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BOARD OF LAND AND NATURAL RESOURCES

FOR THE STATE OF HAWAII

IN THE MATTER OF

A Contested Case Hearing Re Conservation
District Use Permit (CDUP) HA-3568 for the
Thirty Meter Telescope at the Mauna Kea
Science Reserve, Kaohe Mauka, Hamakua
District, Island of Hawaii, TMK (3) 4-4-
015:009

Case No. BLNR-CC-16-002

**TMT INTERNATIONAL
OBSERVATORY, LLC'S
MEMORANDUM IN OPPOSITION TO
"MOTION TO BRING ON REBUTTAL
WITNESS[ES] ON BEHALF OF
KEALOHA PISCIOTTA AND MAUNA
KEA ANAINA HOU" [Doc-462];
DECLARATION OF SUMMER H.
KAIawe; EXHIBIT "1"; CERTIFICATE
OF SERVICE**

Hearing:

Date: February 21, 2017

Hrg. Off.: Hon. Riki May Amano

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DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

**TMT INTERNATIONAL OBSERVATORY, LLC'S MEMORANDUM IN
OPPOSITION TO "MOTION TO BRING ON REBUTTAL WITNESS[ES] ON
BEHALF OF KEALOHA PISCIOTTA AND MAUNA KEA ANAINA HOU" [Doc-462]**

I. INTRODUCTION

TMT International Observatory, LLC ("TIO"), by and through its undersigned counsel, hereby submits its Memorandum in Opposition to the "Motion to Bring on Rebuttal Witness[es] on behalf of Kealoha Pisciotta and Mauna Kea Anaina Hou" [Doc-462] (the "Motion"). The Motion seeks leave to call rebuttal witnesses Kupuna Liko Martin to testify regarding the eight criteria under Section 13-5-30 of the Hawaii Administrative Rules ("HAR"), and Mr. Tom Peek to testify regarding the historical development of astronomy on Mauna Kea.¹

At the hearing on January 31, 2017, the Hearing Officer ordered the parties wishing to present rebuttal witnesses to file a motion setting forth good cause to call the rebuttal witnesses and emphasized that such motions must include the reasons for not presenting the witnesses in its case in chief. Notwithstanding the foregoing, the Motion fails to establish good cause to call rebuttal witnesses Kupuna Martin and Mr. Peek whose proposed rebuttal testimony attached to the Motion is mostly irrelevant to the issues ordered to be addressed in this contested case hearing pursuant to Minute Order No. 19, the Order Setting Issues.²

As to those narrow portions of the proposed rebuttal testimony that are not irrelevant, such testimony is not new, could have been introduced earlier, and is not necessary to rebut unexpected or surprise testimony. In fact, the proposed rebuttal testimony merely rehashes what

¹ On February 17, 2017, KAHEA: The Hawaiian Environmental Alliance ("KAHEA") filed its Joinder in the Motion [Doc-467] (the "Joinder"). However, the Joinder failed to provide any factual or legal support for the request sought by the Motion. Consequently, the Joinder should be denied for the same reasons that the Motion should be denied.

² A copy of Minute Order No. 19 (the "Order Setting Issues") is attached as Exhibit "1" to the Declaration of Summer H. Kaiawe (the "Kaiawe Decl.").

has already been submitted or should have been submitted during Ms. Pisciotta and Mauna Kea Anaina Hou's ("MKAH") case in chief.

Importantly, despite the Hearing Officer's order that motions to call rebuttal witnesses include the reasons for not presenting the witness in its case in chief, the Motion fails to provide any reason for not presenting the testimony of Kupuna Martin or Mr. Peek as a defense witness during Ms. Pisciotta and MKAH's case in chief. By failing to offer a single reason for their failure to present this testimony during their case in chief, Ms. Pisciotta and MKAH impliedly concede that no reason exists. Under the circumstances, the Hearing Officer should deny the Motion and any and all joinders in the Motion pursuant to HAR §§ 13-1-32(c) and 13-1-35(a).

