



University of Hawai'i at Hilo

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Minutes Regular Meeting

Mauna Kea Management Board
Tuesday, April 8, 2008

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

Attending

MKMB: Chair Barry Taniguchi, 2nd Vice Chair/Secretary Ron Terry, John Cross, Lisa Hadway, Herring Kalua, and Christian Veillet

Kahu Kū Mauna: Ed Stevens and Arthur Hoke

OMKM: Arnold Hiura, Stephanie Nagata and Dawn Pamarang

Others: Doug Arnott, Casey Ballao, Kenyan Beals, Dan Birchase, David Byrne, Lois Carney, Gerald DeMello, Cory Harden, Bill Heacox, Masa Hayashi, Saeko Hayashi, Nelson Ho, Arthur Hoke, Jim Kennedy, Ron Koehler, Bob Masuda, Bruce Matsui, John Maute, Pablo McLoud, Cindy Nomura, Emmy Okawa, Stuart Putland, Helen Rogers, Jay Slivkoff, Sunny Takeishi, and Deborah Ward

I. CALL TO ORDER

Chair Barry Taniguchi called the Mauna Kea Management Board (MKMB) meeting to order on April 8, 2008, at 10:00 a.m.

II. APPROVAL OF MINUTES

It was moved by Ron Terry and seconded by Herring Kalua that the minutes of the January 29, 2008, meeting of the MKMB be accepted. The motion was carried unanimously.

III. ASSOCIATE DIRECTOR'S REPORT

Associate Director Nagata reported the Director is on extended leave from April 2 through May 2. Director Stormont did not leave any updates or reports for the Board.

A. Mauna Kea Observatories Support Services (MKOSS) Road Improvement Update

The road improvement project is near completion. Two thousand tons of gravel was picked up from the Pohakuloa Training Area (PTA) and placed in most of the trouble spots on the road. When the Durasoil shipment arrives five totes will be delivered to PTA as part of the exchange agreement for the gravel. The remainder of the shipment will be applied to the summit road to keep the dust down. If MKOSS has more funds, they would like to continue the road improvement and obtain more gravel from PTA.

Two tests were conducted to see whether or not the Durasoil attracted ants. The first test, conducted at Mauna Kea State Park was unsuccessful because there were no ants. The second test was done in Volcanoes National Park. Four types of baits were used: Durasoil, Durasoil and gravel, plain water, and sugar. Of the four baits, ants only came to the sugar baits. We feel comfortable that Durasoil does not attract ants.

B. New Ranger

A new ranger should be on board by the middle of April bringing the ranger corps back up to its full complement of five. This person replaces former ranger Pablo McLoud, who is currently working with Subaru.

C. Conservation District Use Permits (CDUPs) Compliance Check

Rangers recently completed their third CDUP compliance check of all observatory facilities. The majority were in compliance with their CDUPs. The others were noted for very minor incidents, such equipment and materials placed on the side of their facilities. Compliance reviews are conducted twice a year; the first one was in the spring of 2007.

D. Canada-France-Hawaii Telescope (CFHT) Ohana Project Update

The Office received notification of a proposed activity related to the Ohana Project. The Ohana Project involves linking some of the major observatories through a fiber optic system and through interferometry create a "giant" mirror. In testing the feasibility of this project, they need to measure the distance between the CFHT and Gemini telescopes to within 1 mm. This requires taking measurements using a GPS receiver attached to a tripod. The tripod will be placed over an existing benchmark, such as a concrete pad, or manhole cover, at eight locations on the summit. No digging or excavation is involved. This activity is planned between April 28 and May 16. The Office does not feel this requires any Board action because it is temporary and the instruments will be set up for only 30 hours at each location.

Ed Stevens reported the Council reviewed the proposal and felt it was something that could be handled by OMKM without the need for cultural consulting. He appreciates OMKM asking for comments from Kahu Kū Mauna. Mr. Stevens asked two questions: 1) about the benchmark on the Puu Wekiu and if they planned to set up a tripod there; and 2) if they were aware there was a benchmark on Puu Poliahu.

