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BOARD OF LAND AND NATURAL RESOURCES

2017 JUN 23 P 2:27

STATE OF HAWAI'I

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'ohē Mauka, Hamakua, Hawai'i)
TMK (3) 4-4-015:009)
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_____)

CASE NO. BLNR-CC-16-002
MINUTE ORDER NO. 87
(ORDER DENYING TEMPLE OF
LONO'S MOTION TO BOARD OF
LAND AND NATURAL
RESOURCES TO DISMISS
HA-3568, FILED MARCH 19, 2017
[DOC. 516] AND RELATED
DOCUMENTS [DOC. 518, 525,
549]; CERTIFICATE OF SERVICE

MINUTE ORDER NO. 87

(ORDER DENYING TEMPLE OF LONO'S MOTION TO BOARD OF LAND AND NATURAL RESOURCES TO DISMISS HA-3568, FILED MARCH 19, 2017 [DOC. 516])

Temple of Lono ("Temple") filed Temple of Lono's Motion to Board of Land and Natural Resources to Dismiss HA-3568, on March 19, 2017 [Doc. 516]. Harry Fergstrom and Joseph K. Camara filed joinders to the motion [Doc. 518, 525]. Applicant University of Hawai'i at Hilo ("University") filed an opposition to the motion [Doc. 549].

The Board of Land and Natural Resources ("Board") elects to decide the Temple's motion without oral argument.

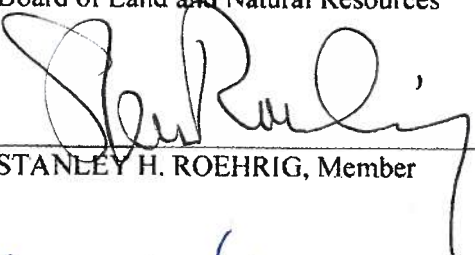
The motion claims that the University's conservation district use application should be denied or dismissed for failure to consider the criminal desecration statute, Hawai'i Revised Statutes § 711-1107.

The motion and joinders are HEREBY DENIED WITHOUT PREJUDICE. The Board will not consider this issue before the Hearing Officer issues her proposed findings of fact,


conclusions of law and decision and order. The Board will carefully consider all issues after the proposed decision and order has been presented to the Board.

DATED: Honolulu, Hawai'i, June 23, 2017.

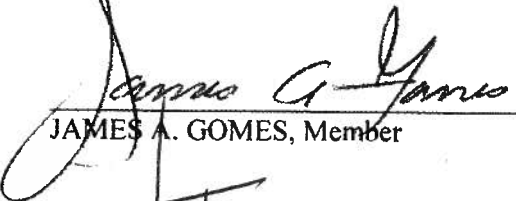
SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources



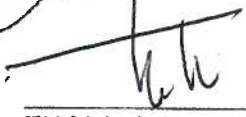
STANLEY H. ROEHRIG, Member



KEITH "KEONE" DOWNING, Member



JAMES A. GOMES, Member



THOMAS OI, Member

SAMUEL "OHU" GON III, Member

CHRISTOPHER YUEN, Member

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: **Minute Orders 86 & 87**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced documents were served upon the following parties by email (when indicated) on June 23, 2017 and by regular mail on June 23, 2017:

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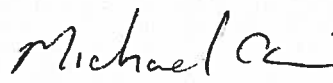
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