

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
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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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

Before the House Committee on
WATER & LAND

Thursday, February 5, 2026
9:00 AM

State Capitol, Conference Room 411 and Via Videoconference

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

House Bill 2592 seeks to clarify the powers of the Mauna Kea Stewardship and Oversight Authority (MKSOA) so that it may carry out its intended duties regarding land use on Mauna Kea; transfers real property interests in the Mauna Kea lands to MKSOA; transfers conservation district use permits to the astronomical observatories; provides that the existing plans and administrative rules remain in effect until plans and administrative rules are adopted by MKSOA; and clarifies that MKSOA has state sovereign immunity. **The Department supports the intent of the bill and offers the following comments.**

Act 255, Session Laws of Hawai'i 2022 established the MKSOA and a transition and governance structure for the management of Mauna Kea lands. Act 255 was later codified as Chapter 195H, Hawai'i Revised Statutes (HRS). The language of the Act and Chapter 195H does not include a provision to transfer a fee interest in Mauna Kea lands to MKSOA. Act 255, Section 7, states, "the department of land and natural resources, University of Hawai'i, and all other departments and agencies of the State shall be subject to oversight of the authority with regard to the control and management of Mauna Kea lands." The language of Act 255 implies MKSOA will manage and control the Mauna Kea lands, not hold the fee interest. Additionally, Act 255 does not provide MKSOA legal authority to hold fee interest in Mauna Kea lands, or authority to transfer fee interest in said lands should MKSOA terminate; therefore, it is the Department's position that a Governor's Executive Order setting land aside to MKSOA would be more appropriate.

Mahalo for the opportunity to comment on this measure.



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 Water and Land
February 5, 2026, at 9:00 a.m.

By

Vassilis L. Symos, 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 – RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT
AUTHORITY**

Chair Hashem, Vice Chair Morikawa, and Members of the Committee:

The University of Hawai'i (University) respectfully submits comments related to HB 2592. The University remains deeply committed to the continued stewardship of Maunakea. Since the enactment of Act 255, UH has 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.

UH 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, and copying 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 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, this bill fails to advance progress in the leasing process and does not provide the level of certainty required for continued investment in on-going projects,

such as milestones for MKSOA to commence environmental review for new leases or a deadline for issuance of new leases.

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). In Part II of HB 2592, Section 3(c) identifies the parcels to be conveyed to MKSOA, including reference to all of the parcels included in the University leases, but omits the roadway easement.¹

Part III calls for the University to negotiate for the transfer of the various astronomy CDUPs to the observatories, but lays out no plan for the issuance of new subleases by MKSOA as authorized by Act 255. Further, as land use entitlements "run with the land," attempting to transfer the CDUPs to the observatories without new leases being issued limits the State's negotiation position and does little to provide certainty nor encourage the necessary continued investment in Maunakea. Particularly for those CDUPs that may remain with the University and are not timely transferred, the University has no ability to enforce the important operational requirements and conditions set forth therein. This is particularly difficult for those observatories that are independent foreign governments and independent universities, over which the State may have limited control.

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 the Board of Land and Natural Resources (BLNR) as to the necessary approvals, steps and milestones required to ensure a smooth transition of management from UH to MKSOA and successful implementation and enforcement of the plans and rules.

HB 2592 removes the provisions² regarding transfer of HRS Chapter 183C (conservation district use) authority from BLNR to MKSOA. UH 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.

We embrace our shared kuleana with MKSOA, in accordance with Act 255 (2022). We thank you for the legislature's continued support of this important resource.

Thank you for the opportunity to provide testimony.

¹ The University land interests include: General Lease S-5529 (expiring February 27, 2041); General Lease S-4191 (expiring December 31, 2033); and Grant of Easement S-4697 (expiring December 31, 2033).

² 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'ohökü 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,



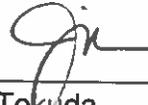
Brian Schatz
U.S. Senator for the State of Hawai'i



