My name is Makale‘a Gutierrez, I am a graduate student at UH Mānoa and was unable to be here today, so with the help of the aloha ‘aina warriors, I send my mana’o.

I want to start off by mahalo-ing everyone who is here, those who were able to come support and to testify on behalf of the so many more of us who were unable to attend this meeting. I want you to know that we stand in solidarity with you folks and with the other po‘e aloha ‘āina across ka pae ‘āina Hawai‘i. While I am unable to physically be with you folks, I send my aloha and mana‘o from Mānoa along with all of us who couldn’t make it to Hawai‘i island today.

I was one of the many who attended last month’s Board of Regents meeting in Mānoa and wanted to send in my mana’o to kākoʻo the efforts today, and to remind the board that we - the students are the voice of the University, and that without us there would be no University System.

Today I wanted to express my concerns about the University’s role as both a landlord and a tenant of the 11,000 plus acres of Conservation lands atop Mauna Kea. Firstly there is a steady history of opposition to the continual desecration of Mauna Kea as well as the opposition to the TMT project. The role of the University in this lease agreement implicates a broad spectrum of issues including the cultural, spiritual, and religious concerns as well as the possibility for ecological and environmental impacts along with fiduciary duties as a manager of public “ceded” lands. With so many different approaches to this issue, I aim to remind the board of its duty to the students it serves.

November 13, 2013, the 101st ASUH Student Senate formally passed SR13-14 which stated “BE IT FURTHER RESOLVED, that the ASUH strongly opposes the appropriation for student and state funds, and leases for the construction of any new telescopes on the northern plateau of Mauna Kea, including the proposed TMT, without further input from stakeholders;”

That is the undergraduate student government speaking on behalf of the student body. While I was not an undergraduate student at this time, I supported the resolution then and I support the resolution now – just like current ASUH president Michael Nishihara, who affirms this official stance of the ASUH as reported in Ka Leo two days ago on April 13.

This resolution comes on behalf of the largest undergraduate student body within the university system. The 14,500 undergraduate students at Mānoa make up over 70% of the student body at the UH system’s largest campus and their voices too need to be heard once more.
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The 1998 and 2005 State Audits of Mauna Kea and the Mauna Kea Science Reserve both highlight mismanagement as well as non-compliance on behalf of the University. Inadequate protections of natural resources as well as neglecting historic preservation and the cultural value of Mauna Kea were some of the findings from the 1998 audit.

In addition to the track record of criticisms from the State auditors, the University must again be reminded of its kuleana as the steward of Hawaiian Kingdom Crown lands, now considered apart of the Ceded Lands inventory - lands for the time being are to be held in public trust by the State. The historical undervaluing of these publicly held lands is an insult to all the stakeholders and shareholders in the collective resource, ʻāina is priceless not worthless.

It is too little and too late to make efforts to increase the rent on this one sublease for TMT, whose monies will go toward maintenance and operating costs of the required infrastructure for this project by way of the Mauna Kea Lands Management Special Fund. It is the responsibility of the board to stop the further desecration and exploitation of Mauna Kea and to not seek a new general lease following 2033. This historical track record of mismanagement by the University and its inability to collect fair market value during this time points to the fact that the University should not seek a new general lease and should focus on decommissioning and finalizing its leases with any and all tenants. To the TMT investors, be aware of the reality that the University of Hawaiʻi’s tenure of Mauna Kea will expire in 2033. As I mentioned there are many different approaches to this issue and I just wanted to expand on the financial and trust obligation viewpoints. The over use of the sacred Mauna has to come to an end, along with the exploitation and undervaluing of Hawaiian Crown and Government lands across Hawaiʻi.