

FLORES-CASE 'OHANA
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Petitioners pro se

BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

In the Matter of:)	Case No. BLNR-CC-16-002
A Contested Case Hearing Re)	
Conservation District Use Application	)	FLORES-CASE 'OHANA'S
(CDUA) HA-3568 for the Thirty Meter	)	RESPONSE TO APPLICANT
Telescope at the Mauna Kea Science	)	UNIVERSITY OF HAWAII
Reserve, Ka'ohē, Hamakua District,	)	AT HILO'S MOTION TO ADMIT
Island of Hawai'i, TMK (3) 4-4-015:009	)	EXHIBITS INTO EVIDENCE;
	)	MEMORANDUM IN SUPPORT OF
	)	RESPONSE; CERTIFICATE OF
	)	SERVICE
)	
	)	Hearing Officer: Hon. Riki M. Amano
	)	(Ret.)

**FLORES-CASE 'OHANA'S RESPONSE TO APPLICANT UNIVERSITY OF HAWAII
AT HILO'S MOTION TO ADMIT EXHIBITS INTO EVIDENCE**

Petitioner, E. KALANI FLORES, pro se, representing the FLORES-CASE 'OHANA, respectfully submits this response to Applicant University of Hawai'i at Hilo's Motion To Admit Exhibits Into Evidence filed on January 17, 2017, based upon the supporting memorandum, and any record and files herein.

DATED: Pu'ukapu, Hawai'i, March 16, 2017



E. Kalani Flores
Representing Flores-Case 'Ohana

Received
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
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BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

In the Matter of:)	Case No. BLNR-CC-16-002
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Island of Hawai‘i, TMK (3) 4-4-015:009)	(Ret.)
)	

MEMORANDUM IN SUPPORT OF RESPONSE

I. Response to Applicant University of Hawai‘i at Hilo’s Exhibits

Firstly, it’s quite puzzling as to why UHH is not capable of submitting the appropriate copies of significant and primary documents relevant to CDUA HA-3568. As the Applicant of this application, we would assume that they would have at least submitted the actual or final copies of their own documents.

Regardless if these exhibits are entered into evidence or not, the Flores-Case ‘Ohana would like for the written record to reflect that the following Exhibits are not true copies of the actual documents:

Exhibit A-7 OCCL Staff Report on CDUA HA-3568 (Feb. 25, 2011) – this is an “unofficial version” that is neither signed by any OCCL administrator/staff planner or BLNR chairperson

Exhibit A-9 Mauna Kea Comprehensive Management Plan (January 2009) – this version appears to be an older version that was replaced with a subsequent version dated April 2009 as noted on the OMKM website:

<http://www.malamamaunakea.org/management/comprehensive-management-plan>

Exhibit A-48 Mauna Kea Science Reserve Master Plan (2000) – this version is missing the original cover that has been replaced with about 8 pages extracted from the Appendix; also, it includes green inserts that are not part of the original document

II. Conclusion

As such, the Flores-Case 'Ohana calls upon the Hearing Officer to take notice that aforementioned exhibits are not true copies of the actual documents. In regards to admitting these exhibits into evidence, we leave it to the discretion of the Hearing Officer.

DATED: Pu'ukapu, Hawai'i, March 16, 2017



E. Kalani Flores
Representing Flores-Case 'Ohana

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, Hāmākua,
Hawaii'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-002
Document title: FLORES-CASE 'OHANA'S RESPONSE
TO APPLICANT UNIVERSITY OF HAWAII AT HILO'S
MOTION TO ADMIT EXHIBITS INTO EVIDENCE;
MEMORANDUM IN SUPPORT OF MOTION;
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced documents were served upon the following parties by the means indicated below:

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Date: March 16, 2017