and faculty. Management would be under OMKM
- D. Master Plan proposes stone cabins be renovated, but retain the stone facades; proposed uses would also include cultural, educational, research and environmental matters

IV. Discussion

- A. Impact of expanded uses of HP
 - 1. More vehicular traffic
 - 2. More foot traffic
 - 3. More administrative personnel
 - 4. More conflicts among astronomy uses, visitor activities, recreational uses, environmental, and cultural concerns
 - 5. Need for financial resources to support expansion
- B. Options
 - 1. Keep present uses
 - 2. Begin expansion immediately
 - 3. Limit expansion for another five years at least

C. Begin fund raising activities and programs

1. Commercial permits
2. Fees for use of HP (BUT NOT FOR RESTROOMS AND WATER)
3. Charge fee for use of construction cabins, stone cabins, etc., for research and educational purposes. Need to at least cover costs.
4. Charge fee for star gazing
5. Others

ADMINISTERING MASTER PLAN PROCESS

I. Type of projects Master Plan addresses.

With respect to the observatory operations, the Master Plan addresses primarily construction of new facilities or renovation or replacement of existing facilities. Quite obviously, the design review process would apply.

II. Scope of application of the Master Plan.

One question arises as to whether, and the extent to which, the Plan applies to activities involving the observatories and the access road or the VIS which might not constitute new construction, but which could have an impact on the mountain, i.e., traffic, trash control, impact on the cultural and natural resources and the habitat.

- A. Transport of ~~lens~~ an upper end replacement by Canada/France.
- B. Painting by Canada/France and Keck

III. When Master Plan requirements apply.

Assuming that some extent of new external construction or renovation is required, when do the Master Plan requirements apply. When does the minor or major project process kick in?

- A. As a general rule, when new legal requirements are promulgated that cover not only new activities but also existing facilities that were installed under previously applicable requirements, the existing facilities are not required to be renovated or removed in order to meet the new requirements. They are “grandfathered”. In zoning law they are called “non-conforming uses.” However, also generally speaking, strict limitations are placed on alteration of the non-conforming uses.
- B. The design review process is applicable to all activities taking place after the Plan’s adoption. The question is what kind of activities? Staff has taken the position that all activities outside the observatory buildings are subject to management of the OMKM. While there is no desire to monitor everything that is being done by the observatories, the OMKM should be informed of activities that are more than routine, such as the transport of the lens and the beginning of painting, so that the staff can be prepared for questions from the public.
- C. One possible approach to determining a “date” for the beginning applicability of the Plan process is to say that projects for which plans were completed before the adoption of the Plan would be allowed to proceed without going through the design review process. Even this approach, however, should not be allowed to remove from the OMKM the authority of oversight of the actual activity to ensure that there is no adverse impact on the mountain’s environment. Note: This a one possible option, and not one the OMKM is advocating. OMKM would like Board input on alternative solutions.

DRAFT BUDGET FISCAL YEAR 2002
OFFICE OF MAUNA KEA MANAGEMENT

DRAFT: June 11, 2001

	Revised
	FISCAL YEAR
	2002
	7/01 - 6/02
PROGRAMS	
Education, Protection and Preservation	<u>139,687</u>
SALARIES	
Administrative	347,000
Rangers & VIS Support	<u>262,600</u>
TOTAL SALARIES	609,600
RANGER/GUIDE EXPENSES	
Meals and Accomodations	26,300
Uniforms	3,600
Annual Physical	<u>4,000</u>
TOTAL RANGER/GUIDE EXPENSES	33,900
MKMB & KAHU KU MAUNA COUNCIL	
Transportation and Reimbursements	4,700
Board Meeting Expenses	<u>1,500</u>
TOTAL MANAGEMENT BOARD & KAHU KU MAUNA	6,200
DESIGN REVIEW EXPENSES	
Coordination Costs	<u>20,000</u>
PUBLIC RELATIONS	
Print Materials	16,000
Multi-Media and Web Page	25,000
Public Hearing and Conferences	<u>8,000</u>
TOTAL PUBLIC RELATIONS	49,000
OFFICE EQUIPMENT AND FURNITURE	
Computers & Peripheral Equipment	20,300
Copier	8,500
Furniture	<u>15,000</u>
TOTAL OFFICE EQUIPMENT AND FURNITURE	43,800
OPERATING EXPENSES	
Utilities - Phone	2,400
Vehicle Purchase and Maintenance	133,200
Protocol Fund	2,000
Supplies	5,000
Software	1,500
Postage	<u>1,200</u>
TOTAL OPERATING EXPENSES	145,300
TRAVEL	
Air Travel	10,900
Ground Transportation	6,400
Meals and Accomodations	<u>12,500</u>
TOTAL TRAVEL	29,800
RCUH FEE	<u>54,878</u>
GRAND TOTAL	<u>1,132,165</u>