

TESTIMONY OPPOSING SB3090 SD1 (proposed)

**LATE**

I write to oppose vehemently the shibai that is SB3090 SD1 (proposed).

This abomination of a bill is fraught with unresolved conflicts, not the least of which include:

Jurisdiction over Ceded Lands;

The state's long-standing land use law;

Jurisdiction over public hunting areas, including authorizing private sale of hunted game;

Federal and state authority over designated historic properties and burials;

Usurping procedures, priorities and authority of our established law enforcement agencies;

And many others.

The only intents that I can surmise from this bill are to pervert established authorities in state law, to subvert the public's right to access and protest policy on these public lands, and to provide an illusion to the TMT development entities that the state's current official policy is still an "open door", despite the public challenges and legal conflicts that have yet to finish playing out. This bill has little chance of becoming law, so please kill it now and end the shibai. To pass it on out of committee in any form would be an embarrassment to this august body.

Rick Warshauer

Volcano, Hawaii



SIERRA CLUB OF HAWAII  
MĀLAMA I KA HONUA. *Cherish the Earth.*

**LATE**

**SENATE COMMITTEE ON HIGHER EDUCATION**

**SENATE COMMITTEE ON WATER AND LAND**

Monday, February 12, 2018 1:15PM Capitol Auditorium

**In OPPOSITION of SB 3090** Relating to Government

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Aloha Chairs Kahele and Rhoads, Vice Chairs Gabbard and Kim and members of the Committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i, a member of the Common Good Coalition, **opposes SB 3090 SD1**, a measure that establishes a Mauna Kea management authority in the Department of Business, Economic Development, and Tourism. While we deeply appreciate the Senate's effort to improve management of Mauna Kea and resolve the long-standing conflict over this mountain, we feel this bill does not accomplish the goals identified in its preamble. Our testimony on this matter is based on the policy position adopted by the elected leaders of the Sierra Club of Hawai'i in 2010.<sup>1</sup>

Mauna Kea is an immense and highly revered natural and cultural resource. The State's longstanding, perpetual failure to recognize Mauna Kea for what it is, and protect it for this purpose, is why the controversy over its mismanagement continues to fester and divide our community. Unfortunately, SB 3090 SD1 does not break from this trend.

**Mauna Kea must be managed for the best interests of the resource, not economic gain.**

We oppose SB 3090 SD1 because it proposes that conflicting activities on Mauna Kea be managed by the Department of Business, Economic Development, and Tourism, as if this were simply a tourist attraction in need of better traffic cops.

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<sup>1</sup> <https://sierraclubhawaii.org/environmental-issues/policies/>

Mauna Kea needs management because more than 40 years of telescope construction has resulted in a massive industrial zone in the middle of this highly revered, extremely unique conservation district. Based on its mission statement, the Department of Land and Natural Resources is the most appropriate agency to oversee management of Mauna Kea. Fully funding DLNR would improve its ability to fulfill its responsibility to Mauna Kea.

**Mauna Kea must be managed by the community, not by competing interests.**

We oppose SB 3090 SD1 because the approach of the proposed management entity is focused on stakeholders with competing interests in activities on Mauna Kea, instead of the community focused on the best interests of the natural and cultural resources of this conservation district. The “stakeholder” approach to decision-making results in a divvying up of the resources coveted by each interest group, as if cutting up a multi-flavored pie for picky eaters. This approach tends to result in an overuse of resources, and decisions rooted in territorial exclusionism.<sup>2</sup>

For Mauna Kea, the approach needed (and asked for by community leaders for many years) is holistic management for the best interest of the resources based on the best judgement of community members committed to the longevity of the resource. Community-based management of natural resources is proving to be a highly successful resource management approach in other contentious areas such as nearshore fisheries.

**All laws must continue to apply.**

We oppose SB 3090 SD1 because it appears to attempt to circumvent well-established laws. We are particularly concerned about those statutes intended to protect the public interest and our natural and cultural resources.

**Conservation Districts**

A significant portion of this bill concerns leasing portions of the mountain, finance mechanisms for leasing, and land exchanges.

To be clear, regardless of the form of any land disposition on Mauna Kea, this mountain is designated by the Land Use Commission as a conservation district. Any activity on Mauna Kea must comply with Hawai'i Revised Statutes §183C which regulates conservation districts. This includes the regulations imposing compliance with all eight criteria for the issuance of a conservation district use permit.

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<sup>2</sup> U.N. Food and Agriculture Organization, “A community-based ecosystem approach to fisheries management,” 2010. <http://www.fao.org/3/b-bo081e.pdf>

### **Public access**

The bill authorizes a new form of “ranger” for Mauna Kea to enforce the management authority’s decision-making. While enforcement is critical to protecting natural and cultural resources, this class of ranger appears to be more focused on crowd control, trespassing, and search and seizure. This approach raises serious concerns about constitutionally protected rights to public access based on traditional and customary access practices. This bill represents an unfair burden on the exercise of these rights specifically protected by Hawai‘i’s constitution. Such a burden would result in an unnecessary chilling effect on public access to established hiking and hunting trails.

For these reasons, the Sierra Club **opposes SB 3090** and urges the committee to defer this measure.

Thank you for the opportunity to testimony on this important matter.

Aloha,

Marti Townsend  
Director

**LATE**



P.O. Box 37158, Honolulu, Hawai`i 96837-0158  
Phone: 927-0709 henry.lifeoftheland@gmail.com

COMMITTEE ON WATER AND LAND  
Senator Karl Rhoads  
Senator Mike Gabbard

Monday, February 12, 2018  
1:15 p.m.  
Auditorium

SB 3090 SD1 RELATING TO GOVERNMENT.  
Establishes the Mauna Kea Management Authority

**STRONGLY OPPOSE**

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee

Life of the Land is Hawai`i's own energy, environmental and community action group advocating for the people and `aina for 47 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

The proposed Mauna Kea board appears stacked with a majority supporting what the University is doing. It's just a name change. There is a proposal to limit the number of telescopes, but the actual number of telescopes could rise, since the newer approach is to have multi-telescope systems labelled as one telescope.

There are several clauses that are questionable as to their intent. Some of them are listed below.

