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MAUNA KEA COMPREHENSIVE MANAGEMENT PLAN
COMMUNITY MEETING

Tuesday, May 13, 2008
Hilo High School Cafeteria
Hilo, Hawaii
5:00 p.m.

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APPEARANCES

Ms. Dawn Naomi S. Chang - Principal of Ku'iwalu
Ms. Stephanie Nagata - Mauna Kea Management
Ms. Leimana Damate - Facilitator
Ms. Leinani Wessel - Recorder

0003

1
2
3
4
5
6
7
8
9
10

INDEX

	Page
Opening Statement	4
Ms. Nagata	12
Discussion	22
Closing Remarks	153

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
0004

Tuesday, May 13, 2008, 5:00 p.m.

MS. DAMATE: Mahalo. We'd like to open his evening's meeting with a pule by Arthur Hoke. Mahalo.

MR. HOKE: Thank you. Would you bow your heads in prayer with me, please?

Father God, we thank you for this opportunity to come together as friends. And Lord, let this meeting be open and civil, that we might agree beforehand to disagree where necessary. And Lord, that you would be with each one of us as we make the presentation that your message would come across, Lord. Because you are the one that is in charge of Mauna Kea and the world. This prayer I humbly lift up to you in the name of your son, Jesus Christ, Amen.

AUDIENCE: Amen.

MS. DAMATE: Mahalo. Mahalo. And welcome, everyone, to this meeting on such an important issue to all of us, the Mauna Kea Comprehensive Cultural Plan. I hope that everyone has signed in. There is the agenda at the front.

My name is Leimana Damate. I am your facilitator this evening. And assisting me will be

0005

Leinani Wessel, who will be recording your thoughts on the board.

Hilo is such a special place. We are so happy to be here. In fact, my own roots come from here. My great, great grandfather started on Kinai Road up in Kaumana Heights. He was one of the original kahunas here in the 1800s. So we have a lot of strong ties here to Hilo.

So to get started, I'd like to introduce your host for this evening, Stephanie Nagata, who is the Associate Director of the office of Mauna Kea Management, and Dawn Chang, who is the principal for Ku'iwalu.

PANEL: Aloha.

AUDIENCE: Aloha.

MS. DAMATE: A little bit of housekeeping this evening. Dawn will be giving you a basic idea of what the Comprehensive Cultural Plan is now being envisioned as. And as she goes through the presentation, she and Stephanie, if you have any questions, if you saw these little, white index

22 cards on the table, feel free to grab any of those
23 and just keep your thoughts and your questions.

24 At the end of their presentations, you'll
25 then be welcome to come up and speak and give your

0006

1 mana'o, give your truth, and how you feel about the
2 plan, what you feel should be stated. We'll be
3 doing it one by one.

4 I am going to ask everyone to be as
5 courteous and respectful of each other as possible,
6 as our pule said. And when you are speaking, to
7 speak directly to me. And that way the court
8 reporter will be able to get all of your comments
9 down. Okay. Thank you.

10 I'd like to turn this over to Dawn Chang at
11 this point.

12 MS. CHANG: Aloha. My name is Dawn Chang.
13 My family roots are not from the Big Island. My
14 mother is a ho'okama from the island of Oahu, and
15 that is where I am from and that is kind of my
16 kuleana. But I am here coming before you in Hilo.

17 Again, I am very humbled by this
18 opportunity to work on Mauna Kea or to develop a
19 Comprehensive Management Plan that will honor and
20 respect Mauna Kea.

21 I want to give you a brief background about
22 what we are doing to provide you some context upon
23 which tonight's discussions will take place. I
24 think many of you know the Mauna Kea Science Reserve
25 is conservation lands. It is under the Department

0007

1 of Land and Natural Resources, but the university
2 has a long-term lease for that land.

3 On that land are astronomy facilities, as
4 well as there are infrastructures. There is
5 roadways. There is commercial activities. There is
6 recreational activities. There is a multitude of
7 uses that go on on Mauna Kea.

8 In 2000, there have been a series of
9 different Management and Master Plans. In 2000,
10 there was a Master Plan that was approved by the
11 Board of Regents. I think many of you who are here
12 tonight may even have been part of the development
13 of that 2000 Master Plan. I will not diminish how
14 difficult that was. Mauna Kea has been an emotional
15 issue for many people on the Big Island. Many of
16 you look up to the skies and you see Mauna Kea every
17 day. It is something that touches you every single
18 day.

19 That Master Plan adopted several management
20 measures, and one of them was that there would be a
21 local management board that manages Mauna Kea, and
22 that is the Office of Mauna Kea Management. And
23 Stephanie Nagata will talk to you a little bit about
24 OMKM, as we call it.

25 There were other concerns that were raised

0008

1 in the Master Plan with respect to astronomy
2 facilities, cultural resources, natural resources.
3 And as a result of that Master Plan, there was a
4 call-out that there should be a Natural Resource
5 Management Plan and a Cultural Resource Management
6 Plan.

I think historically there has been much criticism by the community about, one, the lack of cultural sensitivity to the protection and preservation of Mauna Kea for many Hawaiian people and non-Hawaiians. Mauna Kea is considered the piko to ke akua, to our Gods.

From an environmental standpoint, it has some of the richest environmental resources known only on Mauna Kea. From an astronomical standpoint, it is probably one of the best sightings in the world. There is no doubt that as a result of its location, the University of Hawaii has become known as one of the best astronomy facilities in the country.

There are many reasons to protect these resources. So the Office of Mauna Kea for the last several years has begun the effort to develop a Natural Resource Management Plan, a Cultural Resource Management Plan, and has started looking at

0009

some of the hard issues involving Mauna Kea.

As a result of their efforts, you have the rangers, who are up there right now. So over the last several years, there has been a lot of effort to the development of a Management Plan.

More recently, I think, many of you are aware, when the Outrigger Telescopes was proposing their project, Judge Hara came down with a decision. He also talked about that the Management Plan, a Comprehensive Management Plan, needs to be developed for Mauna Kea that looks at multiple uses. It is conservation land, so the plan must manage the uses and activities on Mauna Kea to preserve and protect the cultural and natural resources. And with that, that is what we are trying to do in the Comprehensive Management Plan.

I will tell you tonight, we do not have a draft of the plan. The plan is going to be dictated by the comments that we hear from the community. It is your plan. This plan to be sustained, needs to be supported by this community. You need to feel that you have participated in the process and that you feel comfortable with the Management Plan.

I understand that the plan will not address or satisfy everyone. But to the extent that it has

0010

a process that engages the community, we really want to hear what you have to say. And again, that is the purpose of tonight's meeting.

We have had a series of public meetings. We had two meetings, one last week in Waimea and a second meeting in Kona. And I know for many local people, public meetings are not the most natural or comfortable forum. You prefer going to Hawaiian Civic Club Associations. You prefer to meet in your own venue. Or you prefer to go to Ken's Pancake House and talk story or go to someone's home.

So over the last several months, we have been engaging in an extensive, what we call, talk-story session. We have probably spoken to a good representation. Subsistence hunters; native Hawaiian cultural practitioners; hiking clubs; Chamber of Commerces; commercial operators.

18 We are trying to get a wide range of input
19 about how do we manage Mauna Kea. We do not have
20 the answers. We come to you tonight to ask you to
21 help us develop this plan that reflects your
22 sentiments.

23 The way that the meeting is going to go
24 tonight is there will be a brief presentation.
25 Stephanie will tell you about the Office of Mauna

0011

1 Kea Management, Mauna Kea Management Board, and the
2 efforts that they have engaged in to date.

3 I will give you a very brief presentation
4 on the Comprehensive Management Plan process so that
5 you have an idea of how we are doing this and where
6 we are going and what our schedule is.

7 After that, we are going to engage you in
8 some discussions, some specific questions. I think
9 what we have learned over the last many years, this
10 community has been -- you have been saturated with
11 public meetings, talk-stories about Mauna Kea. We
12 want to respect you by going and looking through all
13 of that material and identifying what we think are
14 some of the hard questions. And we will be asking
15 you to address specifically some of those hard
16 questions.

17 We will ask you to come up to the podium,
18 state your name. We have a court reporter that is
19 taking everyone's statement. We also have a
20 recorder that will be writing it on the board as
21 well.

22 But again, nothing is set in stone. We do
23 not have a plan set. We have some ideas. This is
24 what the intent of tonight's meeting is. We really
25 want to hear what you have to say.

0012

1 If you tell us, we don't want anything more
2 up there, then tell us that. We really want to
3 hear. If you come here and you tell us what your
4 concerns are and some ideas about how you think
5 Mauna Kea should be managed, that is what we want to
6 hear.

7 Again, I thank all of you for being here.
8 I will now let Stephanie come up and talk to you
9 about the Office of Mauna Kea Management, and then I
10 will talk to you about the Comprehensive Management
11 Plan process. Thank you, again.

12 MS. NAGATA: Thank you, Dawn. My name is
13 Stephanie Nagata, and I am the associate director
14 for the Office of Mauna Kea Management.

15 The office was established back in 2000,
16 and we are the agency that is responsible for
17 managing the summit of Mauna Kea. We were
18 established after years of concerns expressed by the
19 community about how the mountain was being managed.
20 And the Board of Regents realized that it was very
21 critical to have a community-based organization that
22 was located here on the island.

23 We work together with our Mauna Kea
24 Management Board, which is made up of seven members
25 from the community representing various sectors of

0013

1 the community. We also work very closely with our
2 Kahu Ku Mauna Council, which is made up of nine

members from members of the Hawaiian community.

One of the first things we did was establish the Ranger Corp back in 2001. And since then, they have been the eyes and ears of the office. They are on the mountain seven days a week, 365 days of the year.

They are there to provide interpretive services for the visitors to the mountain. They are there to take care of health and safety issues. They also do watch and work with the observatories to make sure that they comply with their Conservation Use District Permit.

We embarked on a Management Plan several years ago, and one of the first things we did was to start surveys for a species that is a candidate for endangered or threatened status. And we have done numbers of surveys in which we now have a lot more information about this particular species called the wekiu bug.

Then several years later we started an arduous process. We did a complete inventory of the archeological and the cultural sites on Mauna Kea, and that took three years. And we now have a map of

the sites on the mountain.

With that in hand, we started and are working with Dawn Chang with Ku'iwalu on working on a Comprehensive Management Plan. This plan, as Dawn mentioned to you, is to guide the office, the board, on how to protect and preserve the cultural and natural resources of the mountain.

The office is guided by a mission to provide balanced stewardship and management of the mountain, while at the same time we are also trying to provide a world class center for education and research.

With us tonight we have members of the board. They are Ron Terry; Barry Taniguchi; and former members of the Board, Arthur Hoke and Jim Kennedy. And I'd also like to recognize Walter Hean, who was the first director of our office who served in an interim capacity to get our office off the ground.

MS. CHANG: Thank you, Stephanie. I am going to briefly describe the Comprehensive Management Plan process.

It is intended to be a collaborative process with the Office of Mauna Kea Management. I will tell you, the first time we did a presentation

to the Mauna Kea Management Board, they quickly reminded us, those of us who came from Honolulu, that this is intended to be a local management product. We regrouped, and we realized we needed to take the lead from OMKM on the development of this plan.

We have been studying the last several months and working with OMKM, getting their vision and getting information about the work that they have done. This is truly a collaborative effort. We are really only facilitating primarily the public input process. But this is really a Management Plan that is being developed for and by the Office of

14 Mauna Kea Management.

15 It is intended to provide OMKM with a set
16 of guidelines for protecting the cultural and
17 natural resources with respect to the activities and
18 uses. It is to be a useful tool. It is not going
19 to be a booklet that you put on the shelf that is
20 going to collect dust. It is really supposed to
21 help OMKM manage those very important resources that
22 are on Mauna Kea.

23 One of the most important aspects of this
24 process is the community engagement process. There
25 is no doubt that the University of Hawaii has been

0016
1 criticized for not engaging the community in the
2 process of managing Mauna Kea. The words in the
3 document will mean nothing if this community does
4 not participate in the development, participate in
5 its review process, and feels comfortable that it
6 reflects your sentiments.

7 I am certain that we are not going to
8 satisfy everyone here. There is always going to be
9 ends of the spectrum that will feel different from
10 what the plan comes up with. Our intent is to
11 reflect the community sentiment. We have yet to
12 define what that community is. But those of you who
13 have come here tonight, obviously you think it is
14 important, and I mahalo you for being here.

15 And again, we will continue to take input,
16 whether it's through small, talk-story sessions --
17 we actually have a really nice website, and we would
18 urge you to go on there, check the website as well
19 as provide input to the website.

20 So this Comprehensive Management Plan, the
21 success of this plan will be dependent on the public
22 participation, how we engage the community, and does
23 this document reflect your community sentiment.

24 If you tell us, no more development, if the
25 community's overwhelming sentiment is, no more

0017
1 development, then the document will reflect that.
2 However, if you tell us, we think that there is a
3 way to manage the resources and existing and future
4 development, that's what we want to hear.

5 The draft of the Comprehensive Management
6 Plan, once the community meetings have been -- at
7 least this portion of the public meetings are
8 completed, the consultant team will come together
9 with OMKM and begin drafting the CMP.

10 We have an ambitious schedule. We are
11 hoping to come back to the community in September,
12 October with a draft of the Comprehensive Management
13 Plan, go before the Mauna Kea Management Board in
14 November, and then go before the Board of Land and
15 Natural Resources in December for its final
16 approval.

17 We have asked the Board of Land and Natural
18 Resources to actually hold that meeting here at
19 Imiloa, to permit the community as much opportunity
20 to provide your input.

21 So that is the process that we have at this
22 point in time that we have laid out. Let me put it
23 this way: If during this process, the community
24 tells us, we are moving too fast, we will slow down.

25 If the community tells us, you need to get more

0018

1 input, we will seek more input.

2 We really are trying to be very respectful
3 of you, because you live here every day. And it is
4 important that you feel comfortable with this
5 document. So again, that is kind of a very general
6 overview of the Comprehensive Management Plan.

7 I, again, would urge you to go onto the
8 website. It is www.maunakeacmp.com. There is some
9 good factual information. It also tells you the CMP
10 process, and it provides you an opportunity to tell
11 us what you think. You can send us your comments.

12 So with that, I am going to let Leimana
13 begin the facilitative discussion. I will provide
14 you some introductions as we begin to talk about
15 each one of the sections.

16 MS. DAMATE: Thank you, Dawn. Thank you.

17 This is such an important issue. We
18 welcome everyone to please come up and share your
19 thoughts and your comments with us. When you come
20 up to the podium, please sign your name so that the
21 reporter is able to match up your name with what she
22 is reporting. So that's all right here. We ask
23 that only one person at a time speak.

24 We want everyone to mana'o here,
25 everybody's input. So if you have spoken and then

0019

1 you feel that you need to speak again, please let
2 everyone who has not spoken first, speak first, and
3 then feel free to come back up. We want to hear
4 everything that you have to say.

5 Now, as Dawn had told you earlier, based on
6 past reports and public comments and past meetings
7 on the Mauna Kea Comprehensive Plan, a number of
8 areas came out, they just jumped out, that seemed to
9 be the most important to the communities and to the
10 people.

11 There were three or four different specific
12 areas. So what we are going to do this evening is
13 go through each one of these areas. And as we hit
14 the first one, each one, Dawn will come up and give
15 a little bit deeper background on the areas and how
16 they were arrived at. And then you are going to be
17 welcome to come up and comment on that.

18 If at any time you still want to write
19 something or you have something that you want to
20 say, don't forget to grab the index cards on the
21 table so that you don't lose your thought, because
22 every single thought is important here.

23 The first category is on cultural
24 orientation.

25 MS. CHANG: Thank you, Leimana.

0020

1 We have gone through the various Management
2 Plans, Master Plans, public testimony that was given
3 out, the PAN-STARRS recent public hearings, as well
4 as the Outrigger Telescopes.

5 Overwhelmingly, a common thread that comes
6 up is a disrespect for the mountain, whether they be
7 structures, whether they be people going up there.
8 But a desire to have a cultural orientation, similar
9 to when you go to the U.S. Arizona Memorial, whether

10 you go to Hanauma Bay, whether you go the island of
11 Kahoolawe, you are introduced to the resource
12 through some orientation or some training. It gives
13 you an appreciation for the resource that you are
14 beginning to enter. It gives you a different
15 attitude as you enter that resource.

16 we believe that no one intends to be
17 disrespectful. Most of the time people just don't
18 know any better. And isn't it our kuleana to
19 provide that information? Again, for us, from a
20 resource management standpoint, education should be
21 the first form of resource management.

22 So the first question that I pose to you
23 tonight, based upon many of the comments that we
24 have heard, including from our most recent
25 talk-story sessions, including from our most recent

0021 public meetings, the question is: Do you believe
1 that everyone who accesses Mauna Kea should receive
2 some cultural and environmental orientation before
3 going to Mauna Kea? Again, similar to something
4 that they would do at the Arizona Memorial.

5 AUDIENCE SPEAKER: Sorry. I didn't hear
6 that. Airplane.

7 MS. CHANG: Okay. Let me state that again.
8 It's a question of cultural orientation.

9 Do you believe that everyone who accesses
10 Mauna Kea should receive some cultural and
11 environmental orientation before going to Mauna Kea,
12 similar to what someone would receive when they
13 visit the Arizona Memorial, Hanauma Bay, or
14 Kahoolawe? How do you feel about that? Do you
15 think that that is important?

16 And this is someone from -- this is an
17 astronomer. This is a visitor. This is someone who
18 just wants to go up and maintain the road. Anyone
19 who accesses Mauna Kea. Do you believe that it is
20 important that they receive a cultural orientation?

21 I open it up to you. I really do want to
22 hear what you think about that. We have been
23 hearing different comments from people. So I
24 welcome your comments to that question.

0022 1 Do you believe that it is appropriate to
2 require everyone to participate in a cultural
3 orientation?

4 Please, come up.

5 Thank you. Please state your name and just
6 sign in.

7 MS. HARDEN: I am Cory Harden, speaking as
8 an individual. Briefly, I have comments about the
9 planning process, so please let's have a puka for
10 talking about this planning process.

11 PANEL SPEAKER: Louder, please.

12 MS. HARDEN: I have comments about the
13 planning process being done here, so I hope there
14 will be a space for talking about the planning
15 process.

16 MS. DAMATE: Yes, of course.

17 Anyone else who would like to come up and
18 comment on cultural orientation?

19 MR. KAMAKAWIWOOLE: My name is Reynolds
20 Kamakawiwoole. That is my new name that I received

21 as a result of the work that we are doing in the
22 cultural area and spiritual area.

23 First of all, I believe that there
24 definitely needs to be some form of education that
25 is done properly so that we go back to, (a),

0023

1 teaching those that come to Mauna Kea, that they
2 receive proper knowledge. The knowledge needs to be
3 especially received by the people that are going to
4 go to the area and work or play, recreation,
5 whatever.