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

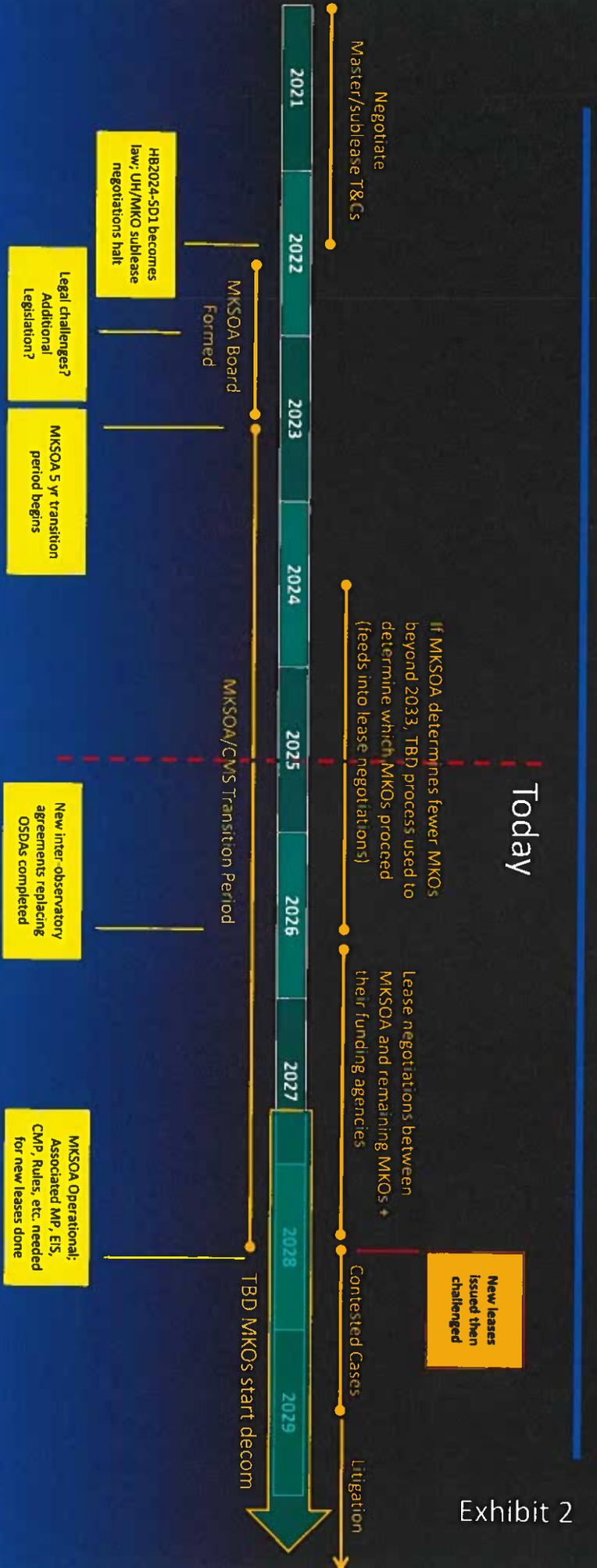
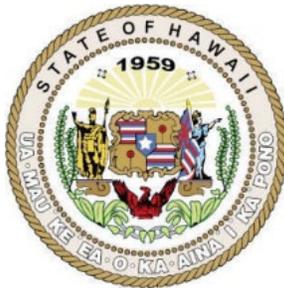


Exhibit 2

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JOHN KOMEIJI
Chairperson

KIMO ALAMEDA
POMAI BERTELMANN
NEIL HANNAHS
PAUL HORNER
*BONNIE IRWIN
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 WATER AND LAND February 5, 2026 9:00 A.M. State Capitol, Room 411

IN SUPPORT OF H.B. 2592 RELATING TO MAUNA KEA

Thank you for this opportunity to testify in support of HB 2952 as a means of bringing clarity to the original intent of Act 255 Sessions Laws of Hawaii 2022.

The full adoption of this proposed legislation by this committee will ensure that the Mauna Kea Stewardship & Oversight Authority (MKSOA) is able to meet the challenges that lay immediately ahead and during the 28 months that remain in the (60-month) transition period; within which the full management of the Mauna Kea lands will be transferred from the University of Hawaii's Center for Maunakea Stewardship (CMS) to MKSOA on July 1, 2028.

During this transition period and as mandated by Act 255, the Mauna Kea lands are being co-managed by the Joint Management Committee (JMC) comprised of senior leaders from both CMS and MKSOA and it is important to highlight that the working relationships and level of professionalism within the JMC originates from a deep respect for Mauna Kea and a renewed spirit of collaboration.

The passage of HB 2592 will help to support and/or remedy a range of operational priorities for MKSOA, to include:

1. The completion of a new comprehensive management plan.
2. The commencement of developing a new set of administrative rules.
3. The on-going exploration (in concert with the JMC) of potential scenarios for initiating an Environmental Impact Statement; as a foundational pre-requisite to future sublease negotiations with the Mauna Kea observatories and telescopes.
4. The transfer of 55+ employees from CMS to MKSOA that is in full compliance with the respective HR offices of DLNR, UHS, RCUH and in coordination with the appropriate union representatives.
5. The building and sustaining of confidence and trust in MKSOA as a new business startup of a government agency, within our diverse local communities and among all Mauna Kea stakeholders.

Additionally, the passage of HB 2592 will reaffirm the same sovereign immunity available to other administratively attached state agencies.

During the past three weeks and under the guidance of MKSOA's planning contractor-consortium, Kua o Wākea, we have convened a series of community talk-story sessions in Mā'ili, and Kāne'ōhe, Oahu; Kahului, Maui; Kaunakakai, Molokai and Lihue, Kauai. Last evening, a meeting was held in Laupāhoehoe and tonight a session in Hilo; and in the week following, Naalehu, Waimea and Kona.

Thus far, for me, this process of community engagement has been cathartic – as the participants are open, hospitable, candid, creative and honest as they express deep and personal feelings about the future of Mauna Kea. As such, it causes those of us from MKSOA to willingly reciprocate with our Aloha, by listening carefully and by sharing our own insights and feelings.