*“The authority is authorized to approve or disapprove all projects, including but not limited to design review, on all Mauna Kea lands; provided that rules adopted pursuant to this chapter shall supersede all conservation district rules.*

*“The authority shall have police powers and may appoint and commission enforcement officers, who shall be known as rangers.”*

*“Persons appointed and commissioned under this section shall have and may exercise all of the powers and authority of a police officer, including the power of arrest.”*

*“The authority shall adopt rules pursuant to chapter 91 to determine what constitutes historic preservation and restoration projects for the purposes of this section; provided that no definition or criteria established shall conflict with any federal, state, or county law.”*

*“The authority shall expedite the establishment of rules pursuant to chapter 91 on the management, stewardship, and protection of lands and cultural resources, and any fees and fee waivers under its jurisdiction. Rules adopted under this section shall follow existing law, rules, ordinances, and regulations as closely as is consistent with standards to meet minimum requirements of good design, health, safety, and coordinated development.”*

*“All members shall continue in office until their respective successors have been appointed and qualified.”*

Mahalo,

Henry Curtis  
Executive Director

**LATE**

**SB-3090**

Submitted on: 2/11/2018 2:28:34 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wai'ala Ahn		Oppose	No

Comments:

**LATE**

**SB-3090**

Submitted on: 2/11/2018 2:47:23 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sasha Giron		Oppose	No

Comments:



**LATE**

**SB-3090**

Submitted on: 2/11/2018 6:50:21 PM  
Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sherry Pollack		Oppose	No

Comments:

**LATE**

**SB-3090**

Submitted on: 2/11/2018 6:53:55 PM  
Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James K. Rzonca		Oppose	No

Comments:

Opposed

**LATE**

**SB-3090**

Submitted on: 2/11/2018 7:41:11 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Hoenig		Oppose	No

Comments:

**LATE**

**SB-3090**

Submitted on: 2/11/2018 9:23:38 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Harden		Oppose	No

Comments:

Aloha legislators,

Shouldn't we hold statewide hearings on who says what happens on Mauna Kea? This is not an issue to be decided in haste by a few people.

mahalo,

Cory Harden, Hilo

**LATE**

**SB-3090**

Submitted on: 2/11/2018 9:41:07 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
liliuokalani taliulu		Oppose	No

Comments:

ALOHA

I OPPOSE THIS BILL SB3090

- 1) I oppose SB 3090 SD1 because it authorizes the sale of "ceded" lands by way of taking the lands out of the public trust and making them available at public auction.
- 2) I oppose SB 3090 because members of the proposed authority members appointed entirely by the governor and legislative branches, and DBEDT in particular, do not reflect skill set and background necessary to protect the resources that must be protected, nor does the legislation propose to improve the lives of the beneficiaries of the public trust. The authority should be largely the rightholders (not the stakeholders) of the trust, and must include native Hawaiian practitioners, environmental organization representatives, and educators.
- 3) I oppose SB 3090 because this bill appears to largely monetize the lands held sacred and the vulnerable and unique ecosystems found nowhere else.
- 4) I oppose SB 3090 because the proposed authority overlaps with the areas set aside for hunting and is in conflict with the game rules.
- 5) I oppose SB 3090 because it is in conflict with Federal laws for historic preservation and protection.
- 6) I oppose SB 3090 because it is on conflict with Federal laws protecting vulnerable and unique ecological areas, and rare, threatened and endangered species.

MAHALO

Liliuokalani Taliulu

**LATE**

**SB-3090**

Submitted on: 2/11/2018 10:00:22 PM  
Testimony for HRE on 2/12/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Ha		Oppose	No

Comments:

Aloha Senators Kahele and Rhoads

The board of directors of PUEO has concerns about SB 2030, Sd1  
We are uneasy about exchanging the present management of Maunakea from OMKM to an entity that is unproven and so we are not sure the result will be beneficial.

We are concerned about the management structure from a 100% volunteer group of respected Big Islanders to a paid management group that could take away the management from Hawaii Island.

It is unfair to characterize the performance of the OMKM as a failure. They have done a good job given the tools they had to work with.

The main tool that OMKM lacks is control of sufficient lands to separate the Maunakea Support Services from the cultural center above the clouds. OMKM cannot separate the Maunakea Support Services from the cultural center above the clouds because they do not have control of sufficient lands to make the best decision. At the same elevation and to the west facing the sunset, is a potential site that is controlled by the BLNR.

Suggestion. Transfer a sufficient amount of land so the cultural center above the clouds can be build.

Retain the present control structure until it can be shown that an alternate will be more effective.

Mahalo  
Richard Ha  
Spokesperson for PUEO

**LATE**

**SB-3090**

Submitted on: 2/11/2018 10:03:02 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
NO Kapaole		Oppose	No

Comments:

Bold faced corruption.

**LATE**

**SB-3090**

Submitted on: 2/11/2018 10:03:12 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yeshuah Kauhane		Oppose	No

Comments:

I strongly oppose this bill which makes it possible to erect the TMT telescope on the grounds that it is offensive and injurious to Native Hawaiians, that it is unnecessary, and that it poses environmental consequences, both known and unknown.

Mahalo, Yeshuah Kauhane



**LATE**

**SB-3090**

Submitted on: 2/11/2018 11:40:05 PM  
Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Springer Kaye		Oppose	No

Comments:

**LATE**

**SB-3090**

Submitted on: 2/12/2018 7:05:42 AM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lahela Spencer		Oppose	No

Comments:

I strongly oppose SB 3090.

-This bill would solidify the State's authority over our sacred and historic mountain through the creation of the Mauna Kea Management Authority giving over the governance and management of 11,400 acres of Mauna Kea lands to just nine individuals some of whom would be appointed by the Governor and Legislative leaders.

-This selection process and criteria for membership in the MKMA excludes Kanaka Maoli cultural practitioners and groups and does not require any of the nine voting members to have any expertise in Kanaka Maoli traditional and customary practices on Mauna Kea.

-This bill gives the MKMA the power to exploit and limit access to the sacred and historic Mauna Kea summits through the establishment of entrance fees and management rules and regulations. Entrance fees for cultural practitioners could be waived, but it is not clear if access will be allowed for customary and traditional practices only during visitor center normal operating hours.

-Although this bill puts a limit to the number of telescopes allowed on Mauna Kea, it may not affect the number of industrial developments allowed and offers the appearance that all projects could be approved without a conservation district land use permit.

-The lands controlled by MKMA would be exempt from the definition of 'public lands'. Taking Mauna Kea out of the public (and conservation) land use designations removes much needed safeguards that help protect Kanaka Maoli (and public) rights and resources.

-The creation of the MKMA undermines pending litigation regarding the future of Mauna Kea and its fragile environments and sidesteps powerful efforts of Kanaka Maoli and the public toward healing and resolution.