Christian Veillet replied a tripod will be placed over the existing US Geological Survey marker on Puu Wēkiu. Nothing but the legs of the tripod will touch the ground. Dr. Veillet did not know if there was a benchmark on Puu Poliahu. If there is none, they would like permission to establish one. Puu Poliahu is a good location because of the overall perspective of the summit. If it is not possible to establish a benchmark, they will pass on this site. Mr. Stevens mentioned that there is a benchmark on Puu Poliahu, but it was below the summit off to the right.

Dr. Veillet asked Ed if he would like to observe or talk to the crew before going up Puu Poliahu, or if it was ok to have a ranger present. Mr. Stevens felt that a ranger would do. With that, Kahu Kū Mauna had no objections to the proposal. Dr. Veillet also assured all equipment and materials would be packed up and taken away and not left on the mountain.

E. Dismantling of Site Testing Equipment at 13 North Site

On March 19 the Institute for Astronomy (IfA) informed Director Stormont they have initiated plans to dismantle the site testing equipment at the 13 North site. The CDUP for this project expires on July 25. They will probably start dismantling it in early June and should be dismantled before the July 25 deadline. A pre-planning meeting will be scheduled two weeks before they dismantle the site. They have also consulted with the Office and with Kahu Kū Mauna about a ceremony. Ranger Pihana will be present at the pre-planning meeting, during the dismantling, and after it has been removed and the area restored.

Mr. Stevens stated he appreciates Bob McLaren asking about the protocols. It was courteous and sensitive on his part. Now that they are nearing completion, Bob asked if there was a protocol for the removal such as there was one when it was erected. Yes there is a protocol. Ranger Pihana did the blessing for the installation, and likewise he should do the closure at the removal. Mr. Stevens stated overall, having sensitivity to the protocols is appreciated by everyone.

F. Pending Project Reports from the Director

Director Stormont did not leave a status report on the Memorandum of Understanding with the Natural Area Reserves, or the administrative rules. Director Stormont stated in a memo submitted to the Board at the January meeting that in lieu of his not being able to attend the meeting he would be submitting a report very soon.

IV. COMMITTEE REPORTS

A. Kahu Kū Mauna Council

No report as it was covered in the Associate Director's report.

B. Environment Committee

Ron Terry reported the committee met last week to hear a special presentation on the wēkiu bug by UH graduate student, Jesse Eiben. It was an excellent presentation on his research and we would like to have Mr. Eiben do more work for OMKM in the future, perhaps as a post-doc. This is an example of addressing some of the significant data gaps in the environmental/biological data. We feel we are making some progress there. Thanks to OMKM for arranging and sponsoring all that research. The committee also met with the Comprehensive Management Plan (CMP) consultants. We are working with them to determine how to best integrate the plans together. Our consultant, Sustainable Resources Group International, Inc. (SRGI), is working with Ku'iwalu on integrating the plan.

C. Hawaiian Culture Committee

No Report. Herring Kalua explained the committee broke into small groups several months ago and has not gotten together since. When we get together we will get a report.

V. OLD BUSINESS

A. Comprehensive Management Plan (CMP)

Associate Director Nagata reported that Dawn Chang sends her apologies for not being able to make today's meeting, but she submitted a written report describing the progress on the CMP.

There was a full day and a half retreat with Kahu Kū Mauna and our cultural consultants, Pacific Consulting Services, Inc. (PCSI) in early March to talk about management recommendations related to cultural issues and concerns. With these recommendations as a starting point, PCSI will soon be engaging in consultations with various community groups on the island.

In discussions with Ms. Chang, it was agreed that OMKM's consultant, SRGII, who is responsible for developing the Natural Resources Management Plan, and who is integrating the Cultural and Natural Resources Management Plans, will take on a bigger role in developing the CMP.

There will be an informational briefing before the Land Board on April 11. The briefing is at the request of Laura Thielen, chairperson for the Board of Land and Natural Resources (BLNR)/Department of Land and Natural Resources (DLNR). The BLNR will be briefed on the contents of the plan and the development process, which will involve extensive community outreach. It will also be an opportunity to get feedback from the Board. Ron Terry will represent the Board and Associate Nagata will represent OMKM. Dawn Chang has also informed a number of people, including the plaintiffs of the Outrigger contested case.

