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Attorneys for PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC.

BOARD OF LAND AND NATURAL RESOURCES
FOR THE STATE OF HAWAI'I

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 Hawai'i, TMK (3) 4-4-
015:009

Case No. BLNR-CC-16-002

**PERPETUATING UNIQUE
EDUCATIONAL OPPORTUNITIES,
INC.'S MOTION TO ADMIT WRITTEN
DIRECT TESTIMONY AND EXHIBIT;
CERTIFICATE OF SERVICE**

**PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC.'S
MOTION TO ADMIT WRITTEN DIRECT TESTIMONY AND EXHIBIT**

COMES NOW PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC.
("PUEO"), by and through its undersigned counsel, and hereby respectfully moves the Board of
Land and Natural Resources ("Board"), through its Hearings Officer, for an order admitting the
following written direct testimony of its witnesses and the exhibit presented at the hearing.

The Motion should be granted pursuant to Hawai'i Administrative Rules ("HAR") §§ 13-
1-32, 34 and 35. This Motion is made pursuant to HAR §§ 13-1-34 and 13-1-29.1 and all other

Received
Office of Conservation and Coastal Lands
2017 Feb 28 4:24 pm
Department of Land and Natural Resources
State of Hawaii

applicable rules of practice and procedure, and is based upon the attached written direct testimonies and exhibit, and the entire record and files herein.

WRITTEN DIRECT TESTIMONY¹

Exhibit No.	Description
	Shadd Keahi Warfield
	Richard Ha
	Elroy Osorio
	William "Bill" Brown

EXHIBIT

Exhibit No.	Description
I-1	Big Island Now poll revealing Native Hawaiians are split on their support of the TMT project.

DATED: Hilo, Hawai'i, February 28, 2017.



NEWTON J. CHU
VAUGHN G. T. COOK
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Attorneys for
PERPETUATING UNIQUE EDUCATIONAL
OPPORTUNITIES

¹ The written direct testimony of Patrick Kahaiwaola'a is hereby withdrawn. Mr. Kahaiwaola'a did not testify as witness at the Contested Case Hearing.

Testimony of Shadd Keahi Warfield

Shadd Keahi Warfield



67 Keokea Loop • Hilo, Hawaii 96720 • Phone: 808-895-8666
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Date: 10 'Okakopa 2016

Honorable Riki May Amano
Contested Case Hearing Testimony

Aloha 'Oe:

For the past 36 years of my life, Maunakea and Maunaloa have always been in clear view to the west of my home located in the Keaukaha community. Keaukaha is the second oldest native Hawaiian community in the State of Hawai'i as defined by the Hawaiian Homes Commission Act of 1920. I am a child of native Hawaiian parents and a current beneficiary of a one-acre parcel just two houses away from where I was raised as a child.

Having been the youngest of four children, it was at an early age that we were fortunate to have been exposed to the many wonders of Hawai'i Island. Our upbringing consisted of working in the yard, fishing, camping, hunting and visiting our only surviving grand parent who lived in Hōlualoa, Kona. "Kona Grandma", as we called her was a retired teacher who was raised in the beautiful Hawaiian bay of Waiuha in Kaupō, island of Maui. Kona Grandma instilled in each of us the importance of being educated and shared many stories of our ancestors and especially of her upbringing that was very primitive. As a native speaker of the Hawaiian language, we witnessed first hand an older language that was slowly moving into extinction. It is my personal connection to Kona Grandma that I have taken on the responsibility of becoming an educator for native Hawaiian and local youth by learning the Hawaiian Language and by revitalizing Hawaiian culture in all domains that are open minded to its implementation.

There are many concerns as to the future of Hawai'i, its natural resources, and how culture and science can co-exist. I know for a fact that culture and science can co-exist because we are currently doing it. I am most concerned for the educational opportunities of our children and strengthening positive self-esteem and cultural identity of our youth to foster their dreams and greatest aspirations. I strongly support astronomy on the summit of Maunakea as long as astronomy can commit to an educational outreach partnership through implementing Hawaiian language, culture and practice while strengthening science, mathematics and problem solving within our local communities and especially of our youth.

My connection to Maunakea and Maunaloa is its very presence every morning as I rise. The mountains and the landscapes of Hilo are my motivation for prayer and spirituality constantly reminding me of my goals ahead and how I must concentrate on accomplishing them each day. As



many practitioners feel that they are being led by their ancestors to protect the mountain and protests anything on it; in contrast, I am also being led by my kupuna in search of a solution where education and culture can co-exist for the benefit of all people in our island community and throughout the world.

Sincerely,

Shadd Keahi Warfield

President, Perpetuating Unique Educational Opportunities, P.U.E.O.

