

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
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DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Thursday, February 26, 2026
2:00 PM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2592, HOUSE DRAFT 1
RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

House Bill 2592, House Draft 1 seeks to clarify the intent of Act 225, Session Laws of Hawai'i 2022, by explicitly declaring that the transfer of the real property interests in the lands of Mauna Kea to the Mauna Kea Stewardship and Oversight Authority (MKSOA) on July 1, 2028, shall occur as a matter of law, require the University of Hawai'i (UH) to negotiate the transfer of the various astronomical observatory conservation district use permits (CDUP) to the applicable astronomical observatories, clarify that the existing plans and administrative rules remain in effect until plans and administrative rules are adopted by MKSOA; and clarify that MKSOA has state sovereign immunity. **The Department of Land and Natural Resources (Department) supports the intent of the bill and offers the following comments.**

The Department is in support of MKSOA receiving the real property interests to the lands specifically identified in House Draft 1 and appreciates the conveyance via operation of law which reduces the Department's workload.

The Department does not believe that the CDUPs need to be transferred from UH to the astronomical observatories. CDUPs issued by the Board of Land and Natural Resources (Board) or the Department essentially act as covenants that run with the land and remain enforceable regardless of changes in ownership.

In practice, dispositions issued by the Board and implemented by the Land Division, that also involve a CDUP, include language in which the burden of permit compliance is placed on the tenant. In cases such as these, should the Office of Conservation and Coastal Lands enforce on the "landowner" due to non-compliance, the Land Division would hold the tenant accountable in addition to potentially finding them in default of their disposition.

Pursuant to Hawaii Revised Statutes (HRS) Chapter 195H, MKSOA essentially replaces the Board and inherits its responsibilities and duties relating to Mauna Kea lands pursuant to HRS Chapter 171. As such, subleases inherited by MKSOA already require sublessees to comply with all applicable permit conditions.

Mahalo for the opportunity to comment on this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JOHN KOMEIJI
Chairperson

KIMO ALAMEDA
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RYAN KANAKA'OLE
KALEHUA KRUG
BEN KUDO
LANAKILA MANGAUIL
RICH MATSUDA
NOE NOE WONG-WILSON

*ex-officio

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

688 Kino'ole Street #212, Hilo, HI 96720

Telephone (808) 272-0259

Website: <http://dlnr.hawaii.gov/maunakea-authority/>

TESTIMONY OF THE MAUNA KEA STEWARDSHIP OVERSIGHT AUTHORITY BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS February 26, 2026 2:00 P.M. State Capitol, Room 325

SUPPORT FOR FOR H.B. 2592, HD1 RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is John De Fries, I am the Executive Director of the Mauna Kea Stewardship and Oversight Authority (MKSOA). Mahalo for the opportunity to testify in strong support of HB 2592, HD1, which provides necessary statutory clarification to enable the Authority to fully execute the responsibilities assigned under Act 255 (2022). The Legislature established a five-year transition period culminating on July 1, 2028, when full management authority over Mauna Kea lands transfers from the University of Hawai'i to the MKSOA. As that deadline approaches, precision in statute is essential to ensure a smooth and legally sound transition. This measure strengthens the legal and administrative framework supporting that transition in four important ways:

1) Transfer of Real Property Interests: Transfers, as a matter of law, certain real property interests in the Mauna Kea lands to the Authority. Management responsibility must be accompanied by clearly defined property interests. Formalizing this transfer ensures accountability, operational clarity, and continuity in land administration.

2) Transfer of Conservation District Use Permits (CDUPs): The bill requires the University to transfer the astronomical observatory conservation district use permits directly to the observatories. This aligns permit responsibility with the entities operating under those permits and clarifies administrative relationships moving forward.

3) Continuity of Existing Plans and Rules: HB 2592, HD1 provides that existing plans and administrative rules adopted or developed by the University remain in effect until superseded by plans and rules adopted by MKSOA. This is a critical safeguard. It ensures there is no regulatory gap during the transition. Governance remains continuous and enforceable.

4) Sovereign Immunity: The bill clarifies that MKSOA has state sovereign immunity. As an administratively attached state agency performing governmental functions, parity with other state entities is appropriate and necessary to protect the State's interests.

The Authority is composed of volunteer board members tasked with standing up an entirely new state entity. It has advanced Act 255's mandate in deliberate and measurable ways. Governance systems, operational procedures, and staffing capacity have been built from the ground up while statutory deadlines continue to be met. This progress has been achieved despite limited administrative infrastructure and staffing support. Launching a new agency while managing a complex land management transition has required coordination, commitment, and ongoing community engagement.

Act 255 established a new governance model for Mauna Kea. HB 2592, HD1 ensures that the Authority has the clear legal authority, property interests, regulatory continuity, and state protections required to carry out that mandate.

For these reasons, I respectfully urge the Committee to pass HB 2592, HD1.

Mahalo for the opportunity to provide testimony.

John De Fries
Executive Director, MKSOA



UNIVERSITY OF HAWAII SYSTEM
‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony
Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Judiciary & Hawaiian Affairs
February 26, 2026, at 2:00 p.m.

By
Vassilis L. Syrmos, Interim Provost
University of Hawai'i Manoa
and
Doug Simons, Director
Institute for Astronomy
and
Gregory Chun, Executive Director
Center for Maunakea Stewardship

**HB 2592 HD1 – RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT
AUTHORITY**

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The University of Hawai'i (University) respectfully submits comments related to HB 2592 HD1. The University remains deeply committed to the continued stewardship of Maunakea. Since the enactment of Act 255 (2022), the University has worked and will continue to work closely with the Mauna Kea Stewardship and Oversight Authority (MKSOA) and related working groups to lay the foundation and framework necessary for a successful transition for the management of Maunakea.

The University provided comments to a previous draft of this legislation in the attached letter dated November 20, 2025 from University President Hensel and University Board of Regents Chair Gabe Lee to MKSOA Chair John Komeiji, which was copied to the Governor and others (please see letter attached).

We wish to reiterate our comments in that letter, including the concerns in light of the on-going disinvestment in astronomy that is already underway at Maunakea. As noted, without a clear path forward for the renewal of the master lease with the Board of Land and Natural Resources (BLNR) and the issuance of new subleases, the investment by astronomy partners, which funds critical management functions, including maintenance of access to the mauna for practitioners, the community and the public, will be lost. The loss of even one astronomy major project increases the cost burden for all those remaining, including the University and the State.

