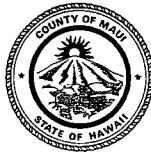


MOANA M. LUTEY
County Clerk



RICHELLE M. THOMSON
Deputy County Clerk

DEPT. COMM. NO. 520

OFFICE OF THE COUNTY CLERK
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

June 6, 2024

Honorable Scott K. Saiki, Speaker
Hawai'i State House of Representatives
415 South Beretania Street
Room 431
Honolulu, Hawai'i 96813

Dear Speaker Saiki:

Transmitted herewith is a certified copy of Resolution No. 24-103
which was adopted by the Council of the County of Maui, State of Hawaii,
on June 5, 2024.

Respectfully,


MOANA M. LUTEY
County Clerk

/djy

Enclosure

Resolution

No. 24-103

OPPOSING CONSTRUCTION OF THE
PROPOSED AIR FORCE MAUI OPTICAL AND
SUPERCOMPUTING SITE SMALL TELESCOPE
ADVANCED RESEARCH FACILITY ATOP
HALEAKALĀ

WHEREAS, the summit of Haleakalā is considered wahi kapu, or “sacred place,” which has profound cultural significance to Native Hawaiians, and was traditionally used and is actively used as a place for religious ceremonies, for prayer to the gods, to connect to ancestors, and for burials; and

WHEREAS, Haleakalā is more than just a mountain; the summit is considered wao akua, or “realm of the gods,” and continues to be a place of deep spirituality for Native Hawaiians to engage in some of these traditional practices; and

WHEREAS, the Department of the Air Force is proposing to construct and operate atop Haleakalā, the Air Force Maui Optical and Supercomputing Site Small Telescope Advanced Research Facility, or AMOS STAR; and

WHEREAS, AMOS STAR would occupy 0.87 acres on property identified as tax map keys (2) 2-2-007:016 (portion) and (2) 2-2-007:008 (portion); and

WHEREAS, under the National Environmental Policy Act, comments on AMOS STAR are being accepted through June 7, 2024, for an Environmental Impact Statement by a company called Tetra Tech via email at amosstareis@tetratech.com or via a comment form on the project website at www.amosstareis.com; and

WHEREAS, the EIS process requires federal agencies to consider the effects of their undertakings on historic properties—including through comments from the Hawai‘i State Historic Preservation Division, the Advisory Council on Historic Preservation, Native Hawaiian organizations, and other stakeholders—under the National Historic Preservation Act of 1966; and

WHEREAS, the EIS will evaluate the following:

- The Proposed Action (Alternative 1), consisting of six telescopes enclosed in ground-mounted domes, one rooftop-mounted domed telescope, and use of an existing building for communication equipment and an optics laboratory for the rooftop telescope, with two of the telescopes having laser-communication capabilities;
- An alternative (Alternative 2), which would be the Proposed Action without the rooftop-mounted domed telescope; and
- No Action; and

WHEREAS, the Department of the Air Force states that the project would provide dedicated satellite tracking and communication capability to allow the characterization, cataloging, and tracking of objects in space and to enable advanced research that expands the Department's understanding of objects in the Pacific Theater; and

WHEREAS, public scoping meetings were held on May 13 in Kahului, May 14 in Pukalani, and May 15 in Kula Kai; and

WHEREAS, public scoping meetings resulted in testimony from hundreds of community members that clearly and overwhelmingly opposed the AMOS STAR's Proposed Action or its alternative; and

WHEREAS, the Department of the Air Force encourages comments submitted as individuals, with other interested individuals or organizations, or through state or local government; and

WHEREAS, cultural assessments performed for the development of the Advanced Technology Solar Telescope, now known as the Daniel K. Inouye Solar Telescope, which is based at the summit of Haleakalā and already houses six academic and four space surveillance telescopes, determined that the area is one of the most sacred sites on Maui; and

WHEREAS, in both 2015 and 2017 dozens of people including Native Hawaiians and cultural practitioners were arrested for trying to prevent

the further desecration of Haleakalā as a culturally and spiritually sacred site; and