Inspired by their Aloha for Mauna Kea, there are common themes that are emerging across this series of meetings, which I appreciate and respect, to include: curiosity. . . new ideas. . . concerns. . . anxiety. . . hope. . . gratitude.

There is also a healthy irony in that last week in Kona, I was introduced to a philanthropist and astronomy buff who is the founding donor of the Smithsonian STARS Program which will distribute telescopes, lesson plans, teacher training to 30,000 rural and Tribal Schools across the U.S. (STARS = Scientists Taking Astronomy to Rural Schools). His goal for the next five years is for the STARS program to reach 9.8 million students who attend rural schools. Frankly, I recognized that this gentleman had a new idea and with respect to Mauna Kea, he too was curious. . . concerned. . . hopeful. . . and grateful.

My common takeaway from our community meetings and from my time spent with the Kona-based philanthropist is that all parties are humbled, energized, and have a sense that with respect to Mauna Kea, we as a collective society have arrived at a TURNING POINT – and there is an increased expectation (and hope) that MKSOA will be able to navigate through this transformative period in Hawaii's history.

Respectfully Submitted.

John De Fries

Executive Director, MKSOA



Canada-France-Hawai'i Telescope Corporation
Executive Director

Kamuela, Hawai'i

Wednesday February 4, 2026

Testimony to the Committee on Water & Land on **House Bill 2592**
Relating to the Mauna Kea Stewardship & Oversight Authority

Aloha Chair Hashem, Vice Chair Morikawa, and Members of the Committee on Water & Land,

On behalf of the Canada-France-Hawai'i Telescope, I appreciate the opportunity to share our **support** of House Bill 2592 to clarify the role and responsibilities 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 'Jean-Gabriel Cuby', with a stylized flourish at the end.

Jean-Gabriel Cuby
Executive Director



W. M. KECK OBSERVATORY
Maunakea, Island of Hawai'i

Testimony to the Committee on Water & Land on
House Bill 2592
Relating to the Mauna Kea Stewardship & Oversight Authority
Thursday, February 5, 2026, 9:00 a.m.

Aloha Chair Hashem, Vice Chair Morikawa, and Members of the Committee on Water & Land,

On behalf of the W. M. Keck Observatory, we appreciate this opportunity to share our **support** of House Bill 2592 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 site upon which we do our work is 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.

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

HB-2592

Submitted on: 2/5/2026 8:20:21 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cedric Duarte	Kalihi Palama Hawaiian Civic Club	Support	Written Testimony Only

Comments:

Testimony in Support of H.B. 2592

Relating to the Mauna Kea Stewardship and Oversight Authority

Rep Mark J. Hashem, Chair

Rep Dee Morikawa, Vice Chair

Members, Committee on Water & Land

Hearing: Thursday, Feb 5, 2026, 9:00 a.m.

Aloha Chair, Rep Hashem, and Members of the Committee,

The Kalihi Palama Hawaiian Civic Club writes in strong support of H.B. 2592.

This measure is important because it provides legal clarity and stability for Mauna Kea's governance, ensuring the Stewardship and Oversight Authority can fulfill its responsibilities.

By clarifying property transfers, affirming continuity of existing plans and rules during the transition, and confirming the Authority's status as a state entity, the bill strengthens the foundation for effective stewardship.

H.B. 2592 promotes responsible, balanced management of Mauna Kea that honors its cultural, environmental, and spiritual significance, while providing certainty for all parties.

Clear governance is essential to protecting Native Hawaiian traditional and customary practices, safeguarding natural resources, and supporting thoughtful decision-making.

For these reasons, I respectfully urge the Committee to pass H.B. 2592.

Mahalo for the opportunity to submit this testimony.

Thank you,

Cedric Duarte, President

Kalihi Palama Hawaiian Civic Club

HB-2592

Submitted on: 2/2/2026 5:41:37 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

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

Comments:

I STRONGLY SUPPORT HB2592

Dana Keawe

Cindy Freitas

makainanqi@gmail.com

OPPOSE UNLESS AMENDED – H.B. 2592

RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I respectfully submit testimony **OPPOSING H.B. 2592 UNLESS AMENDED.**

H.B. 2592 expands and clarifies the authority of the Mauna Kea Stewardship and Oversight Authority (MKSOA), transfers land interests and permits by operation of law, continues legacy University of Hawai'i plans and rules, and grants sovereign immunity. While presented as technical clarification, the bill **expands authority and limits liability without adding essential safeguards, accountability, or review mechanisms.**

WHAT IS MISSING FROM H.B. 2592

- **Environmental review triggers.** The bill transfers land interests and permits without requiring environmental assessment or evaluation of cumulative impacts under Chapter 343.
- **Deadlines to replace legacy plans.** Existing University of Hawai'i plans and rules remain in effect indefinitely, with no required timeline for MKSOA to adopt updated governance documents.
- **Standards for legacy plan adequacy.** There are no criteria requiring legacy plans to meet current environmental, cultural, safety, or climate standards.
- **Enforceable cultural protections.** While Native Hawaiian values are referenced, the bill provides no enforcement mechanisms, remedies, or dispute-resolution processes if protections are violated.
- **Public appeal or review rights.** Decisions affirmed or transferred by statute are not subject to appeal, contested case procedures, or independent review.
- **Transparency and reporting requirements.** The bill does not require regular public reporting, performance metrics, or disclosure of stewardship decisions.
- **Clear liability and remedy framework.** Sovereign immunity is expanded without clarifying responsibility or remedies if environmental, cultural, or public harms occur.

