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# HOUSE CONCURRENT RESOLUTION

CONVENING A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR A  
GOVERNANCE AND MANAGEMENT STRUCTURE FOR MAUNA KEA.

1 WHEREAS, pursuant to article XII, section 4 of the Hawaii  
2 State Constitution, the State holds public land as a public  
3 trust for Native Hawaiians and the general public; and  
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5 WHEREAS, as the trustee of the public land trust, the State  
6 has a duty to protect and maintain the trust property and  
7 regulate its use; and  
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9 WHEREAS, Mauna Kea is public land that is included in the  
10 public land trust; and  
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12 WHEREAS, since 1968, the University of Hawaii has been  
13 responsible for the management of Mauna Kea; and  
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15 WHEREAS, the Independent Evaluation of the Implementation  
16 of the Mauna Kea Comprehensive Management Plan, prepared for the  
17 Department of Land and Natural Resources by Ku'iwalu and  
18 published in December 2020, concluded that while the University  
19 of Hawaii has effectively implemented most of the management  
20 actions related to protecting the natural and cultural resources  
21 of Mauna Kea, the management actions designed to respect the  
22 Hawaiian cultural practices and resources and conduct education  
23 and outreach that were intended to restore trust between the  
24 University of Hawaii and the Native Hawaiian community have not  
25 been effectively implemented; and  
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27 WHEREAS, the report found a lack of genuine consultation  
28 with the Native Hawaiian community; and  
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30 WHEREAS, the report also found that the lack of genuine  
31 consultation with the Native Hawaiian community has resulted in



1 greater mistrust of the University of Hawaii and management of  
2 Mauna Kea, leading to polarization between various stakeholders  
3 on Mauna Kea and in our communities; and  
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5 WHEREAS, this mismanagement, mistrust, and polarization  
6 must be reconciled; now, therefore,  
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8 BE IT RESOLVED by the House of Representatives of the  
9 Thirty-first Legislature of the State of Hawaii, Regular Session  
10 of 2021, the Senate concurring, that a working group is convened  
11 to develop recommendations, building on the findings of the  
12 Independent Evaluation of the Implementation of the Mauna Kea  
13 Comprehensive Management Plan, for a new governance and  
14 management structure for Mauna Kea that collaboratively engages  
15 with all stakeholders, particularly the Native Hawaiian  
16 community; and  
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18 BE IT FURTHER RESOLVED that the working group consist of  
19 the following membership:  
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- 21 (1) One member to be appointed by the Speaker of the House  
22 of Representatives, to serve as the chairperson of the  
23 working group to facilitate the group to develop a  
24 consensus;  
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- 26 (2) Three members of the House of Representatives to be  
27 appointed by the Speaker of the House of  
28 Representatives;  
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- 30 (3) Seven members who are Native Hawaiian to be nominated  
31 by Native Hawaiian groups, organizations, or  
32 communities and appointed by the Speaker of the House  
33 of Representatives;  
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- 35 (4) One representative from the Office of Hawaiian  
36 Affairs;  
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- 38 (5) One representative from the Board of Land and Natural  
39 Resources;



1 (6) One representative from the University of Hawaii Board  
2 of Regents; and

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4 (7) One representative from Mauna Kea Observatories; and

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6 BE IT FURTHER RESOLVED that the working group is requested  
7 to take into consideration the Independent Evaluation of the  
8 Implementation of the Mauna Kea Comprehensive Management Plan,  
9 prepared for the Department of Land and Natural Resources by  
10 Ku'iwalu and published in December 2020, when developing the  
11 recommendations for a governance and management structure for  
12 Mauna Kea; and

13  
14 BE IT FURTHER RESOLVED that the working group is requested  
15 to submit a report of its findings and recommendations,  
16 including any proposed legislation, to the Legislature no later  
17 than December 31, 2021; and

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19 BE IT FURTHER RESOLVED that certified copies of this  
20 Concurrent Resolution be transmitted to the Speaker of the House  
21 of Representatives, Chairperson of the Office of Hawaiian  
22 Affairs, Chairperson of the Board of Land and Natural Resources,  
23 Chairperson of the Board of Regents of the University of Hawaii,  
24 and Mauna Kea Observatories.

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