II. LEGAL STANDARD

Under HAR §§ 13-1-32(c) and 13-1-35(a), the hearing officer is authorized to receive relevant evidence. In addition, under HAR § 13-1-35(a), "[t]he hearing officer may exercise discretion in the admission or rejection of evidence and the exclusion of immaterial, irrelevant, or unduly repetitious evidence as provided by law with a view of doing substantial justice." Similarly, it is well established that "the introduction of evidence in rebuttal and in surrebuttal is a matter within the discretion of the trial court and appellate courts will not interfere absent abuse thereof." Takayama v. Kaiser Foundation Hosp., 82 Hawaii 486, 497, 923 P.2d 903, 914 (1996) (citing Yorita v. Okumoto, 3 Haw.App. 148, 156, 643 P.2d 820, 826 (1982)).

As a general rule with respect to the admission of rebuttal evidence, "in the interests of expediency and limiting surprise, all evidence in support of a party's position should be presented when the issue it addresses is first presented." Takayama, 82 Hawaii at 497, 923 P.2d at 914. In other words, a party will not be permitted to hold back evidence confirmatory of his or

her case and then offer it on rebuttal. Id. In addition, although a party is not required “to call every conceivable witness who might contradict a potential defense witness,” it is also generally true that:

A party cannot, as a matter of right, offer in rebuttal evidence which was proper or should have been introduced in chief, even though it tends to contradict the adverse party’s evidence and, while the court may in its discretion admit such evidence, it may and generally should decline to admit the evidence.

Takayama, 82 Hawaii at 497, 923 P.2d at 914 (emphasis added) (quoting Gassen v. Woy, 785 S.W.2d 601, 605 (Mo.Ct.App. 1990)).

III. **ARGUMENT**

A. **The Motion Fails to Show Good Cause to Permit the Testimony by Proposed Rebuttal Witness Kupuna Martin and, therefore, the Motion Should be Denied**

1. **Kupuna Martin’s proposed rebuttal testimony regarding the eight criteria under HAR § 13-5-30 is unduly repetitious of prior testimony**

The Motion argues that Kupuna Martin’s testimony will rebut testimony by the University’s witnesses that the TMT Project is consistent with the eight criteria under HAR § 13-5-30 and will not have a negative impact on the health and well-being of Native Hawaiians, view planes, open spaces and natural beauty, and spiritual and cultural practices.

Notwithstanding the arguments in the Motion, the rebuttal testimony of Kupuna Martin should not be permitted for the following reasons.

First, despite the arguments in the Motion, the written rebuttal testimony of Kupuna Martin attached to the Motion does not actually address how the proposed land use under the TMT Project is inconsistent with the eight criteria. Instead, it is merely a laundry list of generalized grievances which are irrelevant to the issues ordered to be addressed in this

Contested Case Hearing as discussed herein in Section II.A.2. See Proposed Rebuttal Testimony of Kupuna Liko-o-kalani Martin attached to the Motion [Doc-462].

Second, even assuming *arguendo*, Kupuna Martin's oral rebuttal testimony could address how the proposed land use under the TMT Project is purportedly inconsistent with the eight criteria, such testimony should not be permitted because it is not necessary to rebut unexpected or surprise testimony regarding the eight criteria. Indeed, as Ms. Pisciotta and MKAH know, the Hearing Officer ordered this issue to be addressed during this contested case hearing pursuant to Minute Order No. 19. See Exhibit 1 to the Kaiawe Decl., Order Setting Issues.

Third, during their case in chief, Ms. Pisciotta and MKAH were well aware of this issue and called numerous witnesses who presented written and/or oral testimony regarding this issue.

These witnesses include but are not limited to the following:

- 1) E. Kalani Flores (regarding, *inter alia*, cultural resources, visual impacts, subdivision of land, customary, traditional, and spiritual practices),
- 2) Marti Townsend (regarding view planes);
- 3) Dr. Maile Taualii (regarding health and welfare);
- 4) Kū Kahakalau (regarding natural and cultural resources);
- 5) Kēhaunani Abad (regarding criteria 2, 4, and 5);
- 6) Davin Vicente (regarding natural and cultural resources);
- 7) Eric Hansen (regarding botanical resources);
- 8) Kuulei Kanahele (regarding hydrology);
- 9) Peter Mills (regarding cultural resources);
- 10) Candace Fujikane (regarding the subdivision of land and cultural resources);
- 11) Laulani Teale (regarding cultural resources and view planes);
- 12) Deborah J. Ward (regarding recreational enjoyment and spiritual practice);
- 13) Paul Neves (regarding cultural practices and view planes);
- 14) Clarence Kukauakahi Ching (regarding cultural and religious practices);
- 15) B. Pualani Case (regarding cultural practices, hydrology, historical sites, health and well-being);
- 16) Ruth Aloua (regarding cultural and historical resources and view planes);
- 17) Brian Kawika Cruz (regarding the 2009-2010 cultural impact assessment for the TMT Project); and
- 18) Ms. Pisciotta, herself (regarding cultural practices, historic sites, view planes, and hydrology).