Testimony of Richard Ha

Testimony from Richard Ha
For Thirty Meter Telescope Contested Case Hearing
October 8, 2016

Our group Perpetuating Unique Educational Opportunities (PUEO) is made up of highly respected members of the Hawaiian community. We represent folks who believe our children are as competent as any in the world. We are about keiki education.

We are also about making sure our culture is not left behind as we move into the future. We can multi-task.

The Big Island has the lowest median family income, the highest rate of homelessness and the highest suicide rate. PUEO recognizes that education is the great equalizer. We believe through education, taking advantage of the resources around us and integrating our culture into what we learn, we can not only do better, we can lead the world.

PUEO stepped up when we learned that Hoku Kea, the small University of Hawai'i at Hilo teaching telescope, would go from Maunakea, the best viewing site in the world, down into Hilo, the rainiest city in the world. Why?

We also felt we needed to support astronomy in general and the Thirty Meter Telescope (TMT) in particular. That is why PUEO entered the contested case hearing supporting the TMT, which has a track record of doing the right thing. The president of TMT, Henry Yang, is a humble man of the people, someone you can do business with on a handshake.

Our people came from the south. Though they had not seen the northern skies, they used their knowledge of the stars and launched their canoes. Today, on Maunakea, we are in these northern skies wanting to combine our knowledge with those in the southern skies for the good of humanity.

Fighting against astronomy, banning astronomy from Maunakea, is as short-sighted as burning the oars of the canoe Hokule'a because we need firewood.

The TMT is made up of the Pacific Rim nations of Canada, the U.S., Japan, India and China. What better purpose can we aspire to than cooperation among nations, rather than war? And what better place for cooperation than on Maunakea, in Hawai'i, the land of aloha?

PUEO is made up of highly respected native Hawaiian elders and is led by a proven leader, our president Keahi Warfield. Other members are Patrick Kahawaiola'a, president of the Keaukaha Community Association; Bill Brown, president of the Panaewa Community Association; Mapuana Waipa, and myself.

But it is not about us, the elders, it's about the youngsters. What kind of world will we leave them?

It's about attitude. Will we, like the Hokule'a, leave a legacy of, "Not, no can. CAN!?" Will we listen to the thousand reasons why No can, or will we find the one reason why CAN?

Will we lean forward toward discovery? Can our people be the leaders in the world?

PUEO is bringing students to tour the various telescopes. PUEO is also working to make the voyaging canoe Hokualaka'i seaworthy. We are reaching for an earth-sky connection.

When the new UH telescope is functional, PUEO will have students operating it from Hilo. On September 24th, PUEO will gather at Palekai in Keaukaha, Big Island. The University's Department of Astronomy will set up booths so the young ones can see what is offered.

We can do this. President Obama, leader of the most powerful nation on earth, is from Hawai'i. Professor Jennifer Doudna, who discovered the game-changing CRISPr gene editing technology, is a Hilo High graduate. Dennis Gonsalves, father of the GMO Rainbow Papaya, is from Kohala. The Hokule'a is from Hawai'i.

It's attitude. Will we choose to be victims or will we choose to be pioneers?

Richard Ha
Director, PUEO

Testimony of Elroy Osorio

I was born in Hilo, in the Territory of Hawaii. Except for absences for purposes of education, my entire life has been spent in the shadows of the several mountains which, on a clear day, dominate our island landscape.

But even when those mountains are not visible, their power and majesty anchor me to this land in ways which restrictions of language do not allow me to adequately express, even to myself.

I was here when the first telescope appeared on the summit of Mauna Kea. At that time, it was not a significant intrusion on the skyline. It was just another sign of progress.

I had friends and family who were employed in its construction, and eventually in its operation, and in its maintenance. And the construction brought another benefit to the community; access to the summit.

And that access brought more visitors, and, inevitably, more telescopes. There was no protest then. For Hawaiian Activists, there were bigger fish to fry. And perhaps, this development was not then perceived as threatening, or culturally demoralizing.

But activism is always searching for issues. Activism cannot survive without issues. And America, thankfully, promotes activism. And, thankfully, I am allowed to claim an activist's right to present his position in this discussion.

The fact that my views, and the views of many other like minded Hawaiians, may conflict with those who oppose this project, does not mean that one position has to be right, and the other has to be wrong.

It cannot be denied that much of the progress which has been made in terms of raising and resolving Native Hawaiian issues has been the result of improved educational access for Native Hawaiians. Have we achieved the level of educational equality that we deserve? Absolutely not. So why should we abjure any legitimate opportunity for educational and economic development that the State might provide?

It also cannot be denied that much of what drives Native Hawaiian protests are decades of suppression and diminishment. The members of PUEO have been victimized by the same process.