Ku'iwalu will be launching a website, and we are in the process of developing FAQs and fact sheets for the website. It is hoped the website will be launched within the next two weeks or so. Ku'iwalu has also started its consultations with various groups around the island asking questions about what is happening on Mauna Kea, their feelings, and what they thought about the future of Mauna Kea.

B. Mauna Kea Observatories Support Services (MKOSS) Transfer

Dr. Veillet reported that since the last Board meeting the committee worked on a document describing the current situation and the status of the transfer. The transfer was discussed at the Mauna Kea Observatory Directors' meeting three weeks ago. The transfer is going to be a long process because the observatories feel the current situation is working smoothly. Changing something that is working well will require good reasons for making a change. It was a good meeting because people understood what is at stake, where the Board is coming from, and the work which has to be done.

There are questions that will need to be reviewed by the committee and eventually the Board. In particular, the rationale for the transfer. For example, the issue of perception. Currently, the perception is that MKOSS is managed from Oahu by IfA. The real situation is actually not that clear, even as seen by the observatories. There is a need for the directors to understand what the issue is behind this perception, because in actuality MKOSS is managed by all the observatories and not by IfA. We also need to consult with UH's legal counsel for interpretation of the subleases.

Feedback from the observatories about OMKM and the relationships between the observatories and OMKM was positive. The observatories receive constructive feedback and advice from OMKM.

C. Commercial Tour Permits

Associate Director Nagata reported the original permits expired at the end of 2007. A meeting with the commercial operators to discuss proposed changes was held in January. There are two major issues: size of the vehicles, and the transfer and assignment of permits. The issue of vehicles sizes arose when a tour operator began driving oversize vehicles to Mauna Kea. These are somewhat similar to a mini-bus. Even though they fit into a parking space, when the doors are opened another van cannot park next to it. After considerable review, Associate Director Nagata and Ron Koehler decided not to allow oversize vehicles on Mauna Kea because of safety issues in the parking lot and on the narrow sections of the road especially when two oversize vans pass each other.

OMKM realizes there is an expense involved in the purchase of these vehicles, so it feels the companies who purchased them be allowed to use them for two years with an additional charge of \$50/day/vehicle for up to two years. The clock starts ticking when the vehicle was first put into service on Mauna Kea which goes back as far as July and December of 2007.

Modified vehicles will be allowed. These are vans that are intermediate in size between a standard 15-passenger and oversized vans. Reason being that 15-passenger vehicles may be phased out and going into smaller capacity vehicles. Taking into consideration companies that need to replace their aging vehicles, it was decided to allow the purchase of modified vehicles. They are slightly wider and may be a little bit longer. Companies will be allowed only one modified vehicle in the Visitor Information Station (VIS) parking at any given time.

Transfers and assignment of permits are not permissible, except transfers among family members, for example, father to son/daughter, is permissible provided there is no exchange of monies.

Discussions

The permits have been revised and redrafted to include a description of 15- passenger vans, modified and oversized vehicles. The commercial operators were notified in a letter about conditions under which they could use oversize vehicles including: a surcharge of \$50/vehicle/day in addition to the \$6 passenger fee; a two year limit on the use of the vehicle on Mauna Kea; and a deadline to order these vehicles. The latter was included to level the playing field to all operators who felt that those with oversized vehicles had a competitive advantage.

John Cross asked about OMKM's intention regarding the requirement that operators submit financial information related to their Mauna Kea tour business. Bruce Matsui, UH Associate General Counsel, replied the information is needed to confirm if there was some kind of an assignment, sale or transfer and if it involved the Mauna Kea portion of the business. The premise that we are starting with is that transfers, assignments, or sales are not permitted. Mr. Cross felt that transfers will occur and they could sell their businesses for 51% or more.

Chair Taniguchi explained that permits are not transferable. The business does not own the permit, but the permit is a license to come onto the mountain. That is why it is a difficult situation involving a family business, where the business is transferred from one generation to the next – the business remains in the family. When a business sells or transfers their permit, they are making money on the sale of the permit. The permit becomes an asset. The permittee does not own the asset and it is not theirs to sell.

Dr. Terry asked how the office would know if a business had been sold. A permit could be sold several times without anyone knowing. Mr. Matsui explained according to the revised terms, operators are supposed to report sales and transfers. If they do not, then it is considered a violation of the permit.

