

## Written Direct Testimony of B. Pualani Case

*“And what do you suppose is the mountain of vision?...  
It is Mauna Kea, the most sacred mountain in all of Polynesia...  
The entire mountain is a temple, a heiau and the mountain itself  
is kapu-sacred... The scientists didn’t know this when they built  
their telescope on the mountain’s summit. Nor did they ask  
permission to do so from the caretakers of that sacred place, and  
the mountain does have kahus. Yet we cannot be too hard on the  
scientists, for they were simply operating from a place of ignorance,  
a place of theory, and they are just passing through.”*

(Ancestral wisdom uttered by Hawaiian Shaman,  
Elder and Teacher, Hale Kealohalani Makua,  
The Bowl of Light by Hank Wesselman, PHD., p. 192)

I am, B. Pualani Case, member of the Flores-Case ‘Ohana, residing in Pu‘ukapu, Waimea, Kohala Waho, Moku-puni o Hawai‘i. I am a Kanaka Maoli (also identified as a Native Hawaiian, *he hoa‘āina o Moku o Keawe, he ‘ōiwi o ka pae ‘āina Hawai‘i*, an indigenous person of the archipelago of Hawai‘i) and a cultural practitioner with connections to Mauna a Wākea, Kumu Hula, chanter, and most importantly a parent of two daughters who are passionately connected to their culture and traditions. We are descendents of native Hawaiians who inhabited the Hawaiian Islands prior to 1778 as established through my family lineage connected to the clan of ‘Awini dating back before the time of Kamehameha’s birth. My grandfather seven generations ago was ‘Umihulumakaokalanikia‘imaunao‘awini who guarded the pass of ‘Awini. Through the writings of my *kūpuna*, namely Kupuna Pheobe Hussey, Kupuna Sally Berg and Kupuna Marie Solomon, we have established through family stories written by the hands of our *kūpuna* direct connections to family ‘*aumākua* which we still reverently acknowledge, the *pueo*, the *manō* and the *mo‘o*.

I received a B.A. degree in Hawaiian Studies in 1983 from the University of Hawai‘i at Hilo along with a D.O.E Teaching Certification. I have been an educator for nearly 30 years in the Hawaii State public school system. I am presently a cultural consultant, teacher, lecturer and community leader and resource. Therefore, based upon the legal standards covered in Hawai‘i Rules of Evidence – Rule 702, I would also be qualified as an expert witness through my knowledge, skills, experience, training, and education in the subject matter pertaining to Hawaiian cultural traditions.

From the age of six I began to experience the ways in which our people interacted with what we might term the forces of nature, ancestral guardians, and divine beings that bridged one realm to another, both physical and spiritual. Spending much time over the years at ‘Anaeho‘omalū Bay camping as an ‘*ohana*, my grandmother Mabel raised us to love the ocean and as we grew we experienced our culture first hand as we were fed from what was caught from the sea. To my grandmother this was the place where she could recognize the ‘*aumākua*, the *manō*, and her ancestors with offerings of food to acknowledge and keep those ancestral ties strong. Many were the stories we heard from our parents who observed her in her practices of respect and union with them. They were real, these guardians, these guides. They were not always physical, but as in the old ways, they had their way of communicating especially when it came to providing warnings in times of danger. These aspects of our cultural traditions have also been recounted by noted Hawaiian historians such as Samuel Kamakau, Mary Kawena Puku‘i, and Herb Kawainui Kāne. (see example in Exhibit B.21b.)

My mother has told the same story throughout the years about an episode that occurred when the ‘*ohana* was camping at ‘Anaeho‘omalū. While waiting for the men as they fished in the ocean, my grandmother suddenly told my mother to pack up everything, take us back to Waimea, and then to come back for the men. When my mother asked “Why?” Grandma said, “There is a wave coming.” When asked how she knew, she looked up at the coconut tree and told my mother that a *mo‘o* had told her. They all hurriedly got in the vehicle. Returning to the beach after dropping-off family members and camping gear, my mother conveyed to the men the

message from Grandma and there was no hesitation or doubt. They trusted in this communication between *kanaka* and *'aumākua* and quickly fled the beach. A huge wave came later that day. The camp would have been wiped out and possible serious injuries of *'ohana* members would have occurred. This was one of many instances that would follow through *hula* or family experiences that would connect us directly to the world that was unseen and unknown to many, that had been forgotten or banished after missionary contact, the world of seeing, listening, communicating with our ancestors in their various forms. This became a sacred part of our lives. This form of communication has been passed down through several generations in my *'ohana*. An individual with this gift is referred to as a "*haka*" in Hawaiian traditional accounts as noted by M.K. Puku'i and E.S.C. Handy in *The Polynesian Family System in Ka'u, Hawai'i* (pp. 132-135). Exhibit B.21c