But it is not that we see a "bigger picture" as compared to the protestors. If anything, our view is just more focused. How can we best serve our children? What can we do to "revitalize and protect" their interests? This is the objective of our activism.

Opportunities on an island in the middle of the Pacific are limited. But imagination is limitless. Our ancestors made the most of what they had. Their entire environment was available and utilized for their sustenance and survival. Nothing was wasted.

And they understood that there was a larger world out there that included the heavens. Their explorations covered vast distances, constrained only by their technology.

Now we, as a people, are expected to flourish in an environment where the only significant economic drivers are the visitor industry and the military, where the majority of our sustenance, both nutritionally and educationally, must be imported.

And now we, as a people, are being pressed to waste an opportunity for educational, professional and financial advantage for the people.

Some of the voices raised in opposition to TMT have spoken of "pollution", and "desecration", and even suggested a "sinister application" of the technology. Yet many of those voices have transmitted from, perhaps even germinated from the atmosphere of social media.

And that connectivity, that immediacy, which drives social media is in large part dependent on the many cellular towers which dot the flanks of Mauna Kea and other peaks throughout the island and the State.

So where does the sacred begin, and where does it end? I would suggest that if you really want to find potential examples of pollution, desecration, and sinister application of technology, look no further than your tablet or smart phone.

TMT promises only to expand human knowledge and understanding of our universe. When, as Ka Po'e Hawai'i, have we ever been opposed to that?

Elroy T. L. Osorio, Jr.
483 Kupulau Rd.
Hilo

Testimony of William H. Brown

TESTIMONY OF WILLIAM H. BROWN

I am a citizen of the United States of America AND a product of an Act of 1921. My mailing and physical address is 21 Paipai Street and my telephone number is 808-315-2141.

I am a native Hawaiian born and raised in HILO, Hawaii. I learned about my culture and customs in the traditional way, from my grandparents and other members of our family. Our family roots are in the `aina and kai.

The construction of telescopes on Maunakea has not diminished my ability to pay respect to our ancestral spirit and for those that practice our unique religion and beliefs. In fact, the telescopes have made it easier to continue our cultural practices at the summit area of Maunakea. Before the construction of the summit road, our grandparents and their grandparents had to walk or ride horses to get to the summit. But now, because of the telescopes, they maintain the road so that we can drive to the top. They even keep it open in the winter after their snow plows clear the roadway. In all my years of visiting Maunakea, no one has interfered with or disrespected my cultural practices. However, I do feel that one's right to practice one's culture needs to be balanced with other things, such as safety on Maunakea—for example when the Maunakea access road needs to be temporarily closed because of snow.

As a young keiki fishing and foraging with my family, I learned the old ways of conservative practices with take what you need and to respect nature and its wisdom. This wisdom has filtered to my children, nieces, and nephew, who would themselves follow the footsteps of the voyaging canoe Hokule`a, their curiosity and hunger for knowledge only grew more. Their persistent with learning the stars and the moon, and how important the study of the heavens was to the ancient Hawaiians. It is this quest for knowledge that is the main reason I support the TMT—because it will help my progenies to learn more about themselves, our culture and heritage, and God, and what's out there beyond the stars that we can see with only our eyes.

The telescopes on Maunakea represent mankind's most advanced search for knowledge and understanding, as learning has been and will continue to be an important part of our cultural practices. In a way, the TMT projects are like a search for the aumakua or ancestral origins of the universe. How is this any different from us as native Hawaiians searching for own roots in things both natural and spiritual?

I mean no disrespect for anyone's religious beliefs and cultural practices, but everybody has their own way of worshipping, and everyone is free to have and practice their own religious beliefs so long as they don't hurt anyone. But I don't agree that we should oppose things like the TMT on Maunakea just because it's a modern thing, as Hawaiians have always been a creative and adaptive people.

In my own backyard, we practice ancient husbandries to grow mea`ai (food) to include modern techniques, knowledge, equipments to grow the necessary perishable itaems for our family and community, but for the most part, we still consider this to be traditional and cultural as it allows us to survive and follow the ways and lifestyles of our ancestors. And along the Hilo and Puna coastline, where we the Lawai`a (fishermen) continue this day to traverse the rocky

coast, looking for edible sustenance like Opihi, Limukohu, and A`ama, diving for Wana and Pipi`i, spearing Manini, Kole, Weke, and Kumu but most of all throwing our traditional net on a bounty of I`a schools is a technique of old but modern material usage to construct the net, the diving equipment, and the tool to collect mea`ai on the rocky coast. This does not make fishing along the Hilo and Puna Coast any less traditional or the lifestyle any less Hawaiian, as we must learn to use the tools that God has given us.

I am proud to support yet another tool that will only add to our search for knowledge, and I am proud that we, as Hawaiians, will have the opportunity to have this project built on the best place in the world—right here on Maunakea.

