

**BOARD OF LAND AND NATURAL RESOURCES**

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OFFICE OF CONSERVATION  
AND COASTAL LANDS

**STATE OF HAWAII**

2016 SEP 19 P 4: 08

DEPT. OF LAND &  
NATURAL RESOURCES  
STATE OF HAWAII

IN THE MATTER OF )  
)  
Contested Case Hearing Re Conservation District )  
Use Application (CDUA) HA-3568 For the )  
Thirty Meter Telescope at the Mauna Kea Science )  
Reserve, Ka`ohe Mauka, Hamakua, Hawai`i )  
TMK (3) 4-4-015:009 )  
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CASE NO. BLNR-CC-16-002

Minute Order No. 18  
(Site Visit to Mauna Kea -  
September 26, 2016)

**Certificate of Service**

**MINUTE ORDER NO. 18**

**(Site Visit to Mauna Kea – September 26, 2016)**

As noted in Minute Order No. 16 (Third Pre-Hearing Conference), filed on August 23, 2016, there will be a Site Visit to Mauna Kea on Monday, September 26, 2016. The following documents have been filed in relation to the Site Visit to Mauna Kea:

Doc 214	August 17, 2016	W Freitas Site Visit Proposal
Doc 215	August 17, 2016	The University of Hawai`i at Hilo's Site Visit Designations
Doc 216	August 17, 2016	Sleightholm List of Site Visit Attendees
Doc 217	August 17, 2016	TMT International Observatory, LLC's Proposal For Site Visit
Doc 218	August 17, 2016	Petitioners Mauna Kea Anaina Hou, Et. Al.'s Site Visit Recommendations
Doc 219	August 17, 2016	Fergerstrom Correspondence Regarding Mauna Kea Site Visit
Doc 220	August 17, 2016	C Freitas Site Visit Proposal
Doc 255	September 9, 2016 (submitted August 17, 2016)	Perpetuating Unique Educational Opportunities, Inc.'s Site Visit Designation
Doc 260	September 14, 2016 (dated August 17, 2016)	Kihoi Site Visit Proposal

***Persons Approved for Site Visit to Mauna Kea on September 26, 2016.*** Based upon a careful review of the positions reflected in the documents noted above, the following persons are approved for the Site Visit:

William Freitas

Tim Lui-Kwan, Ian L. Sandison or John P. Manaut (two of three), attorneys for the University of Hawai'i at Hilo; three (total) representatives from the Office of Mauna Kea Management, the Institute for Astronomy or the Office of the General Counsel

J. Leina`ala Sleightholm and First responder/medical personnel Bimo Akiona Douglas Ing and/or Ross Shinyama, attorneys for TIO; up to two TIO representatives

Richard Wurdeman, attorney for Mauna Kea Anaina Hou Petitioners; Kealoha Pisciotta, Keomailani Van Gogh, Clarence Kukauakahi Ching, E. Kalani Flores, Pualani Case, Hawane Rios, Deborah Ward, and Candace Fujikane

Harry Fergerstrom

Cindy Freitas

Lincoln Ashida, attorney for PUEO; Shadd Keahi Warfield, Richard Ha and Bill Brown

Mehana Kihoi

**Participants are asked to bring photo IDs to verify identification.**

***Logistics of Site Visit.*** The Department of Land and Natural Resources has obtained transportation for participants; three Arnot's vans have been hired, one of which will be designated an emergency vehicle to drive down the mountain if needed. All approved persons should be at the Hilo Bayfront Soccer Fields **prepared to depart at 8:30 a.m. on Monday, September 26, 2016.** Here is the schedule:

**8:30 a.m.:** Depart from Hilo Bayfront Soccer Fields

Acclimatization stop at Puu Huluhulu, 15-20 minutes

Acclimatization stop at Visitor Center, 15-20 minutes

**10:00 a.m.:** Proceed to Hale Pohaku and begin site visit

**2:00 p.m.:** Begin descent and return to Hilo Bayfront Soccer Fields

The Hearing Officer and her party will meet the vans and participants at the Visitor Center or Hale Pohaku at the start of the Site Visit. Only authorized vans carrying approved participants will be allowed on the Site Visit. There will be no unscheduled or impromptu stops unless specifically authorized by the Hearing Officer.

**Lunch will be provided for participants. However, participants are advised to bring their own drinks; e.g. water, juice, soda.**

***Designated Sites.*** After considering the recommendations and requests in the documents noted above and further considering that the purpose of the Site Visit is to see first-hand the location and observable impact of the Thirty-Meter Telescope project, the following sites will be visited on September 26, 2016:

- The Batch Plant
- Proposed Thirty-Meter Telescope Site
- The Summit Loop road near the Keck Observatory
- Possibly two or three other sites to be determined by the Hearing Officer as the visit proceeds

Either the TIO or the UHH is requested to arrange for the illustration using a red helium balloon attached to a rope approximately 187 feet long.

***Recordation.*** There shall be no recordation of the Site Visit except for the media as permitted under Minute Order No. 10 (Document 65). No court reporter will be present to take a *verbatim* record of what is said or to produce transcripts. Notetaking by counsels and parties using computers or electronic tablets will be allowed.

***Communication with Hearings Officer.*** During the Site Visit, **counsels and parties shall have no communication with the Hearing Officer *except for*** directions, explanations and answers to questions posited by the Hearing Officer.

DATED: Honolulu, Hawai'i, September 19, 2016.



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Judge Riki May Amano (Ret.)  
Hearing Officer

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'ohe Mauka,  
Hāmakua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02  
Document title: Minute Order 18 –Site Visit to  
Mauna Kea September 26, 2016

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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Signature:   
Name : Michael Cain, Custodian of the Records  
Date: September 19, 2016