Significantly, this relationship continued with an event in 1981 in which a severe drought occurred in Waimea. Searching desperately for a rain rock we had heard about through the cowboys and elders of Parker Ranch, we located it and the ranch had it cleared. We wove flower leis to bestow upon the rock as gifts to the *mo'o wahine*, ancestral guardian of the rain in Waimea called Manaua. The rains came and with it a solidification of my family's *kuleana* or responsibility to this *mo'o*, who brought the rain, and our *kuleana* to care for her dwelling place, this *pōhaku* or rain rock, known by the same name. That was in 1981 and we have been there consistently ever since cleaning, giving leis, praying, chanting and dancing at Manaua.

Our foundation was set and family *kuleana* or responsibility was established at that time when the rains came. We knew that here we would be immersed in the traditions, I would come to know by interviewing, researching, and listening to those who could still communicate with the forces of nature that we came to know namely as Manaua.

Stories, historical accounts, and oral traditions were and are still passed down by noted storytellers from Tutu Kalani Phillips, Larry Kimura to Ku'ulei Keakealani. They all spoke of Manaua as she sunbathed on the *pōhaku* of the same name accepting gifts of flowers and food, prayers for rain, and prayers of gratitude after rain had fallen. Through these accounts I would come to know that Manaua did indeed exist and would show herself or speak to those who were 'gifted', those who vibrated at a frequency consistent with the *mo'o* guardian, called Manaua. [see article in Exhibit B.21c]

Several year ago, an event would occur which would literally propel an acceleration within us, a call to action that began rather simply while my daughter and I were waiting for my husband to bring a group of students to Manaua to learn about the stories and traditions connected with that area. As we waited my daughter said, "She's here you know, Mom. I see her." I said, "Who do you see?" She answered, "Manaua." That answer began a journey for us, a journey we witnessed and took part in. Kapulei saw her, heard her, and learned through a communication such as was documented by my grandmother and by our *kūpuna* of old. Through our daughter and others like her, Manaua revealed herself to us. With a physical description and the breath of information she shared through them, we came to know place names, events, traditions, and protocols. Through them we were advised and guided. The foundation we had established in 1981 was strengthened and sealed from then to this present date.

During one visit to Manaua, Kapulei informed me that Mo'oinanea from Mauna a Wākea had come to visit Manaua and was sitting on a lower level of the rock. She described her to me completely including the style and design on her *kīkepa*. [see portrait of Mo'oinanea in Exhibit B.23b] As we left, she paused asking me to wait. She listened and stated that Mo'oinanea was asking if I could try one more time. When I asked her what she meant, she asked, "If I could try to stop the telescope from being built, but that if I could not, it was okay." She was requesting something of me, but also as if reading my mind, was giving me a way out at the same time. This is the one of the primary reasons our family was prompted to proceed forward in this contested case hearing, because of that request.

I have been present at times when Mo'oinanea has shared her personal accounts about herself and her family as well as described the type of cultural traditions our *kūpuna* of old practiced on

the Mauna a Wākea. In addition, she has expressed her concerns about the existing observatories and proposed further desecration on the mountain with the new project.

As a *mo'ō wahine*, coexisting with humanity on this physical realm while resonating at a higher vibration, Mo'oinanea can transform into a full human form, full *mo'ō* (reptile/dragon) form, or part human (top half of her body) and *mo'ō* (bottom half) at times. This is due in part because her genealogy includes both *mo'ō* ancestry as well as human ancestry. Mo'oinanea has shared with our family her genealogy going back several generations. She is the oldest of five siblings born to 'Elua (father who is from Hilo) and Melemele (mother who is from South O'ahu). In addition, she was born on the summit of Mauna a Wākea and assumed the responsibility as guardian of Lake Waiau from her mother who was the former guardian of this sacred body of water. Assisting Mo'oinanea are her two female *mo'ō* attendants, Kīpu'upu'u and Kupukupu as well as others, including spirit attendants. Some serve as guards who watch the whole mountain while her attendants watch the lake when she is gone because there are certain other spirits such as those that might steal something or pranksters that they do not want on the mountain. Mo'oinanea also serves as counselor to Poliahu and assists with some of her problems.

