

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

IN THE MATTER OF) Case No. BLNR-CC-17-001
)
A Contested Case Hearing Re Final Habitat) MINUTE ORDER NO. 12;
Conservation Plan and Incidental Take License) CERTIFICATE OF SERVICE
for the Na Pua Makani Wind Energy Project by)
Applicant Na Pua Makani Power Partners, LLC;)
Tax Map Key Nos. (1) 5-6-008:006 and)
(1) 5-6-006:018, Koolauloa District, Island of)
O‘ahu, Hawaii.)
_____)

MINUTE ORDER NO. 12

FILING OF EXCEPTIONS TO HEARING OFFICER’S RECOMMENDATIONS AND
SETTING ORAL ARGUMENT ON EXCEPTIONS

On November 1, 2017, the Hearing Officer filed her proposed findings of fact, conclusions of law, and decision and order (“recommendations”) for consideration by the Board of Land and Natural Resources (“Board”) in the above-captioned matter. Digital copies were served on the parties on November 1, 2017, and hard copies were mailed to the parties on November 7, 2017.

The recommendations shall serve as the “proposal for decision” as that term is used in Hawaii Revised Statutes § 91-11.

Parties to the contested case may file exceptions to the recommendations no later than December 7, 2017 at 4:00 p.m. The exceptions shall: (1) set forth specifically the questions of procedure, fact, law, or policy to which exceptions are taken; (2) identify that part of the recommendations to which objections are made; and (3) state all grounds for exceptions to a ruling, finding, conclusion, or recommendation. The grounds not cited or specifically urged are waived.

Responsive briefs to exceptions may be filed no later than December 29, 2017 at 4:00 p.m. The responsive briefs shall: (1) answer specifically the points of procedure, fact, law, or policy to which exceptions were taken; and (2) state the facts and reasons why the recommendations should be affirmed.

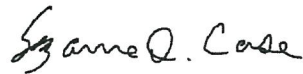
Exceptions and responsive briefs shall be filed with the Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawai‘i 96813 and must be served on all parties to the contested case.

The Board will entertain oral arguments on January 12, 2018, commencing at 2:00 p.m. at the Department of Land and Natural Resources Conference Room , 1151 Punchbowl Street, Honolulu, Hawai'i 96813.

Each party shall have thirty minutes to present oral arguments before the Board.

Each party shall have another ten minutes to present rebuttal argument. Rebuttal arguments will take place once all parties have completed their initial arguments.

DATED: Honolulu, Hawaii, November 16, 2017.



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

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_____)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Minute Order No. 12 was duly served upon the following parties, by U.S. Mail, postage prepaid and by email, at the addresses below:

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BOARD OF LAND AND NATURAL RESOURCES

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and

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DATED: Honolulu, Hawai`i, November 17, 2017.



JAMES M. COGSWELL
Department of Land and Natural Resources