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BOARD OF LAND AND NATURAL RESOURCES  
STATE OF HAWAII

IN THE MATTER OF	)	Case No. HA-22-02
	)	
The Petition of Mauna Kea Hui for a	)	FLORES-CASE ‘OHANA AND
Declaratory Order Filed May 24, 2021.	)	FLORES’ SUBSTANTIVE JOINDER TO
	)	MAUNA KEA HUI’S PROPOSED
	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, AND DECISION AND
	)	ORDER; CERTIFICATE OF SERVICE
	)	
	)	Hearing date: November 7, 2023
	)	Hearing time: 1:00 p.m

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**FLORES-CASE ‘OHANA AND FLORES’ SUBSTANTIVE JOINDER TO MAUNA KEA  
HUI’S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND  
DECISION AND ORDER**

E. KALANI FLORES (“Flores”), in the capacity as an individual, pro se, as well as a representative of the FLORES-CASE ‘OHANA, hereby substantively joins Mauna Kea Hui’s Proposed Findings of Fact, Conclusions of Law, and Decision and Order, filed on December 20, 2023.

As members of the public, the Flores-Case ‘Ohana and Flores engaged in this hearing process as part of its civic responsibilities. From their perspective, it has been observed that there is an apparent lack of accountability for those decision makers, administrators, staff, and legal counsel who are entrusted, but continuously fail to uphold the state’s constitution, laws, and regulations. Instead, the burden of ensuring such laws and regulations are properly followed have fallen upon members of the public who are forced to expend time and resources to participate in Board of Land and Natural Resources (“Board”) hearings and enter into contested case hearings

Received  
Office of Conservation and Coastal Lands  
Department of Land and Natural Resources  
State of Hawaii  
Dec 20, 2023

and/or legal appeals. Why aren't these matters properly handled by those of the state who serve in the capacity as trustees of the public trust? There's an underlying perception that these types of projects are typically 'rubber-stamped' and pushed through the existing state permitting process due to political pressures and/or business influences despite very apparent noncompliance with state laws. In addition, the Department of Land and Natural Resources and University of Hawai'i are both state agencies who are entrusted and obligated by constitutional and statutory provisions to protect Hawai'i's resources and the public trust. Likewise, Board members, governed by the State Ethics Code, are also entrusted to uphold state laws and the afore-mentioned provisions. Furthermore, it is disturbing when proponents of the TMT project knowingly distort the truth and manipulate the facts in a desperate attempt to resurrect a since expired permit. So once again, the Flores-Case 'Ohana and Flores come forth in another Board hearing hoping that these matters are handled in a *pono* (proper and righteous) manner that is in alignment with the laws of the land and its people.

**Based upon the accurate findings of facts and conclusions of law presented by the Mauna Kea Hui, it is absolutely apparent and fully substantiated that CDUP HA-3568 is void and the Board is compelled to affirm this fact.**

DATED: Pu'ukapu, Hawai'i, December 20, 2023

/s/ E. Kalani Flores

E. KALANI FLORES

FLORES-CASE 'OHANA

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**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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Custodian of the Records

DATED: Pu'ukapu, Hawai'i, December 20, 2023

/s/ E. Kalani Flores

E. KALANI FLORES

FLORES-CASE 'OHANA