**I STRONGLY OPPOSE THIS BILL**

**LATE**

**SB-3090**

Submitted on: 2/12/2018 8:22:56 AM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimberly Coleman		Oppose	No

Comments:

The TMT is an unnecessary construction that does not adequately address the concerns of native Hawaiians and will disturb the unique environment of Mauna Kea. This bill fails in that it proposes to continue to allow construction on decommissioned sites. Furthermore the committee members who propose this bill lack the cultural insight necessary to undertake the complexity of handling this extremely important Hawaiian cultural site. Anyone who votes in favor of this measure will NOT my vote at the most immediate election oppprtunity.

**LATE**

**SB-3090**

Submitted on: 2/11/2018 8:49:05 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephanie Austin	citizen	Oppose	No

Comments:

Do NOT support this terrible bill which silences and threatens the freedom of the community to express their concerns. Expect this if Trump: NOT HAWAII!

**LATE**

**SB-3090**

Submitted on: 2/11/2018 9:42:15 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gary Ahu	Hawaii	Oppose	No

Comments:

TERMINATE SB 3090

MAHALO

**LATE**

**SB-3090**

Submitted on: 2/11/2018 9:08:52 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Pacheco	Hawaii Forest & Trail	Oppose	No

Comments:

**Chairs Kahele and Rhoads, Vice Chairs Vice Kim and Gabbard, and members of the**

**committees:**

**My name is Robert Pacheco a resident of Holualoa, Kona, Hawaii. Please accept my late testimony regarding SB 3090, SD1. I am not in support of this bill. To help put my testimony in context I first want to share with you my relationship with Maunakea. As a naturalist I have had a 30 year relationship with the mauna. I have personally spent hundreds of hours in the dry leeward subalpine woodlands, the wet montane rainforest, and the summit realm. I have summited the mountain from three different directions and trails on multiple occasions. I also own Hawaii Forest & Trail an ecotour company specializing in interpretive guided nature adventures with base locations in Kona, Hilo, and Kohala. Hawaii Forest & Trail hold permits from DLNR to access forest areas on Maunakea for birdwatching, USFWS to access Hakalau Forest National Wildlife Refuge and we are one of the eight permitted operators in the science reserve. I also served as the original Chairperson when the Office of Maunakea was established and held that position for 6 years until I was appointed as the Hawaii Island member of the Board of Land and Natural Resources serving two four year terms.**

**While the intention of this bill is to establish an authority for better management of Mauna Kea, I find this**

**proposed bill does not: 1) provide clear and fact-based reasons that support the need**

**for the establishment of a new management authority for Mauna Kea; 2) describe the**

**purpose, mandate, objectives and goals of this authority; 3) demonstrate how this new**

**authority will be self-sustaining while protecting cultural, natural and scientific resources;**

and 4) show how a new management authority with no clear direction will be better than

what currently exists. Additionally, this bill is overly broad in that it provides sweeping

authority to a management agency that has no built-in checks and balances.

As I noted above I have been involved with Mauna Kea for almost 30 years including nearly seven years

on the community-based, volunteer Mauna Kea Management Board. I can attest to the

dramatic positive changes in the management of the mountain over the past 17 years.

The members of the Management Board who reside on the Island of Hawaii all desire to

see the cultural, natural and scientific resources on Mauna Kea properly managed. The

members of the Board together with Kahu Ku Mauna, the native Hawaiian cultural advisory council, have worked tirelessly to set the groundwork for proper stewardship.

In addition, Mauna Kea is public land, and therefore, the Board and Kahu Ku Mauna

must ensure there is balance management so that all members of the community,

including cultural practitioners, residents, tourists, and those who work on the mountain

can enjoy and conduct their respective activities on the mountain. I take exception to

the notion that Mauna Kea has been mismanaged under the care of the Office of Mauna

Kea Management. The office's creation along with the Management Board and Kahu Ku Mauna represented a paradigm shift in the day to day management of the mountain, a shift that continues to move towards better and better stewardship to day.

**It is not clear how a new management authority will provide better stewardship than the**

**existing management structure. Serious consideration must be given to how the new**

**management authority will be able to accomplish much, since it will take years for it to**

**get up to speed. The authority will first need to fully understand its purpose, mission,**

**objectives and goals so that the Governor and others can appoint appropriate**

**candidates to the authority. Similarly, the authority will need to secure appropriately**

**trained and experienced staff based on its mission, objectives and goals. Once the**

**numerous staff positions required by the bill are filled, the authority will be faced with**

**building staff competency and proficiency. The authority will also need to secure annual**

**funding. Judging from the content of the bill and proposed structure of the new**

**authority, much of this funding will have to be appropriated by the Legislature**

**(notwithstanding the bill's intent that the authority be self-funded). How will the authority**

**be able to protect the resources (including preventing the introduction and control of**

**invasive species in the unique and fragile environment), ensure public safety, and**

**maintain the road (including removal of snow and ice) once the existing management is**

**removed and the new authority is established? For example, continuous and**



conscientious attention must be given to protecting the endemic wekiu bug that only

lives on the summit of Mauna Kea. Otherwise it may once again be under Federal watch and potentially listed under the Federal Endangered Species Act. Such a listing

could impact or curtail public and astronomy activities on the mountain. The latter

impact could undermine Mauna Kea's role as the center for US astronomy and globally

renowned excellence in astronomy research.

The bill does not clearly state the mandate, mission, objectives and goals of the new

management authority, but to some extent it appears the bill is directing the authority to

become a commercially driven entity. Is it a goal to turn Mauna Kea into a tourist attraction like Hanauma Bay - which has been known to attract over 3 million visitors a

year? The bill indicates the authority is to primarily protect cultural resources, but does

not specifically include protection of the unique natural and scientific resources. Is that

to be part of the authority's mission? Does the authority's mission include seeing to the

continuation of astronomy? If so will it ensure astronomy on Mauna Kea can continue to

operate in a manner that allows for enhancements that will advance scientific research?

