21 October 2026

VIA EMAIL

Ryan K.P. Kanakaʻole
Chairperson, Board of Land and Natural Resources
Director, Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaiʻi 96813

cc: Land Division, DLNR
cc: DLNR.UIPA@hawaii.gov
cc: Bin C. Li, Administrative Proceedings Coordinator, DLNR, bin.c.li@hawaii.gov
cc: Jessica L. Puff, State Historic Preservation Administrator and Deputy SHPO, jessica.puff@hawaii.gov

RE: Request for Access to Government Records under the Uniform Information Practices Act (Modified), HRS Chapter 92F
Executive Order Set-Aside to the Federal Aviation Administration, TMK (2) 2-2-007:016, Puʻu Kolekole, Haleakalā, Maui

Aloha Chairperson Kanakaʻole,

The Protect Haleakalā Community Collective submits this request for government records under the Uniform Information Practices Act (Modified), HRS Chapter 92F, including HRS § 92F-11, and the Office of Information Practices rules at HAR Chapter 2-71.

BACKGROUND

The Department of the Air Force (DAF) proposes to construct the Air Force Maui Optical and Supercomputing Site Small Telescope Advanced Research (AMOS STAR) facility on TMK (2) 2-2-007:016.

The DAF's Draft Environmental Impact Statement (January 2026) states at page 3-59 that "The State of Hawaiʻi is the recorded fee owner of the parcel, while the FAA remains the federal entity responsible for managing it." Because the land is State-owned, DLNR and BLNR records on its status bear directly on the proposed undertaking.

The State Historic Preservation Division's letter of February 18, 2026 (Project No. 2025PR00129, Doc No. 2602SH04) states that the undertaking "will occur on a land parcel controlled by the FAA under Governor's Executive Order No. 1808, dated October 30, 1957, permit number DTFAWP-06-J-00002," and that "this undertaking includes the transfer of this parcel from the FAA to DAF." The current draft Section 106 Memorandum of Agreement states that the FAA "proposes to outgrant or excess/transfer" the parcel to the DAF / U.S. Space Force.

The Draft EIS also states:

At page 1-3: in 2023, the FAA issued the DAF an outgrant permit "for the limited purpose of storing equipment on the Proposed Action site." Alternatively, "the FAA may decide to transfer the parcel for the Proposed Action to the DAF."

At pages 2-12 to 2-13: "An existing United States held easement supporting electrical infrastructure at the FAA parcel would be transferred from FAA management to DAF management." That transfer "would occur without involvement from the UH."

The DAF's Section 106 Undertaking Review, Figure A2, separately shows a "Proposed Power Easement" running from the FAA parcel onto adjacent land.

REQUEST

We request all records held by DLNR or BLNR concerning the status of the Executive Order set-aside(s) to the FAA covering TMK (2) 2-2-007:016, and any proposed or actual withdrawal, cancellation, amendment, relinquishment, transfer, outgrant, or change of use or controlling agency for that land. This includes:

1. Records identifying the recorded fee owner and current land status of TMK (2) 2-2-007:016, including Land Division inventory or title records.

2. Governor's Executive Order No. 1808 (October 30, 1957), Executive Order No. 4451, and any other Executive Order, amendment, or withdrawal affecting TMK (2) 2-2-007:016, with maps, exhibits, and conditions. This includes any Executive Order or amendment setting aside easements for access or utility services to the parcel.

3. Any permit, license, outgrant, or land use authorization for the parcel, including:
   (a) permit number DTFAWP-06-J-00002;
   (b) any authorization relating to the U.S. Department of Energy's use of the site from 1962 to 2021; and
   (c) the 2023 outgrant permit from the FAA to the DAF described at page 1-3 of the Draft EIS, together with any notice of it provided to DLNR or BLNR.

4. Records concerning any easement held or proposed by the United States for electrical or other utility infrastructure serving the parcel, including any portion crossing TMK (2) 2-2-007:008. This includes the instrument creating the easement, maps, any records of a proposed transfer of the easement from FAA to DAF management, and any application or correspondence concerning the "Proposed Power Easement" shown in the Undertaking Review, Figure A2.

5. Correspondence, memoranda, notices, and requests exchanged between DLNR or BLNR and any of the following regarding the parcel or the easement described in item 4:
   the Federal Aviation Administration;
   the U.S. Department of the Air Force, U.S. Space Force, Space Base Delta 1, or the Maui Space Surveillance Complex;
   the U.S. General Services Administration;
   the University of Hawai‘i or its Institute for Astronomy;
   Hawaiian Electric Company;
   the Office of Hawaiian Affairs;

the County of Maui, including the Maui County Council and the Department of Planning;
the Department of the Attorney General; and
the Office of the Governor.

This includes any comments, resolutions, or advice concerning the parcel or the AMOS STAR undertaking received by DLNR or BLNR from these entities, and any comments from the Aha Moku Advisory Committee.

6. BLNR submittals, staff reports, agenda items, minutes, and decisions concerning the parcel, the easement described in item 4, or the Executive Order(s).

7. Records reflecting DLNR's or BLNR's position on whether the FAA may relinquish, transfer, or outgrant control of the parcel to another federal agency, whether any such change requires State consent or BLNR action, and the process by which it would occur.

8. Records showing whether the State Historic Preservation Division is reviewing the AMOS STAR undertaking (Project No. 2025PR00129) under HRS Chapter 6E, in addition to Section 106 of the National Historic Preservation Act, including any Chapter 6E determination.

9. Any Section 106 or HRS Chapter 6E submission to SHPD for conduit or electrical work on TMK (2) 2-2-007:008 or 2-2-007:016 since January 1, 2022, with its SHPD project number and SHPD's response.

Timeframe: all dates for items 1 through 4. January 1, 2021 to the date of your response for items 5 through 9.

Records already provided: DLNR and OCCL produced records to the Collective on September 25, 2026. Those records need not be produced again.

FORMAT AND FEES

Please provide records electronically (PDF) to the email address below. We request a waiver of fees under HAR § 2-71-32. Disclosure concerns the management of State-owned land at Haleakalā, is in the public interest, and is not for commercial use. If fees will exceed the waiver, please provide an estimate before processing.

If any record or portion is withheld, please identify it, cite the specific UIPA exception relied on, and release all reasonably segregable portions. If the request is voluminous, we ask for incremental disclosure under HAR § 2-71-15, beginning with items 1 and 2.

We look forward to your response within the time required by HAR § 2-71-13. Federal Section 106 consultation on this undertaking is active and a draft Memorandum of Agreement is in circulation, so a prompt response is respectfully requested.

Mahalo nui,

Kingi Gilbert, Hina Kneubuhl, Kahele Dukelow
On behalf of the Protect Haleakalā Community Collective
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