Respectfully submitted,

WILLIAM H. BROWN



> SKY WATCH

VIEW ALL

Poll: Hawai'i Islanders Support TMT 2-1

By Big Island Now

Posted August 3, 2016, 10:58 AM HST

Updated August 4, 2016, 12:39 PM HST

14 Comments

78

7 Text Size: A A A

Q4: Based on what you have heard, read, or seen, do you support moving ahead with construction of the Thirty Meter Telescope (TMT) on Maunakea? Follow up – Would that be strongly or somewhat?

By Ethnicity

	Caucasian	Hawaiian/ Part Hawaiian	Japanese
Strongly Oppose	17%	32%	15%
Somewhat Oppose	7%	13%	6%
Somewhat Support	24%	19%	27%
Strongly Support	46%	27%	47%
Don't Know/Refused	6%	9%	6%
Base	(126)	(122)	(51)

The results of a new scientific poll show that Hawai'i Island residents support the construction of the Thirty Meter Telescope by a nearly 2-to-1 margin.



In a previous scientific poll taken in October 2015, 59% of Hawai'i Island's residents supported moving ahead with TMT construction, while 39% were opposed to it.

"It was important for us to understand how Hawai'i Island residents feel about the project, and the latest poll results demonstrate that opposition to TMT on Hawai'i Island is decreasing," said TMT Executive Director Ed Stone. "That's significant and we are most grateful that the community's support of the project remains high. The findings also show that the general public on Hawai'i Island understands the benefits TMT will bring in terms of Hawaii's economy and education, both of which are very important to TMT."

The poll's key findings:

89% of Hawai'i Island residents agree there should be a way for science and Hawaiian culture to co-exist on Maunakea

76% of Hawai'i Island residents agree that TMT will help create good paying jobs and economic and educational benefits for those living on Hawai'i Island

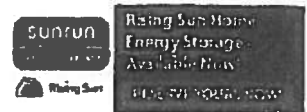
70% of Hawai'i Island residents agree that failure to move forward with TMT will hurt educational opportunities for Hawai'i Island children with the termination of TMT's annual \$1 million contribution to the THINK Fund and workforce pipeline program

69% of Hawai'i Island residents agree that TMT has followed a lengthy approval process, so work should proceed

66% of Hawai'i Island residents agree that failure to move forward with TMT after following all regulations would hurt Hawai'i's reputation as a place to do business

In addition, the poll found that support for TMT's construction is split among Hawaiians/part Hawaiians on Hawai'i Island, with 46% of those polled in support of the project and 45% opposed.

"As a Hawaiian, I strongly support the Thirty Meter Telescope because it affords us the ability to share new discoveries of stars, planets and science with our children and grandchildren, keeping in line with the traditions of our ancient Hawaiian navigators," said Kirstin Kahaloa, executive director, Kona-Kohala Chamber of Commerce. "Think about it. The best science in the world happening on the best mountain in the world right here in Hawai'i. How can you not get excited about that? The time has come for everyone including Hawaiians to stand up and support TMT."



"We hope that permitting activities continue apace in Hawai'i so that TMT can be under construction on Maunakea by April 2018," Stone added.

About TMT

An artist's rendering of the Thirty Meter Telescope at sunset. TMT photo.

The Thirty Meter Telescope Project has been developed as a collaboration among Caltech, UC, the Association of Canadian Universities for Research in Astronomy (ACURA), and the national institutes of Japan, China, and India with the goal to design, develop, construct, and operate a thirty-meter class telescope and observatory on Mauna Kea in cooperation with the University of Hawai'i (TMT Project).

The TMT International Observatory LLC (TIO), a nonprofit organization, was established in May 2014 to carry out the construction and operation phases of the TMT Project. The members of TIO are Caltech, UC, the National Institutes of Natural Sciences of Japan, the National Astronomical Observatories of the Chinese Academy of Sciences, the Department of Science and Technology of India, and the National Research Council (Canada); the Association of Universities for Research in Astronomy (AURA) is a TIO Associate. The Gordon & Betty Moore Foundation has provided major funding.

For more information about the TMT project, visit tmt.org.

TAGS: [Mauna Kea telescope](#) [Maunakea telescope](#) [thirty meter telescope](#) [big island](#) [thirty meter telescope hawaii](#) [thirty meter telescope mauna kea](#) [thirty meter telescope maunakea](#)

NEXT STORY

Keck Astronomers Look 12 Billion Years Into Past

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, Kahohe Mauka, Hamakua District, Island of Hawai'i, TMK (3) 4-4-015:009

Case No. BLNR-CC-16-002

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the following via the manner listed below:

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DATED: Hilo, Hawai'i, February 28, 2017.



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