6 For myself, going up to Mauna Kea is a
7 spiritual experience. I practice as a kahuna. And
8 many of us, I am not too sure how many of you have
9 been on the top, the very top, where there is
10 ceremonies held. It is one of the most spiritual
11 areas and the most sacred spot in the whole world to
12 be at the very top. And that is Pu'u wekiu.

13 I have been there several times, snow or
14 just regular weather, and I have experienced how
15 important that the people know exactly what this
16 Mauna Kea is about.

17 Without a proper Management Plan to teach
18 them, we are going to be divided, and especially the
19 community is not only here. We are not responsible
20 only for here, but the whole community expands up
21 into the Mainland, all over the place. Because the
22 people that live here move to the Mainland and on to
23 the continent, too. So we must make sure that the
24 education process gets put into media, newspapers,
25 all of those things. Those things can probably be

0024

1 put on a DVD. These are the kind of things that are
2 now done on the computer. And I think the media has
3 to take it on. And I think this would probably be
4 the best.

5 The next, to me, would be an educational
6 process that would be brought before they actually
7 drive up to Mauna Kea. This would be the process
8 that when they make that intersection, there would
9 be someplace there where they will have the proper
10 services because it doesn't begin at Hale Pohaku.
11 It begins at the very bottom.

12 When you make the journey up to the top,
13 it's very important that they make the journey
14 properly so when they reach up to the top, they are
15 ready. You just don't walk into Mauna Kea. And
16 this is for anybody.

17 I think that what is important here is that
18 we stay on the understanding that how important the
19 Hawaiians feel Mauna Kea is to everyone. We are
20 just the stewards, but we must make sure that each
21 and every person that comes to the mountain here on
22 this island know everything. Not less. Not half of
23 it. Know everything. This is what the whole thing
24 is. Many of us know some of it, but they don't know
25 the spiritual area, how strong this place is. I

0025

1 have seen it. I have been with it.

2 And the thing about it is that if I was to
3 tell all the Christians in the world what is that
4 place all about, they would be running to it. They
5 would just think of what it is. But I'll tell you,

there is something very strong there, and we have to keep the integrity of that mountain there. If we don't, we are going to lose it.

Only the top priests, the best of the priests, that are leading could be on the very top of Mauna Kea. That's how important the place is. Everybody else, the commoner, is down the road. He couldn't even get up there. That's how different the ages have become. But if we don't teach everybody the same thing, we will have problems.

So all I am saying is, continue to show how important this is by the proper education. Thank you.

MS. DAMATE: Mahalo, Reynolds.

When Reynolds was talking about cultural education, that has been the recurring theme from many of the people who have testified previously, of everyone that has testified previously. So that seems to be something very, very important here.

Anybody else who would like to comment on

cultural orientation, please come up.

MS. KALAMAU: My name is Lei Kalamau. My family name is Dela Cruz. And I don't know the experiences or haven't felt what Reynolds felt. I have never been up on that mountain. But I was born and raised in Hawaii. You might say I was haole-fied, because I can't speak my language. So I can feel what Reynolds has felt since going up there.

And I say, yes, that you need to make it mandatory, because if a priest, like Reynolds says, is the one to go up to the top, then that place must be sacred, because God is sacred. And I feel the spirituality every morning when I wake up and I can see that mountain. My Hawaiian-ness shows up. So I want you to make it mandatory or you won't be allowed to get up there. You need those lessons. Keep our mountain sacred.

You will need to show proof that you received this orientation, otherwise you can't get up there. We are talking respect and desecration, because any improvement or building up in that mountain, you are talking about cesspool. You are talking about toxic stuff going to go up there, too. So leave it sacred.

That's all for now.

MS. DAMATE: Mahalo. Mahalo.

So now we need to show proof, mandatory proof, that orientation was received by everyone that goes up there.

Anyone else?

Please.

MR. MILLS: Aloha. My name is Peter Mills.

I am chair of the Anthropology Department at the University of Hawaii Hilo. I wanted to run through a couple of things. I am not quite certain where all of this is going to fit in. This might be an appropriate place.

In the last several years I have really done some work, all nondestructive. And it bothers me to go there and see where people have gone in,

17 and picked up pahoehoe and set them up on top of
18 rocks for their photographs. And the whole area is
19 like a display case where people leave things all
20 over. And I am certain people are walking out with
21 material things and artifacts.
22 People are going up for things. You can go
23 by the highway, and you'll see where someone might
24 have carried a pahoehoe out to the road and no can
25 carry down, and so they dumped it there. So I think

0028

1 those sorts of ignorant ways of behaving on the
2 mountain really need to be addressed with some sort
3 of educational plan.

4 But on a broader note that's tied into the
5 idea of how we perceive it when people are being
6 oriented, whether they are people who work at the
7 telescopes, or otherwise, towards the mountain, I
8 think a lot of that goes back to ideas about how we
9 define the top and the way that it's managed
10 underneath state and federal law.

11 I'll just briefly read through this, and it
12 will be my only comments for the night. I'll
13 provide written testimony, too, so you guys don't
14 need to take crazy notes.

15 Eighteen years ago the National Park
16 Service issued a bulletin on No. 38 urging cultural
17 resource managers to identify what they called
18 Traditional Cultural Properties or TCPs for listing
19 on the National Register.

20 Two years later the National Historic
21 Preservation Act was amended to recognize TCPs as
22 historic properties to be considered in federal
23 undertakings. This also trickles down through CE at
24 the state level as well.

25 This concept is broader than historic

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1 districts or individually recognized archeological
2 sites that are primarily delimited based on
3 culturally modified features.

4 Traditional Cultural Properties incorporate
5 natural landscapes that can be associated with
6 traditional beliefs of indigenous communities about
7 their origins, cultural history, or the nature of
8 the world. Or they can be locations where
9 indigenous, religious practitioners have
10 historically gone -- I'm sorry. I lost my place --
11 and are known or thought to go today to perform
12 ceremonial activities in accordance with cultural
13 practices.

14 Any one of these conditions would justify
15 the consideration of the Mauna Kea summit region as
16 a Traditional Cultural Property. I am sure that the
17 Mauna Kea summit region is something that the Office
18 of Mauna Kea Management would recognize as fitting
19 within those criteria of a Traditional Cultural
20 Property and would agree with me that the summit is
21 associated with all of the above conditions, not
22 just one.

23 Although I am aware of National Register
24 eligibility determinations made by SHPD, the State
25 Historic Preservation Division, for the summit

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1 region, under the more limited designation of a

2 historic district, the summit has yet to be listed
3 as a TCP or a Traditional Cultural Property.
4 My concern here is the way we teach people
5 to approach it. Ourselves, scientists, and everyone
6 is not to look at it as a district with a huge
7 contributing element within the district, but to
8 look at the whole thing as a Traditional Cultural
9 Property. That, to me, is the large sort of
10 paradigm shift. Sorry for that. I am a professor.

11 I hope this 18-year long shortcoming will
12 be rectified by the current management. I am aware
13 that Mauna Kea Management has been working closely
14 with privately contracted cultural resource
15 management firms to identify specific cultural
16 resources that could be adversely affected by
17 ongoing activities and future development. And I
18 applaud this effort.

19 It is my sincere hope that those surveys
20 will expand our understanding of the contributing
21 elements for a Traditional Cultural Property that
22 encompasses the entire summit.

23 It is my opinion that in order for a
24 Cultural Resource Management Plan to be truly
25 effective, a TCP designation is not only justified,

0031
1 it is imperative to a good-faith effort to comply
2 with the intent of the National Historic
3 Preservation Act and 6E, Hawaii Revised Statutes,
4 and to address the concerns of many in the community
5 with development on the summit region.

6 Last year for a class project, two of my
7 students, Kanoe Wilson and Paula Helfrich, who is
8 sitting right over there, created a draft TCP
9 nomination for the summit region that they had
10 prepared to submit to the State Historic
11 Preservation Division. They will present their own
12 testimony on that project. But I hope that the
13 nomination can be submitted in association with the
14 Office of Mauna Kea Management Plan to avoid
15 duplication of effort.

16 I am also submitting an article on managing
17 development within TCPs that was written by historic
18 preservationists working within Navajo Nations that
19 is germane to the Mauna Kea case.

20 And the main reason I have selected that
21 particular article is, many people have avoided
22 within management positions the designation of TCPs
23 because it seems too wishy-washy. You know, how do
24 you define the limits of it? And when do you know
25 what an adverse effect is and when one isn't?

0032
1 This article really does a good job of
2 outlining that you don't need to really be afraid of
3 that. The important thing is to make the transition
4 and recognize more than just the small sites and to
5 look at the whole thing.

6 Thank you for the opportunity to come
7 today, and I look forward to seeing the completed
8 plan.

9 MS. DAMATE: Mahalo, Peter. TCP,
10 Traditional Cultural Property. That is one way that
11 western technology can now assist native Hawaiian
12 methodology.

13 Anyone else on orientation?
14 Please.
15 MS. HELFRICH: Aloha. My name is Paula
16 Helfrich. And I am the student of Dr. Mills and the
17 other nine members of the class that put together
18 the draft of the TCP.
19 We did two things: The first area, and we
20 have a draft for you.
21 MS. CHANG: Thank you very much.
22 MS. HELFRICH: And it's a bunch of ideas.
23 It's nothing earthshaking. It brings together a
24 holistic approach towards the culture, the
25 environmental issues, and also the socioeconomic
0033 concerns so that all parts are equal. It's
1 everything that OMKM does. And anything that we can
2 do to support that initiative is what we'd like to
3 do.
4 We understand that Dr. McCoy has done a lot
5 of work to expand on the cultural issues at the
6 summit, or the cultural inventory at the summit.
7 And again, what we are talking about is a holistic
8 approach to the whole mountain.
9 We suggest that it be done between the
10 summit and a point to be determined, somewhere
11 between the 6- and 8,000-foot level depending on the
12 needs of the particular environment that is being
13 served.
14 A lot of this has been written up by Capod
15 Malley and also by many of the practitioners on the
16 mountain, many of the environmentalists, many of the
17 natural scientists, and certainly those
18 practitioners at the summit of the mountain who
19 recognize the need to work up and down all areas.
20 The second thing that we did was look at
21 the need to call things by their names. And
22 unfortunately, the summit of Mauna Kea was
23 originally Pu'u'ula'ula. But it has been through a
24 series of, you'd have to say, well-intentioned
0034 changes, and it has now become known as
1 Pu'u Pu'u Wekiu.
2 Our suggestion, and we have submitted a
3 nomination for name change to the state board in
4 charge of that, is to change it back to
5 Pu'u'ula'ula. And all of us need to start
6 remembering to call places by their name.
7 These are two very simple, small
8 recommendations that are being made by a student
9 body. We'd love for the University of Hawaii Hilo,
10 Department of Anthropology, to be included going
11 forward.
12 I can't be part of it. I'm graduating,
13 thank God. But all of you in this room are going to
14 be here to make it happen. And thank you all for
15 your hard work.
16 MS. DAMATE: Thank you, and
17 congratulations. So those are two more issues that
18 were put on the table, essentially going back to
19 calling the original sites by their traditional
20 Hawaiian names.
21 Anyone else? This is such wonderful mana'o
22 coming out.
23

24 MR. OTA: My name is John Ota. I was born
25 and raised on this island. Retired citizen of this
0035

1 country today.

2 I'd like to thank the university for this
3 interest and to express my own opinions concerning
4 this very sensitive subject. I've got a statement
5 to read, and the majority of it concerns the
6 environment.

7 why is Mauna Kea considered a sacred ground
8 by the native Hawaiians? Is it possible that the
9 ancestors were knowledgeable about the importance of
10 Mauna Kea for their survival? Drinking water for
11 their survival must have been of prime importance in
12 those days.

13 Today the availability of drinking water is
14 taken for granted by many, even those in higher
15 education. Ice is found under the surface of Mauna
16 Kea and Mauna Loa. Melting ice creates underground
17 waterflows that eventually reach the ocean on all
18 sides of the island. Drinking water consumed by the
19 residents of this island comes from these
20 underground waterflows.

21 Question: Why is this important issue not
22 addressed or included in the Master Plan? There is
23 no word about the availability of drinking water in
24 any of the previous plans.

25 Where does the cold water originate from
0036

1 that flows into the pond next to the Harrington
2 Restaurant and the Seaside Restaurant? The ocean
3 water temperature is much cooler in both places in
4 comparison to other beach areas in Hilo.

5 Mankind creates all of the destruction
6 against nature and the environment, creating
7 pollution on the mountain and the surrounding area
8 without restrictions, using deadly chemicals,
9 mercury, to cleanse the telescope lens and spilling
10 them. Mercury disperses into many tiny particles
11 when dropped onto the ground. Some so very small,
12 it is not detected with the naked eye. But
13 eventually, one day, these mercury particles will
14 enter into our drinking water.

15 Hydraulic fluid is used to rotate the dome
16 and telescope. Does spillage of hydraulic fluid
17 also occur on the mountain top? This fluid is also
18 poisonous. What other chemicals are used for
19 telescope operation or maintenance on top of Mauna
20 Kea?

21 It is stated that Mauna Kea Science Reserve
22 is 11,288 acres. At what elevation does this
23 science reserve begin?

24 What does the university gain by declaring
25 Mauna Kea a science reserve?

0037
1 How does this designation of science
2 reserve assist native Hawaiians?

3 Is a science reserve where sporting events
4 are hosted, like ATV races and motorbike races,
5 skiing, body boarding? What about all the pollution
6 that these events will create? Who would be
7 responsible if that occurs at these events?

8 What is the current status of the wekiu

bug? This endangered species was relocated during the construction of the telescope. Is the bug able to survive and reproduce at this new location? Is anyone monitoring the increased or demise of this endangered species?

It is a known fact that the telescope structures, including the pilings, electricity, vehicular traffic, all contributes to increasing the temperature on top of the mountain. How does the wekiu bug react to this increase of warming temperatures?

Are there other species on the mountain or surrounding slopes that are affected by all of the action taken on top of Mauna Kea?

Who is responsible to maintain the sacred sites of the Hawaiian ancestors, to prevent vandalism or destruction?

0038

The word "authority" and "responsibility" go hand-in-hand. Responsibility is never transferred from one level to another level. But the confusion about who is responsible to react to circumstances that occur on top of the mountain is a continual game between the university and the DHNL.

MS. DAMATE: Mahalo, Uncle. Can we have a copy of your comments? Thank you.

It is so wonderful when you hear kapuna speak, because the mana'o is so heartfelt. And I thank everyone for having the courtesy and the patience to allow our kapunas to come forward.

We decided -- actually, Dawn and Stephanie wanted to make sure that everyone had an opportunity to say whatever they needed to say and to feel, therefore, there is no time limit when you speak. We just ask that, if possible, you can summarize it. Just bring it forth as precisely as you can.

Now, anyone else on orientation?

MS. AKAKA: My name is Moani Keala Akaka. There are a couple of things I am wondering about.

I am wondering about why you are having this workshop while this issue happens to be in court? And I don't blame the Order of Kamahameha for not participating, considering the fact that

0039

this whole issue, Judge Hara, you know, has raised questions and has reversed this whole situation.

Your question, should everyone going to Mauna Kea receive cultural and environmental orientation? I think you are asking this question like 30 years too late.

First of all, you have the university community. Could I see a raise of hands, those who are affiliated with the Astronomy Department and the university? Just out of curiosity.

You know, if anyone should receive cultural and environmental orientation and learning, it should be the scientists. And it should be the Astronomy Department, and it should be the Department of Land and Natural Resources. It should be the so-called stewards of our 'aina and our sacred mountain that they have ignored.

And like Dr. Krudinsky says, "we scientists," as though, you know, he has, is one

20 step above our culture, our 'aina, our sacred
21 mountain. And we scientists should be allowed to do
22 whatever it is we want to do on your sacred
23 mountain. This has been going on for 30 years.
24 And you know, I think the disrespect has
25 been shown, and shown plenty. And yet, we are

0040

1 pushing for bigger and bigger telescopes, the
2 largest optical telescope in the world on Mauna Kea
3 when we are still in court. Isn't this a little
4 okole-backwards?

5 You shouldn't even be having these hearings
6 until the court process is pau. Yet you seem to be
7 doing things piecemeal while the scientists go on
8 their merry way. And now they are saying, we have
9 two choices for this large, large, world's largest
10 optical telescope that they want to put on Mauna
11 Kea. How can you compartmentalize? And as our
12 professor of anthropology says, that whole mountain
13 should be treated as one and not taken piecemeal.

14 Why Ms. Chang, I heard that you said we
15 should close the road down and maybe only allow the
16 scientists to go up there and not the cultural
17 practitioners. You know, that is very offensive, if
18 that be true. And I heard it's very true.

19 You know, so it's as though your mind has
20 been made up already. You are paid for by the
21 university. So one wonders whether or not you
22 already have a vested interest in going along with
23 what the university wants, while, you know, you of
24 this Mauna Kea planning body that's been set up
25 since the year 2000, are only doing this whole

0041

1 process for appearance sake, while the university,
2 the Astronomy Department, goes on their merry way to
3 continue to develop.

4 When is enough, enough?
5 The negligence has already been pointed out
6 the past 30 years. DLNR has allowed it to happen.
7 The Astronomy Department has allowed it to happen.
8 And we are supposed to close our eyes, play deaf and
9 dumb, and allow this process to continue while
10 again, we are talking about bigger and better
11 facilities up there in areas where there is no
12 development because it's so vast you have to put it
13 above Waimea. You know, there is much concern.

14 And I appreciate Mr. Ota referring to the
15 water. What about the water? Through the
16 negligence that has been allowed to occur for the
17 past 30 years, the chemicals that have been utilized
18 by the facilities up mauka, up at the top of the
19 mountain, that, as Mr. Ota points out, could be
20 poisoning our water. Yet it's allowed to continue.

21 When is enough, enough?

22 You know, it was never, none of you
23 so-called, whether it be Group 70, who was
24 monitoring and supposed to be the stewards or the
25 so-called consultants for the past 30 years, none of

0042

1 them have ever said, enough is enough in spite of
2 the fact that the community time and time again has
3 stated that they have overbuilt our mountain.

4 Now you have the show of these workshops

5 that you are doing, while by the beginning of next
6 year as Dr. Krudinsky says, they could decide to put
7 this new world's largest optical observatory on
8 Mauna Kea.

9 So you know, enough is enough.

10 Although our anthropology professor has
11 stated that the mountain should be treated as a
12 whole, it doesn't mean that you can't continue to
13 develop up there. And you must cease continuing to
14 develop up there. Because no one is being the true
15 steward.