According to Mo'oinanea, when *kanaka* of old travelled up to the summit, they went by Lake Waiau to leave an offering or left an offering at the bottom of mountain. Offerings were made to Poliahu and Mo'oinanea. Offerings often included fish, *kalo*, *mai'a*, *'uala* wrapped in *lā'ī*. Women sometimes gave *lehua* (white, orange, and red were usual colors/if white was not found, they used yellow), *kukui*, *kupukupu*, *māmane*, and young *lā'ī*, wrapped with dried brown *lā'ī* leaves. The flower bundle was usually tied to the top of the food *pū'olo*. These people would collect snow to see how it was or they used to go up there to get centered. *Kahuna* would also go for their chief to gather water from the lake as an offering for chiefs or places they travel to. First, they would have to state why they wanted to collect this water and their purpose for it. They also needed to state how much water was needed. Then a *lā'ī* (ti-leaf) was put on the lake. If permission was granted, *lā'ī* floats. If not, *lā'ī* sinks. If the wind blows one back, they have to leave the mountain immediately. If one lies to her, they would be banished from mountain for a period of time. If it was an exchange of water from this same island, a *lā'ī* was not needed. If from another island, then a *lā'ī* was needed. One needed to state where the water was from first. If there was an exchange of water and permission was granted, one would collect water first and then pour their water in afterwards. She is fine with people putting their *piko* in the lake, but one has to have roots to the mountain.

### *Adverse impacts upon Mo'oinanea, Polihau, and our island of Hawai'i*

Mo'oinanea stated that she and others feel that these developments are blocking their views and the areas they used to occupy. In addition, those who constructed these observatories did not get permission from them to build on their home, nobody said they could. Moreover, it blocks the *piko* (portal) to connect with Ke Akua (the Creator) and *'aumākua*. Also, it might change and affect the weather patterns on the mountain and in the surrounding areas below such as Waimea. They wished that the observatories were never there and they don't like the roads either. In regards to people coming up to the mountain, it is not too bad. If they had to choose between observatories vs. people coming up, they would choose the people way over the observatories.

Through communication with Mo'oinanea, she has shared that the existing observatories have created obstructions and hazards for those who reside on Mauna a Wākea. Likewise, the proposed new observatory would adversely impact Mo'oinanea and others who dwell on the summit. The importance of Mauna a Wākea to her is that it's her home and she was born and raised there. She wants to have children up there without any more observatories. For Poliahu, it has impacted her sleeping area and it is where she and others connect with Ke Akua. It is so high, the point on the top that they put their hands up to connect to the heavens. They wish to have no other observatories on the mountain for if they continue to build, some might have to move off mountain. Others would not come up there because they had to move. What we do not know is if it will snow anymore if Poliahu is off the mountain and if she is able to make it snow from somewhere else?

Rest assured that we have asked and received permission from those whom we have discussed to share the information provided in this testimony and that these are their messages passed on to us to be delivered in this manner.

### *Adverse impacts upon my traditional and customary practices*

Since the age of eight I have been immersed in the hula traditions and customs connected to the hula school of the noted *kumu hula* and the great hula master, 'Iolani Luahine. My *'uniki* or graduation in the protocols and art form of the hula in 1984 was through my *kumu hula*, Lynette 'A'ala Roy Akana, a student of 'Iolani. The training I received while in E Ho'ohawai'i Kākou, a *pā hula*, hula school in Kona was predominantly ritualistic and traditional mirroring archival reports and written/oral testimonies of pre-contact hula traditions, training, protocols and ceremonies. Training was completed in the elements, in the environment with ancient prayers, dances and chants learned through recitation and mimicry of the teacher, without paper or pencil, without technological devices to assist in mastering what would be offered to the gods and the goddesses, the multitudes of ancestral spirits and guardians, and predominantly to specific places deemed sacred, storied because at these places, there was an exchange of *mana* or spiritual connectivity as you honored them. These were ancestral places you referred to as your grandparent, your teacher, because the stories and the place itself dictated your conduct, touched the very core of who you were, influenced the way you looked at the world around you. There was no separation between you and those places one you danced upon. These places were linked to your family history and you were genealogically connected to it. You developed a relationship with it and soon there was no separation between you, you were sealed to it this sacred ground and connected to it through the words and the melodies. Our training and performance occurred in the environment and at specific places as it had been done by our ancestors at *heiau* (stone walled temples), at *ahu* (shrines), and at the *hula kuahu* (hula altar).