The proposed rebuttal testimony of Kupuna Martin attached to the Motion does not add anything new to the prior testimony on this issue. Under the circumstances, the proposed rebuttal testimony would be unduly repetitious of prior testimony on this issue.

Fourth, the proposed rebuttal testimony regarding the eight criteria relates to an issue directly addressed during Ms. Pisciotta and MKAH's case in chief, and should have been presented at that time, if at all. As discussed previously, the Hearing Officer emphasized that motions to call rebuttal witnesses include the reasons for not presenting the witness in the moving party's case in chief. Notwithstanding the foregoing, the Motion fails to provide any reason why Kupuna Martin was not presented as a witness during Ms. Pisciotta and MKAH's case in chief. For the foregoing reasons, the Hearing Officer should deny the Motion pursuant to HAR § 13-1-35(a).

2. Kupuna Martin's proposed rebuttal testimony regarding sovereignty of the Kingdom of Hawaii is irrelevant for purposes of this Contested Case Hearing

The written rebuttal testimony of Kupuna Martin attached to the Motion is comprised of a laundry list of generalized grievances which appear to relate to the sovereignty of the Kingdom of Hawaii. See Proposed Rebuttal Testimony of Kupuna Liko-o-kalani Martin attached to the Motion [Doc-462]. For example, Kupuna Martin's proposed rebuttal testimony claims that he lacks "an effective remedy for disputes due to the lack of a court of competent jurisdiction." Id. In addition, Kupuna Martin also appears to claim that he is impacted by the United States' failure to recognize the rights of Native Hawaiians as a result of the illegal acts described in the U.S.' Apology Resolution. See id.

As Ms. Pisciotta and MKAH know, the Order Setting Issues identified three issues to be addressed in this Contested Case Hearing. In addition, the Order Setting Issues expressly determined that the sovereignty of the Kingdom of Hawaii or any other issues relating to the purported existence of the Kingdom of Hawaii will not be addressed in this contested case hearing inasmuch as: (1) these issues are not germane to the identified issues relating to this contested case hearing; and (2) the Hearing Officer has already found to have subject matter jurisdiction to conduct the Contested Case Hearing. See Exhibit 1 to the Kaiawe Decl., Order Setting Issues.

To the extent Kupuna Martin's proposed rebuttal testimony relates to the sovereignty of the Kingdom of Hawaii, the Hearing Officer should deny the Motion pursuant to HAR §13-1-35(a) because such testimony is irrelevant for purposes of this Contested Case Hearing.

B. The Motion Fails to Show Good Cause to Permit the Testimony by Proposed Rebuttal Witness Tom Peek and, therefore, the Motion Should be Denied

Tom Peek's proposed rebuttal testimony attached to the Motion is comprised of a historical summary regarding the historical development of astronomy facilities on Mauna Kea, including concerns regarding past developments on Mauna Kea. Notwithstanding the arguments in the Motion, the rebuttal testimony of Mr. Peek should not be permitted for the following reasons.

First, the rebuttal testimony should not be permitted because it is not necessary to rebut unexpected or surprise testimony regarding the historical development of astronomy facilities on Mauna Kea. Second, Mr. Peek's rebuttal testimony does not add anything new to the prior witness testimony regarding the historical development of astronomy facilities on Mauna Kea. Indeed, during their case in chief, Ms. Pisciotta and MKAH were well aware of this issue and

called numerous witnesses who presented written and/or oral testimony regarding this issue.

These witnesses include but are not limited to the following:

- 1) E. Kalani Flores;
- 2) Jonathan Osorio;
- 3) KēhaunaniAbad;
- 4) Davin Vicente (regarding the lack of balance between astronomy and other aspects of Mauna Kea);
- 5) Candace Fujikane;
- 6) Deborah J. Ward;
- 7) Paul Neves; and
- 8) Clarence Kukauakahi Ching

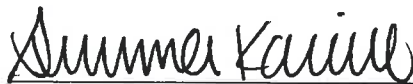
Under the circumstances, the rebuttal testimony of Mr. Peek regarding the historical astronomy development on Mauna Kea would be unduly repetitious of prior testimony on this issue.