16 So when you say, shall everyone that goes
17 up to the mountain be given educational,
18 environmental, and cultural training? As I said,
19 you should start with the scientists. Because they
20 don't have the respect for our 'aina and our
21 culture. They have allowed this pollution to go on
22 for all of these years. Stop it. There is much
23 sadness because of what is going on and what
24 continues to go on up at Mauna Kea. And there are
25 many that tire.

0043

1 You see people that are not here today,
2 including people that have been working for decades
3 to save that mountain. But they are tired of being
4 used, abused, and ignored by those decision makers
5 that can make a difference. Mahalo.

6 And also, I question the way you are asking
7 these questions and the way you are limiting this
8 whole soiree. Mahalo.

9 (Applause.)

10 MS. DAMATE: Thank you, Moani Keala. What
11 you just heard was the passion of a native Hawaiian.
12 And that's precisely what this meeting is about, is
13 to pull forth that passion. And enough is enough.
14 You need to come and make your comments known, as
15 Moani Keala so adequately did.

16 There is going to be time after the four
17 categories are gone over to bring up any other
18 issues that are important that you may want to bring
19 up that you feel may have been missed.

20 Any other orientation?

21 Welcome.

22 MR. WATTS: Aloha. I don't know how I can
23 follow that. I just want to say, I did come tonight
24 to say that definitely I don't think we should have
25 a next generation telescope up there.

0044

1 But as to your question that you have right
2 now, I thought Reynolds had a great idea when he was
3 saying about that one spot when you take a right
4 turn across the Pu'u'ula'ula. That is right where
5 the pahoehoe ends of Mauna Loa. So it's pretty much
6 like right where you are going to go out to Mauna
7 Kea. Just like when you go into Hanauma Bay, you
8 can't go in without going through that building. So
9 I think that would be a great place.

10 I heard that there was going to be a store
11 and a gas station there, which would be horrible. I
12 think we could have some kind of orientation
13 building there instead, maybe built in Hawaiian
14 style, and talking about the cultural as well as the
15 environment. And maybe even talking about the legal

16 issues, such as it being on ceded lands and the
17 background of that and how eventually they are going
18 to be taking down all the buildings on the top of
19 that mountain to make the whole mountain pono like
20 it should be.

21 I'll leave it there. Thank you.

22 MS. DAMATE: Mahalo. Thank you, and that
23 was Joey Watts, for the recorder.

24 Anyone else who would like to speak up on
25 orientation, please come forward.

0045

1 MR. MCCLLOUD: Hello. My name is Pablo
2 McCloud. And I appreciate the opportunity to speak
3 in front of you today.

4 Previously this morning I provided you with
5 my written testimony with ideas and suggestions
6 about the Management Plan, but this is in response
7 to the question that you have raised.

8 My ideas here come from my experience on
9 the mountain. Some of you may know me; some of you
10 may not know me. But I served as a Mauna Kea ranger
11 for five-and-a-half years, so I am intimately aware
12 of the cultural resources, the energy resources on
13 the mountain, and most importantly of the visitor
14 activity in relation to those resources.

15 I would say the most important management
16 decision for the CMP is related to education. I saw
17 a lot of behavior on the mountain that was
18 inappropriate and offensive. And most of that
19 behavior was based on ignorance, where people were
20 not aware of the sacredness of the mountain, the
21 beauty of the mountain, and all of the precious
22 resources that it holds. And the opportunity to
23 educate visitors has been done by the rangers for
24 many years through our interaction on the summit and
25 through the visitor station. However, we can only

0046

1 catch one family, one person, one group at a time.

2 So the opportunity to stop visitors at some
3 control point, whether it be down at the saddle, as
4 Reynolds suggested, or at the visitor station, would
5 be integral to the education. And whether the
6 rangers provide that education or the interpretive
7 guides at the visitor station, whether it be done
8 with videos, programs, displays, any or all of the
9 above is very important.

10 If you are going to get those people to
11 stop at the visitor station or another location,
12 then right now you can't do that because there is no
13 way to stop everyone. So whether it would be
14 similar to the national park where there is an
15 entrance kiosk, and from that point you control
16 people to the visitor station. Stop your car, get
17 some orientation, get some information, and then
18 proceed at your leisure. People becoming aware of
19 the resources in the NARS, on the summit would
20 definitely change behavior in a positive manner.
21 And the more thorough it can be done for the
22 visitors, as well as the scientific community, all
23 would benefit. But most importantly, the mountain
24 would benefit. Thank you.

25 MS. DAMATE: Mahalo, Pablo.

0047

MS. RICE: Aloha.

(Words spoken in the Hawaiian language.)

Good evening, everyone. My name is Kahalei Lauapua Ahanui Rice. Everyone knows me simply as Koa Rice. I have been connected with astronomy and culture for the last ten years working up on Mauna Kea, starting up there with Reynolds on December 21st of '98 for the winter solstice.

Mauna Kea is a very sacred mountain. There is no ifs, ands, or buts about that. We do cherish this mountain very much, both astronomically but especially culturally. I think that it is very important that people that come to Mauna Kea are trained. They need to know the sacredness of Mauna Kea.

Working up at the visitor information station for five years as an interpretive guide, I was able to reach many people, but like Pablo was saying, we can't catch everybody. Not everybody stops at the visitor information station.

I do think that what Reynolds was saying about having something down below where people have to -- and what Auntie was saying, where they have to be like certified. They have got to get a piece of paper stating that they did go through this

0048

orientation.

But we also have to realize that the scientists that go up on Mauna Kea, they respect that mountain. I have worked with them closely for ten years. I used to drive for Arnott's Lodge and take the Subaru astronomers up, an hour in each direction, up to Hale Pohaku at 9,300 feet.

I can talk. I tell you. I can talk, and I got to know these guys for who they are, not for who I assumed they were. And I realized that they are just like you and I. It's just that their education is in astronomy. Their expertise is in astronomy. We all have our expertises. So I will not take that away from them.

They have done a lot of trainings, and Kapa Malee has done trainings for a couple of them. I have gone out and done trainings for them talking about Mauna Kea, the sacredness of the mountain, and how we, as Hawaiians, have always been scientists. We have always looked to the heavens. We have always done different types of sciences. The kahunas were scientists. We need to realize that we are carrying on a tradition, and this is just my view, but we are carrying on a tradition that we, as Hawaiians, have always been kilohoku, stargazers.

0049

It's just nowadays we have modern telescopes.

David Kalakaua actually brought the first astronomers here in 1874 to see the Venus Transit. And Kalakaua was amazed at what he saw from the telescopes they brought, that he actually bought telescopes also. And we don't realize that Kalakaua was very much in favor of modern astronomy. He went over to San Jose, California and visited the telescope, the Lick Observatory over there. So I feel that we are carrying on this tradition, not only from ancient times but into Kalakaua's times

12 and into modern times.

13 And being that I work at the Gemini
14 Observatory and I do outreach -- I am their outreach
15 assistant -- and we go into the community and we
16 share with thousands of students. Just yesterday I
17 was with 125 students giving education on the Star
18 Lab, talking inside of a big, blow-up planetarium
19 showing them the different star lines, talking about
20 the different Hawaiian star names as well. So the
21 education is out there for the students and stuff.

22 Journey Through the Universe, we reach over
23 8,000 students. So we do bring astronomy down to
24 the community as well, and we help to educate people
25 with what astronomy has to offer. But culture is

0050

1 very important.

2 I am a Hawaiian first, and I will never
3 forget that. And I will never forget my past or my
4 ancestors, those that walked the land before me.
5 But we are here today, and we are looking toward
6 tomorrow and the future of our keiki. There are
7 many jobs that are associated with astronomy. But
8 first and foremost, let's educate. And anyone that
9 comes to the mountain needs that education, needs to
10 have the understanding of the sacredness of our
11 Mauna Kea.

12 (Applause.)

13 MS. DAMATE: Mahalo, Koa. Mahalo. Again,
14 education and orientation is being stressed. Okay.
15 Anyone else? I saw someone. Okay, Moana.

16 MS. TAVARES: My name is Moana Tavares.
17 I'd like to speak about the footprint we are going
18 to leave on the mountain. And I know this as truth.
19 There is no way we can develop the mountain
20 and not pollute that mountain. There is no way. I
21 am not saying that the scientists are not
22 respectful, but I am addressing people that are
23 trying to predict human behavior. Human behavior is
24 unpredictable.

25 So we cannot say that education is going to

0051

1 make people respect that mountain. There is a lot
2 of people walking around here with education. That
3 doesn't mean that they are respectful. So I can sit
4 here and predict things, but there has been habitat
5 destruction, loss of our mountaintop. That is the
6 sacred part. Loss of our sacred part.

7 I have been to meetings about strikers,
8 about depleted uranium on Pohakuloa, where the Army
9 denied, they denied use at Schfield and PTA.

10 I want to look at transparency. What is
11 the truth? What is the real truth? And I am not
12 all that educated and I don't want to be. Because
13 education is one thing. We have got to look at
14 things in the body, mind, and spirit.

15 What are we doing to that mountain
16 physically? And what are we doing to that mountain
17 spiritually? And we all need to think about this.
18 Scientists. Every man. Every woman. Haole.
19 Hawaiian. Chinese. Japanese. It don't matter. We
20 all need to think. If we develop that mountain, we
21 pollute that mountain. And that's the truth.

22 (Applause.)

23 MS. DAMATE: Mahalo, Moana. Mahalo.
 24 I would just like to remind everyone just
 25 to keep it in focus, that the reasons for the
 0052
 1 testimonies here are so that Stephanie and Dawn can
 2 get a good idea on what the community wants. So
 3 when you give your testimonies, please kind of focus
 4 up in the front. Okay? Thanks.
 5 Now, is there anyone else?
 6 Okay.
 7 MR. FAROZO: Mahalo. The answer is yeah
 8 and no. The community is the big theme. Then all
 9 of a sudden, they are talking about a gated
 10 community now to stop people from going up. You
 11 know what I mean?
 12 What I understand, the university is for
 13 the summit, and how much acres up there?
 14 MS. DAMATE: Eleven thousand.
 15 MR. FAROZO: Eleven thousand. So I don't
 16 think the university can get anything down at the
 17 bottom. You have got to think of the hunters, the
 18 researchers.
 19 (Inaudible) from Hilo, originally from
 20 Kauai. I worked on a project for about four years.
 21 I am still on it, but I am out on worker's comp.
 22 I am a researcher, I guess. I guess I am a
 23 scientist now. But I am also a native, a local guy.
 24 Yeah, I work with scientists. I work with
 25 researchers. There is some good ones and there is
 0053
 1 some bad ones. You know what I mean?
 2 So when we was taught to go someplace,
 3 fishing, or wherever, on the mountain, you go up to
 4 the mountain. You do what you have got to do and
 5 come back down. You don't have to go every day. I
 6 don't understand why people have got to go every day
 7 to do something. Do you know what I mean?
 8 Priests, they go a lot of times of the
 9 year. They don't go every day. When you start
 10 going every day, that's when you damage. You know
 11 what I mean?
 12 Even hunters, they don't go every day.
 13 Not every day. And we don't build structures when
 14 we go. I am against it. But it's going to be
 15 there. I understand that. If they take down all
 16 the structures, I would be fine with it. That's my
 17 goal.
 18 Yeah, we have got to educate. But don't
 19 start it putting like a national park where there is
 20 a gate. Because there are people that like going
 21 just for enjoying it, and stuff like that.
 22 Like I said, I did research. I worked on a
 23 project. I surveyed the mamane trees. They have
 24 got a lot of mamane trees up there. When you reach
 25 a certain height, there are a lot of mamane trees.
 0054
 1 But my answer is, you can take away the
 2 telescopes, which is impossible. But don't put
 3 gates, because that is the only access up there, and
 4 hunters go all the way to the top. I am not a
 5 hunter. I am against hunting. You can go hunt at
 6 Safeway. Do you know what I mean?
 7 (Laughter.)

8 But there is other things people do up
9 there like picnic, or whatever, and stuff like that.
10 Thanks.

11 MS. DAMATE: Mahalo, Kalei.
12 Just to remind you now, we are focusing on
13 orientation in this portion. Arthur.

14 MR. HOKE: My name is Arthur Hoke. And I
15 have been involved with the Office of Mauna Kea
16 Management since its inception. And what Kalei just
17 talked about, I wasn't going to say anything because
18 I have already given Ku'iwalu my input.

19 But one of the things that I have been
20 advocating from the beginning is something that I
21 call controlled access. And I am not saying that we
22 stop anybody, but we only allow them to access the
23 mountain under our control. No vehicles. You go up
24 in our vehicles. We take you where you want to go.
25 We bring you out. We know whether you have 'opala

0055
1 going up. And if you do, opala is coming.

2 I know some people find that offensive that
3 we are controlling access, but like Dawn said, we
4 can't keep everybody happy.

5 Thank you. And I have got to run away, so
6 I want you guys to know why I am going out the door.
7 I have another place to be in 15 minutes.

8 MS. DAMATE: Mahalo, Arthur.
9 Actually, that issue is coming up later, so
10 I am happy that we were able to get your mana'o on
11 that now.

12 Orientation. Anyone else?
13 Please.

14 AUDIENCE SPEAKER: I am not going to need
15 that because I don't want you guys to think that
16 somehow I am going to participate in this process.
17 I am not really here to talk to you guys because I
18 think you are all a bunch of frauds.

19 MS. DAMATE: I am going to need to
20 interrupt. Please.

21 AUDIENCE SPEAKER: So you are not going to
22 let me talk, yeah? Only if I talk through your
23 voice, only through your process. Is that it?

24 MS. DAMATE: No, no. Speak to the
25 audience, but speak to the front.

0056
1 AUDIENCE SPEAKER: No, I'm sorry. I am not
2 going to speak to these guys, because you guys -- I
3 understand that you put two questions to us today
4 over here that we can address.

5 MS. DAMATE: There will be a time for more
6 questions, as well.

7 AUDIENCE SPEAKER: Right. Well, I am here
8 to talk to those guys who walk around in aloha
9 shirts, the anthropologists, the archeologists, and
10 the astronomers with their shirts tucked in and
11 their belts showing. Those are the people I want to
12 talk to. I am going to presume that that is the
13 banner of education. If you are educated, you get
14 to tuck your pants in and tuck your shirts in your
15 pants and show your belt. You get to come here in,
16 I don't know, fancy sandals and act like you do.

17 MS. DAMATE: Please --

18 AUDIENCE SPEAKER: Are you going to let me
Page 23

talk or are you going to keep interrupting me?

MS. DAMATE: If it's kept pretty courteous and if there is a point.

AUDIENCE SPEAKER: This is a discourteous thing that is going on over here. I am required to be courteous and you guys come around here with this fraudulent nonsense, but I am required to be

courteous? You are discourteous.

You talk about education. We have got somebody here from the National Park Services who talks about controlling people. What people are they talking about controlling here? You are controlling our interests right out of this picture.

MS. DAMATE: I am going to call for a two-minute break at this point.

AUDIENCE SPEAKER: Take another 117-year break. I mean, hell. What the hell.

MS. DAMATE: I apologize for that. That is a mana'o and that is part of someone's truth, and that needed to be heard. That needed to be heard.

But the focus of this meeting is to talk about the Comprehensive Plan and to give your mana'o on that. Please, I encourage you to go and talk to all of the other astrologers and scientists at a different time. Thank you. Calm down.

MR. MCNETT: My name is Mark McNett from Hilo; two-time presidential -- I mean, sorry. Congressional (inaudible) U.S. House of Representatives of this district.

I read to you from a transcript of Public Scoping Meetings held on January 2007, PAN-STARR. It's Panoramic Survey Telescope and Rapid Response

System of the military.

My words, slightly added to it: My name is Mark McNett. This is a very nice presentation. I'll just briefly read my comments.

As the first and only Hawaii County Council Committee public testifier regarding Outriggers, I mentioned the lack of an exit plan at the start and the end of the meeting. It went unaddressed.

One telescope observer years later opined personally: "A shut-down plan is unnecessary because telescopes are forever." Most unscientific.

History channeled this endeavor from the Florida Space Port many years ago to catch, defeat, early Mauna Kea installations, without having permitting, established a sacred mountain pattern of abuse.

"Even I with six years, quote, old math, unquote, and six years new math, unquote, since 1969 only and after math configure one dollar divided by 13 scopes equals 7.6923 cents per telescope. Shameful numbers. UH and DLNR are complicit."

Also Harry Kim, our outgoing mayor, he was the pawn that okayed the road up there. He admits it going into office. He used the word "sensitivity." No. "Lack of sensitivity."

Insensitivity. Absence of sensitivity."

The 30-millimeter telescope plan, several telescopes need to be removed to make that possible.

4 Poliahu stayed a long time, once a month this year,
 5 the Snow Goddess. Pele is unhappy as well.
 6 It's kapu. I am a skier. I have a pair of
 7 skis and I live here decade to decade, millennia to
 8 millennia. I have never gone up there. I respect
 9 Kapu. I honor Kapu.
 10 Thank you for listening. Mahalo.
 11 MS. DAMATE: Thank you.
 12 Any others on orientation? Remember, we
 13 have three more categories to go through.
 14 MR. FERGERSTROM: Aloha. This may be
 15 slightly out of context, but it is actually full of
 16 context, right on-the-button.
 17 First of all, my name is Hanalei
 18 Fergerstrom. I am from the Temple of Lono. I am
 19 going to read it to you first, because it's easier
 20 to do that, and then I am going to make some
 21 comments on it.
 22 "Aloha kakou. I am Hanalei Fergerstrom
 23 with the Temple of Lono. We are religious
 24 practitioners of the priesthood of Lono. This
 25 religious practice has been passed on from
 0060
 1 generation to generation. I received my personal
 2 training from Kahuna Nui Pali Tu Sam Lono.
 3 "The Temple of Lono has provided expert
 4 testimony several times in the past regarding the
 5 sacredness of Mauna Kea and its importance to the
 6 Hawaiian people and certainly the kuleana of the
 7 Temple of Lono.
 8 "The Temple of Lono stands by its position
 9 of no further or future development of Mauna Kea.
 10 Our position is published in the NASA final EIS
 11 regarding the outrigger telescopes intended for Keck
 12 Observatories.
 13 "This current attempt to make a
 14 comprehensive management plan is merely another
 15 attempt to clear the road for the future development
 16 of our sacred mountain without regard to the
 17 religious significance that the summit of Mauna Kea
 18 has to our ancient religious order.
 19 "Since this is only part of a greater
 20 process, the Temple of Lono informs you once again
 21 that no comprehensive plan could possibly be valid
 22 without first establishing a compelling government
 23 interest that would allow the State of Hawaii, the
 24 University of Hawaii, DLNR, U.S. Department of
 25 Interior to take over or otherwise contend a
 0061
 1 superior claim than that vested right of our
 2 religion. To make clear: Just as stated in the
 3 First Amendment of the U.S. Constitution, the
 4 Constitution of the State of Hawaii, further stated
 5 in United States Public Law 103-150, the right to
 6 freedom of religion.
 7 "We command that this document be placed in
 8 any and all public records or plan now and in the
 9 future with regards to anything having to do with
 10 the summit of Mauna Kea.
 11 "This letter shall be used as prima facie
 12 evidence."
 13 I would also like to say that I am also the
 14 (inaudible), which is a kupuna organization

comprising all six districts of this island. We have also been part of the publication of the NASA final EIS regarding the Keck Observatories. Our position is, no further future development or future development of Mauna Kea.