The bill is silent on how the authority's mandate, mission, objectives and goals are

identified; how will the authority execute the development and implementation of

**programs to achieve its mission, goals and objectives?**

**Based on the activities and administrative functions described in this bill, it appears that**

**the cost to manage the mountain under the new authority will be significantly greater**

**than the current cost to operate. Yet it is highly uncertain how this new authority will be**

**able to generate sufficient funds to operate in a self-sustaining manner without turning**

**the lands under its management into a commercial zone. What is clear is that**

**commercial tour capacity will have to dramatically increase and commercial tours will**

**have to be charged significantly higher fees to the point it may not be economically**

**feasible for commercial tours to operate on Mauna Kea. Will this make it economically**

**infeasible to conduct commercial tours on Mauna Kea, when fees from that activity are**

**apparently intended to be the source of funding for the authority? Increasing**

**commercial tours and visitor traffic to Mauna Kea also directly contradicts community**

**concerns that there are already too many people and cars visiting the mountain.**

**The observatories on Mauna Kea are non-profit research organizations and most are**

**funded by US Federal and international governments. The observatories are tasked**

**with conducting research on behalf of the funding entities and operate under strict fiscal**

**conditions. As legislators are aware, governments are not extravagant when it comes**

to funding but instead provide sufficient funds for operations. The likelihood of observatories being allowed to operate as for-profit centers is doubtful.

The stated powers of this new management authority are overly broad, especially regarding the disposition of public lands. Among the powers of this authority is the sale

of lands by various means, including by drawing, auction or exchange. Considerable

language has been added in the proposed SD1 granting wide ranging powers to the

point that the authority is akin to a development entity. This again begs the question of

the mandate, mission, objectives and goals of this new authority.

Finally, the proposed bill does not include adequate checks and balances. Who will

have oversight of the operations of the authority? How does the public participate in the

decision making other than through a board which includes members who may not

reside on Hawaii island and don't have a vested or motivational interest in proper management of Mauna Kea? Is this board required to hold public meetings? What is

the process for the public to object or contest decisions made by the authority?

Based on serious concerns, I strongly oppose SB3090 SD1.

Again, thank you for the opportunity to comment on

this bill.

Jan Naoe Sullivan



February 12, 2018

The Honorable Kaiali‘i Kahele, Chair  
The Honorable Karl Rhoads, Chair  
and members of the committees on Higher Education and Water & Land

Chair Kahele, Chair Rhoads, and members of the Committees:

Subject: S.B. No. 3090, Proposed S.D. 1 (Relating to Government)

I offer comments on S.B. No. 3090, Proposed S.D. 1, which establishes the Mauna Kea Management Authority. Although I am a member of the Board of Regents, this testimony is submitted only on behalf of myself. The Board as a body has not had the opportunity to review S.B. No. 3090, Proposed S.D. 1, and to discuss whether to take a position on it.

In August 2017, the Board of Regents adopted a resolution affirming *“its commitment to the collaborative stewardship of Maunakea’s cultural, natural, educational and scientific resources and directed the university to move forward to collaboratively build a global model of harmonious and inspirational stewardship that is befitting of Maunakea.”*

The Board, University Administration, Office of Maunakea Management, Maunakea Management Board, and numerous other stakeholders have been working toward solutions to the difficult issues facing Maunakea and our community. I look forward to continuing the dialogue to further efforts toward progress and solutions in the best interests of the people of Hawaii.

Mahalo for your consideration.

**LATE**

Aloha Honorable Members of the Higher Education, the Water and Land Committees,

I am in opposition to SB3090 SBD1 in its entirety.

Yes, the past 50 years has proven to us, the citizen residents that our natural resources has not seen better days under the different levels of government whom previously sat in those very seat being occupied by each one of you. The policies and procedures process has failed us. Instead of bettering our living conditions, we wind up being sickly because what has and continues to occur with our natural resources affects our health.

A Mauna Kea Management Authority-type will be needed after the present Master Lease expires in about two decades. We need to heal, as a people, and Mauna Kea is where we begin.

We deserve better. No to SB3090 SBD1 in its entirety.

Mahalo for your time and consideration.

Tammy Harp

**LATE**

**SB-3090**

Submitted on: 2/12/2018 9:50:37 AM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benjamin Shappee	Individual	Oppose	No

Comments:

**LATE**

**SB-3090**

Submitted on: 2/12/2018 10:26:52 AM

Testimony for HRE on 2/12/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tonya Lee Coulter	Individual	Oppose	No

Comments:

Much Aloha,

My name is Tonya Lee Coulter, I am OPPOSING SB 3090 SD1. I oppose this bill because a large number of the proposals would not in fact lead to the protection of the natural and cultural resources that are protected in the Constitution.

1) I oppose SB 3090 SD1 because it authorizes the sale of "ceded" lands by way of taking the lands out of the public trust and making them available at public auction. These lands are not and should not be for sale!

2) I oppose SB 3090 because members of the proposed authority members appointed entirely by the governor and legislative branches, and DBEDT in particular, do not reflect skill set and background necessary to protect the resources that must be protected, nor does the legislation propose to improve the lives of the beneficiaries of the public trust. The authority should be largely the rightholders (not the stakeholders) of the trust, and must include native Hawaiian practitioners, environmental organization representatives, and educators.

3) I oppose SB 3090 because this bill appears to largely monetize the lands held sacred and the vulnerable and unique ecosystems found nowhere else.

4) I oppose SB 3090 because the proposed authority overlaps with the areas set aside for hunting and is in conflict with the game rules.

5) I oppose SB 3090 because it is in conflict with Federal laws for historic preservation and protection.

6) I oppose SB 3090 because it is on conflict with Federal laws protecting vulnerable and unique ecological areas, and rare, threatened and endangered species.

This bill is terminally flawed and must not go forward.

Thank you for your consideration of my testimony.

Tonya Lee Coulter

P.O. Box 33 Kealahou, HI 96750

tonyacoulter@gmail.com

Dated February 12, 2018

**LATE**



300 Kuulei Rd. Unit A #281 \* Kailua, HI 96734 \* Phone/Fax (808) 262-0682 E-Mail: [htff3000@gmail.com](mailto:htff3000@gmail.com)

February 13, 2018

COMMITTEE ON HIGHER EDUCATION

Senator Kaiali'i Kahele, Chair  
Senator Donna Mercado Kim, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

**SB 3090 Proposed SD1 RELATING TO GOVERNMENT**

Chairs Kahele and Rhoads  
Vice Chairs Kim and Gabbard  
Committee Members

Hawaii's Thousand Friends has the following comments on SB 3090 Proposed SD1.

§ - 1 Findings and purpose

The fact that the new authority shall be self-funded means that some sort of economic development must occur on the mauna to fund administration, capital improvement projects and "other purposes."

What types of money-generating projects and activities would be permitted on the mauna, given that the job of the new authority would be to protect and preserve the cultural landscape, fragile alpine habitat, endemic species habitat, historical and archaeological legacy?

§ -3 Mauna Kea management authority; established

What is the purpose of *temporarily connecting* the Authority to the Governor's office instead of creating a stand-alone entity?