Lisa Hadway wanted to understand the definition of the different types of vehicles. Knowing that there will always be new styles she was worried there will be vehicles that fall in the gray area, that is, they will not fit the definitions. OMKM could end up not being able to implement the permits. Associate Director Nagata stated we realize that models will change and some will fall in the gray area, but we needed some guidelines. OMKM would review each on a case by case basis. If a proposed vehicle is not going to pose a problem, we will allow them to use it. Chair Taniguchi added annual permits can be revised (versus a five- or ten-year permit) to accomplish some of those changes.

Ms. Hadway expressed concern that at the end of the two years the operators will ask OMKM to extend the use of the oversized vehicles. Associate Director Nagata replied it would be brought to the Board for their decision.

Commercial tour fees are collected by OMKM and deposited into a revolving fund. OMKM uses those monies to support the ranger program and to reimburse the VIS for expenses related to supporting and servicing the commercial tours, such as water, trash removal, electricity and staff support.

Ron Koehler stated the bookstore pays a portion of the VIS operating fund. It is also funded by a variety of sources – the University, all the observatories, and commercial tour fees. It is not a self-sustaining or stand alone operation. It requires donations from other entities. Although observatories provide funds for the VIS, they have never funded the entire operation. Observatory support peaked at about 75% of the operation, but their portion of the operation is now about 30%, largely because of the commercial operator funds that are now coming in and revenues from the bookstore.

Ms. Ward asked if the remainder from 75% down to 30% be available for natural resource protection and cultural resource protection. Chair Taniguchi stated the observatories were not required to fund the VIS. Their contribution was voluntary. One could suggest, but it cannot be mandated. Dr. Veillet clarified that the contribution to the VIS from the observatories has not decreased, but rather the operating budget for the VIS has increased.

Action

It was moved by Ron Terry and seconded by Herring Kalua to approve the final form of the 2008 Mauna Kea Commercial Tour Permits. The motion was carried, with opposition by Lisa Hadway.

D. Natural Area Reserve (NAR) Memorandum of Understanding (MOU)

Associate Director Nagata reported there was no report from the Director. Lisa Hadway provided a brief update.

Ms. Hadway reported there has been no progress since it was last reported by Director Stormont, in particular the need to communicate with the DLNR chair. She is working closely with the Office on developing a similar cultural resources management plan for the NAR. She anticipates it will take a couple years to get it completed.

Mr. Stevens stated that was good news. He also mentioned that thanks to Associate Director Nagata's initiative to have the inventory completed, we have a valuable asset. OMKM's plan combined with the NAR is going to be an awesome plan with a total view of the cultural landscape. We will know what is there and how to manage it.

E. Administrative Rules

Associate Director Nagata reported there was no report from the Director.

VI. NEW BUSINESS

A. University of Hawai'i at Hilo Physics and Astronomy Department's Proposal to Install a Camera on the Coude Roof of the UH 2.2m Telescope on Mauna Kea

OMKM received a proposal from the UH Hilo Physics and Astronomy Department to install a web camera on the coude roof of the UH 2.2m telescope facility. The purpose for the camera is to monitor and check on construction activities while the 24" facility undergoes renovation as well as monitor weather. The camera, which is small, will be mounted on an existing metal grid.

Kahu Kū Mauna Council

Ed Stevens reported the Council reviewed the project request and had one concern. On April 1, at a pre-construction meeting for this project, we were able to discuss various concerns. One in particular which was raised by Arthur Hoke, and which the Council concurred, had to do with the real intent of the camera. Is it to monitor constructions activities? The weather? Or is it to eliminate the need for a construction monitor? Dr. Heacox was asked this question at the pre-construction meeting. He emphatically said no, it would not, that it is strictly for observing construction activities and the weather. Based on his answers the Council was satisfied and had no further concerns.

Recommendation

OMKM recommends this project be classified Minimal Impact and that the Board approve it and allow UH Hilo Astronomy Department to go ahead with the project with the conditions, including Mr. Stevens concern that the camera will not replace the need for an on-site construction monitor. In addition the applicant must comply with all of the conditions of the DLNR permit as well as the mitigation measures described in the proposal.