I don't know what seems to be the problem with really understanding what we are doing because we have done this over and over and over, year after year. And it seems like no matter how many times we tell you, you just seem to think that it's, I guess, irrelevant, or perhaps to you.

I hope you understand what prima facie evidence means, because we are preparing it. Thank you. Mahalo.

MS. DAMATE: Mahalo. Thank you.

Is there anyone that would, again, like to speak on orientation? If not, then I would like to call up as a final speaker on this category, Mr. John Burnett, who is the president of the Press Club. Thank you.

MR. BURNETT: Aloha mai kakou.

I am John Burnett, president of the Big Island Press Club, speaking on behalf of the club.

I really do wish I had had the opportunity to speak after Mr. Hoke, because what I have to say addresses the concept of controlled access to the mountain and just how much control is control.

I opened with the words "Aloha, mai ka ko." As you know, the words mean, "May love and kindness come to us."

I am here today to report that not only love and kindness are not coming to us from the present Office of Mauna Kea Management, but we sometimes find it difficult to find human decency and cooperation there as well.

On January 4th, the Big Island Press Club

wrote to the director of the Office of Mauna Kea Management describing five instances over a two-year period in which the director created difficulties and roadblocks regarding news coverage about the mountain. The five instances demonstrate a pattern of restriction to the exclusions to news coverage.

In the interest of time, I have already given you, Ms. Chang, a copy of our January 4th letter rather than describe all five instances. But I would like to mention perhaps what was the worst case.

According to our information, a Mauna Kea ranger, a person of native Hawaiian ancestry, was reprimanded by the director after the ranger drove a reporter and photographer to the area of an accident scene. The word "area" is important here because the ranger did not take the news representatives to a point where they would interfere in the ongoing investigation. They were at a distance that required the photographer to use a telephoto lens to take pictures. Now, this is a case of the ranger showing aloha, and the director disciplining the ranger for showing said aloha.

We don't seek unrestricted access to the mountain. We are seeking orderly and reasonable

0064

1 access, which we believe we have been denied perhaps
2 under this concept of controlled access. There are
3 certainly different degrees of control, and we think
4 that the Office of Mauna Kea Management has exerted
5 too much control.

6 One of the elephants in the room here is,
7 who owns the mountain? The native Hawaiians have
8 said that it belongs to the Great Spirit. Many of
9 the people who do science up there say that their
10 interests are the overriding interests.

11 It seems to me that the Office of Mauna Kea
12 Management, who has been given the kuleana of
13 stewardship and of administration, have taken it one
14 step further and exerted a proprietary interest on
15 the mountain.

16 With these thoughts in mind, we ask that a
17 Comprehensive Management Plan for Mauna Kea include
18 two key words. "aloha and helpfulness." The Office
19 of Mauna Kea Management should be required to act at
20 all times with aloha and should express that Aloha
21 through a policy of practice of helpfulness while
22 managing the mountain. Mahalo.

23 (Applause.)

24 MR. DAMATE: Thank you, John. Thank you
25 for those comments.

0065

1 You know, orientation is one category. The
2 orientation is to get your input, and you have given
3 us wonderful input on how you think people should be
4 trained. Education is important. But now what
5 comes out is that transparence, cooperation, and
6 aloha is just as important. So we thank you for
7 those comments.

8 The next category that we are going to move
9 on to is the importance of the coexistence of
10 Hawaiian culture and science. This is another issue
11 that came up frequently. And Dawn is going to just
12 give you a little background on this. This is
13 probably going to be one of the hardest discussions.

14 MS. CHANG: I appreciate the passion upon
15 which all of you have come. I have spoken to some
16 of you in the past, and I appreciate that you are
17 here.

18 I guess before I talk about the
19 coexistence, I did want to address one question
20 about the lawsuit, and I don't want to spend much
21 time on it.

22 As we were in a Mauna Kea Management Board
23 meeting this morning, a similar question came up.
24 "How can we proceed with this Comprehensive
25 Management Plan when there is an ongoing

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1 litigation?"

2 I guess I want to be really clear. That
3 case involved the Outrigger telescopes case, and
4 there both parties have appealed. I want to
5 reassure you that Office of Mauna Kea Management has
6 been in the planning process of this Management Plan
7 for many years. Judge Hara's decision wasn't
8 necessarily the reason that they did it. But there
9 is no doubt that Judge Hara's decision has an impact
10 on us proceeding forward. That is really between

the kuleanas of the lawyers.

What I mentioned at this morning's meeting is, I am hoping that our process -- well, the plaintiffs have chosen not to participate because they feel very strongly about the ongoing litigation. I must respect their opinion for that, and they will participate in any way that they feel most comfortable.

What I am hoping is that we will be able, through these kinds of community venues and other venues, to hopefully get input that may be reflective of some of those plaintiffs' sentiments. But the question is, we need to move forward. Mauna Kea needs to have a Comprehensive Management Plan, whether there is new development or no development

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at all. The resources on Mauna Kea need to be managed, so that is what we are proposing to do.

I didn't want to spend too much time on that, but I did want to address and acknowledge, there is an ongoing litigation that may at some point in time stop the process, but we are of the view that we want to continue on because a Management Plan is necessary for the protection and preservation of Mauna Kea.

This next point that we want to open up for discussion is a very difficult one. It is probably at the heart of what a lot of you are here for, especially native Hawaiians.

The question is, and I will tell you, we do not have an answer. Is there an opportunity for science and culture to coexist on Mauna Kea? Is there an opportunity for the scientific uses of Mauna Kea to be respectful to the cultural resources?

We have been having a lot of discussion in our talk-stories. A lot has been written in the previous Management Plans, Master Plans, PAN-STARR's Outrigger about future development. Judge Hara did make it clear that before any new development can get a permit from DLNR, a Comprehensive Management

0068

Plan needs to be approved. We are trying very hard to develop this Management Plan without looking at a particular development.

We know that PAN-STARR, the TMT, roadway improvement, that there are other development improvements that may occur or want to occur on Mauna Kea. We are really trying. And whether you believe this or not -- I realize there is many of you who mistrust the university. I think you have felt that they have not followed through on commitments to the community and that they are really only focused on astronomy development.

And whether you believe me or not, I want to assure you, that what we are trying to do through this Comprehensive Management process is not to focus on a particular development but truly to focus on the resource, the cultural and environmental resource. That is the first -- it is conservation lands.

As we started this dialogue, as we started looking at the past documents, the discussion by the

22 community over the last several decades and now more
 23 recently, we realized that there are potential new
 24 developments that are interested in coming to Mauna
 25 Kea. But I think they realize, too, that without a

0069

1 Comprehensive Management Plan that addresses the
 2 protection and preservation of the cultural and
 3 natural resources, a plan will not be embraced by
 4 the community. And my suspicions are that the Board
 5 of Land and Natural Resources will not approve a
 6 Comprehensive Management Plan that has not engaged
 7 the community and at least reflected the community's
 8 sentiment.

9 So the question that we pose to you, the
 10 second question is, is there a place for both
 11 science and culture to coexist on Mauna Kea? Is
 12 there a more appropriate location for new scientific
 13 development on Mauna Kea?

14 What we have been hearing from a cultural
 15 standpoint is that the summit is the most
 16 significant. There are many Hawaiian practitioners
 17 and members of the Hawaiian community who want all
 18 the telescopes off. The sentiment has been,
 19 Dawn, by the year 2033, we want them all gone. We
 20 want the summit to be -- it can never be fully
 21 restored, but we would like the summit to be devoid
 22 of any telescopes.

23 There are many issues that come with that.
 24 Decommissioning. Is there an environmental issue
 25 with respect to the decommissioning and the

0070

1 restoration? Is there a more appropriate location
 2 for new development of telescopes on Mauna Kea?

3 What we have been hearing is, we want the
 4 University of Hawaii to come up with a transition
 5 plan. Show us a plan where you are taking the
 6 telescopes off of the summit of Mauna Kea and you
 7 are decommissioning. We want to know what
 8 telescopes are coming down, when are they coming
 9 down.

10 We are also interested in -- and a lot of
 11 this is unconditional. The community is saying, we
 12 want to see this happen before we will even consider
 13 talking about new development.

14 So again, we don't have an answer. These
 15 are what we have been hearing the community and
 16 members of the different stakeholders talk about.
 17 So we ask you tonight this very hard question, as we
 18 begin to grapple with how do we manage the
 19 resources.

20 How do we manage the uses and activities on
 21 Mauna Kea, which include the astronomy facilities,
 22 the construction, which include the commercial,
 23 recreational uses? How do we manage those uses and
 24 activities to preserve and protect the resources?

25 So the question is, on this particular one:

0071

1 Is there room for astronomy development to coexist
 2 with culture on the mountain? If so, is it based
 3 upon the location? Is it based upon a demonstration
 4 of taking some telescopes off? Or is your
 5 sentiment, "There is no compromise. There is no
 6 coexistence. We just want them all off?"

I welcome your comments on that question. We are really struggling with that. I want to be very clear. This is not a development plan. This is a Resource Management Plan. But we are not -- we want to be very honest. We want to engage the community in the discussion about future development. The plan may or may not address potential future development. It depends upon what we are hearing from the community.

So again, I ask for your comments on that question. Can culture and science coexist? If so, is there a more appropriate place and what are those conditions?

Thank you.

MR. FERGERSTROM: Aloha, again.

At first I thought this break-up into four questions or five questions is kind of dumb, but I get to talk four times.

(Laughter.)

0072

Can they both exist? Of course, they can.

The comments she started off with makes the supposition that the Hawaiians were not scientific. And quite clearly they were. There are sites up on Mauna Kea that were clearly used for navigational purposes. They were navigating the Pacific when the Europeans were falling off the edge of the earth.

I need to make it very clear that this Comprehensive Management Plan that they are pushing for, in spite of the fact that there is litigation going on, is because in order for them to proceed, period, they have to have this. As it was spoken to us at the council, it's going to happen anyway. So it makes you wonder, what the hell are we doing here if it's going to happen anyway?

And what is really important to understand is, what is going to happen? What is going to happen is that you are not going to have a damn thing to say about it. They are going to wrap it up and say, well, we have got all of these names, and these people offered to speak in this little thing. And we'll just check out the ones who are pro, our side, and then we'll disregard the rest. That's kind of how it works.

0073

And I know that because I was involved for several years in the contested case for the Outriggers at Keck when I was politely put in jail. They actually made me change sides, at least on paper, which I am going to do a removal on, by the way.

When they talk about cultural resource, whose culture are we talking about as far as resource? Is that a resource since we have been here, which I believe is time immemorial? That would have to be debated.

There are things up on Mauna Kea that I would surely say actually defy science, as we know it today. There are things that we practice within the religion. I am not at liberty to be able to discuss these matters with you because we are a temple.

The University of Hawaii has had a really

18 bad, bad track record and a really bad display of
19 behavior. I remember one time being up there, and
20 we had a small accident, had a car full of kids.
21 This was 9 or 10 at night. And we just missed the
22 cliff when the brakes went off. And so we walked
23 down Mauna Kea. And of course, you'd think it would
24 be very smart to stop in at the science place to ask
25 for some help. And we did so, and we were told we

0074

1 were not going to get any help from them, period.
2 And then we proceeded to walk down Mauna Kea,
3 children and all. And we walked to Mauna Kea State
4 Park. Over and over this kind of behavior goes on
5 and on and on.

6 When you talk about culture resources on
7 Mauna Kea, also is Lake Voyall. They are not going
8 to talk to you about Lake Voyall because it's not
9 really in their area. It's in a natural preserve.
10 But how can you talk about the protection of Mauna
11 Kea if you can't talk about all the components of
12 it? And how can it be in the jurisdiction if you
13 are going to make it comprehensive? I think there
14 are a bunch of contrary words here, and it needs to
15 be looked at.

16 I agree that there has to be something done
17 about this ridiculous use of Mauna Kea, as we are
18 doing today. Quite frankly, I don't know what a
19 tourist couldn't see that they can't see at the
20 visitor station. I mean, they have got it all
21 well-documented. They don't even have to go up the
22 mountain. They could go here to the university and
23 see it. There is nothing in particular that makes
24 them need to go up to the summit except that they
25 can and someone is going to make a lot of money

0075

1 doing it, again, at our expense.

2 I'll give up this time and I'll wait for my
3 next round. Thank you.

4 MS. DAMATE: Mahalo, Hanalei. That is,
5 again, part of the mana'o that is coming out of this
6 meeting.

7 MS. KALAMAU: Two hours for question
8 No. 1. You cannot let me stay until 12:00, 11:00.

9 MS. DAMATE: This is the opportunity for
10 everyone to give their mana'o.

11 MS. KALAMAU: Can I please know
12 question 3 and 4 so I can consolidate and go home?

13 MS. DAMATE: Yes, yes, of course.
14 Dawn.

15 MS. CHANG: Auntie, you raise a very good
16 point. I know we talked about having a meeting
17 from 5 to 7, but we are committed. We are going to
18 stay here as long as people want to talk.

19 I think the other question that we wanted
20 to raise has been touched upon. The question has
21 been about access.

22 What we are finding from a resource
23 management standpoint is that the resources are
24 vulnerable, are being degraded because of many
25 different activities, unrestricted, human

0076

1 activities: People driving their rental cars up;
2 people wandering off the trails.

3 So the question has been -- and we have
4 been looking at other management plans talking to
5 the rangers, talking to people who are familiar with
6 Mauna Kea -- should access to Mauna Kea be
7 restricted?

8 And let me make very clear first, we are in
9 no way restricting the access for traditional,
10 customary practices by native Hawaiians. That is a
11 Constitutionally guaranteed right, and that will not
12 be restricted by this plan.

13 This plan is looking at, are there others
14 who are using Mauna Kea? Should we manage -- there
15 has been discussions about potential collaborations
16 with Department of Hawaii Homelands, who is down
17 below, and possibly, is there an opportunity maybe
18 to shuttle people in vans up to the summit without
19 having unrestricted rental cars? We don't have a
20 plan. Again, we bring this question out to you.

21 I think Hank raised a really good point.
22 While this Management Plan will look at the Mauna
23 Kea Science Reserve from a cultural standpoint, from
24 an environmental standpoint, you cannot look at all
25 of the resources as a whole.

0077

1 When you talk to Hawaiians, when they talk
2 about Mauna Kea, they are talking about from the
3 ocean to Mauna Kea. So we will be looking at the
4 different adjoining lands and the impact that they
5 may have on Mauna Kea, although the Management Plan
6 will address the Mauna Kea Science Reserve.

7 There may be other policy questions that
8 come out of this discussion that will include the
9 other jurisdictions, including the NARS, the
10 Department of Land and Natural Resources, the forest
11 reserve as well as DHHL.

12 So the question is a good one about how can
13 we not look at all of these other properties. We
14 will be looking at them, although the plan will
15 specifically address the Management Plan.

16 So the other question that Auntie had asked
17 that we wanted to talk about, that we want to hear
18 your mana'o on, was access. And then from there, I
19 do want to address Cory's questions relating to the
20 process. But those are the three main issues that
21 we wanted to share with you tonight. And I am sure
22 you have others. But it is coexistence of science
23 and culture. And then access.

24 MS. KALAMAU: Thank you so much. Okay.

25 MS. DAMATE: Just to let you know, the

0078

1 reason for the sign-in over here is so that the
2 recorder can get the right spelling of your names.
3 That is what that is for.

4 MS. KALAMAU: So the coexisting and the
5 access. Well, I wanted to wait to question 2, 3,
6 and 4 to see if what I came to say would fit into
7 all of these, since this is your itinerary. This is
8 what I wanted to say, and you put it into the
9 questions and answers that you want.

10 (Laughter.)

11 It starts something like this: The spirit
12 I have in my body was born of God. He gave birth to
13 my spirit. The body you see right now was given

14 birth by my father and my mother. So both of me is
 15 very spiritual. And I equate that with Mauna Kea.
 16 What do I want to see, as a person of
 17 Hawaiian ancestry, where my God thought it best that
 18 I be born in Hawaii? He thought it best to be born
 19 of Godly parents, my father and mother, in Hawaii.
 20 Why did he do that? And I ponder on this situation
 21 a lot, because I wonder, why didn't he make me be
 22 born in Iraq or in China where they had that
 23 earthquake? But he made me be born with my spirit
 24 in this body in Hawaii. So I feel very special
 25 because I am not in a war-torn country. I now live

0079

1 very comfortably in my body. My spirit is grounded.
 2 So now I read in the paper, this company
 3 wants to build a 30-meter telescope upon Mauna Kea.
 4 Oh, wait. But Keck Observatory just had built a
 5 10-meter observatory up on Mauna Kea. Oh, but wait.
 6 There is a Puerto Rican island where they want a
 7 305-meter observatory.

8 Why can't they leave Hawaii and go over to
 9 Puerto Rico and leave our sacred mountain alone?
 10 Oh, but cannot, because now the world is open with
 11 technology with different kind of people who love
 12 Hawaii, too, who have to survive here, who have to
 13 work here. And Lei, Auntie, can stay home and do
 14 whatever she wants every day.

15 So the best thing I can tell myself that I
 16 can contribute to this issue is that I love Mauna
 17 Kea. And I love the people that choose to live
 18 around Mauna Kea even if I don't even know their
 19 name. We are all God's children. And so how can we
 20 live, coexist, for the Hawaiian culture and science?

21 First of all, I know science. I watch it
 22 on National Geographic. And I watch PBS and the
 23 technology and the colors and the new planets that's
 24 coming on. So I have an idea about astronomy and
 25 science. I have a better knowledge of what it takes

0080

1 to have Auntie Lei walk this earth and survive.
 2 That is my Hawaiian culture. Because I worry for
 3 those who still have to work. Their bodies is
 4 deteriorating just like mine is deteriorated. So I
 5 get to stay home.

6 So I worry for those that have to study for
 7 me the stars and the galaxies that God created. And
 8 I have to worry for my food, for my gas in my car
 9 because I am the dust of the earth. I am even less
 10 than the dust of the earth because God is greater
 11 than I. So I cannot say anything against God
 12 because he knows everything. So I try to follow his
 13 ways.