§ -4 Powers and responsibilities; generally

The bill states that the "authority shall hold title to the lands situated on Mauna Kea..." but does not specify if the land will be held in trust. This issue must be addressed.



## § - 5 Auction § -6 Drawing

Why and under what circumstances would any of the approximately 11,400 acres lands, which are part of Hawaii's "ceded lands trust" also known as "public trust lands" that are held in trust by the State of Hawai'i and to be managed for the benefit of Native Hawaiians and the public, be sold?

## § -26 Permits

The bill states "...the authority may issue permits for the temporary occupancy of state lands..." If the approximately 11,400 acres of public lands is removed from the HRS 171-2 definition of public lands is the land still considered state land?

## § -37 Project approval

Removing the approximately 11,400 acres of Mauna Kea from the definition of public lands under §171-2 could have major consequences; e.g.

- Would the lands still be designated Conservation or can the authority change the designation?
- Can the Authority create its own land zoning and uses?
- Would the Authority need to apply to the Land Use Commission for any land designation changes?
- Would the Authority be exempt from requiring Conservation District Use Permits?
- Would the Authority be exempt from Chapter 343 Environmental Impact Statements?

We need to be careful that public processes are in place that protects the public trust. While frustration with the present setup abounds, we see no inherent value in changing to a commission form of governance. In fact, there are pitfalls. Accordingly we are opposed to the bill. Thank you.

**LATE**

**SB-3090**

Submitted on: 2/12/2018 11:41:28 AM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura Acasio	Individual	Oppose	No

Comments:

Dear Chair Kahele and Members of the Senate Committees,

I urge you not to support SB3090 SD1.

1) I oppose SB 3090 SD1 because it authorizes the sale of “ceded” lands by way of taking the lands out of the public trust and making them available at public auction. These lands are not and should not be for sale!

2) I oppose SB 3090 because members of the proposed authority members appointed entirely by the governor and legislative branches, and DBEDT in particular, do not reflect skill set and background necessary to protect the resources that must be protected, nor does the legislation propose to improve the lives of the beneficiaries of the public trust. The authority should be largely the rightholders (not the stakeholders) of the trust, and must include native Hawaiian practitioners, environmental organization representatives, and educators.

3) I oppose SB 3090 because this bill appears to largely monetize the lands held sacred and the vulnerable and unique ecosystems found nowhere else.

4) I oppose SB 3090 because the proposed authority overlaps with the areas set aside for hunting and is in conflict with the game rules.

5) I oppose SB 3090 because it is in conflict with Federal laws for historic preservation and protection.

6) I oppose SB 3090 because it is on conflict with Federal laws protecting vulnerable and unique ecological areas, and rare, threatened and endangered species.

Thank you for this opportunity to provide testimony opposing SB 3090 Proposed SD1.

Sincerely, Laura Acasio

**LATE**

**SB-3090**

Submitted on: 2/12/2018 1:16:59 PM  
Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roberta Chu	Individual	Oppose	No

Comments:

Committee on Higher Education  
Committee on Water and Land  
Hearing on February 12, 2018

Opposition SB 3090 Proposed SD1

I am writing in opposition to SB 3090 Proposed SD1 .

Prior to 2000, there was much that UH’s management of Maunakea did which created what we as a Hawaii Island community complained. This situation changed in 2000. Through community pressure, the University of Hawaii Board of Regents and ultimately the State Board of Land and Natural Resources agreed to the formation of Hawaii Island-based community managed Office of Maunakea Management. OMKM’s formation created a new structure for the Hawaii Island volunteer driven Mauna Kea Management Board and the Native Hawaiian advisory council Kahu Ku Mauna to advise and give OMKM direction. I was involved in the community group pushing for the creation of OMKM under the direction of UH Hilo Chancellor.

OMKM’s task was and continues to be the protection, preservation and enhancement of Maunakea’s cultural, natural and recreation resources and they have been successful in these endeavors.

Starting from scratch was difficult indeed but the Office of Maunakea Management headed up first by Retired Judge Walter Heen and now Stephanie Nagata rose to the tasks.

Here are a few milestones that have been accomplished by the Office of Maunakea Management:

June 2001 - Annual surveys begin of WÄ“kiu bug that are on the verge of being considered an endangered species.

July 2001 – Maunakea Rangers are established. The Rangers work 365 days a year and protect cultural and natural resources.

August 2001 - The road to Pu'u Poli'ahu, considered one of the most sacred sites on the summit, is closed to vehicular traffic at the recommendation of the Kahu KÅ« Mauna council, while also ensuring the health and safety of cultural practitioners, local residents, tourists and observatory personnel.

July 2004 - Archival study of native traditions, historical accounts and oral history interviews of residents with historic connections to Maunakea begin.

March 2005 - The study of biology of WÄ“kiu bug begins.

August 2005 - Archaeological/historic survey of the 11,288-acre UH managed Mauankea Science Reserve begins.

January 2006 - The first of several climate studies on the impact of the mountain's ecosystem begins.

After five years, 263 sites were identified, with about 900 features, including shrines, burials and trails were identified and is the basis for the Cultural Resource Management Plan.

February 2007 - Maunakea Rangers begin bi-annual inspections of observatories to ensure compliance of conservation district use permits.

May 2007 - Annual surveys for alien/invasive species begins.

August 2007 - The development of Natural Resources Management Plan begins.

August 2007 – The development of the Comprehensive Management plans begins.

November 2008 - Three public meetings are held in Hilo, Kona and Waimea on the proposed Comprehensive Management Plan.

April 2009 - The Comprehensive Management Plan is approved by the Board of Land & Natural Resources.

April 2009 - The university begins work on four management sub plans - cultural resources, natural resources, public access and telescope decommissioning,

September 2009 - Three open houses in Hilo, Kona and Waimea are held on the Cultural Resources Management Plan and the natural Resources Management Plan.

December 2009 - Three open houses held in Hilo, Kona and Waimea on Public Access and Decommissioning management sub plans.

March 2010 - The Board of Land and Natural Resources approves four Comprehensive Management sub plans.

March 2011 - Rangers begin monthly photo document of water level of Lake Waiau and fund mapping lake bed bottom.

March 2011 - Maunakea Rangers begin periodically hiking to the historic adze quarry on state managed land to assess conditions and remove trash.

May 2011 - Botanical survey of the 11,288-acre UH managed Mauankea Science Reserve begins.