Discussions

Ms. Hadway asked who will be assigned the construction monitor. Mr. Stevens explained the rangers will be trained on what to look out for. Mr. Koehler indicated that each time rangers make their rounds to the summit they will do site monitoring. The construction company is supposed to give start and end times. Rangers will try to on site at those times plus two additional times during the day. Mr. Stevens indicated that four visits a day was adequate.

Chair Taniguchi asked if the contractor will have their own construction monitor. Mr. Stevens stated in the pre-construction meeting it was pointed out that it was the contractor's kuleana to make sure that all the terms and conditions are followed. That includes keeping trash from blowing all over the mountain. They will be policing themselves in addition to having the rangers.

Nelson Ho, of the Sierra Club, asked if any of the biologists or cultural experts noted any wind-generated debris. Associate Director Nagata stated all construction related projects contain conditions requiring all containers be secured and equipment stored inside. In the beginning rangers reported picking up a lot of trash. That has decreased over the years. The condition of the mountain is a lot better than what it was seven years ago.

Mr. Stevens added this being the first large construction project under OMKM; it was emphatically stressed that containers, including lids, need to be secured so that sudden bursts of wind will not blow debris or materials all over the place. We were satisfied that they were going to control the trash.

Mr. Cross asked if there is a list of approved construction monitors and who would train one and has knowledge in construction management. Associate Director Nagata did not know if a list exists. Mr. Stevens felt that the training of a construction monitor involved reading its responsibilities. It is also up to the construction company to make sure their employees read and understand their responsibilities.

Mr. Cross stated every construction project that occurs on the mountain should have a monitor who can shut activity down. He believes the rangers are in the position to notice whether they are in compliance. Dr. Terry added the rangers are also being trained to do conservation district use program enforcement, which is also part of construction-type conditions. Chair Taniguchi added another thing to consider is the size of the project. In a huge project the rangers would not be appropriate.

Associate Director Nagata clarified this action is about installing a camera. Construction monitor does not apply here.

Action

It was moved by Herring Kalua and seconded by Lisa Hadway to accept OMKM's recommendation to classify this project Minimal Impact and approve it with conditions. The motion was carried unanimously.

B. Future Vision for Mauna Kea – A Planning Guide

Dr. Terry asked that this item be put on the agenda. He realizes that this Board looks at little projects that come to us one at a time--a camera, very small construction projects, or we look at plans that are being developed, or permits. What he would like to see is a larger vision of the mountain. What will Mauna Kea look like in 2025? It is not necessarily this Board that needs to develop that vision. There are many stakeholders in Mauna Kea and would like to initiate some sort of visioning process.

One of the players that need to come to the table is the University of Hawaii as a whole, including UH Hilo, which is taking a much larger role in astronomy which may continue to expand. We and the public we represent need to have a vision. We all know there are projects out there, such as Pan-STARRS and TMT, but how do they fit into the broader vision? They should not be looked at as being unrelated. The director of IfA, Rolf Kudritzki submitted an interesting report to the legislature about a year and a half ago. He was surprised to see that IfA's

vision, which was articulated in the Master Plan, had changed dramatically in a matter of a few years. We need to be working with this overall vision when we focus on smaller things.

Discussions

Mr. Stevens agrees and supports the development of a vision plan which includes guidelines for the mountain, its uses, and how to mitigate problems. It should include all the “what ifs”, because things change.

Ms. Hadway thought we should define internally what is a master plan, management plan and strategic plan and relate the three. Dr. Terry replied the Master Plan no longer matches the vision of the University. We need a new one with a different type of sensitivity and experience that was absent at the time the 2000 Master Plan was being developed.

Herring Kalua stated that during the planning of the Master Plan, we could not see what was going to happen, but we still tried to put something together. It is dependent on all of us, the community, business people, and University to make this a win-win situation. It is critical that all the players be at the table. If we leave one player out, then we are not going to move forward. He feels we are moving in the right direction right now by involving environmental and cultural people. Those are the two key issues that need to be addressed if we want to see astronomy continue. If this is the best part of the world then we need to make it happen. The only way it can happen is bringing everybody to the table, help each other and share ideas. This vision plan is good but we are falling behind because of the comprehensive plan, so we need to speed it up but we need to make sure it is done correctly. The environmental and the culture groups are keys to making sure we are moving in the right direction because we need to protect the resources.