14 What would he want me to say tonight, and
 15 leave, knowing that I contributed something? Here
 16 is what I want. My balance is this:

17 This world is going to deteriorate when
 18 Jesus Christ comes back. We won't have Mauna Kea at
 19 some point in time. Okay. So I am worried about
 20 the people I see when I go to my doctor and they
 21 have no money to pay for the doctor bill. They
 22 don't have money to pay the prescription they need
 23 to come and gain their health back. I worry for
 24 them. So I come to the conclusion that we need to

25 coexist somehow. This is what I want to see.

0081

1 There is this family up in Waimea who has a
2 little boy that needs \$29,000. And there is
3 50 people who are writing letters to Oprah Winfrey
4 to fund this little boy's \$29,000 trip to California
5 for surgery. I want this company that is spending
6 80 million dollars for the design of this new
7 30-meter telescope, I want them to match the funding
8 that is granted to Bay Clinic and the Keaau Dental
9 Health Center. I want this company to bring in the
10 economy for the State of Hawaii as they build their
11 observatory up on Mauna Kea. But I also want them
12 to contribute the matching funds that OHA would
13 grant Bay Clinic, Keaau Dental Center, so that the
14 people I see who are in need food, water, shelter,
15 medical, will be granted care and not be shamed or
16 scared to come see the doctor.

17 The employees that work at Bay Clinic and
18 Keaau Dental Center work hard to accommodate all of
19 us poor people. So the big companies come and build
20 your observatory. You can look up in the sky, but
21 also look down here on earth for us who are poor and
22 need help. Can we find some kind of a balance to
23 help those that are in need?

24 And I say this in the name of Jesus Christ.
25 Amen. Thank you, and good tonight.

0082

1 (Applause.)

2 MS. DAMATE: Mahalo. Mahalo.

3 MS. AKAKA: I really appreciate part of
4 your mana'o, having been on the board of Bay Clinic
5 for ten years and very, very concerned about those
6 issues.

7 And it's also quite interesting that the
8 state receives a dollar a year. Oh, lucky, lucky.
9 These are ceded lands. These are lands that are a
10 part of the Hawaiian nation. These are part of
11 lands that were stolen from us. But these happen to
12 be ceded lands that we Hawaiians are getting a
13 dollar a year, mind you, while Dr. Krudinsky brags
14 about the fact that 250 million dollars a year goes
15 to the state. Of course he doesn't talk about the
16 one dollar a year that goes to the state to the
17 DLNR.

18 He goes, 250 million dollars a year now
19 goes. And if we build that other monstrosity of a
20 telescope, it will be twice as much as 250 million
21 dollars a year going through the state. However, we
22 keep forgetting that the state gets one dollar a
23 year.

24 One dollar a year for the lease of those
25 ceded lands, while 47 million people have no health

0083

1 insurance in this country. Why don't you of the
2 Astronomy Department and why don't you (indicating)
3 who are so concerned about this -- I know this is
4 cultural. What about survival? So many of the
5 Hawaiian people are strangers in our own homeland.
6 Many, many don't have health insurance.

7 Now, why aren't you giving millions of
8 dollars to the Astronomy Department, all of those
9 profits that are being made off of our mountain?

10 Give it to a fund for health care so the community
11 can benefit, so the community can smile a little bit
12 while you are asking, is it compatible? Is it
13 compatible?

14 Well, my husband did a series of three
15 prints relating to our celestial navigation, but
16 this one I wanted to show you because over at Mauna
17 Kea and over at your facility at the university, you
18 are always talking about the importance of the
19 Hawaiian culture, and it was mentioned about we were
20 scientists. Yes. We were scientists. And this
21 print here shows our ancestors' celestial
22 navigation, our ancestors pointing up to the sky.

23 Oh, yes. And also from Mauna Kea, we have
24 your telescope. And we have the sextant. We were
25 doing celestial navigation way before there was any

0084
1 sextants. Way before there were any pimples up on
2 our mountain, the telescopes, we as scientists, as
3 native Hawaiians. But that doesn't mean that we
4 have to sell our mountain out to the highest bidder,
5 while the money does not come to our people except
6 maybe if you are lucky enough to have a job up
7 there. The money goes to the university professors.
8 The money goes for every purpose, while we Hawaiians
9 get a dollar every year. Lucky us for those ceded
10 lands up in Mauna Kea.

11 Can we be compatible? Well, to be honest
12 with you, your track record has been very, very bad,
13 Astronomy Department, university, DLNR. Shame on
14 you for not watching out for what these guys are
15 doing. Can it be compatible?

16 You know, I would like to say that what you
17 have already is enough and don't do anymore. But
18 how can it be compatible when you have been
19 negligent? Negligent, you scientists, for all of
20 this time, for more than the past 30 years.

21 But we Hawaiians, for thousands of years
22 have been practicing science and celestial
23 navigation. This is all new stuff. And that
24 30 years, shame, shame, shame on you. And shame on
25 anyone that has allowed it to happen. And that is

0085
1 why there are those of us that say, enough is
2 enough. If you can't even be responsible for what
3 you have done thus far on the mountain, it makes one
4 say, tear it all down.

5 But you know, education to me is very
6 important as well.

7 And you astronomers, you have got a lot of
8 bad karma for what you have been doing in the past.
9 Clean up your act. I have a difficult time saying
10 whether or not science can be compatible up on our
11 mountain because of the track record that has
12 happened for the past 30 years.

13 Why even Mayor Matayoshi had said at one
14 point while he was mayor, "Enough is enough," and he
15 used the word "pimples" on that mountain. Mayor
16 Matayoshi left office how many decades ago? And now
17 you want more and more. That is the greedy,
18 scientific community that is only concerned about
19 the stars. Meantime here on the 'aina, they could
20 care less.

So I have difficulty answering that question only because of the track record that the university and the Astronomy Department have had thus far on our mountain.

I'll be happy to pass this around for you

to take a look at. This is part of a series of three. The first one is our ancients digging the canoe. The second is the gift of Poliahu and the celestial navigations that he gave to us. And the third, it shows, yes, we were scientists. No question about it. And we still are because we are still traversing those oceans with celestial navigation.

So that is a hard question to answer, only because of the negligence that has been done thus far for the past 30 years. Mahalo.

And give some of those big bucks that are being made on our mountain back to the community. Give it for health care. Give it so that we, I can't say gain more appreciation for what is happening up there, but it would make us feel a little better. Well, how can you feel better about destruction? And that is what is going on. Be responsible, Astronomy Department and the university, as well as DLNR.

MS. DAMATE: Mahalo. Mahalo.

Again, the passion is coming out. That is another valid point. That is part of the mana'o of maybe giving back to the community, which is what we are looking for.

Reynolds. We are going to speed this up a little bit, okay?

MR. KAMAKAWIWOOLE: I am going to make this short.

First of all, we talked about coexistence. Everyone knows. Nobody is being fooled here. The Hawaiians have tried to tell the astronomy community for years that it is not supposed to be there. And the coexistence is difficult when just about a month ago I had an experience with Pele. And Pele told me there was no respect. And I understood what this meant. These were strong words, whether we respect ourselves towards each other. But there was no respect.

The respect comes through, as we the people here, are asking the astronomy community to make this right. In 30 years they have not made it right. And for this to happen, and to see our people come up here to do this kind of thing and to tell them over and over again that this is not proper, you have not paid us enough, you have paid us one dollar, that is so disrespectful to the culture. I don't think you could do this in Japan. I don't think so. And that's the kind of thing we have to look at.

And our aloha. We were brought up with aloha. Yes, there is aloha. But aloha goes to a certain extent, and it says, no, because part of aloha is trying to say that there is no love. You have to make sure that all part of it exists. Yes,

6 aloha is God, everything. It is what we look for
7 and we practice that. Hawaiians practice that. But
8 we need to see the respect thing that comes along
9 with it.

10 And when scientists are trying to take over
11 something that is more sacred to us than anything
12 else, then we start looking backwards and say, boy,
13 where have we gone wrong? Because our ancestors are
14 telling us we have a job to do. We don't come up
15 here as one person. We come up here with 10,000 of
16 our ancestors in the back of us at all times, and
17 say to everyone, no matter who you are, astronomy
18 whatever, you must have respect.

19 The key thing to this, the answer and the
20 solution is spiritual. Every question and answer is
21 spiritual. The answer is, make it right. The
22 astronomy community has the right to make this right
23 once and for all.

24 And I am going to say this for one time:
25 we do not want any more Hawaiians coming up here and

0089

1 asking anyone else to come out and say no to the
2 development and further use of the mountain. This
3 is a part of me that is coming to tell you.

4 And what we have done to C17 recently was
5 done. Just a word. And the word is, the
6 kahuna nana says, no. Does everybody understand
7 that? The kahuna nana means that kahuna that has
8 vision. And when the kahuna nana says no, it is
9 absolute. There is no further question. You don't
10 move backwards. You don't move forwards. You don't
11 move sideways.

12 (Noise outside.)

13 Yes. That is the noise. That comes only
14 from me sharing this to all of us tonight. This has
15 been such a stressful thing to our people. Stress
16 kills. We will not kill our people no more. I am
17 saying this as a kahuna. We shall make it right.
18 Pele has talked to me. She has said, they don't
19 have respect. You have seen some of the things she
20 is doing. That is hers, too. That is hers, too.

21 I don't like to see things like that. But
22 if there is no respect and they don't come out with
23 a plan and just keep on running us over, it will
24 happen. It will disappear. I have seen so many
25 things that are amazing, like the explosion of the

0090

1 land. It explodes like that. It scares me when I
2 hear something like this come to me.

3 This is an apparent warning, the access or
4 controlled access to Mauna Kea would definitely be
5 difficult. Definitely be difficult. But it is
6 something when our people go up there or other
7 people go up there, they get the proper training and
8 education. Until such time as those, you know,
9 observatories are not in existence anymore, 2033 I
10 believe -- but it's important for us to understand
11 that there is a need for that controlled access.

12 And I think one of the biggest things to
13 stop astronomy -- give it back. What have you guys
14 given back except to help everybody else? And it's
15 not our thing. Give it back. You want us to go up
16 there and enjoy, and you want us to learn astronomy.

17 Grab some buses. Put it out there for the people
18 and let them go up there free. Give back. Give
19 back. And that's the important part.
20 I am not concerned about what is going on.
21 But it's like, it's really, really hurtful that, you
22 know, I see a lot of our people trying to go up
23 there and they have to take their vehicles up. It's
24 tough. In that particular access, if you have that
25 kind of thing available with the buses that

0091

1 astronomy can provide until such time, that is a
2 very good thing. That comes from the heart.
3 You folks have got to learn to give back,
4 and I haven't seen it all the time that I have been
5 up on the top and shared this thing. When you give
6 back, then it shows something coming from the heart
7 and aloha. We have to have the aloha. Without
8 aloha, we are not people. I don't care if you are
9 Hawaiian or not Hawaiian.
10 But you have got to learn something from
11 us. You have got to learn what is here. You have
12 got to learn what is proper, and we have to move
13 with that. We don't move anymore. As I said, I
14 will come again.
15 And as the person that is involved in that
16 portion as a kahuna, I will tell you this again:
17 The next time there will be more kahunas coming up.
18 And I don't want any of our people to be stressed
19 out anymore like this. Okay. Thank you.

20 (Applause.)

21 MS. DAMATE: Mahalo. Mahalo, Reynolds. We
22 have so much aloha for Hawaiian religious
23 practitioners. It was good to hear from one.
24 But keep in mind, we are here now to look
25 at a couple issues: Can western science and

0092

1 Hawaiian culture coexist? And what are your
2 thoughts on access to the mountain?
3 MR. KAHAWAIOLAA: My name is Patrick
4 Kahawaiolaa. I am a product of the homestead, born
5 and bred. I am 63 years old. I have seen the
6 mountain. I haven't been up there for about
7 50 years, though. And that's by choice. That's by
8 choice.

9 But I do need to allow any of you to
10 understand my mo'okuauku, is that I am from this
11 island. My mom and dad, I had no choice in whom my
12 parents were. My dad is from Kapaa, Kauai. My mom
13 is from Hana, Maui. My mokua auhow goes back to a
14 great ancestor that came from Massachusetts also.
15 It's within me.

16 However, I got a little bit confused when
17 Dawn mentioned these questions. I would wish that
18 as you move forward in the process, put the
19 questions out prior on your agenda, and then people
20 would come up and summarize it. I think you'd get a
21 better response.

22 Because in my mind, I asked this in 1998,
23 and I am going to ask it again because this CMP has
24 to go around. And you mentioned about the pending
25 litigation. I am confused based on processing.

0093

1 In this meeting tonight, we have a
Page 38

2 stenographer, and what is being said. Is this under
3 the HRS Hawaii Revised Statute on the Chapter 91 or
4 Chapter 92?

5 MS. CHANG: None.

6 MR. KAHAUVIOLAH: Neither. Okay. See,
7 that's where it is easy for me now to understand why
8 people like Mr. Anthony get upset. Because if it's
9 neither, then nothing is going to really transpire
10 except you getting some understanding that Hawaiians
11 came forward or anybody came forward and told you
12 how we can coexist, how we can get access, how we
13 can do that.

14 I just need to say several things. I have
15 written everything as everybody kept going.

16 Access: You have got to find a way. I
17 think our good brother here spoke about access. If
18 you put a gate down at the bottom, it appears to be
19 a gated community. Mr. Hoke spoke about why he
20 believes that is necessary. But unfettered access
21 has got to be discouraged. That's ATVs. Because
22 somebody is going to -- you find the highest
23 pu'u to go jump off of with an ATV. It bothered me.
24 I think you need to get to the Department of
25 Hawaiian Homes, because the Department of Hawaiian

0094

1 Homes allows ATV uses on their roads. And that's
2 going to be a problem, because there is nobody there
3 to contain it.

4 Fair compensation: Fair compensation is
5 what is also necessary. And that's fair
6 compensation to the beneficiaries of those lands.
7 You guys out here may dispute me. Income off of
8 ceded lands gets one particular beneficiary. And I
9 am going to say, that beneficiary happens to be
10 somebody who is defined as a native Hawaiian,
11 defined under the Hawaiian Homes Commission Act. So
12 that's one of the beneficiaries. I don't see them
13 in the equation. That's who you need to get to.
14 That's the beneficiaries of those lands. There may
15 be uses of the income by the general public. But
16 the beneficiaries of those lands, as was just held
17 in the opinion by Chief Justice Moon, this unclear
18 ownership to the land, those lands are held in trust
19 for those beneficiaries that come out from the
20 Kingdom. Just so that nobody gets excited, that's
21 who you need to engage. You need more input from
22 those people.

23 Ms. Chang mentioned community input. I say
24 you need native Hawaiian community input. The
25 website is wonderful, except not every Hawaiian has

0095

1 access to a computer to get to the website. Every
2 county, state, federal, you go on the website and
3 look for a job. That's why not too many Hawaiians
4 work there, because they have no computer to look
5 for a job. That's not an excuse, though.

6 The draft may be ready in September and
7 October. If you are moving too fast, that means you
8 are going to slow down. If you don't have enough
9 input, you are going to get more. That's what I am
10 hearing you say. So we need to engage everybody.
11 Good, bad, and the ugly because you are going to
12 have them. I consider myself one of the uglies,

13 so... That's what you need to do.

14 Mr. Ota raised a very valid question. Is
15 there something about the aquifer, water that is
16 addressed in your Management Plan, the trickle-down
17 effect? Is there containment up on the mountain for
18 such things such as the hydraulic oils or even the
19 building, when you do it? Is there containment? I
20 don't think so.

21 I said I haven't been up there for
22 50 years, but a friend of mine built almost eight of
23 those. He ran the jobs that built eight of those
24 observatories up there.

25 I want to also leave the Hawaiians with

0096

1 this message: Be very careful what you wish for.
2 Some of you are saying you are prepared to take some
3 money, give us some money, and we may allow
4 development. Well, be very careful what you wish
5 for. You may get it. And then what? As Hawaiians,
6 you may need to look at that.

7 So you know, Hawaiians carry a lot of their
8 decision-making ability in their na'au and in their
9 heart. We come to places like this. That is when
10 you have to divulge what you have got to do. It's
11 not wrong. It's not immoral.

12 You have answered my questions. I just
13 hope you take the input of everybody, including
14 those that are frustrated. Because this is not my
15 first time having to come in front of some agency,
16 whether it be from the state -- I don't think it's
17 distrust of the university, per se, or scientists,
18 per se. But history hasn't done any good to help
19 the Hawaiians. You can look around. It doesn't.
20 It hasn't. So be very careful.

21 There is a big backlash against the Office
22 of Hawaiian Affairs for not getting out to the
23 trustees -- excuse me, to the beneficiaries. That's
24 why the settlement failed. There is a big backlash
25 against the Department of Hawaiian Homes. Why?

0097

1 They don't get out there to the beneficiaries.

2 So I would say to the university, I would
3 say to anybody who wants to do something, that the
4 beneficiaries are the native Hawaiians. Get to the
5 native Hawaiians.

6 Yes, you want to have us fight and bitch.
7 We are going to do everything. But that comes from
8 years of frustration. But I think I heard someone
9 saying, well, get words such as exactions. The
10 county and state government used the term,
11 "exactions." What is wrong with that?

12 And I'll leave with this: Our ancestors --
13 I did, I had six years in the military in the Navy.
14 And the only reason I went to the Navy is because I
15 came from a community that was born and bred on the
16 water so it didn't bother me to get on a ship and go
17 in the middle of ocean and to do that, but all the
18 while realizing that that is what our ancestors did.

19 They went all over the known world then,
20 traversing on a double-hull canoe. Then they went
21 without instruments. Did it before anybody else
22 thought about it. Did it by looking at the
23 celestial heavens. They continued to do it.

24 Just like this is a technology, I have got
25 it around my neck (indicating cell phone). Several

0098

1 years ago a Hawaiian would never have one. We
2 couldn't afford it, but everybody has one now.

3 So we have got to move, and we take
4 technology to the next level as a Hawaiian culture.
5 But you need to do it as everyone else said, do it
6 sensitively.

7 The greatest thing that is missing is
8 r-e-s-p-e-c-t. That is basically what is missing.
9 So on that, I thank you very much in allowing me an
10 opportunity to vent.

11

(Applause.)

12

MS. DAMATE: Mahalo. Mahalo.

13

Anyone else on coexistence and access?

14

Okay.

15

MS. CODY: Aloha. My name is Hoku. I am
16 well aware that I am probably the one with the
17 shortest relationship with Mauna Kea. But I come to
18 you as somebody who was partly raised in Keaukaha,
19 partly in Oahu.

20

I am currently a marine scientist. I am
21 also a native Hawaiian, first and foremost. I came
22 to answer the questions. Mahalo to all the kaupuna
23 and aunties and uncles who spoke before me. I am
24 pretty much going to perpetuate that mana'o right
25 now.