June 2011 -Botanical baseline survey begins leading to robust natural resources program for the mountain and oversees regular monitoring and preservation of the mountain's plant life.

July 2011 - Biodiversity study of arthropods begins.

October 2011 - WÄ“kiu bug is removed as a candidate for federal protection because of UH's management plans to protect the species.

March 2012 - A volunteer program to remove fireweed and other invasive weeds is created. More than 1,000 volunteers have worked more than 7,000 hours removing over 1,500 bags of invasive weeds, and planted several hundred Mauna Kea Silversword plants.

March 2012- Monthly and quarterly monitoring for ants of summit and Halepohaku facilities begin.

July 2012 - Annual monitoring of historic properties begins.

July 2013 - Orientation plan on cultural and natural resources is implemented for all workers on the mountain including observatory, construction and commercial tour operators.

August 2014 - The State Auditor observed: “We found that UH has developed several management plans that provide a comprehensive framework for managing and protecting Mauna Kea while balancing the competing interests of culture, conservation, scientific research, and recreation.”

August 2014 –Economic Impact of Astronomy study reports that Astronomy generates \$167 million annually in Hawai'i, \$91 million on Hawai'i Island, and is responsible for 1,000 jobs statewide and billions of dollars into the local economy since the late 1960s.

July 2014 - Historic Preservation Division approves Long Term Monitoring Plan for Historic Properties, Kahu Ku Mauna approves.

June 2014 - Geology and erosion study of the summit begins.

July 2014 - Historic Preservation Division approves Burial Treatment Plan.

February 2015 - Invasive Species Management Plan is approved by Maunakea Management Board

June 2016 - The Office of Maunakea Management receives the 2016 PÅ«alu Award for Environmental Awareness from the Kona-Kohala Chamber of Commerce that recognize organizations that exhibit sensitivity and concern for the environment through innovative environmental practices.

February 2017- OMKM launches the Maunakea Speaker Series in conjunction with UHH Department of Physics and Astronomy.

April 2017 - The Maunakea Management Board, Kahu KÅ« Mauna council and the Office of Maunakea Management received a Preservation Commendation Award from the Historic Hawai'i Foundation, the foundation's highest recognition of preservation, rehabilitation, restoration and interpretation of the state's architectural, archaeological and cultural heritage.

June 2017 – Three telescopes are officially set for decommissioning and begin the process laid out in the Decommissioning Plan.

July 2017 - The Office of Maunakea Management receives the 2017 PÅ«alu Award for Culture and Heritage from the Kona-Kohala Chamber of Commerce that recognize organizations that promote island traditions and preserve our multi-cultural heritage.

January 2017 - A survey of sea birds and bats begins

Much of today's criticism of the management of Maunakea is based on people who are opposed to the level of astronomy on the mountain. Astronomy is an initiative of the State of Hawaii that began with Governor John A. Burns in the late 1960s and has nothing to do with the University of Hawaii and OMKM's successes in managing the lands of Maunakea.

SB 3090 SD1 is in direct opposition to what we on Hawaii Island fought for in the late 1990s—Hawaii

Island community-based management of Maunakea. It's crazy to undo everything that was successful and now go back 20 years and start something new.

The State Auditor stated in their 2014 report, "We found that UH has developed several management plans that provide a comprehensive framework for managing and protecting Mauna Kea while balancing the competing interests of culture, conservation, scientific research, and recreation."

I couldn't agree more. I urge you to oppose SB3090 SD1.

Roberta F. Chu  
Hilo

**LATE**

**SB-3090**

Submitted on: 2/12/2018 1:52:39 PM  
Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elizabeth Bishop	Individual	Oppose	No

Comments:



**LATE**

**SB-3090**

Submitted on: 2/12/2018 2:24:50 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erin ODonnell	Individual	Oppose	No

Comments:

Harry Kim  
Mayor



Wil Okabe  
Managing Director

Barbara J. Kossow  
Deputy Managing Director

County of Hawai'i  
Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553  
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740  
(808) 323-4444 • Fax (808) 323-4440

**LATE**

February 12, 2018

Senator Kaiali'i Kahele, Chair  
Committee on Higher Education  
Hawai'i State Capitol, Room Auditorium  
Honolulu, HI 96813

Senator Karl Rhoads, Chair  
Committee on Water and Land  
Hawai'i State Capitol, Room Auditorium  
Honolulu, HI 96813

Dear Chair Kahele and Rhoads, and Committee Members:

**Re: SB 3090 Relating to Government (Mauna Kea)**  
**Hearing Date: 02/12/18 – 1:15 pm; Conference Room Auditorium**

As much as I appreciate the interest this Legislature has in resolving issues surrounding management of our beautiful and sacred mountain, Mauna Kea, I cannot support SB 3090. I intend to be at your Monday hearing, and would be happy to answer any questions.

To a lot of people, Mauna Kea is not just a place for science, it is part of their soul. If we are going to enter into that sacred space, we must do so with care, caution and, above all compassion.

I respectfully request that the Legislature pause in its well-meaning efforts, for concern that it may complicate the issue even more so.

Respectfully submitted,

Harry Kim  
Mayor, County of Hawai'i

**LATE**

**SB-3090**

Submitted on: 2/12/2018 1:44:35 PM

Testimony for HRE on 2/12/2018 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacqui Hoover	Testifying on behalf of Hawaii Island Economic Development Board	Oppose	No

Comments:

HIEDB strongly opposes the creation of a new entity for the management of Maunakea. The University and Office of Maunakea Management have made great strides in stewardship and management so to start with a new entity that needs to "catch up" before beng able to do the work needed seems unnecessary. It is also disrespectful and dismissive of the decades of commitment to Maunakea and work done by community stakeholders and volunteers.