Third, to the extent Ms. Pisciotta and MKAH called numerous witnesses to testify regarding this issue during their case in chief, Mr. Peek should have been called as a witness at that time, if at all. Notwithstanding the foregoing, the Motion fails to provide any reason why Mr. Peek was not presented as a witness during Ms. Pisciotta and MKAH's case in chief. For these reasons, the Hearing Officer should deny the Motion pursuant to HAR § 13-1-35(a).

IV. CONCLUSION

Based on the positions herein and upon further argument to be presented at the hearing of the Motion, the Motion should be denied.

DATED: Honolulu, Hawaii, February 20, 2017.



J. DOUGLAS ING
BRIAN A. KANG
ROSS T. SHINYAMA
SUMMER H. KAIawe
Attorneys for TMT INTERNATIONAL
OBSERVATORY, LLC

BOARD OF LAND AND NATURAL RESOURCES
FOR THE STATE OF HAWAII

IN THE MATTER OF

A Contested Case Hearing Re Conservation
District Use Permit (CDUP) HA-3568 for the
Thirty Meter Telescope at the Mauna Kea
Science Reserve, Kaohe Mauka, Hamakua
District, Island of Hawaii, TMK (3) 4-4-
015:009

Case No. BLNR-CC-16-002

**DECLARATION OF SUMMER H.
KAIawe; EXHIBIT "1"**

DECLARATION OF SUMMER H. KAIawe

I, SUMMER H. KAIawe, hereby declare and state as follows:

1. I am an attorney with the law firm of Watanabe Ing LLP, and one of the attorneys for TMT International Observatory, LLC.
2. The facts and circumstances declared below are made based upon my personal knowledge and I am competent to testify as to the matters stated herein.
3. A true and correct copy of Minute Order No. 19 (Order Granting Perpetuating Unique Educational Opportunities, Inc.'s Motion to Set Issues Doc. 99; Order Setting Issues) filed in the above-captioned proceeding on September 23, 2016 is attached as Exhibit "1".

I, SUMMER H. KAIawe, do declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawaii, February 20, 2017.



SUMMER H. KAIawe

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

IN THE MATTER OF)	CASE NO. BLNR-CC-16-002
)	
Contested Case Hearing Re Conservation District)	Minute Order No. 19
Use Application (CDUA) HA-3568 For the)	(Order Granting Perpetuating Unique
Thirty Meter Telescope at the Mauna Kea Science)	Educational Opportunities, Inc.'s
Reserve, Ka`ohe Mauka, Hamakua, Hawai`i)	Motion to Set Issues Doc. 99; Order
TMK (3) 4-4-015:009)	Setting Issues)
<hr/>)	Certificate of Service

MINUTE ORDER NO. 19

**(Order Granting Perpetuating Unique Educational Opportunities, Inc.'s
Motion to Set Issues Doc. 99; Order Setting Issues)**

On August 29, 2016, a hearing on Perpetuating Unique Educational Opportunities, Inc.'s Motion to Set Issues ("Motion") (Doc. 99), filed on July 18, 2016, was held in Hilo, Hawai`i, 1175 Manono Street, Cafeteria.

The following persons were present:

Richard N. Wurdeman, Esq., for Mauna Kea Anaina Hour, for and with Kealoha Pisciotta, Clarence Kukauakahi Ching, Pualani Case, Hawane Rios, Keomailani Van Gogh, and E. Kalani Flores
Timothy Lui-Kwan, Esq. and Ian Sandison, Esq. for the University of Hawai`i-Hilo ("UH-Hilo"), with David Lonborg, Esq.
J. Douglas Ing, Esq. and Ross Shinyama, Esq. for TMT International Observatory, LLC. ("TIO")
Harry Fergerstrom
Mehana Kihoi
C. M. Kaho`okahi Kanuha
Joseph Kualii Lindsey Camara
Lincoln Ashida, Esq. for Perpetuating Unique Educational Opportunities Inc. ("PUEO"), with Richard Ha, Keahi Warfield and Bill Brown
Jennifer Leina`ala Sleightholm
Lanny Alan Sinkin for Lono Temple with Kahuna Nobriga
Kalikolehua Kanaele
Tiffnie Kakalia