The hula, chants and prayers taught in this way differed from what would be offered at a hula studio or school that did not delve that deeply into traditional practices and their ancestral connections. But we were privileged to be amongst a handful to learn in this way, overseen by a *kahuna*, an elder of Kona who guided and protected us, who cleared the pathway for this style of training to be accomplished. In this manner of training, we were responsible to all that we chanted about, whether they be place, deity, spirit, or human. There was no separation between us and where we stepped upon the ground to move as one in hula motion, we were one with everything around us. We accepted this lifestyle of hula though it was not an easy path to follow. Over the years as a hula practitioner, then *kumu*, one tied through chant and dance to place, I found that as some of these significant and sacred places became increasingly more developed or became off-limits to practitioners and the public, it was too painful for us to be there. There was a sense of helplessness, guilt, anger, sadness and despair at the changes, the construction and desecration that were occurring. Chants and dances connected to these places fell to the wayside. Traditions tied to these places could not be continued. For me, that would be true for the place that raised me, 'Anaeho'omalua.

In the same way that I have experienced this loss of hula traditions tied to place over the years, I see that it would happen again if the Thirty Meter Telescope is built in the upper region of our Mauna. At this time, I have consistent traditional practices connected to the entire mountain, including the northern plateau. Recitation of specific chants are uttered there, chants that ask for blessings, chants that express gratitude, chants that ask for rain and snow, chants that honor Poli'ahu, chants that call upon Wākea, Sky Father. There are rituals and ceremonies at *ahu* and sites there and dances we share only on the summit. These are the prayers and the chants connected to place, to the abode of Poli'ahu, and on the *pu'u* that bears her name. These are the chants in the realm of *wao akua*, in the domain of Wākea and the deities who make their presence known through the elements. These are the honoring chants that speak of our genealogical connections between the heavens and the earth and the mountains and the sea.

In addition, I have held many formal ceremonies up on the *pu'u* of Waimea with each ceremony beginning with facing Mauna Kea and gathering the breath and heartbeat of the mountain within my body. [see photo in Exhibit B.21e] As the sacredness and immensity of its vibration fills me

and each dancer standing by my side, we honor the mountain's beauty and cultural importance with the words of chants such as this one:

*He lei keakea noho maila i ka mauna,  
Ka mauna ki'eki'e i luna ku kilakila,  
Kilakila 'o luna, 'o luna i ke ao  
(written by Nona Beamer)*

In addition, a chant that describes the perspective of "triple *piko*", *E Ho'olōkahi ē*, is often done by us in ceremonies or gatherings, connecting at times with the *piko* on the summit of the mountain. [see chant in Exhibit B.21f] I have witnessed a portal opening overhead in the sky above the *piko* of Mauna Kea. [see photo in Exhibit B.02w] Likewise, I seen and experienced other divine occurrences connected with the mountain during our ceremonies.

No matter where the ceremony, we begin by acknowledging the most significant mountain in the Pacific as did our *kūpuna* of old. We announce who we are by our mountain, our living waters, and our land base. My tie to the mountain and cultural practices are formal and sacred, tied with deep and abiding *Aloha*.

How would the traditional practice of ceremonies including chanting, dancing, honoring at these places be impacted by the building of the eighteen stories? The place with its pristine form would be no more, it would be under concrete along with an enormous visual eyesore, the place would have been desecrated, destroyed. We, the *kanaka maoli* and those who share these practices physically and spiritually would not be able to recite and perform the hula traditions there because of the overwhelming sense of despair and guilt that we would be consumed with. How can we stand by and witness the desecration, destruction and construction and then conduct the same ceremonies we have done for years on the mountain? For me, it would be akin to forfeiting my right to be there if I was unsuccessful in protecting the mountain. I could not return there to chant, dance and sing in the same manner. We would not be able to pray in the way that we have been led to do. A connection would be lost between the ancestral realm and the human realm. Information shared between us, knowledge passed down ancestrally would be lost. Interaction between the mountain and the human would be diminished like a loss of a family member, and the death of a way of life.