0099

1 I believe that there is an opportunity for
2 science and culture to exist on Mauna Kea. I do
3 believe that with the track record that I have seen,
4 they have not really done -- it's not really a good
5 job.

6 I do believe that we were scientists before
7 western scientists came along. That comes from a
8 deeper place, though. A Hawaiian scientist means I
9 was given the eyes and the ears and the voice in
10 which to make these conclusions.

11

And I don't really go up to Mauna Kea a lot
12 now, but when I was a kid I used to go. My parents
13 used to take me. And now that I am older and I
14 don't live with my parents -- they are kind of
15 kupunas now -- the memories of Mauna Kea come to me,
16 and I see the overall view of the Big Island from
17 standing on top of Mauna Kea. And it's these
18 memories, this ancestral knowledge, that I would
19 like to thank my parents and my kupunas for.

20

When you talk about resource management on
21 the mountain, I believe that Hawaiians still need
22 that ability to go up and make their own
23 conclusions, such as my own where I go up and I see
24 what I see up there, not through a telescope or
25 through a building that they went and put a piece of

0100

1 paper to inform me of the importance.

2 I also believe that we need to go up there
3 and see it ourselves. But with that enlightenment
4 of knowledge that is given there, I believe there is
5 also kuleana, which is a lot deeper than just
6 responsibility. It's something that we take on our
7 back, and it's something we infiltrate in our own
8 mind and our own spirit.

You guys had used the example of Kahoolawe. When I had gone to Kahoolawe, I had an unbelievably spiritual experience there in which I couldn't really decide what to do with it other than just share it and give it.

You know, we talk about aloha and stuff, and I believe truly the righteous knowledge is aloha. It is the intelligence with which we meet life. And development around that will only hinder that process, as a Hawaiian, I believe.

Instead of being able to go up there and make our own conclusions, we have to look through telescopes and look for stars and stuff. That feels a little funny to me.

Auntie over there had mentioned celestial navigation as a means that Hawaiians were scientists, and I truly, absolutely agree with her.

The one thing, I do believe that celestial navigation actually contributed to the entire society.

Celestial navigation was used to find a better living, a better place to live for the overall betterment of people, regardless of where they came from or what they did. And I believe that if, you know, we continue to use the Hawaiian culture up there and to be coexistent, we must also realize that all that knowledge that we gain from up there, whether it's through a telescope or through our own na'au and through our own conclusions, it must also benefit everybody down below Mauna Kea, who don't use the mountain for the telescopes or to make their conclusions, but instead uses the water that comes from it.

I myself grew up swimming in Keaukaha, which you know, brackish water. Half of it is made up of Mauna Kea. So my life is built up in that vibe. And I plan to share that.

And you guys talk about -- sorry. I am a little all over the place. I am a little nervous because they are kind of intimidating.

You guys propose, you know, somebody had said 2033, all the telescopes will be gone. I am

speaking for not only myself, but those that can't speak right now.

2033, I am going to be 40. Maybe 50.

Actually, I am not too sure.

(Laughter.)

Basically, that's going to be an entire lifetime that has passed before me before the telescopes are gone. That kind of brings a heaviness to me, and it makes me realize there are also those people that we have forgotten about, not only our kupuna but also our children.

Continuing development on there will be a loss at their sake. Any more telescopes up there, and they won't be able to make their own ancestral knowledge and their own ancestral conclusions.

In order to make a very righteous, resource Management Plan --

(Speaker crying.)

Sorry. A little nervous, guys.

20 -- we need to stop making decisions upon
21 economic rationality and instead find the intrinsic
22 value of our resources and share it willingly with
23 everybody regardless.

24 You know, like when I think about my
25 memories of Mauna Kea, I really do thank my parents

0103
1 and grandparents. They gave me that memory. And at
2 the time when I was up there, there weren't like a
3 lot of telescopes either. So I was able to go and
4 enjoy it, and whatnot.

5 Come 2033, I really -- as positively as I'd
6 like to think about it, I don't think in 2033 there
7 is going to be all the telescopes gone. But I would
8 like it to be clean enough to have my kids and my
9 grandkids make the same conclusions that I did and
10 be able to help the entire community of Hawaii as
11 these kupunas and these uncles and aunties before me
12 have.

13 And you know, we speak about culture and
14 science existing. They do. I am a scientist
15 myself. And it's hard in the realm of science to
16 acknowledge the host culture. Even as a native
17 Hawaiian in my own field, it's a battle. But it is
18 possible. It is very possible.

19 But I just come here to speak about -- you
20 know, we talk about the here and the now. The magic
21 phrase, seven generations, you know. Can we please
22 think about the kids after us?

23 The mountain is going to be fine, but the
24 buildings up there are going to rust over. They are
25 going to need repairing and stuff. But the

0104
1 mountain, and all the damage and all the chaos we
2 have given her, she will heal in time.

3 I feel we need to be more pono up there.
4 And pono goes beyond just the Hawaiian
5 righteousness. It goes to everybody. Aloha is the
6 intelligence with which we meet life. And if we can
7 only truly start to use that instead. Let's clean
8 the water. And let's just not grind.

9 I think the plans should be more
10 community-based and more involved with educating
11 people. I do truly believe that. I do believe that
12 the CMP are the stewards of Mauna Kea. I believe
13 that it is your responsibility to be more connected
14 to that mountain than just a pen and paper and just
15 an office.

16 The people I went to Kahoolawe with, they
17 are practitioners by their own right for bringing me
18 over because they live and breathe as a Kanaloa
19 practitioner. Maybe you guys might need to be more
20 like Maunaloa practitioners. I don't know.

21 That's pretty much all I really want to
22 say. Thank you for your time.

23 I do believe there is a chance for science
24 and culture, but I do not think it should be -- I
25 don't think culture should be cut out to where

0105
1 resource management sees fit to their vision.

2 We are still living and breathing, and we
3 still use that mountain, regardless of whether you
4 are going to make it controlled access or not.

Yeah. I kind of ran out of things to say.
Thank you to everybody else who talked before me.
You all were very maikai. I only want to perpetuate
that mana'o as a younger generation. So, mahalo.

(Applause.)

MS. DAMATE: Mahalo. Mahalo. Thank you.
Please don't forget to write your name down
and speak into the mike.

MR. HA: I am Richard Ha. I am over here
to talk on behalf of my workers.

We run 600 acres of bananas and hydroponic
vegetables. We have about 80 people working for us.
Everybody knows farming is not the best paying job
in the world. So whenever I get the chance, I am
trying to speak for them, because my workers always
have aspirations for their kids, and it's all about
education.

I just wanted to give a few examples of
what happened to me when I was like in the third and
fourth grade, because that's like elementary school.
What I am going to say is that here I am

60-something years old, and I try to figure out why
I am here. Actually, it goes all the way back to
when I was in elementary school, so that's how
important that is.

My pop used to tell me, you know, they
would go fishing down at Maku'u. They would be out
on a point fishing for aholehole with a lantern out
there. And everyone knows if you do that kind of
stuff, you take a chance. If the wave comes up, you
are just taking a chance.

But he had it figured out. He knew what he
was going to do. So he asked me, "If white water
coming, what are you going to do?" I don't know.
But that was back in the days when they would have
collapsible, bamboo poles. What he did was, he
climbed up the pole hand-over-hand and lifted his
legs up. Water went underneath. He dropped back
down, and he was okay.

Gee, I was in about the third grade, but it
lasted a long time. Because basically, what he told
me was, if you figure out the stuff in advance and
think about it ahead of time, make prior plans, you
know, you can save yourself a lot of grief. So
that's one story.

Another story he told was, you are flying

down the road 50-something miles an hour. On the
left-hand side, there are two cars coming up. On
the right-hand side, there is a big gulch. And a
dog runs in front of you. What are you going to do?
And you have no time to look in the mirror to see
what is behind you and then look back in front.
What are you going to do?

So his answer was, "Press the gas." And
why he said "press the gas" was exactly because you
don't have no time to look in the mirror to see how
close the person was behind. He said, "It's okay if
you kill yourself. It's not okay if you kill
somebody else."

And the lesson from that, between third and
fifth grade, the lessons from those two things was,

16 if you plan things ahead of time, you don't have to
 17 give up your core values. Yeah? He knew, you know,
 18 survival is survival. I am not going to go kill
 19 myself, obviously, but that was a good lesson. And
 20 like I said, I learned that in the third grade,
 21 fourth grade, something like that.

22 Another thing he said was -- he would tell
 23 stories about impossible situations that couldn't be
 24 solved. And he'd pound the table, "Not no can.
 25 Can." And he slammed the table. And we were real

0108

1 poor. We didn't have a dinner table like you have
 2 now. Just picnic table. He'd have the only chair
 3 in the house. But he'd pound the table. Dishes fly
 4 in the air. And I remember that.

5 So basically, the whole lesson from those
 6 three things was, if you plan in advance, you don't
 7 have to give up your core values. And he would say,
 8 "There are a thousand reasons why no can. I am only
 9 looking for one reason why can." So that was my
 10 message when I was a small kid.

11 So I ended up on the 30-meter telescope's
 12 subcommittee several years ago, and I really had no
 13 idea what was up there. But it was pretty obvious,
 14 if you are going to be on that, you have got to find
 15 out about culture. So I ended up going to
 16 Keaukaha because that was kind of the logical place
 17 to go. Seventy-five years, Hawaiian Homes.

18 And then you find out, the elementary
 19 school is the center of the socio-structure there.
 20 Everybody knows somebody that came from Keaukaha.
 21 Everybody is related to somebody that came from
 22 Keaukaha and went to elementary school.

23 So in the course of talking story, you
 24 know, asking Kumu Lehua, hey, what do you think if
 25 the guys build a 30-meter scope up there? What

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1 would be your thoughts? Obviously, it has got to be
 2 done the right way. It's just general questions
 3 asking.

4 So one day I was telling him, would you
 5 like to bring your students up just for an
 6 excursion? So they came up. And then after that, I
 7 asked, so where are you guys going on the next
 8 excursion?

9 He tell me, we no go on excursion because
 10 there is no more money. The bus costs \$300, and we
 11 walk around the neighborhood. Kind of flipped me
 12 out because I thought everyone went on excursions.
 13 I had no idea, because you couldn't afford the bus,
 14 you would walk around the neighborhood for
 15 excursion.

16 Now, try to think about this. Thirty-meter
 17 scope subcommittee walking around the neighborhood,
 18 driving around, and trying to see what positive
 19 effect to the community we could see for the
 20 telescopes, 100 million dollars worth of investment
 21 up there. So it's not obvious. I mean, there is
 22 some good programs, Gemini, and you know, those
 23 people do a good job, but it's not obvious.

24 So my friend and I, we just decided, you
 25 know what? Why don't we do something? And it

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1 shouldn't be us to think of doing something. You
2 know, I mean, it was only two years ago. How long
3 has this stuff been going on? Thirty years, or
4 whatever. I don't know what it is.

5 But we said, hey, you know what? Let's go
6 do something. Maybe something like adopt-a-child.
7 You see them on TV where there is a child, and then
8 for \$20 or something, the child will write you a
9 letter and send a picture every year, something like
10 that. So we did the same thing. We called it
11 adopt-a-class project. And for \$600, \$300 for the
12 bus and \$300 for the entry fee to Imiloa, we would
13 enable people to adopt a class. And it could be
14 individual people or groups, or whatever. In four
15 months we had all the classes adopted. And it even
16 got into sixth grade, first and second semester, 14
17 combinations.

18 So the point of the matter is this:
19 Elementary school. Now go back to the lesson my pop
20 told me. I was third grade, fourth grade, fifth
21 grade. That's really important.

22 So now what I am talking about is, can
23 science and the community -- I mean, science and
24 culture coexist? It's kind of like I said when I
25 started off. I am talking for my workers. All they

0111 1 really want is something for their kids to be better
2 than their lot.

3 So Imiloa is a pretty mean place because
4 when the Hawaiian children go there, it elevates
5 their status. Right there. You know, where you
6 have the culture and the science together,
7 everything is possible. And that's the whole point,
8 yeah? If you tell the kids, you can do anything.
9 From there, anything is possible. So that's my
10 whole point.

11 MS. DAMATE: Mahalo.

12 (Applause.)

13 MS. DAMATE: Mahalo. Mahalo. Positive.

14 Yes. Okay.

15 MR. STONE: Aloha. My name is Fred Stone.
16 I am a scientist who has worked on Mauna Kea since
17 about 26 years. I have an agenda here. And then we
18 have some questions that aren't on the agenda that
19 made this meeting very frustrating and hard to
20 follow.

21 My first suggestion is that you write down
22 the questions and put them on the agenda so we know
23 where we are on the agenda. And I also have some
24 questions that are not on the agenda, so I hope you
25 will entertain those questions equally as well.

0112 1 But because of that, the questions were a
2 little confusing, so I think I am answering the
3 question about can science coexist with Hawaiian
4 culture. Was that correct?

5 MS. CHANG: Yes.

6 MR. STONE: Because the second time you
7 said it, you said, can astronomy exist with Hawaiian
8 culture? Was the second question the one that you
9 really had in mind? Because I suspect it was,
10 because that is what came out of your mouth. That's
11 a different question.

12 I am an ecologist and I am a planner. I
13 worked in 1982 on the resource inventory in which we
14 studied the ecosystem on top of Mauna Kea. And most
15 people have heard of the wekiu bug, but there is an
16 ecosystem there made up of 20 to 30 native species
17 that all exist together there.

18 I'm sorry, I cannot speak for Hawaiians,
19 but I do know that in the kumulipo, creation started
20 with the little creatures when they oozed from the
21 sea, and those are ancestors to the Hawaiian people.
22 So when I work as a scientist and an ecologist, I
23 have found that Hawaiians give equal respect to all
24 of those creatures that lived there. And as long as
25 I respect the Hawaiian beliefs and culture, then I

0113 find they also respect me.

1 So when I see Hawaiians being upset and
2 angry, I think it's because they are not sensing
3 that same feeling toward the mountain and the things
4 that live on it. But again, I cannot speak for the
5 Hawaiians, only myself.

6 I had to go back to the 1982 resource
7 plan because that became the 1985 Management Plan,
8 which is still the only legal Management Plan that
9 covers that area of the summit, the leasehold area
10 on the top of Mauna Kea. I wish you would put that
11 in your writings when you send them out, because
12 that was left out of there when you went over the
13 history of the plans.

14 And that's the one that is the legal plan.
15 I say it's the one, because as we have been reminded
16 several times, the summit of the mountain is ceded
17 land, and the State of Hawaii has the responsibility
18 of holding that land in trust. And I don't think
19 that means like the U.S. held Micronesia in trust
20 and then went and dropped nuclear weapons on the
21 islands down there. I think holding in trust means
22 that we keep it for the future and for our
23 grandchildren the way it was before when we knew it.

24 well, the Management Plan that was put

0114 through in 1985 had a lot of promises by the
1 university. And unfortunately, those promises were
2 not fulfilled, and that's why the construction on
3 the mountain has progressively deteriorated the
4 environment.

5 And I don't hold tourists going on the
6 mountain as the same kind of disturbance as digging
7 holes six stories deep in the summit of the mountain
8 or having cesspools on the mountain for sewage. I
9 think that's a different order of magnitude of
10 disturbance.

11 And that was brought out by the lawsuit
12 that OHA had on the master -- well, that was the
13 lawsuit where the judge said they had to do an EIS
14 because there was progressive environmental
15 deterioration because of the lack of management.

16 Now, okay, you'll say, yes, but we have the
17 Office of Mauna Kea Management. That's fine. And I
18 appreciate Ms. Chang for reminding us that that was
19 set up by the 2000 Master Plan, which as she
20 reminded us, was approved by the Board of Regents.

21 Now, the Board of Regents is not the State

23 of Hawaii. That is what governs the University of
24 Hawaii. The Master Plan set up the Office of Mauna
25 Kea Management, the Mauna Kea Management Board. And

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1 the members of the Board are chosen by Rose Tseng,
2 the chancellor of the University of Hawaii at Hilo
3 and approved by the Board of Regents. That Master
4 Plan was never approved by the DLNR. In other
5 words, the state never approved that plan. That is
6 not the legal Management Plan. It's the '85
7 Management Plan.

8 So the Office of Mauna Kea Management is an
9 internal organization of the University of Hawaii,
10 and its purpose is to manage what the university is
11 doing there. But they do a lot of work that the
12 DLNR was supposed to do.

13 By the way, who is here from DLNR?

14 (No response.)

15 Well, those are the people that are
16 supposed to be managing the mountain. They are not
17 here. So Dawn Chang is working on a Comprehensive
18 Management Plan.

19 Now, I testified at the contested case
20 hearing in favor of having a Comprehensive
21 Management Plan, as the regulations of DLNR
22 required. And so it should be a good thing that the
23 university is doing it. But isn't that the fox
24 guarding the chicken house? Isn't there a conflict
25 of interest going on here?

0116

1 (Applause.)

2 I'd like to ask the question, who is paying
3 for this Management Plan?

4 MS. CHANG: Do you have other questions
5 that you want to ask?

6 MR. STONE: Yes.

7 MS. CHANG: I can take them all at one
8 time.

9 MR. STONE: Okay. So that's the first one.

10 The second one is, you said that you want
11 to get the will of the community. And my question
12 is, who defines who the community is and who decides
13 when the community has spoken and who won the
14 election?

15 Because when I look out there, I see
16 probably 90 or 95 percent of the Hawaiian community
17 is not represented. And they are not represented to
18 a large part because the university is appealing the
19 decision of Judge Hara, who said that the DLNR must
20 do a Comprehensive Management Plan. And they are
21 appealing that decision because presumably they feel
22 that a Comprehensive Management Plan is not
23 necessary, and at the same time they are going ahead
24 and doing a Comprehensive Management Plan. And that
25 is a conflict. And the people, the Hawaiian people

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1 who are involved with that lawsuit, would have a
2 legal conflict to come and testify for that plan, I
3 believe, until that is resolved.

4 The judge said the DLNR has a
5 responsibility of doing a Management Plan. And my
6 question is, has the DLNR given you the authority to
7 do that and when was that decision made? Because it

should be on paper. That's only the third question. Sorry.

The next question has to do with the fact that the 1985 Management Plan didn't get enforced. And that's what led to all of these other things happening. And it didn't get enforced for the very simple reason that there was no funding.

And when I went to hearings 20 years ago and said, "when are you going to do the monitoring and do the mitigation?"

They said, "Sorry. We don't have any money." And you go back to the '85 Management Plan. They said, "We'll do these things if money is available."

This plan was written by lawyers, and the current plan is being written by lawyers as well. So hire a lawyer if you want to know what that terminology really means when they say, "We are

going to do something." Because probably they are going to do just the opposite.

