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DEPT. OF LAND &  
NATURAL RESOURCES  
STATE OF HAWAII

**BOARD OF LAND AND NATURAL RESOURCES**

**STATE OF HAWAII**

IN THE MATTER OF	)	CASE NO. BLNR-CC-16-002
	)	
Contested Case Hearing Re Conservative	)	Memorandum of Clarity that this
District Use Application (CDUA) HA-3568 For	)	case is in fact a LAND CASE
The Thirty Meter Telescope at the Mauna Kea	)	and not a POLITICAL
Science Reserve, Ka'ohe Mauka, Hamakua,	)	QUESTION; COS
Hawaii TMK (3) 4-4-0015:009	)	
	)	Hearing date: August 29, 2016
_____	)	Hearings officer Riki May Amano

**MEMORANDUM OF CLARITY THAT THIS CASE IS IN FACT A LAND CASE AND NOT A POLITICAL QUESTION.**

Now comes Harry Fergstrom with Clarity that this contested case is certainly about **LAND OWNERSHIP AND NOT A POLITICAL QUESTION.**

Having not found another way to make clear and put into focus that this land is the land of the Hawaiian Kingdom. That I am the owner, by lawful right, Culturally, Traditionally and by divine appointment.

That the summit of Mauna Kea is recognized as the realm of Ke Akua, or the realm of the Gods. The specific area where the project TMT is to be located (Northwestern plateau) is of extreme importance and is foundational to Hawaiian Culture.

**It is not what is seen on the surface, but rather what is not seen below.**

It has been the direction of University of Hawaii and their supporters to steer away from the Historic Traditional view and designation of Mauna Kea being the realm of the Gods. It is difficult for man as a whole to understand what makes Mauna Kea so sacred, yet history does show that summit of Mauna Kea has had a commonly recognized designation as the Realm of the Gods., and thus held in such sacred

regard as to who has the right of entry. Historically the use of Mauna Kea by man was very restrictive and largely divine.

The University, et al, consistently attempts to marginalize the importance of Mauna Kea making argument that Mauna Kea is somehow owned by the State of Hawaii This is a repeated misdirection. The lands on Maua Kea belong to the Hawaiian Kingdom Crown and Government.

The use of such remedies as Quo Warranto is a challenge: "By What authority do you have to assert your jurisdiction in the Hawaiian Kingdom". However the apparent matter at hand is about LANDOWNERSHIP.

This hearing officer must take into consideration that the lands of Mauna Kea do not belong to the State of Hawaii and that the State holds no clear title to these lands. No matter how many ways the State tries to shelter the problem, it will always return to who owns the land. The current description of the lands of Mauna Kea is that is Ceded Lands, lands belonging to the Hawaiian Kingdom illegally seized during the illegal overthrow of the Hawaiian Kingdom.

This is a Question of LANDOWNERSHIP and not a POLITICAL QUESTION.

Dated this Day: August 25, 2016



Harry Fergerstrom

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BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

Contested Case Hearing Re Conservation  
District Use Application (CDUA) HA-3568  
for the Thirty Meter Telescope at the Mauna  
Kea Science Reserve, Ka'ohē Mauka,  
Hāmākua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02  
Document title:

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced document was served upon the following parties by the means indicated:

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Aug 25, 2016