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State of Hawaii

Dwight J. Vicente
 William Freitas
 Wilma H. Holi (witness)
 Patricia Ikeda (witness)

In relation to the Motion, the following documents were considered:

DOC	TITLE	DATE	COUNSEL/PARTY
119	Temple of Lono opposition to PUEO motion to set the issues	7/20/2016	Sinkin
140	The University of Hawai'i at Hilo's Substantive Joinder In Support of Perpetuating Unique Educational Opportunities' Motion To Set The Issues Filed July 18, 2016 [Doc. 99]	8/1/2016	UHH
152	TMT International Observatory, LLC's Substantive Joinder in Perpetuating Unique Educational Opportunities, Inc.'s Motion to Set the Issues [Doc. 99]	8/1/2016	TIO
164	Mauna Kea Anaina Hou, Et. Al. Petitioners' Position Statement On Perpetuating Unique Educational Opportunities, Inc.'s Motion to Set the Issues, Dated July 18, 2016	8/1/2016	MKAH
186	Fergerstrom opposition to PUEO's motion to set the issues; Memorandum	8/9/2016	Fergerstrom
195	Mehana Kihoi's joinder to Hank Fergerstrom's motion to oppose P.U.E.O. LLC's motion to set the issues	8/10/2016	Kihoi
196	The University of Hawai'i at Hilo's Objection to (1) Harry Fergerstrom's Opposition to Pueo's Motion to Set the Issues, Filed August 9, 2016 [Doc. 186]; (2) J. Leina'ala Sleightholm's Joinder to Hank Fergustrom's [SIC] Motion to Oppose Pueo's Motion to Set Issues, Filed August 10, 2016 [Doc. __]; and (3) Mehana Kihoi's Joinder to Hank Fergerstrom's Motion to Oppose P.U.E.O. LLC's Motion to Set the Issues, Filed August 10, 2016	8/11/2016	UHH
210	J. Leinaala Sleightolm's joinder to Hank Fergerstrom's motion to oppose PUEO's motion to set issues DOC 99	8/8/2016	Sleightholm
222	(Vicente) Objection of ("PUEO") motion to set the issue Doc 99	8/20/2016	Vicente
242	The University of Hawai'i at Hilo's supplemental comments on Perpetuating Unique Educational Opportunities, Inc.'s motion to set the issues [Doc 99]; Declaration of counsel; Exhibit "1"; COS DOC 99	8/22/2016	Lui-Kwan

After considering the Motion, all related written and oral submissions from counsels and/or parties, and the entire record, the Hearing Officer requested that PUEO counsel, Lincoln Ashida, Esq., submit a proposed minute order granting the Motion, no later than September 9, 2016. The Hearing Officer also established a deadline for responses to the proposal, September 19, 2016. Accordingly, subsequent to the hearing on August 29, 2016, the following submissions have been considered in relation to the Motion:

DOC	TITLE	DATE	COUNSEL/PARTY
256	Perpetuating Unique Educational Opportunities, Inc.'s proposed minute order granting Perpetuating Unique Educational Opportunities, Inc.'s motion to set issues [Doc-99]; Exhibit "A"	9/9/2016	Ashida
265	Temple of Lono proposed issues; Exhibit "A"	9/17/2016	Sinkin
266	Fergerstrom opposition to Perpetuating Unique Educational Opportunities, Inc.'s proposed minute order granting Perpetuating Unique Educational Opportunities, Inc.'s motion to set the issues	9/18/2016	Fergerstrom
267	The University of Hawai'i at Hilo's response in support of Perpetuating Unique Educational Opportunities, Inc.'s proposed minute order granting PUEO's motion to set issues (Doc.-99) [Doc. 256]	9/19/2016	UHH
268	TMT International Observatory, LLC's response to Perpetuating Unique Educational Opportunities, Inc.'s proposed Minute Order granting Perpetuating Unique Educational Opportunities, Inc.'s motion to set the issues (Doc-99) [Doc 256]	9/19/2016	TIO
269	Joseph Lualii Lindsey Camara's response to Perpetuating Unique Educational Opportunities, Inc.'s proposed minute order granting Perpetuating Unique Educational Opportunities, Inc.'s motion to set the issues; Exhibit "A"	9/19/2016	Camara