Unfortunately, as the attached letter identifies, this bill fails to advance progress in the extension of the master lease and subleases scheduled to expire in 2033 and does not provide the level of certainty required for continued investment in on-going projects.

Furthermore, the University encourages the inclusion of meaningful milestones for all parties, including the University, BLNR, and MKSOA, to evaluate timely progress leading up to the July 1, 2028 transition date and beyond, including for the use, management, operations, funding and stewardship of Maunakea lands destined to be transferred to MKSOA. As discussed at the University of Hawai'i Board of Regents' meeting on February 19, 2026, it is important to include a range of milestones that MKSOA needs to reach for the responsible transfer of stewardship of Maunakea lands on or before July 1, 2028. Setting clear, mutually agreed milestones will promote transparent decision making, and trust-building among the many interested stakeholders caring for the mauna.

It remains unclear, even in this latest draft, as to how the transfer of the real property assets and the transfer of the University's tenancy and leasehold interests can be conveyed without the related obligations and liabilities, including the subleases and conservation district use permits (CDUPs).

Part III calls for the University to negotiate for the transfer of the various astronomy CDUPs to the observatories; however, as land use entitlements 'run with the land' by operation of law, there is no need to require a negotiated transfer of the CDUPs to the observatories. If the land goes to MKSOA, the landowner obligations under the CDUPs should as well, so that the landowner can enforce the CDUP conditions and obligations. Without the University holding the leases, it will have no ability to enforce any landowner obligations following the transition date, and negotiating with the observatories would only make sense if new subleases were also being negotiated between MKSOA and the observatories, which is not proposed under this bill.

Part IV allows for the continuance of the University master plan, management plan and administrative rules. The University largely supports this and would defer to BLNR as to the necessary approvals, steps and milestones required to ensure a smooth transition of management from the University to MKSOA and successful implementation and enforcement of the plans and rules.

HB 2592 HD1 removes the provisions¹ regarding the transfer of HRS Chapter 183C (conservation district use) authority from BLNR to MKSOA. The University supports this deletion and defers to BLNR as to how best to ensure that the critical land use oversight responsibilities are managed following the transition period.

Thank you for the opportunity to provide testimony.

¹ This proposal is referenced as "Part III" in our November 20 letter.



UNIVERSITY
of HAWAII*
SYSTEM

Ke Kulanui o Hawai'i

Gabriel Lee
Chair, Board of Regents

Wendy F. Hensel
President

November 20, 2025

Chair John Komeiji
Mr. John De Fries
Maunakea Stewardship and Oversight Authority (MKSOA)
640 N. A'ohōkū Place
Hilo, HI 96720

jkomeiji1@gmail.com
john.defries@hawaii.gov

Dear Chair Komeiji and Mr. De Fries:

Thank you for continuing to work with the University of Hawai'i (UH) to effectuate the letter and intent of Act 255 (2022). Thank you also for the valuable time spent on November 7, 2025, with members of our Board of Regents permitted interaction group (MIG) formed to assist with the transition of stewardship of Maunakea from the University of Hawaii to the Mauna Kea Stewardship and Oversight Authority (MKSOA), as well as staff from the Center for Maunakea Stewardship, Institute for Astronomy and the Office of General Counsel. As you requested, the following are the administration's and MIG's collective responses to the draft bill that we obtained from Chair John Komeiji in mid-October, and some suggestions for moving forward. As we have done for decades, UH will continue to honor our commitments to stewardship on Maunakea, and support astronomy as Act 255 requires and the Governor and Congressional Delegation have requested in their attached October 24, 2025 letter (Exhibit 1)¹.

COMMENTS ON DRAFT BILL

As an overview, as you know, Act 255 was established to ensure the careful stewardship of the mauna as well as to ensure the "support of astronomy" on Maunakea as a state policy. It is not clear to us how that support is demonstrated in the bill.

¹ We are copying the Governor, Congressional Delegation, and Board of Land and Natural Resources Chair Dawn Chang to ensure they are aware of the University's efforts to find a path forward as was requested in the October 24th letter. Both the MIG and UH staff have met separately with Chair Chang and her staff, as well as the MKSOA permitted interaction group (MKSOA PIG), Mr. De Fries, and their consultant. We would welcome a meeting of all three groups together.

The highest strategic priority for the University is and has been lease renewal, and the bill does not address the multifold concerns arising from the fact that the master lease for the science reserve expires in 2033².

Astronomy on Maunakea requires investment by the countries, scientific agencies, and universities that currently hold valid subleases and permits to operate the observatories. That investment pays for, among other things, Maunakea Access Road to be maintained so that all members of the public can reach the summit of Maunakea, not just observatory employees. The bill would establish unprecedented regulatory and legal authority in one agency, with challenges likely³. Uncertainty is not conducive to investment, and our greatest concern is that the lack of progress to establish a stable state governance structure as of July 1, 2028, discourages the necessary investment that enables not just scientific discoveries and high-quality jobs, but access to the mauna by practitioners and members of the public alike. This uncertainty has already resulted in dis-investment on the order of approximately half a billion dollars, given the lack of a long-term lease in place⁴, and TIO is exploring the Canary Islands as an alternative site; no one is willing to fund major projects without long-term leases in place. It also goes without saying that the fewer the number of observatories, the higher the amounts of investment needed from the remaining observatories.⁵

² We attach as Exhibit 2 the oft-discussed timeline showing finalization of a new master lease long after the dates by which decommissioning of telescopes would need to start.

³ One helpful framing comment for the bill was that the Kahoolawe Island Reserve Commission (KIRC) was the model for Act 255, and the bill. Respectfully, the contemplated regulatory framework presented in any bill will need to account for the extent and types of activities needing to be regulated on Maunakea that do not exist on Kahoolawe.

⁴ We are informed that the Maunakea Spectroscopic Explorer ([MSE](#)) project was paused indefinitely at CFHT last year. This approximately \$500M replacement for the Canada France Hawaii Telescope was in a planning phase for about a decade. The design featured reusing the bulk of the existing CFHT building while upgrading the telescope to a larger aperture and outfitting it with an advanced system of multi-object spectrometers. The CFHT Board [terminated](#) all work on MSE after their Board meeting last December. This was in large part due to the recognition that securing the funding for such a project was essentially impossible w/out a long-term lease in place for CFHT. Relatedly, TIO has not been able to make rent payment and another observatory has fallen in arrears in making monthly payments for their share of fixed costs. The concerns in this regard continue to escalate.