WHEREAS, the summit of Haleakalā is in the State Conservation District, where its classification recognizes the area as a fragile ecosystem with unique cultural, archaeological, and natural resource; and

WHEREAS, the summit has important environmental significance as the upper elevations of Haleakalā provide vital habitat for endangered and endemic plants and animals and is recognized by scientists as the most revered of designated habitat zones where many of world's rarest species have had to adapt due to the ongoing threat of habitation destruction and invasive species at the lower elevations; and

WHEREAS, the summit of Haleakalā is home to 11 federally threatened or endangered species, including the 'ōpe'ape'a, or Hawaiian hoary bat; the koloa, or Hawaiian duck; the nēnē, or Hawaiian goose; the 'ua'u, or Hawaiian petrel; the 'ena'ena, or Native cudweed; and the 'āhinahina, or Haleakalā silversword, of which the Makawao-Pukalani-Kula Community Plan calls on the County to protect; and

WHEREAS, an important implementation action of the Makawao-Pukalani-Kula Community Plan is to encourage Federal, State, and County cooperation in the preparation of a comprehensive Haleakalā Summit Master Plan to promote orderly and sensitive development, compatible with the natural and Native Hawaiian cultural environment of Haleakalā National Park; and

WHEREAS, the Countywide Policy Plan notes the two highest priorities of Maui County are to protect the natural environment and preserve local cultures and traditions; and

WHEREAS, the Maui Island Plan stresses the importance of maintaining heritage resources and protecting watersheds, including the East Maui watershed; and

WHEREAS, Maui Island has two primary forested mauka watersheds, East and West Maui; and

WHEREAS, the East Maui watershed begins at the summit of Haleakalā and is the island's largest water producer; and

WHEREAS, decisive action needs to be taken to protect all of Hawai‘i’s water resources from the danger posed by the military given their admitted negligence for the continuous leaks at the Red Hill Bulk Fuel Storage Facility of approximately 180,000 gallons of fuel released over a nearly 80-year period, polluting the sole-source aquifer at Kapūkakī, O‘ahu, which provides drinking water to thousands of residents, and where a fuel leak in 2021 contaminated the drinking water and sickened thousands of people; and

WHEREAS, on January 29, 2023, the U.S. Space Force reported it allowed more than 700 gallons of diesel fuel to spill at its Maui Space Surveillance Complex site located on the summit of Haleakalā; and

WHEREAS, in February 2023, Brigadier General Anthony Mastalir, Commander of U.S. Space Forces Indo-Pacific, acknowledged that the Maui Space Surveillance Complex site was located on sacred ground and indicated that the military would go “above and beyond” industry-standard remediation processes and protocols to clean up the contamination caused by the fuel spill; and

WHEREAS, the severity and extent of impact to soil has been measured as of phase two of their remediation plan based on their samples collected; and

WHEREAS, contamination is still unknown more than a year later as the clean-up and soil-remediation efforts for last year’s spill are still not yet complete, according to Dane Uluwehiokalani Maxwell, a cultural advisor who was retained by the military to monitor the work; and

WHEREAS, Mr. Maxwell opined that erecting even more telescopes on Haleakalā—when the military has yet to complete clean-up and soil-remediation efforts within the same footprint—would be insulting; and

WHEREAS, comprehensive management and oversight authority for the stewardship of Haleakalā by the State Department of Land and Natural Resources is lacking, as evident when compared to the transition and governance structure enacted for Mauna Kea under Act 225 (2022); and

WHEREAS, part of the proposed AMOS STAR project site is located outside of the 18.166 acre parcel held in fee by the University of Hawai‘i’s

Resolution No. 24-103

Institute of Astronomy, which is part of the Haleakalā High Altitude Observatory and is the only site set aside for observatory purposes; and

WHEREAS, communities of more than 19,000 residents are within a 10-mile radius of the AMOS STAR site, including residents of Kēōkea Farm Lots, Kahikinui, and Waiohuli Hawaiian Homestead Lands; and

WHEREAS, the Department of the Air Force has not adequately addressed questions surrounding the potential human-health impacts from the high level of microwave transmissions that could be emitted from the project could have on these communities and their residents; now, therefore,