**From:** [123ContactForm](#)  
**To:** [HRE Testimony](#)  
**Subject:** Testimony in OPPOSITION to SB3090 SD1 Proposed  
**Date:** Sunday, February 11, 2018 8:18:33 PM  
**Attachments:** ["A"ole Mauna Kea Management Authority.pdf](#)

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**Dear Senate Committees on  
Higher Education and  
Water & Land -Chair  
Kahele** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Vice Chair  
Kim** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Senator  
Chang** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Senator  
Keith-Agaran** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Senator  
Kidani** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Chair  
Rhoads** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Vice Chair  
Gabbard** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Senator  
Inouye** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Senator  
Riviere** yes

**Dear Senate Committees on  
Higher Education and  
Water & Land -Senator** yes

<b>Thielen</b>	
<b>My name is</b>	Kanoa Dahlin
<b>I reside at</b>	Haleiwa, hawaii
<b>I am-Kanaka Maoli aka Native Hawaiian</b>	yes
<b>I OPPOSE Senate Bill 3090 SD1 Proposed:-This Bill would solidify the State's authority over our sacred and historic mountain through the creation of the Mauna Kea Management Authority (MKMA) giving over the governance and management of 11,400 acres of Mauna Kea lands to just nine individuals some of whom would be appointed by the Governor and Legislative leaders.</b>	yes
<b>I OPPOSE Senate Bill 3090 SD1 Proposed:-The selection process and criteria for membership in the MKMA excludes Kanaka Maoli cultural practitioners and groups and does not require any of the nine voting members to have any expertise in Kanaka Maoli traditional and customary practices on Mauna Kea.</b>	yes
<b>I OPPOSE Senate Bill 3090 SD1 Proposed:-This Bill gives the MKMA the power to exploit and limit access to the sacred and historic Mauna Kea summits through the establishment of entrance fees and management rules and regulations. Entrance fees for cultural practitioners could be waived, but it is not clear if access will be allowed for customary and</b>	yes

**traditional practices only during visitor center normal operating hours.**

**I OPPOSE Senate Bill 3090 SD1 Proposed:-Although this bill puts a limit to the number of telescopes allowed on Mauna Kea, it does not stop the building of the Thirty Meter Telescope (TMT) and may not affect the number of industrial developments allowed.** yes

**I OPPOSE Senate Bill 3090 SD1 Proposed:-The MKMA would have the power to approve or disapprove all projects on all lands under their jurisdiction and provided rules shall supersede all conservation district rules. Allowing the MKMA rules to "supersede" conservation land use designation rules removes much needed safeguards that help protect Kanaka Maoli (and public) rights and resources.** yes

**I OPPOSE Senate Bill 3090 SD1 Proposed:-The creation of the MKMA undermines pending litigation regarding the future of sacred Mauna Kea and its fragile environments and sidesteps powerful efforts of Kanaka Maoli and the public toward healing and resolution.** yes

**I am-Registered to vote in Hawaii.** yes

Name	Email	Reside	State's Authority	Selection Process	MKMA Authority	Industrial Development	MKMA Rules Supersede	Pending Litigation	Comments
Koali'i Kimokeo		Kearae, Maui	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	KEEP HAWAI'I HAWAIIAN AND STOP TRYNNA BUILD ON SACRED LAND!!!!
Nicole Gonzales	nicolehgonzales@gmail.com	Kailua Kona	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Laenette Hudgins		Waimea, Hawaii Island	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I am 63 years old. I am a retired Public School teacher and have lived in Waimea my entire life. I have witnessed the abuse of many things including the use of our land. Please respect and protect our precious environment so our future generations many be able to experience them too.
Levi Medeiros	lkekoa808@gmail.com	Las Vegas, NV	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Mavis Oliveira-Medeiros		Hana, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kimmer Horsen		Honolulu, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	please keep Mauna a Wakea and Haleakala sustainable
Karol Wack		Laupahoehoe, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	This bill appears to be an underhanded and deceptive attempt to further exploit Mauna Kea. Our Mauna needs to be restored and protected. Even if you do not believe in the sacredness of Mauna Kea, there are environmental concerns that need to be heeded. Mahalo for your consideration.
Jennifer Merritt		Waialua, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Terence Gomez	tego42@gmail.com	waianae HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Carley Atkins		Hilo, Hawai'i	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Nissi-Jochell Jaentsch		Kailua-Kona	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
erin drayer	edraye@msn.com	wailuku	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	while i agree thay maunakea needs better management, i ABSOLUTELY do not support this bill. thank you
MeleLani Llanes	healthyyouandplanet@gmail.com	Makakilo, Hawai'i	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Mauna Kea is Sacred Space and to do anything to take protection of this sacred space away from the Kanaka Maoli goes against any common sense. I whole heartedly oppose the thirty meter telescope and believe all the telescopes should be removed from Mauna Kea. Mahalo for allowing me to submit my testimony.
TONI GREGG		PAHOA	Oppose						
Kalani Pruet	kalanipruet@yahoo.com	Kaunakakai, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Mailani Makainai		Kahalu'u, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Dayna Lam Fonokalafi		Waianae	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Alexandra Makamae Kaupu	amkaupu@hawaii.edu	Honolulu, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Paul J Endresen	eswoodshop@yahoo.com	Captain Cook, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Agreement begins with a mutual respect, that has not been evident from state governance for Kanaka Maoli.
Jessica Ka'ehuokekai Hanie	kaehu68@gmail.com	Wailua	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Rebekah Luke		Kaaawa, HI 96730	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Mel Kahele		Oahu, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Paulo Birns		Hana hi	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Not good.
Louise Sausen		Haena,Kauai, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Just DISMANTLE ALL STRUCTURES and CLEAR OUT!!! #MALAMAMAUNAKEAWAHIPANA
Kimberly Coleman	13kimberlycool@gmail.com	Honolulu	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Brilynn Wilson	aikeia65@gmail.com	Pahoa,HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I oppose SB 3090
Jonah Keohokapu		Wahiawā, Hawai'i	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	