Anyway, that wasn't my question. Sorry. My question was, in this Management Plan, have you identified the funding to carry it out, what the costs are going to be and who will pay for the funding?

I know that OMKM is being supported by the state, meaning, yeah, whoever has one of these in their pocket (indicating), you are supporting it. Not the telescopes, the taxpayers.

I would like to see the telescopes be identified and some of that money that they bring in the state be converted to carry out a Management Plan.

So that's the next question. Who is funding this thing? And that should be identified in the plan, where the money is coming from, how many people are going to be hired and when.

Now, we have been reminded that the lease lasts until 2033. And Ms. Chang said that people would like to see the telescopes off the mountain. Well, yeah, but the lease itself calls for the telescopes to be decommissioned and the mountain returned to its original state in 2033. That's in

the lease. It's not just what people want. It's what the university agreed to do.

In order for that to happen, there has to be money, right? It costs a lot of money to decommission a telescope and put the mountain back the way it's supposed to be. Where is that coming from? It hasn't been identified.

While in this Management Plan, my question is, are you going to require that the telescopes set up a bond for the amount of money it will cost to decommission the telescopes? This needs to be renegotiated as of now, and the legislature needs to tell the university, we need to see the bond money. And if any other telescope is being built, they need to put up a bond that will cover the cost of putting the mountain back the way that it was. It hasn't been done.

I have a lot of other questions, but I

19 think that's enough to start with. So I will turn
20 the microphone over. I will give you my written
21 testimony later.

22 MS. DAMATE: Hold on for your answers.
23 (Applause.)

24 MS. CHANG: Mr. Stone, thank you very much.
25 I think you have asked some very good questions.

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1 Let me try to take on and answer them as best as I
2 can. If I cannot answer them, I will let you know
3 that.

4 who is paying for the preparation of the
5 Comprehensive Management Plan? That is a
6 collaborative effort. Office of Mauna Kea
7 Management is funding both the natural and the
8 cultural resource management plan.

9 The Ku'iwalu consultant team is being paid
10 by the University of Hawaii.

11 The next question you asked is, who defines
12 the community? That's a really hard question. We
13 are grappling with that as well. And as a result of
14 that difficulty, we are trying to reach out to as
15 many people who will participate in the process. We
16 are going through these public hearings, public
17 meetings. We are going through small talk-story
18 sessions. We are having a website, which we are
19 encouraging people to tell us what you think. We
20 are taking anybody who wants to give us comments and
21 participate in the process. We don't have a
22 definition of the community, other than taking
23 everybody's collective comments. So those who
24 participate in the process, we want to take their
25 comments and we will work with the Office of Mauna

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1 Kea Management in trying to evaluate what is the
2 community sentiment. But you are right, at this
3 point in time, we have not defined the community.

4 You mentioned that Judge Hara required the
5 DLNR to prepare the CMP.

6 That question was asked at the Mauna Kea
7 Management Board meeting this morning, as well as on
8 April 11, 2008. OMKM and our team did a joint
9 presentation before the Land Board asking them, are
10 we on track? Does what we are proposing for the
11 Comprehensive Management Plan make sense?

12 There was a lot of good discussion. I
13 think the members of the Land Board acknowledge that
14 this is a good thing that the university is doing.
15 I don't think there is any dispute that the fact
16 that we are doing a Management Plan is a good thing.
17 It's, quite frankly, well overdue and something that
18 needs to be done.

19 I think, as you have heard tonight, whether
20 there is new development or not on Mauna Kea, Mauna
21 Kea needs to have a Comprehensive Management Plan
22 that OMKM can use as management guidelines to manage
23 the use and activities, to preserve and protect the
24 natural and cultural resources.

25 One of the board members asked me

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1 specifically that question. Did Judge Hara say who
2 had to do the Management Plan? My response was, in
3 my review of Judge Hara's decision, he did not

identify who had to do the Management Plan. All he said was that the Board of Land and Natural Resources must approve the Comprehensive Management Plan before any new permit can be issued for uses on Mauna Kea.

In a previous life that I used to have, I was a Deputy Attorney General with the Department of Land and Natural Resources. It is my recollection, as being a Deputy Attorney General who advised DLNR, there are many lands that DLNR manages. In fact, DLNR is probably one of the largest landowners of public lands. It goes from parks. Wherever there are conservation lands, they fall under DLNR's jurisdiction.

For the most part, DLNR does not adopt a Comprehensive Management Plan or a Management Plan for all of the lands that are under their uses. They do not have the resources. And in many instances, they don't have -- they have got so many other issues and procedures on their own agenda, that they really look to the entity who is taking care of that land, whether it been through a lease,

whether it be through a license, whether it be through an executive order, to manage that land properly.

So the fact that the University of Hawaii is doing the Comprehensive Management Plan, I do not believe that was specifically required by Judge Hara, but I'll take a look at that order again. But I do not believe that he ordered it.

The fourth question you asked is, have you identified the funding to implement the CMP? Excellent question.

Quite frankly, we are looking at preparing a Comprehensive Management Plan that will, one, first manage uses and activities that preserve and protect the cultural and natural resources. In conjunction with the Office of Mauna Kea Management, who is the policymaking body, in conjunction with the Mauna Kea Management Corp, it will be their responsibility to come up, because they will actually implement the Management Plan.

They will identify, what are the necessary resources? Do they need to hire more rangers? Do they need to have a cultural resource manager on-site? Do they need to have more positions?

we really don't know what the costs are to

implement the Comprehensive Management Plan. But a very good question. But one that we feel is more appropriately asked as we go down the process and we begin to identify what it is going to take to actually implement the Comprehensive Management Plan.

The fact that we don't have funding now should not in any way negate the necessity to do a Comprehensive Management Plan. However, we feel that the Office of Mauna Kea Management will be better equipped to go to the legislature, to the University of Hawaii, to partner with other potential partners in finding appropriate financing to fund aspects of the Comprehensive Management

15 Plan. But I do not have an answer as far as who is
16 going to pay for the implementation.

17 Your last question was decommissioning.
18 Another good point that we have been discussing over
19 the last several months.

20 That question has come up often from the
21 Hawaiian community and the general community. If we
22 are looking at a transition plan, to take telescopes
23 off, and you are right, under any state lease there
24 is always a provision, whether it's to Mauna Kea,
25 whether it's to another entity, is to restore the

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1 land to the same condition or better than when the
2 original lease was issued.

3 The telescopes, they know that that is
4 their responsibility. We understand that they have
5 begun talking about that amongst themselves, how are
6 they going to finance the cost of decommissioning.
7 But that really becomes a responsibility of the
8 various telescopes.

9 But that doesn't mean that we as a
10 community shouldn't be concerned about that because
11 that is -- I think we don't want to have the
12 structures. And in many instances with state land,
13 a lot of times people leave the leased property like
14 it is and say, well, the state can go and clean it
15 up.

16 Now, clearly there will be a lot of people
17 in the community watching. But if we can begin to
18 start developing -- getting the Institute for
19 Astronomy and the different telescope entities to
20 begin to start thinking about a transition plan and
21 begin to ask some of those hard questions that you
22 asked...

23 What would it cost to decommission? Can
24 you put that money into an escrow account to ensure
25 that there will be money available?

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1 Excellent questions. Clearly, that is
2 something that we need to begin to talk about, and
3 we are beginning to address both with the Institute
4 for Astronomy. Obviously, any new telescope
5 developer needs to be well aware of those issues as
6 well. But we are beginning to address some of those
7 very important questions that you are asking.

8 I think I have addressed the questions that
9 you had. All right? Maybe not to your full
10 satisfaction, but I tried to do my best.

11 I know that, Cory, you had some questions
12 about this process, and I did not want to ignore
13 those as well. Do you want to ask those now?

14 MS. HARDEN: Yes.

15 MS. CHANG: Okay.

16 MS. HARDEN: Cory Harden. I am somewhat
17 concerned that Ku'iwalu is hired by the university.
18 That was not said in the little announcement for
19 this meeting, and I don't think that's been brought
20 up front as much as it should have been.

21 Let me see. Fred made a lot of my points,
22 so excuse me.

23 I am concerned that the people that know
24 the most about the mountain -- well, perhaps not the
25 most, but have been involved in the litigation --

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1 are cut out of this process because the university
2 is appealing Judge Hara's decision. And so Sierra
3 Club can't speak at these hearings, Mauna Kea on
4 Anaina Hou, Clarence Ching and the Royal Order, who
5 are some extremely important people.

6 And when you have responded in the past,
7 you have said, you know, have them go to their
8 lawyer and figure it out. But it's UH that is
9 appealing, so I think the burden is on UH to come up
10 with some way that these folks can participate.

11 My recommendation would be, which probably
12 won't go over real well with UH and DLNR, is that
13 they drop the appeal so these folks can participate.
14 Instead of resources going into this appeal and the
15 court and just staying in court forever, the
16 resources should go into a community-based plan for
17 Mauna Kea.

18 I feel like that plan should be done by
19 DLNR. UH has had the responsibility, and we have
20 ended up with Outrigger EIS documenting the severe
21 damage that has been done to Mauna Kea. There is a
22 lot of ill will in the community for how UH has
23 managed the mountain. So I feel that DLNR is the
24 appropriate party to do the plan. UH has got the
25 money. They can give it to DLNR and say, go ahead

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1 and do your plan. I feel it's a tremendous conflict
2 of interest for UH to be developing the plan.

3 And Dawn, I see that you are making an
4 effort to be as fair as you possibly can, but I
5 think it kind of comes in as a subtle bias.

6 For example, the questions that you asked
7 tonight. If DLNR was doing the plan, they would
8 probably ask questions like, what protections should
9 there be for cultural and natural resources? Do you
10 support, one, more telescopes, or take down all the
11 telescopes? Or something in between. Or they might
12 ask, should the telescopes be paying fair market
13 rent for the land? And if so, how should that
14 income be used?

15 And you know, I would think that the UH
16 leaders feel responsible to the university to
17 continue to have more telescopes, because it's a
18 tremendous boost to the university. It's income.
19 You know, they are known the world over for those
20 wonderful telescopes on Mauna Kea, and they are
21 really motivated. They really want the telescopes.
22 And I don't think it's possible for them to be
23 objective in preparing the plan. It just won't
24 work.

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25 My last one is, since we are wondering what

1 the community really thinks, consider doing a
2 scientific survey. It's very difficult to go to a
3 public meeting and have an objective view of what
4 happened at that meeting. But if a scientific
5 survey is done, I think that will be very credible.

6 And I think that's all the points. So,
7 thank you.

8 MS. CHANG: Thank you, Cory. Let me just
9 make sure that I answer the questions that you had.

10

I think the first one was the issue about

the participation of the plaintiffs, and UH's appeal of Judge Hara's decision has created a hindrance for the plaintiffs to participate. I don't want to put words in your mouth.

No doubt that is a very hard question. I am not representing the UH in a legal capacity. They have their own lawyers. And I know the plaintiffs have their lawyers. So I am not going to provide any legal advice.

My only response to that -- and I think the question was asked this morning at the MKMP board meeting. That is a really difficult question. I think we have tried as best as we can to create a community engagement process that provides opportunities for people to share their comments in

whatever venue they feel most comfortable.

Any kind of legal prohibitions, legal restraints -- this won't be a satisfying answer, but I think that that is really something that has to be dealt with between the plaintiffs, their counsels, and the University of Hawaii.

And if you can structure an opportunity -- and again, I am not really here to provide legal advice or legal strategy other than to tell you, the process that we are trying to create is, one, to engage everyone in as comfortable a forum as they feel.

We hope that if the plaintiffs do not feel it appropriate to participate in the process, that we are really trying very hard to have members of the community who may represent that sentiment to participate. And I know they can never take the place of the plaintiffs. And I know that no one can ever speak on behalf of the plaintiffs but for the plaintiffs themselves or their organizations.

I cannot provide you a satisfactory response. That's really going to have to be kind of a kuleana for the plaintiffs and the University of Hawaii.

I would like to tell you that the

Comprehensive Management Plan, it did start before Judge Hara's decision. It may not have been as aggressively pursued as it is now, but it had started. OMKM, in the 2000 Master Plan, it was recognized that a Management Plan needs to be done, a natural and cultural resource Management Plan. A 2005 audit specifically recommended a Comprehensive Management Plan be done.

So while there may be some suspicions on the motives, all I can tell you is -- I mean, each of you will draw your own conclusions. We would really like to do this as honestly as we can. You can choose to believe me or not. But I think we recognize that OMKM needs a Management Plan to manage Mauna Kea.

So I'm sorry, Cory, I cannot answer the question about plaintiffs' participation other than I think you need to just consult with your attorney. Prior to the Land Board meeting, we did notify the plaintiffs' attorneys of the meeting and urged them to participate. I realize that they don't want to

22 in any way jeopardize their legal position. So I
23 respect that, and I honor that. And I hope that you
24 will find a way through your counsel and through the
25 university to find a way to participate. I

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1 appreciate the fact that you are here tonight.

2 You raised the same question as Mr. Stone:

3 The plan should be prepared by DLNR. DLNR is the
4 appropriate party.

5 The only thing I can tell you is, DLNR has
6 not prepared the plan. When we met with the Land
7 Board, that was not an issue that was raised. The
8 board had not commented on that, and maybe because
9 nobody raised the question. I think they felt
10 comfortable with --

11

12 Let me put it this way: There was no
13 outward objection to what we were doing. There were
14 some legal questions that were being raised about
15 application of the Administrative Rules, which is
16 being looked at by the Attorney General's office.
17 But I do not think the Department of Land and
18 Natural Resources, nor the Land Board at that point
19 in time, volunteered and said, we should be doing
20 this plan. So in the absence of anyone stepping
21 forward, the University of Hawaii hired us to work
22 in coordination with the Office of Mauna Kea
23 Management.

24

25 Again, I realize that that may not satisfy
many of you of why DLNR is not doing it. All I can
tell you is from past experience, DLNR does not do

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1 the Management Plans for all of the lands that are
2 designated as conservation. They have other
3 agencies or entities do those Management Plans.

4 I think those were the questions that you
5 asked. Again, I am sure they are not all
6 satisfactorily answered, but I am trying to answer
7 the best I can.

8

9 MS. AKAKA: Dawn, now we have a better
10 understanding of where you are coming from. You had
11 worked as an AG for DLNR. You are now working
12 through a contract. You are being paid by the
13 university.

14

15 How could you as an attorney in clear
16 conscience go on with this process knowing that
17 Judge Hara took the position that he took and that
18 you guys are just running forward? And to be honest
19 with you, it's difficult for people to believe all
20 of a sudden that you were working on this plan
21 earlier.

22

23 I realize that you have been in this area
24 for four years, Ms. Nagata. You know, there is a
25 great deal of concern. And for you to say that you
do not have conflict of interest, is stretching it a
bit, one would think. You know, it's transparency.

26

27 Now, you are saying, I am having my

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1 meetings. We don't know who you are having your
2 meetings with. You are saying, we are having our
3 meetings in the community. We have no idea. There
4 is transparency.

5 For all we know, you could be meeting in
6 the back room with Joe Blow and the Board of Regents

and saying that you are really meeting with the Hawaiian community. You know, there is a lack of transparency.

You talk about the fact that DLNR has no resources to be the steward that they are supposed to be.

As was mentioned, you know, why not the university give the money to DLNR, so at least we could feel a little comfort zone that there is transparency, that there is not a conflict of interest, which seems to be pretty obvious the more we hear about what you are all doing.

It's a great concern that you are running off on your own, ignoring what Judge Hara said. And as you mentioned, we are not doing -- well, you are talking like a lawyer, and now we understand why. I hadn't realize that you had been an AG.

So it's of great concern that there is no transparency. It is of great concern that you say

you are having meetings, but no one has any idea as to who you are really having these meetings with. And you are bought and paid for the by the university. And one assumes that eventually down the line, you will rubber-stamp.

It even says in the newspaper, we will allow people to vent. Is that what we are here for, so people can vent, as you put it, in the Hawaii Tribune-Herald?

It does not -- it lacks in sincerity and credibility. And as I said, the more I hear about this, the more depressing it gets.

But you know, if I were you folks, I would just admit that there was a conflict of interest going on, allow Judge Hara's ruling to follow its process.

And again, it was you that had made the statement that you want to close that road. So, what, you are only going to let the scientists up there? And the rest of us can hoof it up to Mauna Kea to do our religious practices.

AUDIENCE SPEAKER: She didn't say that.

MS. AKAKA: I beg your pardon?

AUDIENCE SPEAKER: She did not say that. I have been sitting here all night.

MS. AKAKA: No, she did not say it tonight, however, she has mentioned it in a previous meeting with one of those that happens to be a part of the suit, that she wants that road closed. The first thing she said was, the road is going to be closed.

So you know, you can understand where there are concerns throughout these deliberations.

AUDIENCE SPEAKER: I am trying to listen to everyone. And you have brought up things that were not said tonight.

MS. AKAKA: No, no, no. I beg your pardon. This comment was not made about the road tonight. I want to get that clear. This was a comment that she had made to one of the principals in the suit, as a matter of fact. So let's get that clarified. She did not make this statement tonight. I agree. That is not what I said, either.

18 So all I am saying is, there is conflict of
19 interest going on, and you should close up shop and
20 wait until Judge Hara's case has gone through the
21 process. Thank you. And I am very disappointed in
22 you.

23 MS. DAMATE: Thank you, Moani. And that
24 was her mana'o.

25 MR. KALUA: Aloha, everybody.
0137

1 AUDIENCE: Aloha.

2 MR. KALUA: My name is Harry Kalua. Born
3 and raised on homestead. (Inaudible) failed to
4 realize sitting back there, but that is where we
5 always sit. We sit in the back and listen to
6 everything, what everybody has to say.

7 What I heard tonight, Hawaiian group wasn't
8 represented. If you guys will listen good, I am
9 talking about Hawaiian born and raised on the
10 homestead.

11 If you guys were listening good tonight,
12 the first person was talk about was speaking for our
13 group was Reynolds. Okay? The other brothers and
14 sisters talked of what they wanted to say to the
15 group here tonight.

16 But Patrick is the president of Hawaiian
17 Homes Association, which he say or which someone
18 say, 75 years-plus. Okay. So there is only two of
19 us here. He said he was 63. I am 39.

20 (Laughter.)

21 So we always come out because, you know
22 why? Patrick and I, we can understand everything
23 because we was brought up with nothing. Okay?

24 You talk about the culture. We walked. We
25 talked. He talked about military. We were in

0138
1 military. We are not going to tell you guys why we
2 were in military. But we went in the military.
3 We did what we had to do. Now is the next
4 generation.

5 First of all, I'd like to thank this
6 consulting group that came tonight, which gave us
7 all an opportunity to speak tonight. And I heard
8 everybody, or people who were saying, you can say
9 what you want to say, but nothing is going to happen
10 unless we all here talk about our own mistakes,
11 correct our own mistakes, do what we have to do.
12 Work as a public. I think if I heard right, unless
13 I was wrong, everybody want to see something happen.