⁵ HRS Section 195H-6(c) requires that MKSOA adopt a financial plan that strives for financial self-sustainability after the sixth year following the transition period. We understand that MKSOA members may not yet be acquainted with the finances on

Based on the above concern, we do not believe transfer of HRS Chapter 183C authority found in Parts I and III of the bill is optimal, given that the Board of Land and Natural Resources (BLNR) / the Department of Land and Natural Resources (DLNR) have the staff and expertise to administer this law, and the practical challenges of MKSOA taking on this challenge-rich authority. We defer to BLNR / DLNR as to whether they can and will enter the staffing MOA called for in Part III of the bill.

Regarding Part II, we are not clear how transfer of assets is possible without the attendant obligations and liabilities. We understand that the working group headed by MKSOA Member Ben Kudo is to present a report in March 2026, and UH has participated in that working group with the intent that transfer of assets be effectuated in as expeditious and conflict-free a manner as possible.

Regarding Part IV, we asked but did not receive an answer to the question about how observatories (owned by countries and universities) might be made by act of law to accept the Conservation District Use Permits (CDUPs) from UH, with attendant obligations. If the non-UH observatory-related CDUPs do not transfer, UH is to retain the CDUPs, but without a sublease with an observatory, how would UH be expected to perform / enforce the CDUP obligations on someone else's land / observatory? Finally, if the transfers occur before July 1, 2028, these transfers would need to be approved by BLNR, and subject to contested case hearings, which again, do not help with timeline concerns.

Regarding Part V, we agree that this is a prudent position to have the UH's Hawaii Administrative Rules (HARs) for Maunakea remain in place until MKSOA creates its own. As we explained at the November 7 meeting, the proposal to include observatories under the purview of the HARs, which generally prohibit commercial activities without permits, raises the question of whether astronomy is being considered a commercial activity and, thus, would also need permits from MKSOA to conduct their activities, including due process hearings? In addition, we appreciate the proposal to have the Chair of the MKSOA issue departmental permits, like the BLNR Chair, but the MKSOA Chair is a volunteer and not a State employee like the BLNR Chair who has the staff to assist with issuance of departmental permits; so, if this proposal is to have DLNR staff do the work pursuant to an MOA, again, we defer to BLNR / DLNR as to whether they can and will enter the staffing MOA called for more expressly in Part III.

Regarding Part VI, we largely support this piece of the bill, to leave in place the UH 2022 Master Plan, comprehensive management plan, and administrative rules in place

Maunakea, including the over \$1M of UH Hilo tuition and other funds used to subsidize stewardship operations. We would be happy to meet to discuss this, and we appreciate the MKSOA taking up the issue of sharing stewardship costs at its December 11, 2025 meeting.

until MKSOA develops their own. With respect to the financial plan, as stated above, the financial plan will need to be adjusted based on whether TMT is built and how many observatories are left. Timing is of the essence; as Appendix E of [UH's Master Plan](#) states, the target date for having new agreements in place with the continuing non-UH observatories is January 1, 2027.

Regarding Part VII, we would defer to the Department of the Attorney General for its legal review of this provision.

MOVING FORWARD

As noted above, we would welcome a meeting with the MKSOA PIG, BLNR Chair and respective staff to meet to discuss the path forward, including any alignment on proposed legislation.

We have heard of a suggestion from Chair Komeiji that the UH leases be extended by five years, beyond 2033. [HRS § 171-36\(a\)\(2\)](#) prohibits BLNR from entering into leases longer than 65 years, which is the term of the Mauna Kea Science Reserve lease between UH and BLNR expiring in 2033. [HRS § 171-95.1](#) expressly prohibits the extension beyond 65-years of "any lease to the University of Hawaii of lands within a conservation district of which the University of Hawaii has subleased a portion for the purpose of constructing an astronomical observatory." Legislation would be necessary to expressly allow, notwithstanding these statutory provisions, BLNR to extend existing UH and observatory leases and subleases for five years, and HRS Section 195H-6(f) would need to be deleted. We could discuss pursuit of this legislation.

Another topic for discussion might be starting the significant work needed to secure new agreements for the observatories and their investors. For example, HRS Section 195H-6(f) prohibits new leases from being issued or existing leases renewed, but it does not prohibit the environmental work that can be done in advance of new leases being issued, presumably by MKSOA. Following the logic of the bill in adoption of UH's Master Plan, comprehensive management plan, and administrative rules until MKSOA has their own, as Director Greg Chun had mentioned, we request MKSOA consider moving forward with an environmental impact statement to issue new leases to those observatories that have existing leases, and start the work of negotiation with the observatories regarding the terms of those leases. UH will assist in any way we can, and we respectfully suggest that a good place to start might be discussions with MKSOA about letters of intent or MOUs, including timelines, regarding UH's own observatories.

Finally, it is our understanding that discussion on a financial stability plan between UH and MKSOA is being agendized at the December 11, 2025 MKSOA meeting. We are formally requesting here that MKSOA share in the costs of jointly managing Maunakea going forward through the end of the transition period ending June 30, 2028. For the

Chair Komeiji and Mr. De Fries
November 20, 2025
Page 5 of 5

first two and a half years of this five-year transition, UH has borne the full costs of management. We would respectfully request that MKSOA consider covering all of the costs for the remaining two and a half years.

If you have any questions regarding the above, please let us know, and we look forward to meeting again to discuss how to move forward expeditiously.

Very Truly Yours,



Gabriel Lee
Chair, Board of Regents



Wendy F. Hensel
President

c: Governor Josh Green, M.D.
U.S. Senator Mazie Hirono
U.S. Senator Brian Schatz
U.S. Representative Ed Case
U.S. Representative Jill Tokuda
BLNR Chair Dawn Chang
Board of Regents Maunakea Permitted Interaction Group Members
Regent Wayne Higaki
Regent Neil Abercrombie
Regent Lauren Akitake
Regent Mike Miyahira

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

October 24, 2025

Dr. Henry T. Yang
Chair, Board of Directors
Thirty Meter Telescope International
Observatory
100 West Walnut Street, Suite 300
Pasadena, California 91124

Dr. Saku Tsuneta
Co-Chair, Board of Directors
Thirty Meter Telescope International
Observatory
100 West Walnut Street, Suite 300
Pasadena, California 91124

Aloha Drs. Yang and Tsuneta:

We would like to formally acknowledge your commitment to addressing the Hawai'i community's request for a possible relocation to a disturbed site and to fulfilling the requirements set forth in Act 255, SLH 2022. We further wish to express our appreciation for TIO's ongoing efforts to understand the diverse perspectives surrounding the construction of TMT and issues extending beyond it, as reflected in TIO Project Manager Liu's engagement with over 1,500 community members and his dedication to working in close partnership with community across a broad range of topics.