- **Independent oversight.** Authority is consolidated without external audits, oversight bodies, or checks and balances.
- **Sunset or legislative review.** The expanded powers and immunities are permanent, with no requirement for future legislative reassessment.

CONCLUSION

H.B. 2592 significantly expands authority and legal protections while **omitting environmental review, enforceable cultural safeguards, transparency, appeal rights, oversight, and time limits.**

Stewardship of a public trust resource requires **accountability equal to authority.**

For these reasons, I **OPPOSE H.B. 2592 UNLESS AMENDED** to include clear safeguards, review mechanisms, and transparency requirements.

Mahalo,

Cindy Freitas

HB-2592

Submitted on: 2/2/2026 10:28:13 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou,

This bill dilutes the Maunakea Stewardship and Oversight Authority and preserves the University of Hawai'i's control and power over the telescopes atop Mauna ā Wākea? Why would anyone support this bill when MKSOA was created to balance the authority upon our sacred mauna? Please OPPOSE HB2592 to help restore balance and protections upon Mauna ā Wākea.

Mahalo,

Malia Marquez

HB-2592

Submitted on: 2/3/2026 12:24:40 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

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

Comments:

I strongly oppose HB2592 for these reasons:

- Automatically transfers Mauna Kea lands and interests “as a matter of law,” eliminating meaningful public, cultural, and community review.
- Releases the State and University of Hawai‘i from past, present, and future liabilities, shielding prior mismanagement from accountability.
- Preserves University control over major observatories and permits, undermining the intent to establish truly independent stewardship.
- Allows conservation district use permits to be transferred without environmental review or public input, weakening oversight protections.
- Extends outdated University master plans and rules indefinitely, delaying genuine reform and perpetuating known failures.
- Grants sovereign immunity to the authority, reducing transparency and limiting public recourse.
- Centralizes power while removing checks and balances essential for responsible land and cultural stewardship.
- Risks continued environmental degradation by prioritizing administrative convenience over ecological protection.
- Fails to honor Native Hawaiian cultural practices by sidelining community participation in land-use decisions.
- Dilutes the purpose of Act 255 by maintaining fragmented governance rather than establishing clear, unified stewardship.
- Perpetuates historical conflict instead of resolving it through accountability, transparency, and shared decision-making.

I respectfully urge the legislature to reject HB2592.

HB-2592

Submitted on: 2/3/2026 12:27:18 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

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

Comments:

Aloha Chair and Committee

I respectfully oppose HB2592.

While framed as a clarification measure, this bill fundamentally weakens the reforms established under Act 255 and risks perpetuating the very conflicts and harms those reforms were meant to address.

HB2592 mandates the automatic transfer of Mauna Kea lands and interests “as a matter of law,” bypassing meaningful public engagement, cultural consultation, and environmental review. Decisions of this magnitude—affecting one of the most sacred and ecologically sensitive places in Hawai‘i—should not occur without transparent processes and community input.

The bill releases the State and the University of Hawai‘i from existing and future liabilities tied to the lands and improvements, effectively insulating prior mismanagement from accountability. At the same time, it preserves University control over major telescopes and conservation district use permits, undermining the promise of independent and balanced stewardship.

HB2592 also allows the transfer of conservation district use permits without additional regulatory review, weakening environmental protections and limiting public oversight. By extending outdated University-developed master plans and rules indefinitely, the bill delays meaningful reform and continues governance structures that have already failed to protect Mauna Kea’s cultural and natural resources.

Further, granting sovereign immunity to the Mauna Kea Stewardship and Oversight Authority reduces transparency and limits public recourse, concentrating power while diminishing accountability. Rather than creating a clear, unified framework for stewardship, the bill entrenches fragmented governance and perpetuates historical conflict.

Mauna Kea deserves stewardship rooted in accountability, transparency, and genuine respect for Native Hawaiian cultural practices and ecological integrity. HB2592 moves the state in the opposite direction.

For these reasons, I strongly urge opposition to HB2592.

Cheryl Burghardt

Nuuanu Oahu

HB-2592

Submitted on: 2/3/2026 12:40:26 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
JENNIFER CLAUDIO	Individual	Oppose	Written Testimony Only

Comments:

I, Jennifer Claudio, am in opposition of bill HB2592 because it risks perpetuating historical conflicts, environmental damage, and cultural harm while weakening act 225's reforms and lacking a clear unified framework for Mauna Kea stewardship.

