

## **NOTICE OF PROPOSED RULEMAKING PUBLIC HEARING**

Pursuant to chapter 91, Hawaii Revised Statutes (HRS), notice is hereby given that the University of Hawaii will hold public hearings, to afford all interested persons an opportunity to submit data, views, or arguments, orally or in writing on proposed chapter 20-26, Hawaii Administrative Rules, entitled "Public and Commercial Activities on Mauna Kea Lands."

The topic of the proposed new rules is the regulation of public and commercial activities on Mauna Kea lands, pursuant to section 304A-1903, HRS. Act 132, Session Laws of Hawaii 2009, granted rule-making authority to the University to adopt the proposed rules. Under Act 132, the purpose of the proposed rules is to provide effective protection of cultural and natural resources from certain public activities, and to help ensure public health and safety.

In accordance with Act 132, the proposed rules strive for consistency with the administrative rules of the Division of Forestry and Wildlife of the Department of Land and Natural Resources related to forest reserves and natural area reserves. Public and commercial activities covered by the proposed rules include general access for protection of the resources or to ensure the safety and welfare of persons or property; traffic and off-road vehicle use; alcohol consumption; recreational activities; and commercial tour activities. In addition, the proposed rules reaffirm protected rights customarily and traditionally exercised for subsistence, cultural, and religious purposes by native Hawaiians.

The proposed rules apply to activities on "Mauna Kea lands," referred to as "UH management areas" in the proposed rules. "Mauna Kea lands," means the lands that the University is leasing from the Board of Land and Natural Resources, including the Mauna Kea Science Reserve, Hale Pohaku, the connecting roadway corridor between Hale Pohaku and the Mauna Kea Science Reserve, and any other lands on Mauna Kea that the University leases or over which the University acquires control or jurisdiction, as defined by section 304A-1901, HRS.

The public hearings are scheduled for the following dates, times, and locations:

- Monday, June 3, 2019, at 5:30 p.m. to 7:30 p.m.  
Manoa Elementary School, 3155 Manoa Road, Honolulu, HI 96822
- Tuesday, June 4, 2019, at 5:30 p.m. to 7:30 p.m.  
Waiakea Elementary School, 180 W. Puainako Street, Hilo, HI 96720

- Wednesday, June 5, 2019, at 5:30 p.m. to 7:30 p.m.  
Waikoloa Elementary & Middle School, 68-1730 Hooko Street, Waikoloa, HI 96738
- Friday, June 7, 2019, at 5:30 p.m. to 7:30 p.m.  
Pomaikai Elementary School, 4650 S. Kamehameha Avenue, Kahului, HI 93732

A copy of the proposed rules will be made available for public viewing at the UH System Government Relations Office located at the University of Hawaii at Manoa, 2442 Campus Road, Administrative Services Building 1, Room 101, Honolulu, Hawaii 96822, Monday through Friday between the hours of 9:00 a.m. to noon and 1:30 p.m. to 4:00 p.m.

Copies of the proposed rules will also be available at regional public libraries during library hours and on the University's websites at [www.hawaii.edu/offices/bor/adminrules/proposed.html](http://www.hawaii.edu/offices/bor/adminrules/proposed.html) and [www.malamamaunakea.org](http://www.malamamaunakea.org).

The University will mail a copy of the proposed rules to any interested person, upon written request and advance payment of \$3.70 for copying and postage to the UH System Government Relations Office at the address noted above. Please call (808) 956-4250 for more information.

Interested persons may present testimony at the time of the public hearing. Interested persons unable to attend the public hearing may submit written testimony regarding the proposed rules by mail to the UH System Government Relations Office at the address noted above; by email at [UHHAR@hawaii.edu](mailto:UHHAR@hawaii.edu); or through the University website at [www.hawaii.edu/govrel/uhhar-testimony](http://www.hawaii.edu/govrel/uhhar-testimony). All submissions must be received at or prior to closing of the last scheduled public hearing.

All oral and written testimony is public information. Please do not include information in your testimony that you do not want to be disclosed to the public.

Individuals who require special needs accommodations may contact the UH System Government Relations Office at (808) 956-4250 or [UHHAR@hawaii.edu](mailto:UHHAR@hawaii.edu) at least five (5) state working days prior to the hearing.

David Lassner

President, University of Hawaii  
(SA1193159 4/28/19)