The Governor and appropriate officials in his Administration will work with the Board of the Mauna Kea Stewardship and Oversight Authority (MKSOA) and the University of Hawai'i to promptly establish a clear and transparent procedure for obtaining the necessary permits associated with a decommissioned site. This effort will involve careful planning and coordination to define the key steps and requirements of the permitting process, including both administrative and legal procedures, as well as an

Exhibit 1

anticipated timeline, thereby ensuring clarity, accountability, and compliance with statutory obligations.

We look forward to working with TIO and the broader community to honor the shared responsibility for stewardship of Maunakea and the success of this project.

Mahalo,



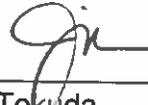
Brian Schatz
U.S. Senator for the State of Hawai'i



Mazie Hirono
U.S. Senator for the State of Hawai'i



Ed Case
U.S. Representative, Hawai'i District 1



Jill Tokuda
U.S. Representative, Hawai'i District 2



Josh Green, M.D.
Governor, State of Hawai'i

- c: Wendy Hensel, President, University of Hawai'i
John Komeiji, Chairperson, Maunakea Stewardship and Oversight Authority



Today - Some Key Schedule Milestones Under the UH → MKSOA Transition



HB2024-SD1 becomes law; UH/MKO sublease negotiations halt

Legal challenges? Additional Legislation?

MKSQA 5 yr transition period begins

New inter-observatory agreements replacing OSDAs completed

MKSQA Operational: Associated MP, EIS, CMP, Rules, etc. needed for new leases done

Exhibit 2

1 countless advancements in humanity's millennia-long yearning to
2 comprehend the principles, origins, and evolution of the cosmos.

3 The legislature acknowledges that due to this confluence of
4 significance, decades of tension have arisen over stewardship of
5 the mauna. In 2022, the legislature established the Mauna Kea
6 stewardship and oversight authority through Act 255, Session
7 Laws of Hawaii 2022, to govern Mauna Kea in a more harmonious
8 and collaborative manner by requiring that the governance be
9 with mutual stewardship and balance as guiding principles. The
10 legislature charged the authority to manage Mauna Kea through a
11 mindset that honors and perpetuates Native Hawaiian cultural
12 practices, safeguards natural resources, and allows for the
13 responsible advancement of astronomy while maintaining the
14 mountain's spiritual, cultural, and environmental integrity.
15 The legislature believes that the governance provided by the
16 Mauna Kea stewardship and oversight authority will bring about
17 an era of mutually beneficial coexistence between all parties
18 with interest in Mauna Kea.

19 The legislature further recognizes the need for continued
20 refinement of the Mauna Kea stewardship and oversight
21 authority's jurisdiction and responsibilities. Strengthened



1 guidance will ensure that the authority manages Mauna Kea with
2 transparency, accountability, and respect through the bedrock
3 values of mauna aloha, `ōpū kūpuna, holomua `oi kelakela,
4 kānāwai, `ohana, and kuleana.

5 Accordingly, the purpose of this Act is to clarify the
6 powers of the Mauna Kea stewardship and oversight authority so
7 that it may properly carry out its responsibilities regarding
8 land use on Mauna Kea.

9 PART II

10 SECTION 2. The purpose of this part is to clarify the
11 intent of Act 255, Session Laws of Hawaii 2022, by explicitly
12 declaring that the transfer of the real property interests in
13 the lands of Mauna Kea to the Mauna Kea stewardship and
14 oversight authority on July 1, 2028, shall occur as a matter of
15 law.

16 SECTION 3. (a) In accordance with the intent of Act 255,
17 Session Laws of Hawaii 2022, all interests to the parcels of
18 land described in subsection (c), together with the existing
19 improvements thereon for which the State of Hawaii holds as fee
20 owner or lessor are conveyed by the State of Hawaii to the Mauna
21 Kea stewardship and oversight authority as grantee, as is, where



1 is, as a matter of law. The Mauna Kea stewardship and oversight
2 authority shall accept the fee and lessor interests in the
3 properties in their existing condition; provided that any
4 existing claims or liability that exists, may have existed, or
5 may exist in the future regarding any injury, loss, cost,
6 damage, or liability, including reasonable attorney's fees,
7 concerning the physical, environmental, soil, economic, and
8 legal conditions of the properties, shall not be transferred to
9 the Mauna Kea stewardship and oversight authority. All claims
10 and liabilities against the State and its agencies, if any, that
11 exist, may have existed, or may exist in the future, regarding
12 any injury, loss, cost, damage, or liability, including
13 reasonable attorney's fees, concerning the physical,
14 environmental, soil, economic, and legal conditions of the
15 properties, are released, waived, and extinguished.

16 (b) In accordance with the intent of Act 255, Session Laws
17 of Hawaii 2022, all interests to the parcels of land described
18 in subsection (c), together with the existing improvements
19 thereon for which the university of Hawaii holds as lessee are
20 conveyed by the university of Hawaii to the Mauna Kea
21 stewardship and oversight authority as grantee, as is, where is,



1 as a matter of law; provided that this conveyance shall not
2 apply to the conservation district use permits transferred under
3 section 7(e) and (f) of Act 255, Session Laws of Hawaii 2022, as
4 amended by this Act. The Mauna Kea stewardship and oversight
5 authority shall accept the lessee interests in the properties in
6 their existing condition; provided that any existing claims or
7 liability that exists, may have existed, or may exist in the
8 future regarding any injury, loss, cost, damage, or liability,
9 including reasonable attorney's fees, concerning the physical,
10 environmental, soil, economic, and legal conditions of the
11 properties, shall not be transferred to the Mauna Kea
12 stewardship and oversight authority. All claims and liabilities
13 against the State and its agencies, if any, that exist, may have
14 existed, or may exist in the future, regarding any injury, loss,
15 cost, damage, or liability, including reasonable attorney's
16 fees, concerning the physical, environmental, soil, economic,
17 and legal conditions of the properties, shall be released,
18 waived, and extinguished.

19 (c) The parcels to be conveyed by the department of land
20 and natural resources to the Mauna Kea stewardship and oversight
21 authority shall be the following:



1 (1) Science reserve: Parcel no. 440150090000; and

2 (2) Hale Pohaku: Parcel no. 440150120000.

3 (d) The Mauna Kea stewardship and oversight authority
4 shall have an easement for access and maintenance in the road
5 easement, as described in General Lease 4697.

