



To:
Senator Donna Mercado Kim, Chair
Senator Michelle N. Kidani, Vice-Chair
Committee on Higher Education

From: Maunakea Observatories

Subject: HB2024 HD1 Relating to Mauna Kea – Comments

March 22, 2022; 3:00 p.m.; Via Videoconference

Aloha Chair Mercado Kim, Vice Chair Kidani, and Members of the Committee on Higher Education,

The undersigned Maunakea Observatories (MKO) directors appreciate this opportunity to offer comments on HB2024 HD1 that establishes a Maunakea stewardship authority.

We strongly believe there is a vibrant and sustainable future for astronomy on Maunakea - a future based on a community model of astronomy in which relationships and partnerships between the community and astronomy thrive, upheld by the values of respect, collaboration, and inclusion.

The observatories are permitted by the state to conduct activities on Maunakea lands - public lands that are important to multiple stakeholders and of great cultural importance to the Hawaiian community. We are grateful for our privilege of observing the universe on Maunakea. We recognize the state decides how Maunakea lands should be used and managed and we want to convey what is most important to MKO no matter which model of governance and management of Maunakea is decided upon.

Should HB2024 move forward, we respectfully ask for amendments to support the vibrant community model of astronomy we believe in.

MKO's most essential need is a clear path to obtaining new land authorizations beyond 2033.

Most of the existing observatories seek to continue their scientific missions on Maunakea beyond the ending of the current leases in 2033, subject to astronomy limitations imposed by the state.

The MKOs are a collaboration of nonprofit, independent institutions supported by national and international partners and research institutions. Having a clear path to new land authorizations beyond 2033 gives our partners confidence in a viable future for astronomy on Maunakea and allows them to plan for long-term funding of our efforts. These funders have injected billions of dollars into the Hawai'i economy over the 50+ year history of astronomy on Maunakea. Today, astronomy in Hawai'i has a total

economic impact to the state of approximately \$220M annually and generates approximately 1,300 jobs statewide. In addition to economic benefits, the observatories provide significant STEM education and workforce development opportunities, and we are integral, contributing members of our local communities.

Facility upgrades, investments in new instrumentation to keep our technology at the forefront of research, and long-term planning for our operations all critically depend on knowing we have a path to new land authorizations.

Should the legislature adopt HB2024 and create a new Mauna a Wākea Stewardship Authority, it is essential the authority provide a reasonable process and timeline for granting new land authorizations to existing observatories that fit within imposed limitations without triggering time-limit-driven decommissioning requirements under the existing subleases.

We respectfully ask that section -14 be amended to add a provision to the effect of: "*(d) The authority shall develop a process and timeline for new astronomical observatory leases that does not trigger decommissioning requirements under the provisions of the existing subleases with the University of Hawaii.*"

A 3-year transition to the new authority is insufficient. We believe at least 5 years is necessary.

If the state transfers governance and management of Maunakea to a new stewardship authority through passage of HB2024, there needs to be sufficient time to develop a new plan for land-use and management on Maunakea. This plan requires careful thought by multiple stakeholders about highly complex issues.

Furthermore, the operational transition to the new stewardship authority must be carefully and transparently implemented so that all stakeholders understand what is expected and observatory operations are not subjected to unnecessary disruption due to the transition.

We respectfully ask that section -5(a) be amended as follows: "The authority shall have a transition period of ~~three~~ **five** years after the effective date of this Act to assume management..."

We seek assurance that MKO's share of stewardship costs will be equitable and financially sustainable.

The establishment of a new entity must include comprehensive analysis and planning for determining costs and funding for the new stewardship authority. We commit to joining other stakeholders in the collective financial support of the new stewardship authority as long as it is equitable, feasible, and financially sustainable.

We respectfully ask that section -5(b) be amended to add: "*(7) develop a financial plan for the authority that is equitable to all stakeholders and financially sustainable.*"

We seek strong collaboration between the community and astronomy in the stewardship of Maunakea.

MKO strongly supports Native Hawaiian and local community involvement in governance and management to ensure the mutual interests of the community, astronomy, and the state of Hawai'i are met.

We believe that deep knowledge of Hawai'i astronomy is essential to inform the authority's board-level strategic decisions, and the MKOs seek to be a collaborative partner in informing those decisions. We believe this would best be served by an astronomy seat on the board, but at minimum we seek meaningful input and consultation at the board executive level for matters concerning astronomy.

We respectfully ask that section -9(a) be amended as follows: "...the authority shall establish an astronomy advisory group and native Hawaiian advisory group...to provide advice and guidance to the authority, **(add) including on board-level strategic decisions**, on their respective subject matters."

Thank you for your consideration of our comments and requested amendments. We welcome the opportunity to work with you on this important issue.

Mahalo,



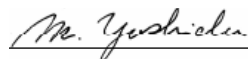
Director Hilton Lewis, W. M. Keck Observatory (Keck I and Keck II)



Interim Director Andy Sheinis, Canada-France-Hawaii Telescope



Director Paul Ho, James Clerk Maxwell Telescope (East Asian Observatory)



Director Michitoshi Yoshida, Subaru Telescope