14 And the way it's only going to happen is
15 the cultural, the environmental group, the
16 scientists, the education, and everyone else -- but
17 I always watch Patrick. Patrick say, don't sell us
18 down the road. Don't sell us. But I am pretty sure
19 we know exactly what we want.

20 And then, from the business community, we
21 heard Mr. Ha speaking for his group, which he talk
22 about farmers. Nobody wants to be a farmer. I was
23 in the taro patch. Patrick was in the taro patch.
24 We are talking about years ago. You know what I
25 told myself years ago? That I am not going to come

0139
1 back to farming anymore. Because I know what that
2 is. Four o'clock in the morning out there.

So to me, everybody -- I have respect for the brothers and sisters. But did you guys see the young girl tonight? If you look here tonight, you saw one generation, young generation speaking of her children, her grandchildren. So we are talking about 40 years from now.

So it's important. We have got to work together. Put all of your differences aside. And let's make it right so we can have a successful community where we can walk and pass each other and say, hi. That's all I am saying.

But to me, we have got to do it right. And the only way we can do it right is by all of us working together. So no matter where you are or where you are from, we have got to do it. We have got to make it right. And that's the only way it's going to be successful. We have got differences, but you know, we have got to put it aside, correct it, and make it right.

Because I see -- I have been to a lot of meetings, and I see things are changing because we are trying to make it right for the next generation. That's what I am looking toward, the next

generation.

You get practices up at Mauna Kea. That's the culture. And I am pretty sure it's about seventh generation or fifth generation. If you say anything about the mountain, you have got to be in one of the generations, which is to carry on what is related to your culture.

Anyway, thank you for your folks' time.

MS. DAMATE: Mahalo. Mahalo. Thank you.

Is there anyone that would like to speak who has not spoken yet?

Okay. Come on.

MR. STANTON: Aloha. My name is Charlie Stanton, and I am but a dull engineer. And us dull engineers like Gilbert don't have a lot of patience for obfuscation, if you know what I mean. Obfuscation means covering things up. And what I am saying is, I don't think there is a cover-up going on here, but I really think it's people's attitudes towards their job positions.

And I suggest -- first of all, I have read the Mauna Kea Management Plan. I have read it in detail. It's a bunch of fancy words with no budget estimates, no manpower estimates, anything like that. So basically, it doesn't mean anything

because you can turn it over to whoever you want to, and they are going to vote it down, and then we are going to be exactly where we are today.

I suggest that you very strongly, even though you don't have the power to do it, to enforce it, to consider creating a manpower budget and measurable estimate to track the restoration of Mauna Kea during the next 50 years. Otherwise, you are going to end up with unenforceable platitudes.

And I say this because I am an engineer. I ran a test laboratory. I was responsible for making sure that tests ran correctly that cost \$10,000 a day. And if they didn't run right, I was called on

14 the carpet for it. And I know that doesn't happen
 15 here. That was business. This is government.
 16 There are many telescopes on top of the
 17 mountain today. But I also have seen thousands of
 18 mulleins, an invasive species, all over the visitors
 19 center. And you know, I don't see any of you people
 20 out there picking them up. Anytime I go up there, I
 21 pull a handful and throw them in the garbage pail.
 22 And to me, those very, very expensive
 23 telescopes on the mountain, the visitors center, the
 24 dormitories, and everything, is out of balance with
 25 what you are charged with doing with the

0142
 1 environment.

2 Many here tonight are saying, stop putting
 3 telescopes on top of all of your other priorities.
 4 You need balance. I am worried that you in the
 5 Office of Mauna Kea Management just do not get it,
 6 especially when I heard Lisa Munger -- and I was
 7 there in court -- your lawyer, or DLNR state's
 8 lawyer, argue in front of Judge Hara that the
 9 purpose of the DLNR is not to protect the
 10 environment. Its sole purpose is to, quote, issue
 11 permits. Not good. Not good at all.

12 Obviously, the Judge agreed with the
 13 plaintiffs' side or we would not be here tonight.
 14 And I suggest very strongly that you pay attention
 15 to what the people said here tonight or you are
 16 going to be in court until you are old and gray like
 17 me.

18 And that is why I am here to ask you, do
 19 you see your responsibilities to pretend to protect
 20 the environment at taxpayer expense, or are you
 21 there to do something worthwhile from your heart?
 22 Why is nothing obvious about the Judge's
 23 ruling on the Office of Mauna Kea Management's
 24 website. Why nothing on it? Are you ashamed? I
 25 don't know. I don't know. I don't know.

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 1 And I am using a lawyer term here. There
 2 is what they call prima facie evidence. It's
 3 obvious on the face of it. You know what I mean. I
 4 really don't have a clue what is going through your
 5 head. I hope that your heart is where it is. But I
 6 am afraid that you are caught up in a system that is
 7 self-perpetuating, and somebody needs to break it.
 8 And we will do it in court, the plaintiffs will.

9 I have been hiking around Mauna Kea.
 10 I have seen its beauty. I have seen the
 11 silverswords out there. I am not going to tell
 12 anybody where they are at, but I ran across them.
 13 And I know that they didn't just pop up. Somebody
 14 planted them. And for that, I hope that many, many
 15 more invasive species will be pulled and we can get
 16 forward towards a balance of restoration of the
 17 environment, the culture, and the telescopes.

18 In the opinion of many here tonight, you
 19 are doing a great job at what Lisa Munger stated
 20 your job was, which is issuing permits. But many of
 21 us say, you have utterly failed in your real job,
 22 which is to find the balance between managing the
 23 telescopes, protecting the culture, and protecting
 24 and restoration of the environment.

25 Thank you very much. I appreciate the
0144 time.

1 MS. DAMATE: Thank you. Thank you.
2 Okay. Is there anyone else?
3 Go ahead. We need to be out of here
4 by 9:00, just to let you know.
5 MR. WATTS: Thank you. I wanted to leave
6 by 8:00, and my girlfriend wanted me to leave
7 earlier. Thank you.
8 My name is Joey Watts. I forgot to
9 introduce myself earlier. I am from Oahu, but I
10 have lived on this island about eight years. I went
11 to UH Hilo for a couple years and started learning
12 more about Mauna Kea. I have been on that mountain
13 many times before I moved here. I became a tour
14 guide for Arnott's and went up there many times
15 taking tourists up there telling them about it. And
16 now I am a teacher at Waiakea High School and
17 learning how to do that. It's not as easy as being
18 a tour guide. Anyway, just a couple other thoughts
19 I had.

20 First of all, I mentioned before, the next
21 generation of 30-meter telescopes have a mirror that
22 is going to be as big as this room, I guess, and it
23 will be visible from Waimea. It will look like, not
24 a pimple but maybe like a nose on a mountain.

0145 1 And you know, I have been to that north
2 plateau where they want to build it, and I seen the
3 eight-eyed wolf spider running around, so one of
4 those that Fred mentioned. He knows these insects
5 intimately. I don't know them that well, but I know
6 that if you put a big, huge building on top of their
7 home, it reminds me of pretending Palestine wasn't
8 there and putting in Israel on top of it.

9 And so maybe that's why this is one of the
10 number one issues here in Hilo, because it was not
11 done correctly. I guess they used the word "hewa."
12 And so now we want to try and make it pono, to make
13 it right, and find that balance.

14 And I don't know if this is the right way,
15 from what I have heard. Apparently, this isn't the
16 way to find a balance. For me, it seems like a
17 chess match. And we need to be honest and try to do
18 it the right way because not only are we talking
19 about the livelihoods of the people here in Hilo,
20 because this industry has really helped revive the
21 economy here, like the cruise ships did. But look
22 what happened to the cruise ships.

23 If you have a survey of the people of Hilo,
24 if they want those telescopes up there -- you will
25 probably have a similar result if you survey the

0146 1 whole State of Hawaii, if you want to stay a State
2 of Hawaii instead of becoming an independent nation
3 again, you know.

4 Hawaii actually is still the Nation of
5 Hawaii occupied by the United States. If you look
6 at what happened legally, it was never legally
7 annexed by the United States. There was a joint
8 resolution, not a treaty, like it was supposed to
9 be.

10 So let's look at the legal ramifications of
 11 what we are doing. It's going to be in the Supreme
 12 Court of the United States, if the newspaper is
 13 right, if they take the case, the ceded lands issue.
 14 It's possibly going to the Supreme Court.

15 So there is a lot of big questions here,
 16 and we have got to really take it carefully to
 17 answer these and do it the right way now, because it
 18 wasn't done in the right way in the past.

19 A couple of other thoughts: First of all,
 20 when you drive up that road, you see a lot of the
 21 mamane in the pasturelands there. And I tell you,
 22 they are going to die in a few years. They are real
 23 old. All you have got to do is clear underneath
 24 them, put a fence around them, and the seeds will
 25 sprout and we can start having groves of mamane

0147
 1 growing in that area. They should be doing that all
 2 around the mountain in the lower elevations with the
 3 koa trees.

4 Parker Ranch and all the other landowners,
 5 as well as the State of Hawaii, need to start
 6 reforestation already. We know it needs to be done.
 7 But that is not on the top of the mountain. Up
 8 there you don't have much trees at all, of course.
 9 Not even any plants, really. It's mostly just
 10 insects. And we are damaging their home, and they
 11 don't live anywhere else in the world.

12 There is some eight-eyed wolf spiders on
 13 top of Mauna Loa, too, but I think they are another
 14 species. I should have asked Fred about that.

15 Anyway, there is a lot to be done here. I
 16 am glad we are trying to do something. I want to be
 17 a part of it. I am trying to be a part of the
 18 solution. And I want to make sure that on the
 19 record, there is a lot of people that do not want
 20 any more telescopes built on the top of Mauna Kea,
 21 let alone the biggest one in the world.

22 The PAN-STARRS sounds nice, especially if
 23 they are going to find those meteorites that are
 24 about to hit our planet and destroy us. It would be
 25 nice to find them before they hit us. And it

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 1 sounded good if they take down the UH telescope and
 2 put that one in its place.

3 Just like I mentioned before, about the
 4 pahoehoe lava and building a little building there,
 5 I was thinking afterwards, hey, move it up a little
 6 further and then you are not destroying that
 7 beautiful pahoehoe flow. You can put it right there
 8 where there has been a building for over 100 years
 9 already. So we don't need to destroy any more of
 10 Mauna Kea. We need to revitalize it and make it
 11 better.

12 I guess I'll leave it there. Thank you.

13 MS. DAMATE: Mahalo. Mahalo, Joey.

14 Okay. Is there anyone that has any last
 15 comments to make?

16 Okay. Hanalei. After Hanalei, then Dawn
 17 will give her closing comments.

18 MR. FERGERSTROM: Hi, again. Hanalei
 19 Fergerstrom.

20 It's so interesting to watch over time how

21 these things repeat itself. Just repeat itself over
 22 and over again. We have been at this place before,
 23 ten years ago. I mean, one gentleman asked who was
 24 financing this, where are you guys getting your
 25 funding from?

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1 And you were saying, it's from the Office
 2 of Mauna Kea Management, or there was some comment
 3 made. Where is the Office of Mauna Kea Management
 4 getting their funds from?

5 MS. NAGATA: From the university.

6 MR. FERGERSTROM: That's what I thought.
 7 And I think you should be very clear on that. You
 8 can't just partially say something. You have to be
 9 very clear about that. That's the same guy
 10 financing all of you guys. Just like mercenaries,
 11 you don't show up for the war unless you are going
 12 to get paid, and that's a fact.

13 Now, I remember one time when my brother
 14 was working for the Attorney General's Office, and
 15 he came to visit me down at Iolani Palace. And he
 16 asked me, when are they going to take those things
 17 off the mountain, those wooden contraptions we had
 18 on the mountain?

19 And of course, he is my brother, so I told
 20 him, as soon as the golfballs are all taken down.
 21 He didn't think it was too funny. Nor did I.

22 But then I was told that there was this
 23 group of kupuna who was ordering this to happen.
 24 And I went, no kidding. Who is this group? And
 25 everybody was being very hesitant in telling me.

0150

1 I said, well, perhaps I can tell you. You
 2 got it through those who are all part of the
 3 University of Hawaii, by the way. And they are
 4 telling us that some kupuna made it very clear that
 5 these things are not supposed to be up there.

6 And then I remember going down to DLNR and
 7 demanding the transcripts from the contested case.
 8 And they pulled out all of these books, you know.
 9 And I am going through them going, hey, wait a
 10 minute. There is some testimony missing.

11 And they are telling me, oh, no, no, no.
 12 This is an accurate history. Excuse me. I am one
 13 of the contestants. I know what happened there. I
 14 was there.

15 And so, after about an hour and a half of
 16 playing games, they finally brought out the
 17 testimony that I said was missing, and they brought
 18 it out in microfilm, as opposed to that which is
 19 bound like the rest of it.

20 It was the testimony of someone very, very,
 21 very powerful in this community. That was Auntie
 22 Pua Kanahale, where she very clearly stated that she
 23 was a cultural specialist and not a religious
 24 practitioner. Let's make that clear. Because I am
 25 the religious practitioner, and I am the one making

0151

1 the claim for the mountain.

2 But it's amazing. Dawn, you are doing a
 3 great job. I tell you, it's amazing. I don't know
 4 how you guys manage to do that, change hats
 5 according to pay.

6 The thing you guys brought up about the
7 plaintiffs, who are now not able to come because
8 there might be a conflict in the legal process --
9 well, if you remember correctly, I was one of those.
10 Not in this particular -- what do you call that? --
11 appeal, only because I was in jail, conveniently.
12 Placed there conveniently.

13 However, something you really ought to take
14 note of. You guys forced me to look as if I am part
15 of you. Right? Look at the cover sheet. Look at
16 the sheet of who is the plaintiffs and who is the
17 defendants. I believe you'll see that I am on the
18 other side now. Isn't that correct?

19 MS. DAMATE: Thank you. Is this about the
20 plan?

21 MR. FERGERSTROM: Most certainly, it's
22 about the plan. Most certainly. Because those who
23 are now appealing it have not consulted me, and I am
24 part of that party, according to you. This is all
25 legal stuff. Nothing new up here. But go look at

0152 1 the sheet. The cover sheet tells you everything.
2 who is exactly doing what where. And I am no longer
3 fighting for my mountain. According to you guys, I
4 am with you to fight the Hawaiians.

5 I want to make that very clear to everyone
6 here, that that is what they have done to me. They
7 have made me look like I was killing myself, and
8 they are still doing it.

9 Thank you.

10 MS. DAMATE: Thank you, Hanalei. And that
11 was Hanalei's truth and his mana'o. That is not
12 necessarily the feeling of many of the other people,
13 including Hawaiians.

14 Do you have final comments?

15 AUDIENCE SPEAKER: One brief thing.

16 I'd like to say that science, it's a
17 momentary truth. And native Hawaiian reality has
18 about the same references like death has with life.
19 Aloha.

20 MS. DAMATE: Mahalo.

21 Before Dawn comes up, I have some closing
22 remarks on this evening's meeting.

23 I'd like to thank all of you for being such
24 a wonderful, courteous and respectful audience, and
25 for sharing all of your mana'o.

0153 1 And Dawn can give our closing. Thank you,
2 MS. CHANG: Thank you, Leimana.

3 I really do appreciate the fact that you
4 have stayed. Thank you very much. I know we are
5 supposed to be out of here by 9:00.

6 Like Leimana, I want to thank all of you
7 for being here. Obviously, you thought this was
8 important enough. There are many who have chosen
9 not to participate, and that's not to say that they
10 don't have something important to say. I don't
11 think it was anybody's intention to speak on behalf
12 of anybody, and I'm sorry if there was any
13 misunderstanding.

14 Again, I think the purpose of tonight's
15 meeting was really to create another opportunity for
16 the community to participate in this

17 community-engagement process. We will continue to
18 take your comments, whether it's through online --
19 If you want to have us meet with your
20 organization -- we have been trying to reach out to
21 different organizations to meet with them -- please
22 feel free to contact us on our website or you can
23 always call me at 539-3580. Call me, and I'll come
24 to your organization.

25 Our schedule, I think I briefly talked
0154

1 about that previously. We are working on preparing
2 a Comprehensive Management Plan. We will be doing
3 that with the Office of Mauna Kea Management.
4 We hope to come back out to the community
5 probably in September or October. We will be before
6 the MKMP board in November, and then present this to
7 the Land Board in December. So please check our
8 website. There will be updates on other community
9 meetings that you can have an opportunity to
10 comment.

11 I really do want to acknowledge, this isn't
12 easy. I mean, this is emotional. A lot of people
13 have felt hurt. I am not in any way going to
14 diminish that. And the fact that people have come
15 here today with that kind of passion, I do
16 appreciate that. You don't have to be here, but you
17 come here to share that. And I do honor that. And
18 I respect that.

19 So with that being said, Auntie Lei, if you
20 would close with a pule for us.

21 AUNTIE LEI: We can just bow our heads and
22 thank the Lord for tonight. And I'll begin. May we
23 unite in prayer.

24 Our Father, which Art in Heaven, we are so
25 grateful for this evening, for the preparations that
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1 have been done, and for those who have spoken
2 tonight.

3 We feel a humble gratitude in reverence for
4 Thee and for all of Thy blessings Thou give us each
5 and every day for the necessities of our lives upon
6 this earth.

7 We thank Thee for those whose hands have
8 brought this meeting together and to open our eyes
9 as to what is ahead of us. Thou has seen how much
10 work there is to do in heaven, and we only want to
11 do Thy will and to make preparations for the future.

12 May those who are held in leadership, move
13 forward. May those who feel oppressed, may Thy
14 Spirit touch our hearts that we can commingle
15 together, that we may be able to have Thy Spirit to
16 be with us in this most troubling time and that the
17 stresses of life won't be too hard upon us.

18 And so we ask that Thou will leave with us
19 as we go home to our families, that Thou will take
20 us safely to them that they may be safe, that Thou
21 will be with us as we travel home safely.

22 Father, we love Thee and pray that that
23 Spirit will touch our hearts, that we may do the
24 best that we can to move forward and to love one
25 another.

0156

1 For these blessings, we humbly ask for in

2 the name of Thy son, Jesus Christ. Amen.

3 AUDIENCE: Amen.

4 (The meeting was adjourned at 9:00 p.m.)
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1 CERTIFICATION
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4 I, Valia J. Lamb Gromov, do hereby certify
5 that the foregoing is a transcription transcribed to
6 the best of my ability; that I am not related to,
7 nor employed by any of the participants in the
8 proceedings, and have no interest, financial or
9 otherwise, in the outcome of the proceedings
10 recorded.
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14 Valia J. Lamb Gromov, CSR, CCR
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