Name	Email	Reside	State's Authority	Selection Process	MKMA Authority	Industrial Development	MKMA Rules Supersede	Pending Litigation	Comments
Hau'oli Thielk		Halehaku Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Leilani Yamasaki		Waikoloa, hi	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Darlene Rodrigues		Millilani, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Karen Murray		Honolulu, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Nichole Awong		Ewa Beach, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Laurel Mei-Singh	laurelmei@gmail.com	Honolulu	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
'Iwalani Christian	manuakepa@aol.com	Brier, WA	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Roberta Kupo-Lonoae'a	rlonoaea@gmail.com	Wahiawā, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Stop ignoring and disregarding the inclusion of Native Hawaiians in your decision-making.
Joseph Kohn MD		Wailuku, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	<a href="http://www.WeAreOne.cc">Respect The Culture! www.WeAreOne.cc</a>
Russell Cleaver	russellcleaverrc@gmail.com	Honolulu, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kaiulani Lambert	kaiulambert@yahoo.com	Kaneohe, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Janet Brink man		Kailua Kona, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Areiti Dahlin		Haleiwa, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kanoa Dahlin		Haleiwa, hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kristina Zazueta	shakazaz@gmail.com	Kailua Kona, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	AOLE MAUNA KEA MANAGEMENT AUTHORITY
Hulali Mohi		Hawai'i	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kehaulani Pelekai		Honolulu, HI.	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Jasmine Beebe		Honolulu				Oppose	Oppose	Oppose	
Kahaka Patolo	kahakapatolo95@gmail.com	Honolulu Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Stop denying kanaka their rights! Stay off our temples! DEOCCUPY THE HAWAIIAN KINGDOM!
James Rodrigues	sparkyrodrigues@gmail.com	Wai'anae Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Limit needs to be ZERO telescope on Mauna Kea. Plan for removal of ALL telescopes
Terri Pascua	kaluadelima@gmail.com	Wahiawa, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	No more Telescopes and further desecration of our A'ina!
Kristina Cyr		Missoula, Montana	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Agnes Lui		Kailua-Kona, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I strongly oppose this Bill.
Richard Blomfield		Kailua-Kona, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I strongly oppose this Bill.
Raymond Lui		Kailua-Kona, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I strongly oppose this Bill.
Nicole Lui		Kailua-Kona, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I strongly oppose this Bill. These people continue to disregard the Kanaka Maoli and our voice opposing the TMT and the governance and management to non-Kanaka Maoli. Enough is enough we have given so much of ourselves. Our lands were taken away, our Kupuna have to still pay taxes on the lands they live on, our future Kanaka children still dont have free education at the college and university levels. Kanaka Maoli continue to be at the bottom of the "Totem Pole". This is just another way for Liberal politicians to get their hands on our lands and lie that its for the good of the people. Enough of the lies and deciet. Pau ka Hewa. That is all
Lauren Muneoka		Kaneohe	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Justin Ako	ticivc@hotmail.com	Kealakekua Hi	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Bryan Moore		Pearl city	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Susan Oppie	susoppie@hotmail.com	Honolulu, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Jaime Jorge		Long Beach, CA.	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	



Name	Email	Reside	State's Authority	Selection Process	MKMA Authority	Industrial Development	MKMA Rules Supersede	Pending Litigation	Comments
Keola Stevens		Waianae hi	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Maulili Dickson	maulili.d@gmail.com	Kamuela HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Stuart Sakoeki		Honolulu, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Aiko Yamashiro		Kaneohe, HI	Oppose					Oppose	Thank you for the opportunity to submit testimony in OPPOSITION to SB3090 SD1. As a non-Kanaka who grew up on Oahu and who is a graduate student who teaches at the University of Hawaii-Manoa, I have been following the news about Mauna Kea management. The debates about management, research, and sacredness have a lot to teach the public about process and kuleana. Rather than creating a fast-track decision-making body appointed by government officials, it would be critical to take the time to build processes with communities who have kuleana and long relationship with the Mauna. The top-down approach has not worked for the Mauna for many years, judging from the severe mismanagement done by UH. It is a privilege and great responsibility to care for our mountain, who is more powerful than all of us! Please take the opportunity to do things right instead of repeating the same mistakes.
CHARMAINE BUGADO	charmaincita@gmail.com	8 Paipai St	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	In honesty, if this political body had the population in mind, they would do a social needs study to learn what the needs really are. The university has departments that teach that very subject. In addition, there must be an evaluation of the current situation and an assessment of resources before making a determination of creating yet ANOTHER governing body over our SACRED Mauna, while the Lahui are trying to FREE her from your control and abuse. Needless to say that any and every evaluation or assessments must include people from EVERY island as this mountain affects our entire kanaka population as an established central source of connection for many Pacific cultures, not just the kanaka. I reiterate that I oppose SB3090 SD1 proposed. ~Onipa'a ia oia'i'o~
Leigh Sidney Keonekaulana Case	chiefsrnmcc@gmail.com	Hawi, Hawai'i	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	ALL telescopes need to be removed before they pollute the aquifer. The TMT DOES NOT belong ANYWHERE in Hawai'i!!!!
Nicole Gonzales	nicolehgonzales@gmail.com	Kailua Kona	Oppose		Oppose	Oppose	Oppose	Oppose	
Tulsi Greenlee		Haiku HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Christi Maumau		Kapolei, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Enough is enough! I completely oppose this bill. It is time for Kanaka Maoli to have a legitimate and viable say in determining the future of our sacred Mauna. Please vote NO on SB3090 SD1! Mahalo Nui!
Rianne Olver		Everett, Wa	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kuulei Cooper		Hilo, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
whitney charvea		kurtistown, hi	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	STOP
cathy Costa	ccosta001@hawaii.rr.com	kurtistown,hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Lei Niheu		Honolulu	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Luana Rivera Palacio		San Jose, CA	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	

Name	Email	Reside	State's Authority	Selection Process	MKMA Authority	Industrial Development	MKMA Rules Supersede	Pending Litigation	Comments
carlton York	yorkcarlton@gmail.com	Weaverville NC	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	This is usurpation attempt at removing the public from the Democratic process and should be stopped in its Tracks !
Laurie Steelink	ihaveashag@gmail.com	San Pedro, CA	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Mary Sakamoto		Kamuela, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Kuulani Muise	kuulanim@gmail.com	Pepeekeo, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Hoolulahu Perry	hoolulahu@gmail.com	Hilo, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Laura Paul	journeytohi@aol.com	Kaneohe, Hawaii	Oppose						
Pomai Wright		Hon hi	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Christian Phillips	getnutzhawaiian@gmail.com	Hilo	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Magdalynn Briones		North Bergen, NJ	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Blair Boyd		Pahoa, HI			Oppose		Oppose	Oppose	
Yvonne Mahelona		Kapolei, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Vanessa Zevallos		Honolulu, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Samantha Nalani Kornfeld-Mahikoa	nalanivonkornfeld@gmail.com	Ha'ena, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	I oppose this bill and support the well being of the Hawaiian people and of Kanaka Ma'oli
Leonard Cosha		Hawaii			Oppose				
Kaniela Matsushima		Lihue, Hawaii	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Our sacred lands are not your playgrounds where you can do as you please. Stop destroying the Aina and do what is Pono.
Erin Henkel	stonefacehi@outlook.com	Pahoa, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Pualilia Dudoit		Kamuela, HI	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Irene Martinez		Los Angeles, California	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	The largest mountain in the world should be kept pristine. I do not understand why a mountain with such historical and sacred value is so easily disregarded. There has to be another place for astronomy to be studied without desecrating a people's centuries old place of spiritual practice.
			Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	
Rachel Emsley		Pāhoa, Hawai'i	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Continuing to ignore public opinion will only harm the already tenuous relationship between the government and its employers- the public.