6 (e) As these are conveyances in which the State and its
7 agencies are the only parties, the tax imposed by section 247-1,
8 Hawaii Revised Statutes, shall not apply.

9 (f) As used in this section, "agency" has the same meaning
10 as in section 37-62, Hawaii Revised Statutes.

11 PART III

12 SECTION 4. The purpose of this part is to require the
13 university of Hawaii to negotiate for the transfer of the
14 various astronomical observatory conservation district use
15 permits to the applicable astronomical observatories so that
16 when governance by the Mauna Kea stewardship and oversight
17 authority begins, the authority will not be in conflict.

18 SECTION 5. Act 255, Session Laws of Hawaii 2022, is
19 amended by amending section 7 to read as follows:

20 "SECTION 7. (a) On July 1, 2028, all rights, powers,
21 functions, and duties of the [~~University~~] university of Hawaii



1 relating to the powers and responsibilities granted to the Mauna
2 Kea stewardship and oversight authority under part I of this Act
3 are transferred to the Mauna Kea stewardship and oversight
4 authority.

5 (b) Notwithstanding the transfer of all rights, powers,
6 functions, and duties pursuant to subsection (a), the state
7 lease by and between the board of land and natural resources and
8 the [~~University~~] university of Hawaii entered into on June 21,
9 1968, as General Lease S-4191, as amended on September 21, 1999,
10 as General Lease S-5529, shall remain in full force and effect
11 until its expiration unless otherwise specifically amended
12 pursuant to an agreement by the Mauna Kea stewardship and
13 oversight authority and the [~~University~~] university of Hawaii.

14 (c) Upon the assignment of all rights, powers, and duties
15 of the [~~University~~] university of Hawaii to the Mauna Kea
16 stewardship and oversight authority pursuant to subsection (a),
17 the university of Hawaii shall be released from any and all
18 obligations under the state lease by and between the board of
19 land and natural resources and the [~~University~~] university of
20 Hawaii entered into on June 21, 1968, as General Lease S-4191,
21 as amended on September 21, 1999, as General Lease S-5529, and



1 any conservation district use application permits appertaining
2 thereto, unless otherwise specifically agreed upon pursuant to
3 an agreement by the Mauna Kea stewardship and oversight
4 authority and the [~~University~~] university of Hawaii; provided
5 that the transfer and release authorized under this subsection
6 shall not apply to any litigation pending on June 30, 2028,
7 relating to General Lease S-4191, as amended on September 21,
8 1999, as General Lease S-5529, or any conservation district use
9 application permit appertaining thereto, to which the
10 [~~University~~] university of Hawaii is a party.

11 (d) Notwithstanding subsection (b) or any action that is a
12 consequence of this Act, including a merger of interests,
13 effective July 1, 2028, every reference to the department of
14 land and natural resources, board of land and natural resources,
15 or the chairperson of the board of land and natural resources in
16 those deeds, leases, subleases, contracts, loans, agreements,
17 permits, or other documents relating to Mauna Kea lands shall be
18 construed as a reference to the Mauna Kea stewardship and
19 oversight authority or the chairperson of the authority, as
20 appropriate; provided that all deeds, leases, subleases,
21 contracts, loans, agreements, permits, or other documents



1 executed or entered into prior to the effective date of this
2 Act, by or on behalf of the department of land and natural
3 resources or the board of land and natural resources pursuant to
4 the Hawaii Revised Statutes that are reenacted or made
5 applicable to the Mauna Kea stewardship and oversight authority
6 by this Act, shall remain in full force and effect until its
7 expiration unless otherwise specifically amended pursuant to an
8 agreement by the Mauna Kea stewardship and oversight authority
9 and the [University] university of Hawaii.

10 (e) The university of Hawaii shall transfer the applicable
11 conservation district use permit and its rights and obligations
12 under the permit to each astronomical observatory, subject to
13 terms approved by the president of the university of Hawaii and
14 the receiving astronomical observatory; provided that, prior to
15 the transfer required under this subsection, the university of
16 Hawaii shall not amend the terms and conditions of any permit
17 subject to this subsection. Since the terms and conditions of
18 each conservation district use permit transferred pursuant to
19 this subsection will not be amended, the transfer of any
20 conservation district use permit that existed prior to the
21 effective date of this Act to an astronomical observatory under



1 this subsection shall not be subject to any additional
2 regulatory requirement, including any requirement under
3 chapter 343, Hawaii Revised Statutes.

4 For purposes of this subsection, "applicable conservation
5 district use permit" means the conservation district use permit
6 in effect at the time of transfer, applicable to the receiving
7 astronomical observatory, and to which the university of Hawaii
8 is the named permittee or other named party.

9 (f) Notwithstanding subsections (a) through (d) to the
10 contrary, the following conservation district use permits in
11 effect as of July 1, 2028, for which the university of Hawaii
12 has not completed the transfer under subsection (e), shall not
13 be transferred to the Mauna Kea stewardship and oversight
14 authority:

- 15 (1) Conservation district use permit 0954
16 (Air Force Telescope, Planetary Patrol Telescope,
17 2.2 Meter Telescope);
18 (2) Conservation district use permit 1515
19 (James Clerk Maxwell Telescope);
20 (3) Conservation district use permit 0653
21 (United Kingdom Infrared Telescope);



- 1 (4) Conservation district use permit 0527
2 (Canada-France-Hawaii Telescope);
- 3 (5) Conservation district use permit 1492
4 (Caltech Submillimeter Observatory);
- 5 (6) Conservation district use permit 2691 (Gemini North);
- 6 (7) Conservation district use permit 2462
7 (Subaru Telescope);
- 8 (8) Conservation district use permit 2728
9 (Submillimeter Array);
- 10 (9) Conservation district use permit 3568
11 (Thirty Meter Telescope);
- 12 (10) Conservation district use permit 0653
13 (Infrared Telescope Facility);
- 14 (11) Conservation district use permit 2174
15 (Very Long Baseline Array);
- 16 (12) Conservation district use permit 1646
17 (W. M. Keck Observatory I); and
- 18 (13) Conservation district use permit 2509
19 (W. M. Keck Observatory II).

20 The university of Hawaii shall continue to serve as the named
21 permittee or other named party as provided under the permit



1 until the permit is transferred to the appropriate astronomical
2 observatory."