Ms. Ward did not understand why the University and DLNR have chosen to appeal Judge Hara's ruling on the CMP. This disables the parties who feel most connected to protecting the mountain from sitting at the table. It is difficult for groups that have been historically involved and have been given standing in litigation to communicate at a time when they are in an appeal to the Supreme Court. She does not understand why the issue of the appeal has not been raised while at the same time the University is carrying out a CMP. A discussion of a future vision for the mountain precluding the people that feel most connected to the issue just seems like you will be leaving a large group of people off that table.

Dr. Terry clarified that OMKM is not appealing the judge's ruling and that we are the ones calling for a vision statement. He is asking the University to step up, not the other way around. We need to be very clear about that. He was not aware that the ruling was still being appealed. He thought that the hiring of a consultant to prepare the CMP was recognition that a CMP was needed. Although we were reluctant at first to participate in the Manoa system-driven process, we have gotten on board to try to make the best CMP possible using our already existing plans that are in progress.

Ms. Ward continued saying it is interesting that the University is practicing selective deception. If they are not bringing this information to the table and counsel is here, why isn't that information being provided to OMKM or MKMB? Dr. Terry stated it may be more ignorance on his part than deception, but we have not heard from the University counsel about that lawsuit.

Bob Masuda was not sure what Ms. Ward was referring to, but his understanding is that UH retained consultants to proceed with developing the CMP. The CMP development process involves extensive coordination, collaboration and involvement jointly with this Board and with OMKM. Consultants have been meeting with various people. We even tried to attend your Sierra Club meeting but went to the wrong place.

Ku'iwalu will be conducting public informational meetings to meet with interested members of the public (see Announcements below). There is no reluctance to proceed with completing the CMP. If the legal department is appealing on the basis for legal reasons, that is their kuleana. But in terms of the University system working with consultants and proceeding with the development of a CMP with the goal of protecting the cultural and natural resources, that process is active and ongoing. If Sierra Club wishes to meet with the consultant, we would be delighted to set up a meeting.

Chair Taniguchi sees the issue as General Counsel's decision to appeal Judge Hara's decision to the Supreme Court created a situation where the opposing parties cannot participate. Personally, he thinks the University is

being shortsighted. They are doing it to "try to prove a point." Regardless of the Supreme Court's ruling we are still going to do the CMP. He thinks that they want to establish the point of law versus the real situation. He sometimes finds the system doing things that does not make sense.

Jim Kennedy reminded everybody that OMKM and its management board's direction and active development of a CMP precedes Judge Hara's ruling by years. The fact that the Office is in a position to effectively collaborate and in fact be a source of incredibly valuable information and studies in the development of what has now become the system plan is because of the fact that this body has been in the process of the doing this for its own sake for a long time. Dr. Kennedy was not trying to and very specifically did not want to exclude the fact that this was a community-driven activity, it absolutely was. He was just reinforcing Dr. Terry's and Chair Taniguchi's statements that the CMP is going to happen anyway. The train has been on the track and actively being pursued for a long time. There will be a plan.

Mr. Masuda said he would not call it a system plan. He thinks System, OMKM, and this Board are working together. The consultants working on it are working directly with the OMKM and its cultural and environmental consultants in integrating everything together.

Dr. Veillet asked Dr. Terry to elaborate on the weak points of the Master Plan and how it might help in the vision planning. Dr. Terry replied Ed Stevens and Arthur Hoke have stated this a number of times it's 13:0. When a new observatory is being proposed we do not look at what it means to the whole mountain. Is there an opportunity to perhaps remove some or could we rearrange what is on the mountain to make it culturally more appropriate, while at the same time being concerned about environmental resources, particularly invertebrate habitat, permafrost, and other things, too?

