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Lieutenant Governor

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Director



LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

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April 5, 2019

UNIVERSITY OF THE NATIONS, KONA, INC.
Office of General Counsel
75-5851 Kuakini Highway #452
Kailua-Kona, Hawaii 96740
Attn: Julie Anjo

Dear Ms. Anjo,

The Land Use Commission is sending you this letter to confirm that an Order to Show Cause as to why the property which is set forth in Docket A02-737 U of N Bencorp and subject to that Decision and Order dated August 8, 2003, should not be reverted to its Agricultural Classification has been scheduled for 09:30 a.m. on May 22, 2019 at Natural Energy Laboratory Hawai'i Authority (NELHA), 73-970 Makako Drive, Kailua-Kona, HI 96740-2627, Hale `Iako Training Room#119.

The Petitioner and/or their representative shall be required to appear at such hearing to state its position with regard to various perceived violations of the conditions contained in the Decision and Order and state any reasons and provide evidence it may have as to why the conditions have or have not been violated. Any party to the proceeding may retain counsel if the party so desires.

All Land Use Commission hearings of this type are quasi-judicial in nature. As such you will have the opportunity to present evidence and put on witnesses to support your case as well as to cross-examine witnesses and refute evidence put on by the Office of State Planning and the County of Hawai'i.

To ensure that proceedings are timely, I am requesting that no later than the close-of-business of April 26, 2019, each party shall submit and serve upon all the other parties, as the case may be, a list identifying all witnesses that they will be presenting to the LUC in support of the respective party's position; a list identifying all exhibits that will be submitted in support of the respective party's position; and all exhibits identified in the aforementioned exhibit list. Also, except as provided by §15-15- 57, HAR, filings or submissions which are untimely may be stricken or rejected by the LUC at the time of the hearing.

By copy of this letter, I am also requesting that no later than the close of business on May 3, 2019, the Petitioner, the Office of Planning ("OP"), and the County of Hawai'i Planning Department ("PD"), each file with the Commission and serve upon all the other parties as appropriate a rebuttal witness list, a rebuttal exhibit list, and all rebuttal exhibits.

Please contact LUC Staff -Riley Hakoda at (808)587-3824 if you have any questions or concerns regarding this matter

Sincerely,



Daniel Orodener
Executive Officer

Cc: Mary Alice Evans, OP

Dawn Takeuchi-Apuna, Deputy Attorney General

Michael Yee, Hawai'i County Planning Department

Joseph Kamelamela, Hawai'i County Corporation Counsel