3 PART IV

4 SECTION 6. The legislature finds that the Mauna Kea
5 stewardship and oversight authority is currently developing
6 permanent and detailed master, management, and financial plans;
7 frameworks for astronomy-related development; and administrative
8 rules. These documents must be cultivated in a deliberate and
9 mindful way. However, the legislature also recognizes that
10 there is limited time before the end of the statutorily
11 established five-year transition period, after which the Mauna
12 Kea stewardship and oversight authority will assume full
13 management of Mauna Kea. Due to these time constraints, the
14 Mauna Kea stewardship and oversight authority's permanent plans
15 and rules may not be formally adopted before the end of the
16 transition period on July 1, 2028.

17 Accordingly, the purpose of this part is to clarify that
18 the existing plans and administrative rules under which Mauna
19 Kea is currently governed shall continue in full force and
20 effect until a superseding master plan, management plan, or



1 administrative rules, or any portion thereof, adopted by the
2 Mauna Kea stewardship and oversight authority, takes effect.

3 SECTION 7. (a) Notwithstanding section 195H-6(b)(2),
4 Hawaii Revised Statutes, or any other law to the contrary, the
5 existing master plan, management plan, and administrative rules
6 adopted or developed by the university of Hawaii to implement
7 provisions of the Hawaii Revised Statutes that are:

8 (1) Repealed by part IV of Act 255, Session Laws of Hawaii
9 2022; or

10 (2) Otherwise reenacted or made applicable to the Mauna
11 Kea stewardship and oversight authority by Act 255,
12 Session Laws of Hawaii 2022,

13 shall remain in full force and effect, including times
14 subsequent to July 1, 2028, until a superseding master plan,
15 management plan, or administrative rules, or any portion
16 thereof, adopted by the Mauna Kea stewardship and oversight
17 authority, takes effect. The Mauna Kea stewardship and
18 oversight authority, when adopting a superseding master plan,
19 management plan, or administrative rule, or any portion thereof,
20 shall affirmatively state through a public notice issued in



1 accordance with section 1-28.5, Hawaii Revised Statutes, which
2 existing plan or rule, or portion thereof, is superseded.

3 (b) If the existing master plan, management plan, and
4 administrative rules adopted or developed by the university of
5 Hawaii remain in effect after July 1, 2028, every reference to
6 the university of Hawaii, center for Mauna Kea stewardship,
7 office of Maunakea management, board of regents, president of
8 the university of Hawaii, or other similar term in the master
9 plan, management plan, or administrative rule is amended to
10 refer to the Mauna Kea stewardship and oversight authority,
11 unless the context clearly requires otherwise.

12 PART V

13 SECTION 8. The legislature finds that the Mauna Kea
14 stewardship and oversight authority, as an arm of the State,
15 should have the same sovereign immunity available to other
16 administratively attached state agencies.

17 Therefore, the purpose of this part is to clarify that the
18 Mauna Kea stewardship and oversight authority falls under the
19 State's sovereign immunity by explicitly making section
20 26-35(b), Hawaii Revised Statutes, applicable to the authority.



1 SECTION 9. Section 195H-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established the Mauna Kea stewardship and
4 oversight authority, which shall be a body corporate and a
5 public instrumentality of the State for the purpose of
6 implementing this chapter. The authority shall serve jointly
7 with the University of Hawaii in fulfilling the obligations and
8 duties under the state lease for a period of five years as
9 established in section 195H-6. The authority shall be placed
10 within the department of land and natural resources for
11 administrative purposes; provided that section [~~26-35~~] 26-35(a)
12 shall not apply to the authority."

13 PART VI

14 SECTION 10. This Act does not affect rights and duties
15 that matured, penalties that were incurred, and proceedings that
16 were begun before its effective date.

17 SECTION 11. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 12. This Act shall take effect on July 1, 3000.



Report Title:

Mauna Kea; MKSOA; UH; Conservation District Use Permit; Transfer; Astronomical Observatories; Lease Transfer; Fee Transfer; BLNR; DLNR; Continuity of Plans and Administrative Rules; Sovereign Immunity

Description:

Clarifies the powers of the Mauna Kea Stewardship and Oversight Authority so that it may carry out its intended duties regarding land use on Mauna Kea. Part II: Transfers as a matter of law certain real property interests in the Mauna Kea lands to the Mauna Kea Stewardship and Oversight Authority. Part III: Requires the University of Hawaii to transfer the various Mauna Kea astronomical observatory conservation district use permits to the astronomical observatories. Part IV: Provides that the existing plans and administrative rules adopted or developed by the University of Hawaii under which Mauna Kea is currently governed remain in effect until plans and administrative rules adopted by the Mauna Kea Stewardship and Oversight Authority take effect. Part V: Clarifies that the Mauna Kea Stewardship and Oversight Authority has state sovereign immunity. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



HB-2592-HD-1

Submitted on: 2/25/2026 1:36:13 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauae kekahuna	'O maku'u ke kahua non profit	Oppose	Written Testimony Only

Comments:

oppose



Testimony to the Committee on Judiciary & Hawaiian Affairs on
House Bill 2592 HD1
Relating to the Mauna Kea Stewardship & Oversight Authority
Thursday, February 26, 2026, 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary & Hawaiian Affairs,

The undersigned leaders of the Maunakea Observatories appreciate the opportunity to share our **support** of House Bill 2592 HD1 to clarify the role and kuleana of the Mauna Kea Stewardship and Oversight Authority (MKSOA).

It is an honor to conduct research on Maunakea, a wahi pana whose significance goes far beyond the scientific contributions from our astronomy facilities. Our purpose is to expand the information about our collective origins on behalf of future generations.

We understand that the telescope sites upon which we do our work are part of the Hawai'i Public Land Trust, and the history of its land tenure is complex and unresolved. We acknowledge that the factors considered in land use decisions that established the astronomy facilities on Maunakea have evolved considerably over time.

We view the establishment of the MKSOA as an important and profound balancing of decision-making authority on Maunakea and embrace the foundational principle of community-led mutual stewardship that the MKSOA represents. We commit to continuing our productive engagement in and support of the MKSOA's transition and management planning process and supporting the authority and decisions of the MKSOA going forward.

Mahalo.

A handwritten signature in black ink, appearing to read "J. Cuby".

Jean-Gabriel Cuby, Director
Canada-France-Hawai'i Telescope

A handwritten signature in black ink, appearing to read "John O'Meara".

John O'Meara, Deputy Director & Chief Scientist
W. M. Keck Observatory

A handwritten signature in black ink, appearing to read "W. Skidmore".

Warren Skidmore, Deputy Director
NASA Infrared Telescope Facility



Aloha Chair and Members of the Committee,

My name is Maki Morinoue, and I am **strongly opposed to HB2592 HD1** as currently drafted.