Is there a way to have a new generation of telescopes, keep our science, our edge, provide jobs and education, and remain connected to Hilo? The benefits of the observatories are enormous and incalculable, but much of that benefit has been distributed worldwide, nationwide, and to the Island of Oahu, in the graduate astronomy program. Although that is a good thing the benefits to the Big Island have been less so. We have a certain number of good jobs, but a lot of them are not filled by local people. Nevertheless, those people that come here contribute to our economy and our society and they are wonderful contributing members. But there is a much stronger connection between the summit of the mountain and the University of Hawaii at Hilo. The Hawaiian cultural aspect has been hit the hardest and needs to be supported. The Master Plan did not identify a process for connecting the science and culture. The UH Hilo College of Hawaiian Language and the Hawaiian Studies Programs are ready to service that. They are totally open to the connection between a science and a cultural education. Their curriculum incorporates science in the Hawaiian language.

Chair Taniguchi stated the Master Plan has been in existence for almost ten years and now is an opportune time to review the Master Plan. The Science Reserve is a University-wide function, so he does not know whether MKMB or OMKM should take the lead.

Chair Taniguchi suggested keeping this on the agenda as old business at every meeting so we do not forget about it. He thinks we might want to ask the President to convene a process to look at the Master Plan, review it, and involve everybody again.

Action

Chair Taniguchi stated we should take the position that we recognize that a number of years have passed and that there are many things that should be changed in the Master Plan. It is due for a good look at and revision. In fact, we can go straight to the Board of Regents and just express our opinion that this should happen.

It was moved by Ron Terry and seconded by Herring Kalua to ask the Board of Regents to begin a process to revisit the Master Plan.

Ms. Ward's interpretation of Judge Hara's ruling is that the Master Plan 2000 did not have the force of law and any decisions on land use on Mauna Kea should be taken to the BLNR. Mr. Stevens replied the Master Plan does not approve sites for new construction. It is for planning purposes only. Some people's interpretation is that "the Master Plan calls for it." It does not call for "it". For example, it did not call for two infrared telescopes in the lower areas; it just allowed planning for it. All projects have to run the gamut of approval before it even gets

considered. Do not misinterpret the intention of the Master Plan as being the lawful document regarding what goes on up on Mauna Kea. Chair Taniguchi stated the Master Plan is not a management plan. The Master Plan is what we follow for planning purposes. The Land Board has said the Master Plan is not a management plan. This is why we are going through the process of preparing a CMP. Do not get the issues mixed up and say that it is legal or not legal.

Ms. Ward stated the point she was trying to make is that if it is a guidance or a vision plan, there is a difference between that and representation as an approved document. Chair Taniguchi stated that the Master Plan is the University's vision. It is not a management plan. Hara said it is not a management plan. He wanted to clarify what a management plan should be. We are talking about a revision to the Master Plan, which really is a vision plan.

Chair Taniguchi closed this discussion and asked the Office to draft a letter from MKMB to the Board of Regents reflecting the action taken today.

VII. ANNOUNCEMENTS

Mr. Masuda shared information on Ku`iwalu's public meetings on Hawai`i Island:

- May 6, 2008 at the Waimea Middle School, around 5:00 to 7:00 p.m.
- May 7, 2008 at Kealakehe School in Kona, either 5:00 to 7:00 p.m. or 6:00 to 8:00 p.m., but it will be in the public announcement
- May 13, 2008 at Hilo High School, from 6:00 to 8:00 p.m.

VIII. NEXT MEETING

The next meeting of the Mauna Kea Management Board is scheduled for Tuesday, May 13, 2008.

Mr. Stevens asked the Board to reserve the second Tuesday of each month for Kahu Kū Mauna Council meetings. The Council already set the schedule for the year for the second Tuesday. With the exception of May's meeting, the Board will accommodate his request.

IX. EXECUTIVE SESSION

Chair Taniguchi asked for a motion to move into executive session to 1) approve the last executive session meeting held on March 4, 2008; 2) discuss with the Board's attorney regarding questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities; and 3) discuss the evaluation of executive personnel, which only Board members will be present.

It was moved by Ron Terry and seconded by Herring Kalua to enter into Executive Session.

X. ADJOURNMENT

There being no further business, Chair Taniguchi adjourned the meeting at 2:00 p.m.

Respectfully submitted:

Signed by Dr. Ron Terry
Dr. Ron Terry, Secretary, MKMB

5/13/08
Date