Mahalo for listening

HB-2592

Submitted on: 2/3/2026 6:58:21 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
reynaldo a mozo	Individual	Oppose	Written Testimony Only

Comments:

oppose

HB-2592

Submitted on: 2/3/2026 9:35:54 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Momi Wheeler	Individual	Oppose	Written Testimony Only

Comments:

Aloha ‘Āina,

This testimony is submitted in **opposition to HB2592**. This proposed bill has the potential to perpetuate longstanding conflicts, contribute to environmental degradation, and cause cultural harm while simultaneously undermining the reforms established by Act 255 and lacking a cohesive, comprehensive framework for Mauna Kea stewardship.

‘Āina Aloha,

Momi Wheeler

HB-2592

Submitted on: 2/4/2026 2:52:03 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tara Rojas	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair and members of the committee,

I submit testimony in **strong opposition** to H.B. 2592.

While H.B. 2592 is framed as a technical clarification of the powers and transition of the Mauna Kea Stewardship and Oversight Authority, its operative provisions go far beyond clarification. The bill effects sweeping legal consequences that insulate past and ongoing harms from accountability, entrench existing uses without review, and extinguish liability at the very moment meaningful stewardship is supposed to begin.

H.B. 2592 transfers Mauna Kea lands and interests to the Mauna Kea Stewardship and Oversight Authority **as a matter of law**, on an “as is, where is” basis, while simultaneously **releasing, waiving, and extinguishing all existing and future claims and liabilities against the State and its agencies** related to physical, environmental, soil, economic, and legal conditions of the lands. This is not a neutral transition. It is a statutory erasure of responsibility for decades of mismanagement, environmental degradation, and cultural harm.

Equally troubling, the bill requires the University of Hawai‘i to transfer conservation district use permits directly to astronomical observatories and explicitly exempts those transfers from any additional regulatory requirements, including environmental review under chapter 343, Hawai‘i Revised Statutes. This forecloses reassessment of whether continued occupation and use of Mauna Kea lands is appropriate, justified, or consistent with environmental protection, cultural responsibility, or public trust obligations.

H.B. 2592 further mandates that existing University of Hawai‘i plans, management frameworks, and administrative rules remain in full force and effect indefinitely until superseded, even beyond the transition period. This perpetuates the very governance structures the Legislature previously acknowledged were inadequate and harmful, while delaying or undermining the Authority’s ability to implement genuinely new stewardship grounded in accountability, consent, and pono.

Of particular concern is that the Mauna Kea Stewardship and Oversight Authority is a **new and untested entity**, operating outside long-established administrative and adjudicatory frameworks. At this early and critical stage, safeguards should be strengthened, not weakened. Instead, this

bill narrows review, extinguishes liability, and limits meaningful oversight at precisely the moment when greater transparency and adherence to established legal protections are required.

There is also serious concern that the cumulative effect of this bill would **undermine or effectively foreclose contested case proceedings**, which are a lawful and essential mechanism for due process, public participation, and the protection of cultural and environmental rights. Provisions such as HRS 195H-6(f) and HRS 195H-6(d)(3) were enacted as deliberate safeguards to ensure accountability during the transition of Mauna Kea governance. Any legislative effort that weakens, circumvents, or neutralizes those protections threatens to erase hard-fought legal rights under the guise of administrative efficiency.

The injustice of this bill is compounded by the broader context in which it is advancing. Legislative action to lock in land transfers, permit insulation, and immunity is occurring **simultaneously** with a University of Hawai‘i Board of Regents special meeting addressing the same Mauna Kea issues, held on the **same day and at the same time**. This convergence constrains public participation, fragments accountability, and perpetuates harm by allowing parallel decision-making processes to shield one another from scrutiny.

Public statements about the importance of “building trust” ring hollow when paired with legislative and administrative actions that accelerate legal mechanisms for lease extensions, continued control, and reuse of sites, while limiting the very processes that allow communities to be heard. Trust is not built through speed, insulation, or legal maneuvering. It is built through accountability, transparency, and respect for the law.

Mauna Kea is not merely a management problem to be streamlined. It is a wahi pana of profound cultural, spiritual, and environmental significance. Laws that waive liability, bypass review, weaken contested case protections, and prioritize continuity of use over accountability violate the State’s public trust duties and fiduciary obligations to protect land, water, and cultural resources for present and future generations.

NO is NO.

Legislation that entrenches continued harm and strips away lawful protections is **not pono**, is **unjust in effect**, and is fundamentally incompatible with ethical and lawful stewardship.

For these reasons, I respectfully urge the committee to **hold H.B. 2592** and reject any measure that advances land transfers, permit insulation, or immunity without full accountability, environmental review, and meaningful public process.

Mahalo for the opportunity to submit testimony.

HB-2592

Submitted on: 2/4/2026 9:40:05 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

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

Comments:

Aloha e dear Chair, Vice Chair, and Committee Members,

I am writing to respectfully express my concerns regarding HB2592. While I deeply appreciate the Legislature's ongoing commitment to addressing the complex stewardship needs of Mauna Kea, I believe this bill presents significant challenges that merit careful reconsideration.

Concerns Regarding MKSOA's Authority and Effectiveness

The exemption of major telescope permits (CDUPs) from transfer to MKSOA raises questions about the Authority's ability to fulfill its intended mandate. If the University of Hawai'i retains control over key operational permits, MKSOA's capacity to regulate and enforce rules over exempted telescopes may be significantly limited. For MKSOA to effectively serve as the unified stewardship body envisioned in Act 255, it would benefit from having comprehensive authority over all activities within its jurisdiction.