This bill dangerously shields the State from accountability and bypasses core legal obligations under the Hawai'i State Constitution. By extinguishing claims related to land conditions and exempting transfers from environmental review, HB2592 HD1 undermines the public trust, weakens Native Hawaiian rights, and risks repeating the very harms that led to decades of conflict on Mauna Kea.

No law should erase accountability.

The clause that extinguishes claims against the State effectively wipes out legitimate concerns over land conditions, past mismanagement, and environmental harm. This is not reform—it is avoidance. I urge you to delete any provision that extinguishes claims against the State and to clearly affirm that sovereign immunity does not limit constitutional claims or Native Hawaiian rights.

Environmental review is not optional.

Striking Chapter 343 review before land transfer removes transparency, public participation, and science-based decision-making. On Mauna Kea—one of the most culturally and ecologically significant places in Hawai'i—this is unacceptable. I ask you to strike the Chapter 343 exemption, require full environmental review prior to any transfer, and mandate compliance verification to ensure conditions, impacts, and mitigation are properly addressed before action is taken.

Honor Act 255 and the Public Trust Doctrine.

HB2592 HD1 risks weakening Act 255's reforms by bypassing safeguards and diluting stewardship responsibilities. The bill must be amended to explicitly remain subject to the Hawai'i Constitution's public trust obligations, including the duty to protect natural and cultural resources for present and future generations.

Without these amendments, this bill invites renewed conflict, environmental damage, and cultural harm—while eroding trust and accountability. Mauna Kea deserves careful, lawful stewardship grounded in transparency, science, and respect for Native Hawaiian rights—not shortcuts.



I respectfully urge you to **amend HB2592 HD1** by:

- Deleting the clause that extinguishes claims against the State
- Striking the Chapter 343 environmental review exemption
- Requiring environmental review and compliance verification before transfer
- Clarifying that sovereign immunity does not bar constitutional or Native Hawaiian rights claims
- Explicitly affirming ongoing public trust obligations

Please do not advance this bill without these critical protections.

Mahalo nui loa for the opportunity to testify.

Maki Morinoue

HULI PAC, Hawai'i Island

HB-2592-HD-1

Submitted on: 2/24/2026 3:50:23 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am testifying in opposition to HB2592.

MKSOA was created to find balance with the existing interests for Mauna Kea. This bill will undermine that effort as it leaves many of the major permits with authority of the University of Hawaii. The stand in 2015, 2016, then again in 2019 shows that the problem is with the way this resource was being managed, yet this bill would have that continue. MKSOA should have governance over all the permits on the mountain, not simply Hale Pohaku and the Science reserve.

Do not undermine the work that has been occurring since 2022 when MKOSA was created, and do not underestimate the need for balance and collaboration when it comes this sacred site.

Mahalo for your consideration,
Keoni Shizuma

HB-2592-HD-1

Submitted on: 2/25/2026 9:25:45 AM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dee Green	Individual	Oppose	Written Testimony Only

Comments:

I respectfully request that HB2592 HD1 be amended to ensure full compliance with Hawai‘i’s environmental laws, conservation district protections, and constitutional public trust obligations.

While the transition of management authority may be appropriate, the current language raises serious concerns regarding liability extinguishment, environmental review exemptions, and long-term accountability on public trust lands.

To preserve legal integrity and constitutional duties, I submit the following possible revisions:

Current (Part II, Section 3(a) & 3(b), Pages 3–4)

“All claims and liabilities against the State and its agencies,....”

Revision that would ensure environmental laws, enforcement mechanisms, and public trust duties remain intact:

The conveyance of property interests pursuant to this section shall not transfer to the Mauna Kea Stewardship and Oversight Authority liability for environmental conditions that arose prior to the effective date of transfer; provided that nothing in this section shall be construed to release, waive, or extinguish any existing or future claim, enforcement action, or cause of action against the State or its agencies under applicable environmental or public trust laws.

Current (Part II, Section 3(b), Pages 4-5)

Revision to preserve environmental review requirements, maintain public trust obligations, ensure compliance with CDUP and state land laws, and require due diligence:

Prior to the effective date of transfer, the State and the University of Hawai‘i shall conduct appropriate environmental due diligence, including but not limited to review of environmental conditions, compliance with conservation district requirements under Chapter 183C, Hawai‘i Revised Statutes, and any applicable obligations under Chapter 343, Hawai‘i Revised Statutes.

The transfer shall not be construed to waive, limit, or supersede any statutory or constitutional obligation relating to environmental protection, public trust resources, cultural practices, or natural resource stewardship.

Current page 9-10 Part III section 7(e)

Revision that would remove the blanket exemption, ensures compliance with environmental statutes and preserves public trust oversight:

Any transfer conducted pursuant to this subsection shall comply with all applicable federal, state, and county laws, including but not limited to Chapter 343, Hawai‘i Revised Statutes, and all rules adopted thereunder.

Nothing in this subsection shall be construed to exempt any transfer, amendment, modification, or continuation of a conservation district use permit from environmental review requirements or other regulatory approvals otherwise required by law.

The lands conveyed pursuant to this section shall continue to be held subject to the public trust doctrine and the State’s fiduciary obligations under Article XI of the Hawai‘i Constitution.

Current Part III, (f) Pages 10–11

Revision to ensure regulatory compliance under Chapter 183C (Conservation District) and Chapter 343 (HEPA) and ensure public trust obligations are explicitly preserved:

Notwithstanding subsections (a) through (d), any conservation district use permits in effect as of July 1, 2028, for which the University of Hawaii has not completed the transfer under subsection (e) shall remain under the University's name only for administrative purposes, subject to oversight and coordination with the Mauna Kea Stewardship and Oversight Authority and the Department of Land and Natural Resources (DLNR).

Prior to and during the transition of any conservation district use permit, the University, MKSOA, and DLNR shall jointly ensure:

1. "Full compliance with Chapter 183C, HEPA (Chapter 343), and other applicable environmental statutes."
2. "Clear allocation of responsibilities for permitting, environmental monitoring, enforcement, and reporting."
3. "Protection of public trust resources, including cultural, ecological, and water resources."

The University shall transfer each permit to the appropriate observatory or MKSOA as soon as practicable, and the transfer shall not release or waive any obligations under existing statutes or public trust duties.

Current Part IV, Section 7 (Pages 13-14)....until a superseding master plan...

