



# UNIVERSITY OF HAWAI'I SYSTEM

## TESTIMONY

SCR 68 SD1 (Proposed)  
REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE APPROVAL  
AND DECISION-MAKING PROCEDURES, AND THE PROJECT APPROVAL  
PROCESS OF THE MAUNA KEA SCIENCE RESERVE

Testimony Presented Before the  
Senate Committee on Higher Education

April 13, 2005

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James Gaines  
Interim Vice President for Research  
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Aloha Chair Hee, Vice Chair Inouye, and members of the committee. I am Christopher Helm, Senior Adviser to James Gaines, Interim Vice President of Research, University of Hawai'i. Thank you for the opportunity to offer this testimony.

Earlier in this Legislative Session, the University offered testimony before this very committee on a bill (SB1474, SD1) similar in nature to SCR68. At that time, the University explained that it had diligently worked towards addressing public concerns over the management of Mauna Kea through the implementation of the 2000 Master Plan. Public testimony presented in the process of developing a new Master Plan for the University's management of Mauna Kea called for greater local management power by the people of the island of Hawai'i.

The University made such a commitment by placing primary management duties in the hands of the Office of Mauna Kea Management at UH Hilo, which is guided by a community-based Mauna Kea Management Board and council of Hawaiian advisors named Kahu Ku Mauna. Collectively, these bodies have made significant progress in providing community organizations with a voice in matters affecting Mauna Kea. In addition we have partnered with the Royal Order of Kamehameha 1 to address the Hawaiian community and spiritual issues.

At the time, the University also pointed out that assertions made in the language of SB1474 and reiterated again in SCR68, apparently confuse unhappiness by some parties over federal and state conservation district use project approval processes that fall outside of the University's jurisdiction with the University's ability to properly manage Mauna Kea. The establishment of an "authority" separate from the University will not affect the project approval processes that apply to virtually all conservation zoned lands.

Rather than an Audit, the University expressed its willingness to participate in discussions led by a Legislative Task Force or some other process of encouraging the input of the many groups, institutions and government agencies with a role in the project approval process. SCR68 returns to the original proposal of conducting a Legislative Audit. We again question if this is the most effective and appropriate vehicle through which to address these issues.

In very significant ways, the Audit has already been done. Back in 1998, the Legislative Auditor released its report on Mauna Kea. It has since served as the key blueprint for reform. Even the University's harshest critics still refer to it as the seminal document for change. The 2000 Master Plan was largely influenced by that report. Yet, as we steadfastly try to follow the Auditor's recommendations, including the need for the University to promulgate administrative rules, some critics and this Legislature have reversed its view of the Auditor's recommendations by opposing the University's request (SB904) to gain the very rule-making authority that the Auditor recommended. Now, after having denied the Auditor's recommendations, SCR68 proposes to conduct a new Legislative Audit.

Recently, I presented a progress report to the BOR concerning input I had received from numerous individuals over an eight month period. I stated that the individuals who had spoken with me were making suggestions to the university to help us but that it would be incorrect to conclude that the individuals or the organizations they belong to support the activities of UH.

I presented to the BOR a plan (not the UH plan, not the IFA plan) but a plan without an author that had emerged from these discussions. The plan has three components.

- (1) An internal (UH) reorganization that would transfer the oversight of the Mauna Kea Support Services (MKSS) to the Office of Mauna Kea Management (OMKM). This transfer was anticipated in the BOR adopted Master Plan of 2000 where some of the present MKSS functions were to be transferred to OMKM and those functions that require the specialized services of an astronomer (or scientist) were to be excluded.
- (2) An education/outreach initiative that would promote technical education in general and engineering or astronomy in particular. The desired outcome of such an initiative would be career pathways for local youth that would enable them to live and work in Hawaii if they wished.
- (3) A traditional Hawaiian forgiveness ceremony where the UH would acknowledge it had not managed Mauna Kea as well as it should and ask forgiveness while promising to improve.

The University has already started with component one and I have authorized OMKM to fill positions that were created in 2000 but had remained unfilled due to lack of funding in the UH Hilo budget. This step will enable OMKM to do its job better.

Unfortunately, the University of Hawai'i does not believe that in its current form SCR68, SD1 will make any significant contributions towards developing positive solutions to Native Hawaiian, environmental and scientific issues on Mauna Kea. We instead request the opportunity to further develop existing working relationships with different groups on Hawai'i, including our partnership with the Royal Order of Kamehameha 1, providing additional resources and support to the Office Mauna Kea Management, the Mauna Kea Management Board, the Kahu Ku Mauna, and to continue working towards a positive future for the Mauna Kea Science Reserve.