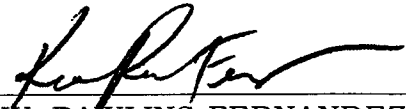
BE IT RESOLVED by the Council of the County of Maui:

1. That it opposes construction of the proposed Air Force Maui Optical and Supercomputing Site Small Telescope Advanced Research Facility atop Haleakalā;
2. That it finds AMOS STAR's effects would be significant given the project's demonstrated adverse impacts on cultural resources and its exceedance of the carrying capacity of Haleakalā's summit;
3. That it urges the Department of the Air Force to respect the unified and collective voice of community members who testified to cease all action in the development of the proposed AMOS STAR facility;
4. That it urges the National Park Service, the Federal Aviation Administration, and the Hawai'i State Department of Land and Natural Resources to not approve any permits for AMOS STAR; and
5. That certified copies of this Resolution be transmitted to Tetra Tech, the Honorable Joseph R. Biden, Jr., President of the United States; the Honorable Kamala D. Harris, Vice President of the United States; the Honorable Mike Johnson, Speaker of the House, U.S. House of Representatives; the Honorable Charles E. "Chuck" Schumer, Majority Leader, U.S. Senate; the Honorable Brian E. Schatz, U.S. Senator; the Honorable

Resolution No. 24-103

Mazie K. Hirono, U.S. Senator; the Honorable Ed Case, U.S. Representative; the Honorable Jill Tokuda, U.S. Representative; the Honorable Lloyd Austin, Secretary of Defense; the Honorable Frank Kendall III, Secretary of the U.S. Air Force; Michael Whitaker, Administrator, U.S. Federal Aviation Administration; Charles F. Sams III, Director, U.S. National Parks Service; the Honorable Josh Green, M.D., Governor, State of Hawai'i, the Honorable Sylvia Luke, Lieutenant Governor, State of Hawai'i; Dawn Chang, Chairperson, Hawai'i State Department of Land and Natural Resources; David Lassner, President, University of Hawai'i; Gabriel Lee, Interim Chair, University of Hawai'i Board of Regents; Ronald Kouchi, Senate President, State of Hawai'i, Scott Saiki, Speaker of the House, State of Hawai'i; the Honorable Richard T. Bissen, Jr., Mayor, County of Maui; the National Association of Counties; the Hawai'i State Association of Counties; the U.S. Department of the Interior - Office of Native Hawaiian Relations; and Carmen Hulu Lindsey, Chair, Office of Hawaiian Affairs.

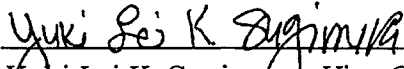
INTRODUCED BY:

A handwritten signature in black ink, appearing to read 'Keani N.W. Rawlins-Fernandez', written over a horizontal line.

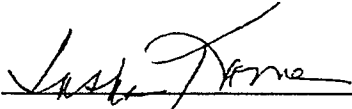
KEANI N.W. RAWLINS-FERNANDEZ



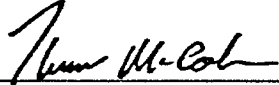
Alice L. Lee, Chair



Yuki Lei K. Sugimura, Vice Chair



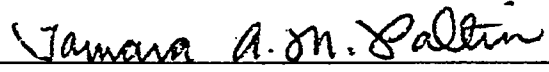
Tasha Kama, Pro Tempore



Tom Cook, Councilmember



Gabe Johnson, Councilmember



Tamara Paltin, Councilmember



Keani N.W. Rawlins-Fernandez,
Councilmember



Shane M. Sinenci, Councilmember



Nohelani U'u-Hodgins, Councilmember

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 24-103 was adopted by the Council of the County of Maui, State of Hawaii, on the 5th day of June 2024, by the following vote:

MEMBERS	Alice L. LEE Chair	Yuki Lei K. SUGIMURA Vice-Chair	Tom COOK	Natalie A. KAMA	Gabriel L. JOHNSON	Tamara A. M. PALTIN	Keani N. W. RAWLINS-FERNANDEZ	Shane M. SINENCI	Nohelani U'U-HODGINS
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye



DEPUTY COUNTY CLERK