Preserving the Intent of Act 255

Act 255 established MKSOA with the purpose of managing Mauna Kea through a balanced approach that honors cultural, environmental, and scientific interests equally. This bill's structure may inadvertently fragment management authority in ways that could make achieving that balance more challenging. A unified framework under MKSOA would better serve the goal of integrated, holistic stewardship.

Addressing Historical Challenges

For many years, concerns have been raised about the structure in which UH served as both landlord and lessee of Mauna Kea lands. Act 255 represented an opportunity to move toward a governance model that addresses these concerns. Maintaining UH control over certain permits may be seen as continuing elements of the previous structure, which could affect community trust in the transition process.

The Importance of Native Hawaiian Cultural Participation

Meaningful Native Hawaiian cultural participation in all aspects of Mauna Kea management is essential to responsible stewardship. I respectfully ask that the Legislature consider how this

bill's provisions may affect opportunities for Native Hawaiian voices to be heard and honored in decisions affecting all activities on the mauna, including those under the exempted permits.

Questions About Accountability and Oversight

The provisions regarding liability and sovereign immunity raise important questions about accountability mechanisms. Strong accountability measures help ensure that environmental and cultural protections remain robust. I respectfully encourage the Legislature to carefully consider how these provisions may affect the ability of community members and future generations to seek redress if concerns arise.

Environmental Review Considerations

The provisions affecting regulatory review, including environmental oversight under Chapter 343, may reduce the level of environmental scrutiny applied to activities on Mauna Kea. Given the fragile nature of the summit ecosystems and the presence of significant cultural sites, maintaining comprehensive environmental review processes would help ensure adequate protection.

Looking Forward

I recognize the Legislature's sincere desire to support both the scientific mission on Mauna Kea and the protection of this sacred landscape. However, I respectfully believe that HB2592 may not achieve the unified, balanced approach that Act 255 envisioned. A governance structure that provides MKSOA with full authority, centers Native Hawaiian cultural values, maintains strong environmental protections, and ensures clear accountability would better serve all of Mauna Kea's stakeholders and the mauna itself.

I humbly ask that you consider these concerns and work toward solutions that truly honor both the letter and spirit of Act 255.

Mahalo nui loa for your time, your service, and for the opportunity to share these thoughts with you.

Respectfully submitted,
Ezgi Green
Waialua, O'ahu

HB-2592

Submitted on: 2/4/2026 11:19:16 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Lorenzo	Individual	Support	Written Testimony Only

Comments:

MKSOA needs to be able to do their job. Untie their hands and pass this Bill.

HB-2592

Submitted on: 2/4/2026 11:43:20 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kealani Zayas	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB2592. This undermines the purpose of Act 225 & continues to perpetuate the desecration of our 'āina.

HB-2592

Submitted on: 2/4/2026 12:01:48 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Malia Nakamura	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Malia Nakamura. I am submitting written testimony strongly opposing Bill HB2592 as it risks perpetuating historical conflicts, environmental damage, and cultural harm, while weakening Act 255's reforms and lacking a clear, unified framework for Mauna Kea stewardship.

It would exempt major telescope permits from transfer to MKSOA, it limits MKSOA's authority since it can't regulate or enforce rules over exempted telescopes, it also undermines the purpose of Act 255 which intended MKSOA to manage Mauna Kea with a balance between cultural, environmental, and scientific interests. It fails to address cultural concerns and Native Hawaiian cultural input limiting regulatory review, including environmental oversight under Chapter 343 which reduces protections for Mauna Kea's fragile summit ecosystems and cultural sites.

It continues UH control over Mauna Kea lands since UH would retain control over key operational permits. It would also release the state and University from liability and grant the authority sovereign immunity, sheilding it from accountability that could have lasting environmental, cultural, and legal consequences.

For these reasons, I respectfully ask the committee to oppose Bill HB2592.

Sincerely,

Malia Nakamura

HB-2592

Submitted on: 2/4/2026 12:37:54 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello Chair, Vice Chair, and Members of the Committee,

My name is **Nanea Lo** and I’m a lineal descendant of these lands, and I submit this testimony in **strong support of HB2592**.

HB2592 was submitted by the **Mauna Kea Stewardship and Oversight Authority (MKSOA)** and seeks to clarify the intent of **Act 255**, which established the Authority. This clarification is both timely and necessary to ensure that the Authority can effectively carry out its kuleana as envisioned by the Legislature.

Since the enactment of Act 255, questions regarding scope, intent, and implementation have arisen. HB2592 provides important statutory clarity that will help prevent misinterpretation, reduce administrative uncertainty, and strengthen the Authority’s ability to fulfill its responsibilities in a transparent and accountable manner.

Clear legislative intent is essential for good governance—especially for an entity tasked with stewarding a place as culturally, environmentally, and historically significant as Mauna Kea. By affirming and clarifying the purpose of Act 255, HB2592 supports more effective decision-making and reinforces public trust in the Authority’s work.

