Legal Challenges at Maunakea: *Disrupting the Status Quo*

Join the Evening Part Time Program for a discussion on cutting edge legal issues that arise out of the current efforts to protect Maunakea. Although opposition to the TMT has been at the forefront of the movement, Native Hawaiian practitioners have called into question whether the cumulative effect of research facilities on Maunakea creates a de facto industrial use precinct wholly inconsistent with the current classification as a conservation land district. At the same time, Department of Hawaiian Home Land (DHHL) beneficiaries challenge the Department of Transportation’s jurisdiction over the Maunakea Access Road, asserting that it still remains part of the Hawaiian Home Lands Trust.

**Bianca Kai Isaki**, Ph.D., Esq. is the lead attorney representing the Native Hawaiian practitioners who have petitioned the Land Use Commission to issue a declaratory order regarding the conservation lands at Maunakea. Bianca publishes on the intersections between settler colonialism, natural resource exploitation, conservation efforts, and houselessness in Hawai‘i. Through her legal research, Bianca works on environmental and Hawaiian land rights issues including the protection of iwi kūpuna from sand mining and ensuring environmental review of public land dispositions. She also serves on the boards of KAHEA: The Hawaiian-Environmental Alliance and Conservation Council for Hawai‘i. Bianca graduated from the William S. Richardson School of Law in 2013 with certificates in Native Hawaiian Law and Environmental Law.

**Edward Halealoha Ayau** is one of four DHHL beneficiaries challenging the Department of Transportation’s jurisdiction over the Maunakea Access Road. Halealoha is a graduate of Kamehameha Schools and the University of Redlands in California, and he received a juris doctor from the University of Colorado Boulder. He has clerked for the Native American Rights Fund in Boulder, Colorado, and has also worked for the Native Hawaiian Legal Corporation, the Office of U.S. Senator Daniel Inouye, and the Senate Committee on Indian Affairs. Halealoha is a leader in the movement to repatriate iwi kūpuna (ancestral Hawaiian skeletal remains) and moepū (funerary possessions) from all over the world. Halealoha is a 4th generation DHHL lessee, and he is currently a resource management specialist for the Department of Hawaiian Homelands.

Moderated by Li‘ipilani Stevens Nāhiwa, 2L