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BOARD OF LAND AND NATURAL RESOURCES

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STATE OF HAWAI'I

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Contested Case Hearing Re Conservation)	CASE NO. BLNR-CC-16-002
District Use Application (CDUA) HA-3568)	MINUTE ORDER NO. 107 REGARDING
for the Thirty Meter Telescope at the Mauna)	ORAL AGUMENT BEFORE THE BOARD
Kea Science Reserve, Ka'ohē Mauka,)	OF LAND AND NATURAL RESOURCES;
Hāmakua, Hawai'i, TMK (3) 4-4-015:009)	CERTIFICATE OF SERVICE
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MINUTE ORDER NO. 107 REGARDING ORAL ARGUMENT BEFORE THE BOARD OF LAND AND NATURAL RESOURCES

This Minute Order No. 107 supplements Minute Order No. 103 filed on July 28, 2017.

The Board of Land and Natural Resources (“Board”) will entertain oral arguments on Wednesday September 20, 2017, commencing at 9:00 a.m. at the Grand Naniloa Hotel Hilo – a Double Tree by Hilton, Crown Room, 93 Banyan Drive, Hilo, Hawai'i, 96720.

This is NOT a public hearing and members of the public will not be allowed to testify, argue, or otherwise present to the Board.

Each party to the contested case shall have fifteen minutes to present oral argument to the Board. Time may not be assigned from one party to another. Hearing Officer Witnesses are not parties, and therefore, will not be allowed to present oral argument. Up to five minutes of the fifteen minutes may be reserved by a party for responding/rebuttal argument. For example, if a party reserves five minutes for responding/rebuttal argument, that party will have ten minutes for initial argument. Rebuttal arguments shall take place after all parties have completed their initial arguments. **To reserve time for responding/rebuttal arguments, parties are required to**

email Deputy Attorney General Julie China at julie.h.china@hawaii.gov no later than Thursday September 14, 2017 at 4:00 p.m. with the name of the party and the number of minutes you wish to reserve. If a party does not have access to email, that party can mail their reservation to: Deputy Attorney General Julie China, Department of the Attorney General, Land/Transportation Division, 465 South King Street, Room 300, Honolulu, Hawai'i 96813. Mailed reservations must be received by Thursday September 14, 2017. If a party does not make a timely reservation, they will have the entire fifteen minutes for initial argument and no response/rebuttal argument time.

The Board may elect to ask questions of any party once the party has completed their arguments; this time will not count towards the fifteen-minute total.

The parties shall present oral arguments in the following order: (1) University of Hawai'i at Hilo; (2) TMT International Observatory, LLC; (3) Perpetuating Unique Educational Opportunities, Inc. (PUEO); (4) Mauna Kea Anaina Hou and Kealoha Pisciotta; (5) Clarence Kukauakahi Ching; (6) the Flores-Case 'Ohana; (7) Paul Neves; (8) Deborah J. Ward; (9) Kahea: The Hawaiian Environmental Alliance; (10) Harry Fergerstrom; (11) Mehana Kihoi; (12) C.M. Kaho'okahi Kanuha; (13) Joseph Kualii Camara; (14) Jennifer Leina'ala Sleightholm; (15) The Temple of Lono; (16) Kalikolehua Kanaele; (17) Stephanie-Malia: Tabbada; (18) Tiffnie Kakalia; (19) Glen Kila; (20) Dwight Vincente; (21) Brannon Kamahana Kealoha; (22) Cindy Freitas; and (23) William Freitas.

The Crown Room will open at 8:00 a.m. The parties and Hearing Officer's Witnesses may enter the Crown Room at any time after opening; however, you are asked to arrive by 8:15 a.m. in order to ensure a timely start of the proceedings. Please sit in the seat(s) assigned to you.


Each party represented by counsel will have a total of three seats, two for counsel and one for a party representative. Each party proceeding pro se will have one seat. The University of Hawai'i at Hilo will have 3 seats; the TMT International Observatory, LLC will have 3 seats; Perpetuating Unique Educational Opportunities (PUEO) will have 3 seats; Kahea: The Hawaiian Environmental Alliance, will have 3 seats; Mauna Kea Anaina Hou and Kealoha Pisciotta will have 2 seats; the Flores-Case Ohana will have 4 seats; and the Temple of Lono will have 2 seats. All other parties and Hearing Officer Witnesses will have one seat.

There is significant public interest in this contested case and seating in the Crown Room will be limited. Arrangements have been made for the public to view the oral argument via live stream on Na Leo TV on their own. No TV screen will be available inside or outside the Crown Room. Members of the public wishing to view the proceedings at the Crown Room will be seated on a first come, first served basis. The public is asked to line up outside the Crown Room and doors for the public will open at 8:30 a.m. Any member of the public entering the Crown Room before 8:30 a.m. will be asked to exit and stand in line. There will be no reserving of seats. Any seat empty for more than ten minutes may be given to the next person in line waiting outside the Crown Room.

Signs, posters, and other displays will not be allowed in the Crown Room, the Crown Room lobby, or on the hotel's premises. Tables and food will not be allowed in the Crown Room lobby or in the Crown Room.

We sincerely appreciate the hospitality that Grand Naniloa Hotel has provided throughout this contested case hearing and encourage the parties and members of the public to be good neighbors while attending this Board proceeding.

DATED: Honolulu, Hawai'i, September 7, 2017.



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources and Presiding
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'ohē Mauka,
Hāmakua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02
Document title: **Minute Order No. 107**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced documents were served upon the following parties by email (when indicated) on September 7, 2017 and by regular mail on September 7, 2017:

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