

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAI'I

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

NOTICE OF CONTESTED CASE HEARING

The University of Hawai'i at Hilo has applied for a conservation district use permit, HA-3568, to build the Thirty Meter Telescope (TMT) at the summit of Mauna Kea. The proposed site is in the Mauna Kea Science Reserve (Reserve). The Reserve is under lease to the University of Hawai'i pursuant to General Lease S-4191.

Pursuant to Hawai'i Revised Statutes (HRS) § 91-9, the parties are hereby given notice of the contested case hearing.

The hearing will commence at the following date, time and place:

Date: October 11, 2016

Time: 10:00 a.m.

Place: Hilo Naniloa Hotel, 93 Banyan Drive, Hilo, Hawai'i.

The nature of the hearing is a contested case hearing on the University of Hawai'i's application for a conservation district use permit to construct a telescope at the summit of Mauna Kea.

The hearing will be conducted by a hearing officer who will report to the Board of Land and Natural Resources (Board) the hearing officer's findings and recommendations, all pursuant to HRS chapter 91 and HRS § 92-16(a)(3) (1993).

HRS § 183C-1 authorizes the Board to establish and enforce land use regulations on conservation district lands. HRS § 183C-6 requires the Department of Land and Natural Resources to regulate land use in the conservation district by the issuance of permits. Hawaii Administrative Rules (HAR) chapter 13-5 contains the land use regulations within the conservation district. HAR § 13-5-30 sets forth the procedures for permits, site plan approvals and management plans in the conservation district. In particular, HAR § 13-5-30(c) sets forth the criteria that the Board shall apply in evaluating the merits of a proposed land use in the conservation district.

HRS chapter 91 and HAR chapter 13-1 authorizes and governs the contested case proceedings.

Any party may retain counsel if the party so desires. An individual may appear on the individual's own behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation or trust or association may represent the corporation, trust, or association.

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



Judge Riki May Amano (Ret.)
Hearing Officer

Ad Image at 150% of Actual Size

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

/s/Judge Riki May Amano (Ret.)
Hearing Officer

(SA915958 9/21, 9/25/16)

Ad Order Confirmation

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

BLNR Contested Case HA-16-02
Document title:
Notice of Contested Case Hearing

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced document was served upon the following parties by certified mail on Tuesday, September 20, 2016:

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Date: September 20, 2016