### *Adverse impacts upon Mauna a Wākea, our sacred piko and water source*

In 2013, Mo'oinanea stated to my daughter that she could not resonate with even the intention of building the massive Thirty Meter Telescope, the actions of the attempts to begin construction in this sanctified place were too much and she was leaving Lake Waiau because of the disturbance on the upper regions. She said to Kapulei that she would leave a sign and I would know that she had left the lake and it would be an indication of how the physical landscape would be altered, beyond the obvious physical construction impacts. At the beginning when she had first spoken to us, she stated that if built, everything would change because all of the ancestral guardians and caretakers would leave the mountain and their environmental forms would leave as well. And at this time, she showed us all what that meant. She left the land and the Lake Waiau dried up to almost nothing. (see Exhibit B.21g) And the change shook everyone. It had never been that dry before in the time of historic records. The customary ceremonies that had previously occurred at the Lake were halted, ceremonies as dictated in the past, collection of water for ceremonies, placing umbilical cord of those connected to the mountain stopped, purification and cleansing ceremonies as documented by Queen Emma on her historic journey there could not be continued. She demonstrated for us, her people, the descendants of the mountain, what it would be like if the TMT were built, traditions would end there because the climate would change, the landscape would be affected. That would pertain to more than Lake Waiau, it would pertain to the entire mountain.

Through *'ike kupuna*, indigenous knowledge, and ancestral insight, the significance of Mauna a Wākea to the water cycle on this island is revealed. From the heavens, the water falls, its purest form falls upon the mountain top perhaps in the form of rain, perhaps in the form of *misi*,

perhaps in the form of snow, this water flows on the mountain and beneath the mountain, drinking water, nourishing water, until it flows to the sea. *Wai kapu, wai ola*, sacred is that water, the water of life, life-giving waters. It is all about the water. The integrity of the water, the essence of the water must remain pure. The impurities it touches must be made clean, the surface must be clean, clear for the water to maintain its purity. That is the way of our ancestors who protected and guarded the summit. That is why human activities upon this summit were restricted. When we speak of *ka wai maoli, ka wai kapu, ka wai ola* we are speaking of first its spiritual quality.

While attending a water ceremony on the Shinnecock Reservation in New York, Native American elders spoke to the crew of Hōkūle‘a of the spirit of water and the significance of protecting the water of the highest aquifer in the world from the sea floor. They too understood this TMT project is too large for even the mountain and the ancestral spiritual guardians to tolerate or adjust to. So they charge us as the keepers of the mountain to stand and protect the sacred waters. They stated to us that even the thought, the intention of building on this pristine upper region of the mountain has already begun to impact the essence of the water. It is imperative that we call upon the ancestral guardians to come to our aid to protect the water not just for the native people, but for all people. Chief Arvol Looking Horse who conducted the water ceremony in New York stated the following;

We the Keepers of the Sacred Sites have heard your calling. Your prayers and your journey to your Sacred Site of Mauna Kea is not only important to your culture and tradition, but we the Spiritual Leaders and Medicine People know that the Sacred Site is part of all of our lives. In our tradition and culture, this is like a Church, a Temple, a Sacred Place, where we do our prayers. We extend our heart and prayers for your Nation to protect, not only the Sacred Site, but the Mini Wic’oni (water of life), which is the most important part of our ceremonies along with the fire and air. <https://ravenredbone.com/2015/04/03/chief-arvol-lookinghorse/>

If we do not protect the water’s spiritual and physical qualities, we would be ingesting what is not PONO for us, what is not good for us. For us as native people connected genealogically to this place, when the ancestral guides call upon us protect it, that’s what we must do, it’s our obligation, our privilege, our birthright, our responsibility, our cultural tradition, our *kuleana*.

In ceremonies conducted on Mauna a Wākea and at other parts of the island, I have personally witnessed the ancestral guardians and divine beings connected to this sacred mountain as they have provided a voice of concern about the existing and proposed development activities on this mountain. We have been told that the mountain is alive and can take care of itself. At any time it could clean itself with a mighty shake or a lightning bolt. Mo‘oinanea has acknowledged that we all have free will to refuse but has at the same time asked us to step forward to speak for her and others on the mountain in union that this development is not beneficial for us or our environment. They have asked us to ask the question, “Who will be responsible for the consequences not yet known that will affect the mountain and all of us?” Therefore, I end with that question so that we all may know who will be ultimately responsible and that they step forward to acknowledge that indeed the responsibility lies with them!

**The proposed TMT project would have a devastating impact upon Mauna a Wākea, our sacred *piko*, source of our life-giving waters, abode of *akua* and *kupua*, a fragile ecosystem, and a culturally sensitive landscape with hundreds of historic and cultural sites. Likewise, this project would have a devastating impact upon my cultural practices and traditions as well as upon my well-being and health. This project can not meet the criteria for the type of proposed construction in a conservation district as outlined in HAR § 13-5-30(c). Thus, a CDUP should not be approved.**