For these reasons, I respectfully urge your support of HB2592.

me ke aloha ‘āina,

Nanea Lo, 96826

Carbon Cashback Hawai‘i Member

Hawai‘i Workers Center Board Member

Honolulu Tenants Union Member

Hawai‘i Tax Fairness Coalition

Clean Elections Hawai‘i Member

HB-2592

Submitted on: 2/4/2026 12:56:39 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

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

Comments:

support

HB-2592

Submitted on: 2/4/2026 12:59:21 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Stacey Alapai	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please OPPOSE HB2592. This bill dillutes the Mauna Kea Stewardship Oversight Authority and perpetuates a clear conflict of interest and exempts major telescope permits.

Passing this bill would risk perpetuating historical conflicts, environmental damage, and cultural harm. It weakens Act 255 reforms and lacks a clear unified framework for Mauna Kea Stewardship.

Do not undo years of progress in collaboration on how Mauna Kea should be managed. Drop this effort to undermine MKSOA to preserve public trust in these processes.

Mahalo.

Testimony in Opposition of HB 2592.

This bill HB2592 weakens MKSOA's authority and preserves UH control over telescopes on Mauna Kea. Kū'ē!

You say that HB2592 will clarify the powers and responsibilities of the Mauna Kea Stewardship and Oversight Authority (MKSOA). Rethink this clarity. The bill's primary purpose is to refine the law established by Act 255 passed in 2022 which ensures that MKSOA can effectively carry out its intended duties regarding land use on Mauna Kea. Kū'ē!

The State of Hawaii lacks both the legal and moral authority to transfer ceded lands on Mauna Kea to any governing body. MKSOA is an extension of the state and fails to recognize Kanaka sovereign rights.

Part III of HB 2592 requires the University of Hawaii to transfer conservation district use permits directly to the observatories. Where is the DLNR in all this confusion? This gives UH an easy path for TMT/further development which circumvents the prioritization of decommissioning and ecological restoration. After all, Mauna o Wakea is the realm of the Gods. It should be cleansed and its unique ecological system be restored.

Part V of this bill clarifies that MKSOA has state sovereign immunity. Huh? What exactly does this mean. Another means so that Kanaka/cultural practitioners are not able to take action against the State and/or other entity for mismanagement or any atrocious environmental violations. Kū'ē!

For many more reasons and concerns not cited, I oppose HB2592.

Aloha,

Puna Keliipuleole

2203 Ahe Place, Honolulu HI 96816

Email: paliku7@yahoo.com

February 4, 2026

HB-2592

Submitted on: 2/4/2026 1:32:29 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Alexander K.D. McNicoll	Individual	Support	Written Testimony Only

Comments:

I am in strong supoort of **HB2592**.

HB-2592

Submitted on: 2/4/2026 3:00:42 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Brittany Penaroza	Individual	Oppose	Written Testimony Only

Comments:

I submit this testimony in strong opposition to HB2592.

This bill undermines the intent of Act 255 and risks perpetuating the very conflicts, environmental damage, and cultural harm that the State promised to address through meaningful reform of Mauna Kea stewardship. Rather than creating a clear, unified, and accountable framework, HB2592 weakens oversight and reinforces existing power imbalances.

HB2592 grants sovereign immunity to the managing authority, shielding it from accountability and legal responsibility—despite the long-term environmental, cultural, and legal consequences tied to Mauna Kea. It limits regulatory review and environmental oversight under Chapter 343, reducing protections for Mauna Kea’s fragile summit ecosystems and culturally significant sites. It also exempts major telescope permits from transfer, allowing the University of Hawai‘i to retain control over key operational permits and perpetuating conflicts of interest.

This bill signals a lack of true commitment to change. It undermines the purpose of Act 255, which intended for the Mauna Kea Stewardship and Oversight Authority to manage the mountain with balance—respecting cultural, environmental, and scientific interests. HB2592 fails to meaningfully address Native Hawaiian concerns or ensure that cultural practitioners have real authority and input. It instead releases the State and University from liability while maintaining systems that have repeatedly caused harm.

Enough is enough. Hawaiian people are fed up with reforms that exist only on paper while control, accountability, and decision-making remain unchanged. The people of Hawai‘i have been clear: Mauna Kea deserves stewardship rooted in transparency, kuleana, and respect—not loopholes that protect institutions at the expense of the land and the lāhui.

For these reasons, I strongly urge you to oppose HB2592.

Mahalo for the opportunity to testify.

HB-2592

Submitted on: 2/4/2026 6:21:02 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kapulei Flores	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing testimony in OPPOSITION to HB2592 that dilutes MKSOA's authority and preserves UH control over telescopes on Mauna Kea. This would exempt major telescope permits (CDUPs) from transfer to MKSOA while continuing UH control over Mauna Kea lands. It is clear that this bill was created to limit MKSOA's authority since they wont be able to regulate or enforce rules exempted telescopes. This also shows a lack of commitment to change, which was part of the whole reason MKSOA was created in the first place. It undermines the purpose of Act 255 which intended MKSOA to manage Mauna Kea with a balance between cultural, environmental, and scientific interests. This also fails to address cultural concerns and Native Hawaiian cultural input. It would also release the state and university from liability, something they should be taking more of regarding their past and future actions on the Mauna. This bill is actively working backwards from what has already been done and created with the MKSOA. Please OPPOSE this bill to help create and continue some sense of balance on the Mauna.