270	Mauna Kea Anaina Hou, et al. Petitioners' response to P.U.E.O., Inc.'s proposed minute order granting P.U.E.O., Inc.'s motion to set issues	9/19/2016	MKAH
271	W Freitas respond to issue that all should be considered	9/19/2016	W. Freitas
272	Vicente objection to PUEO's motion to set the issues [Doc-99]	9/19/2016	Vicente
273	Kakalia addion [sic] to PUEO's motion to set issues [Doc-256]	9/19/2016	Kakalia
275	Tabbada response to Perpetuating Unique Educational Opportunities, Inc.'s proposed minute order motion to set the issues	9/19/2016	Tabbada

The Motion, all related and oral submissions from counsels and/or parties, the Proposed Minute Order and all submissions related thereto, all applicable law, for and the entire record having been considered by the Hearing Officer, and for good cause shown,

IT IS HEREBY ORDERED that the Motion is GRANTED. The following are found to be issues to be addressed during this contested case hearing:

- Is the proposed land use, including the plans incorporated in the application, consistent with Chapter 183C of the Hawai'i Revised Statutes, the eight criteria in HAR §13-5-30(c) , and other applicable rules in HAR, Title 13, Chapter 5 Conservation District?
- Is the proposed land use consistent with Article XII, Section 7 of the Hawai'i State Constitution and Ka Pa`akai O Ka`Aina v. Land Use Comm'n. State of Hawai'i, 94 Hawai'i 31, 7 P.3d. 1068 (2000) ?
- Is the proposed land use consistent with Article XI, Section 1 of the Hawai'i State Constitution and the public trust doctrine ?

The following issues **will not** be addressed in this contested case hearing inasmuch as: (1) they are not germane to the above-identified issues relating to this contested case hearing; and (2) the Hearing Officer has already been found to have subject matter jurisdiction to conduct the contested case hearing, as authorized by the Board; *see*, Minute Order 14 Denying Dwight J. Vicente's Motion to Disqualify Judge Riki Mae [sic] Amano (Ret.); State of Hawaii Lack of Jurisdiction to Hear This Contested Case Hearing [Doc. 124], citing the U.S. Supreme Court decision in *Hawaii v. Office of Hawaiian Affairs*, 556 U.S. 163 (2009):

- The sovereignty of the Kingdom of Hawai'i or any other issues relating to the purported existence of the Kingdom of Hawai'i;
- Challenges to the legal status of the State of Hawai'i; and
- Challenges to the State's ownership of and title to the lands related to this contested case hearing.

Order Setting Issues. To the extent applicable, this Minute Order shall also serve as an Order Setting Issues pursuant to HRS §91-9(b)(4).

Motion to Reconsider. A party who believes it appropriate, may file a motion to reconsider using the procedure set out herein. Any Motion for Reconsideration shall not be used to reargue the motion or set out positions of a purely repetitious nature or to present factual or legal grounds that could or should have been presented at the original hearing. *AMFAC, Inc. v. Waikiki Beachcomber Inv. Co.*, 74 Haw. 85, 114 (1992).

The deadline for submission of any **motion** to reconsider this minute order and/or the Order Setting Issues, is no later than **3 business days** after the date this motion and order are

filed in the Documents Library. Any responses to motions to reconsider, shall be submitted no later than 6 business days after this motion and order are filed in the Documents Library.

DATED: Honolulu, Hawai'i, September 23, 2016.



Judge Riki May Amano (Ret.)
Hearing 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
Minute Order 19: Order granting Perpetuating Unique
Educational Opportunities, Inc.'s motion to set the
issues Doc. 99; Order setting issues

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced document was served upon the following parties by email on Friday, September 23, 2016, and will be sent by certified mail on Monday, September 26, 2016:

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Signature: 
Name: Michael Cain, Custodian of the Records
Date: September 23, 2016

BOARD OF LAND AND NATURAL RESOURCES
FOR THE STATE OF HAWAII

IN THE MATTER OF

A Contested Case Hearing Re Conservation
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Science Reserve, Kaohe Mauka, Hamakua
District, Island of Hawaii, TMK (3) 4-4-
015:009

Case No. BLNR-CC-16-002

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served upon the
following parties by the means indicated:

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Office of Conservation and
Coastal Lands
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Custodian of the Records
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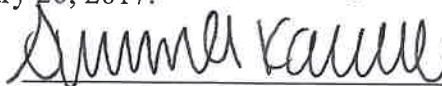
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