Revision to ensure public trust obligations, protection of natural resources and cultural sites, and ensure fiduciary and constitutional duties:

In adopting any new or revised plans or rules, the Authority shall explicitly incorporate obligations arising from the public trust doctrine, including the protection of water, natural resources, ecological integrity, and cultural practices, in accordance with Article XI of the Hawai‘i Constitution and all applicable statutes.

Current page 15 Section 9(a)

Revision clarifies that MKSOA has only the same immunity already provided under existing statutes with no new or enhanced protection.

The authority shall have the same sovereign immunity as other state agencies under existing law, and nothing in this chapter shall be construed to expand, diminish, or alter that immunity.

Mahalo for your time

HB-2592-HD-1

Submitted on: 2/25/2026 9:46:54 AM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Oppose	Written Testimony Only

Comments:

Chair and Committee Members, aloha

I urge you to amend this bill to ensure that the transition of authority over Mauna Kea does not weaken environmental protections, public accountability, or the State’s constitutional obligations.

Mauna Kea is public trust land. Any transfer of control must clearly preserve the State’s continuing duties under Article XI of the Hawai‘i Constitution. The current language releasing and extinguishing claims against the State raises serious concerns. The bill should explicitly state that no existing or future environmental or public trust claims are waived, and that liability for past conditions is not erased.

Before any transfer takes effect, the State and the University of Hawai‘i should be required to conduct environmental due diligence and confirm compliance with Chapter 183C and Chapter 343. A change in governance should not bypass conservation district requirements or environmental review laws.

The provision exempting conservation district use permit transfers from additional regulatory requirements, including Chapter 343, should be removed. Any transfer of permits on conservation land must comply with all applicable environmental statutes and remain subject to oversight. Exemptions undermine transparency and public participation.

During any transition period, responsibility for permitting, monitoring, enforcement, and reporting must be clearly defined and coordinated with the Department of Land and Natural Resources. No permit transfer should release statutory or public trust obligations.

Finally, the bill should clarify that the Authority has only the same sovereign immunity as other state agencies and that nothing in this chapter expands or alters that immunity.

These amendments do not prevent governance reform. They simply ensure that environmental laws remain intact, public trust duties are honored, and accountability is preserved.

I OPPOSE this bill until such time amendments are made.

Cheryl Burghardt

Nuuanu Oahu

HB-2592-HD-1

Submitted on: 2/25/2026 1:36:46 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nedi McKnight	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou,

My name is Nedi McKnight, and I am writing in strong support of kānaka māoli voices, cultural stewardship, and the sacredness of Mauna Kea. While I am not of Hawaiian ancestry, I believe that the future management of Mauna Kea must honor its spiritual, cultural, and ecological significance, and that the perspectives of the Lāhui must be central in all decision-making.

1. Protecting Mauna Kea’s Sacredness

Mauna Kea is a wahi kapu. A sacred mountain with deep cultural, spiritual, and environmental importance. Any governance decisions must prioritize its protection above administrative or scientific convenience. HB 2592 gives the Mauna Kea Stewardship and Oversight Authority broad powers, but it is critical that the Authority’s work upholds the mountain’s sacredness in practice, not just in principle. Without careful oversight, there is a risk that sacred sites could be compromised, fragile ecosystems disturbed, or cultural knowledge marginalized.

1. Meaningful Kānaka Māoli Involvement

The legislation transfers land interests and observatory permits to the Authority. It is vital that kānaka māoli voices guide these decisions, ensuring that cultural and spiritual considerations are honored alongside scientific use. Research and community reports have repeatedly shown that when kānaka māoli leadership is sidelined, sacred and ecological sites suffer, and tensions over stewardship persist. True stewardship requires consultation, participation, and respect for Lāhui knowledge and practices.

1. Accountability and Care for the ‘Āina

HB 2592 grants the Authority sovereign immunity and administrative control. While intended to streamline governance, the mountain’s fragile ecosystems and cultural sites require clear accountability measures. Studies of Mauna Kea’s summit region show that alpine ecosystems are extremely sensitive to disturbance, and that ongoing oversight is essential to prevent long-term damage. Protecting the well-being of Mauna Kea and surrounding ‘āina depends on respecting kānaka māoli cultural guidance and ensuring decisions are informed by both science and traditional knowledge.

Conclusion

As an ally, I stand in solidarity with the Lāhui and kānaka māoli leaders who have emphasized the sacredness and ecological fragility of Mauna Kea. Mauna Kea is not just land or a site for research. It is a sacred place that connects Hawai‘i to its ancestors and the cosmos. It is essential that the Authority’s powers are exercised with deep respect for the mountain, its ecosystems, and its cultural significance.

Mahalo nui loa for your consideration,

Nedi McKnight,

Pa‘auilo ā Te Hiku o Te Ika, Aotearoa

HB-2592-HD-1

Submitted on: 2/25/2026 1:37:22 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lili'u Tomasello	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing in opposition of HB2592, the bill relating to the Mauna Kea Stewardship and Oversight Authority.

If this bill passes, it will:

- Cease state liability by wiping out claims over land conditions.
- Exempt Chapter 343 review, which blocks environmental review of permit transfers.
- Forces CDUP transfers without compliance check or review of violations.
- Weakens public trust safeguards by reducing oversight of conservation lands.
- Grants the Authority with sovereign immunity protections.
- Creates a public concern.

To address these issues, I ask that you take out the clause that ends claims against the state and require environmental review before transfer; strike the 343 exemption; require compliance verification before transfer; add explicit public trust language; clarify that sovereign immunity does not limit constitutional or Native Hawaiian rights claims; and amend the bill to explicitly reaffirm that all transfers remain subject to the State's constitutional public trust obligations.

Sincerely,

Lili'u Tomasello

HB-2592-HD-1

Submitted on: 2/25/2026 1:57:05 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheena Lopes	Individual	Oppose	Written Testimony Only

Comments:

Do not bypass environmental review on Mauna Kea. Follow the law and do things pono

HB-2592-HD-1

Submitted on: 2/25/2026 2:03:39 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
melissa tomlinson	Individual	Oppose	Written Testimony Only

Comments:

This bill is yet another walking disaster regarding the care for MaunaKea. Anything that relieves the state of liability (unless it's landback to lineal descendants = demilitarization) and bypasses ENVIRONMENTAL review is corrupt and should not be supported. I'm aware amendments are being requested and the amount needed to make it reasonable is too much, completely rewriting the bill must also be considered. Poor laws beget poor outcomes

HB-2592-HD-1

Submitted on: 2/25/2026 2:12:30 PM

Testimony for JHA on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT HB2592 HD1

Dana Keawe

Moku O Keawe