Mahalo, Kapulei

HB-2592

Submitted on: 2/4/2026 11:54:11 PM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ekini Lindsey	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Committee, my name is Ekini Lindsey and I OPPOSE HB2592!!

This law takes precedence over HB 2592, allowing Mauna Kea Stewardship to continue its diligent efforts. Laws protecting religious practices and cultural traditions in Hawaii, particularly for Native Hawaiians on ancestral lands, remain in effect. Article XII, Section 7 of the Hawaii Constitution and relevant state laws (HRS §1-1) provide essential protections for traditional and customary rights, backed by the federal American Indian Religious Freedom Act. Primary legal protections in Hawaii comprise: Hawaii Constitution (Article XII, Section 7), guaranteeing state protection for native Hawaiian rights to subsistence, cultural, and religious practices, and Hawaii Revised Statutes (§1-1), recognizing the validity of Hawaiian custom and usage in conjunction with English common law.

Again, this law overrides all bills pertaining to such stewardship!! Do the right thing!! Mahalo nui loa for allowing this moment!!

HB-2592

Submitted on: 2/5/2026 12:08:47 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Meadow Dawn Stassens	Individual	Oppose	Written Testimony Only

Comments:

Dear members of the Hawai'i state legislature,

My name is Meadow Dawn Stassens and I live in Na'alehu, HI 96772

I urge you to oppose bill HB2592.

HB2592 would signal a lack of commitment to change, undermines purpose of act 255 which intended MKSOA to manage Mauna Kea with a balance between cultural, environmental, and scientific interests. It would fail to address cultural concerns and native Hawaiian input and release the state and University from liability. This bill risks perpetuating historical conflicts, environmental damage, and cultural harm. Native Hawaiians must have input on their land!

Thank you,

Meadow

HB-2592

Submitted on: 2/5/2026 12:13:16 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
James L. Trasport, Jr.	Individual	Oppose	Written Testimony Only

Comments:

Hello,

My name is Jimmy Trasport. I'm a resident of Honoka'a on the Island of Hawai'i, and a member of the Green Party. I'm writing to voice my strong opposition to HB2592, which risks perpetuating historical conflicts, environmental damage and cultural harm while weakening Act 255's reforms and lacking a clear, unified framework for stewardship of Mauna Kea.

This bill signals the State's intention to preserve the University of Hawai'i's control over telescopes on Mauna Kea and dilute the authority of the Mauna Kea Stewardship and Oversight Authority by:

- exempting major telescope permits (CDUPs) from transfer to MKSOA, thereby limiting MKSOA's ability to regulate or enforce rules over those telescopes
- maintaining UH control over Mauna Kea lands through retaining control over key operational permits
- undermining the purpose of Act 255, which intended for MKSOA to manage Mauna Kea by balancing cultural, environmental and scientific interests
- releasing the State of Hawai'i and UH from liability
- granting the MKSOA sovereign immunity, which subverts accountability and could have long-term environmental, cultural and legal consequences.
- limiting regulatory review, including oversight under Chapter 343, thereby reducing protections for Mauna Kea's fragile summit ecosystems and cultural sites

Please reject HB2592.

Respectfully submitted,

Jimmy Trasport
Honoka'a, Hawai'i 96727

HB-2592

Submitted on: 2/5/2026 7:52:01 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Serafina Gajate	Individual	Support	Written Testimony Only

Comments:

I support this measure to clarify the intent of Act 255 that established the authority.

HB-2592

Submitted on: 2/5/2026 8:37:09 AM

Testimony for WAL on 2/5/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tanya Aynessazian	Individual	Oppose	Written Testimony Only

Comments:

TESTIMONY ON HB2592

Relating to the Mauna Kea Stewardship and Oversight Authority

Aloha Chair and Members of the Committee,

I submit this testimony in opposition and to express concerns regarding HB2592.

While the bill is presented as a clarification measure to ensure continuity during the transition to the Mauna Kea Stewardship and Oversight Authority (MKSOA), it significantly limits procedural safeguards that support transparency, public participation, and due process. By treating major land and permit transfers as automatic matters of law, exempting Conservation District Use Permit transfers from Chapter 343, and extending existing governance frameworks without defined public review mechanisms, the bill narrows opportunities for meaningful oversight.

The bill also grants sovereign immunity to MKSOA without establishing any corresponding contested case or quasi-judicial process. This concentration of authority, without balanced procedural protections, raises serious governance concerns.

Finally, the breadth of this bill creates risk that future amendments to this or other related bills on Mauna Kea could further weaken accountability and due process in ways that are difficult to reverse.

Respectfully submitted,

Tanya Yamanaka Aynessazian

Hilo