

FLORES-CASE 'OHANA
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Petitioners pro se

BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

In the Matter of:)	Case No. BLNR-CC-16-002
A Contested Case Hearing Re)	
Conservation District Use Application)	FLORES-CASE 'OHANA'S MOTION TO
(CDUA) HA-3568 for the Thirty Meter)	ADMIT EXHIBITS AND WRITTEN
Telescope at the Mauna Kea Science)	DIRECT TESTIMONY INTO EVIDENCE;
Reserve, Ka'ohē, Hamakua District,)	MEMORANDUM IN SUPPORT OF
Island of Hawai'i, TMK (3) 4-4-015:009)	MOTION; CERTIFICATE OF SERVICE
)	
)	Hearing Officer: Hon. Riki May Amano (ret.)

**FLORES-CASE 'OHANA'S MOTION TO ADMIT EXHIBITS AND
WRITTEN DIRECT TESTIMONY INTO EVIDENCE**

Petitioner, E. KALANI FLORES, pro se, representing the FLORES-CASE 'OHANA, respectfully submits this Motion to Admit Exhibits and Written Direct Testimony Into Evidence ("Motion"). This motion is made pursuant to Hawai'i Administrative Rules ("HAR") §§ 13-1-32, 34, and 35.

DATED: Pu'ukapu, Hawai'i, February 28, 2017



E. Kalani Flores
Representing Flores-Case 'Ohana

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)	

MEMORANDUM IN SUPPORT OF MOTION

The FLORES-CASE 'OHANA rested its case in the above entitled matter and now moves to admit into evidence the written direct testimony of its witnesses and the exhibits introduced therein during the contested case hearing. Pursuant to Hawai'i Revised Statutes § 91-10 governing the admissibility of evidence in agency proceedings, the FLORES-CASE 'OHANA moves to admit into the record the following testimony and documentary evidence:

Exhibit No.	Description	Rec'd Into Evidence
B.02a	E. Kalani Flores WDT	
B.02b	E. Kalani Flores CV	
B.02c	UIPA request	
B.02c-2	UIPA Request (part 2)	
B.02d	Ho'ohana Aku, a Ho'ola Aku	
B.02e	Geotechnical Activities photos	
B.02f	TMT Sublease	
B.02g	Order for Remand (Civil No. 14-1-324)	
B.02h	CMP 2015 Annual Report	
B.02i	Monitoring Report	
B.02j	Shrine article	

B.02k	EISPN-New Master Leases	
B.02l	Figure 4.1 (CDUA at 4-2)	
B.02m	Figure 5.1 (AIS AP at 5-5)	
B.02n	Figure 2.9 (CRMP-CMP at 2-52)	
B.02o	Subaru & Gemini domes	
B.02p	TMT renderings (CDUA at 1-16, 1-17)	
B.02q	Figures 7.5 (CDUA at 7-10)	
B.02r	Figures 7.8 (CDUA at 7-12)	
B.02s	General Plan	
B.02t	Figure IX-16 (MK MP)	
B.02u	Figure IX-21 (MK MP)	
B.02v	Sacred Mounts	
B.02w	Portal	
B.02x	Comparison – Hawai‘i State Capitol vs. TMT Observatory	
B.02y-1	Sect 5.0 FAIS – MKSR, Vol. 1	
B.02y-2	Appendix E FAIS – MKSR, Vol. 1	
B.02z	CMP Implementation Plan (2010)	
B.02aa	Email Support Letters	
B.02ab	Chapter 13-5 (older version)	
B.02ac	Chapter 13-5 (2011 version)	
B.02ad	Chapter 13-5 Amendments	
B.05a	Manulani Aluli-Meyer, Ed.D. WDT	
B.05b	Manulani Aluli-Meyer, Ed.D. CV	
B.06a	Ku Kahakalau, Ph.D. WDT	
B.06b	Ku Kahakalau, Ph.D. CV	
B.21a	B. Pualani Case WDT	

B.21b	Aumakua article	
B.21c	Mediums accounts	
B.21d	Manaua article	
B.21e	Ceremonies photos	
B.21f	Ho‘olokahi chant	
B.21g	Lake Waiua article	
B.21h	Ko‘a Heiau Holo Moana, Kohala, Hawai‘i	
B.21i	Video Presentations	
B.23b	Picture of Mo`oinanea	
B.24a	Ruth Aloua, M.A. WDT	
B.24b	Ruth Aloua, M.A. CV	
B.25a	Diana LaRose WDT	
B.25b	Sites Diagram	
B.28	CMP (April 2009)	
B.29	CMP Appendices (April 2009)	
B.30	CDUA HA-3568	
B.31	TMT FEIS Summary Sheet	
B.32	TMT FEIS Vol. 1	
B.33	TMT FEIS Vol. 2	
B.34	TMT FEIS Vol. 3	
B.35	DLNR-OCCL CDUA HA-3568 Report	
B.36	DLNR-OCCL Exhibits	
B.37a	MKSR Master Plan (2000)	
B.37b	MKSR Master Plan Appendix (2000)	
B.38	Mauna Kea CMP (2009)	
B.39	CRMP - CMP Sub-Plan	
B.40	NRMP - CMP Sub-Plan (2009)	

B.41	Public Access Plan - CMP Sub-Plan	
B.42	Decommissioning Plan - CMP Sub-Plan (2010)	
B.43	CMP Implementation Plan (2010)	
B.60	Mauna Kea - Ka Piko Kaulana o ka Aina	
B.61	Mauna Kea - Ka Piko Kaulana o ka Aina, Appendix A	
B.62	FAIS – MKSR, Vol. 1	
B.63	FAIS – MKSR, Vol. 2	
B.70	Staff Report CDUA	
B.71	Staff Report Contested Case Hearing	
B.72	BLNR Minutes 2-25-11	
B.73	AHCC 13-52 Resolution	
B.74	AHCC 16-30 Resolution	
B.75	OHA BOT Minutes 4-30-15	
B.76	OHA Resolution	
B.77	Legislature 2017 Mauna Kea Annual Report	
B.78	Countries on Mauna Kea	

Moreover, the FLORES-CASE ‘OHANA reserves the right to supplement this motion based on additional evidence introduced during cross-examination and/or rebuttal, as needed to accurately reflect the record, and unknowingly missed in the compilation of this listing.

Based on the foregoing, the FLORES-CASE ‘OHANA respectfully requests that the Hearing Officer grant this Motion.

DATED: Pu‘ukapu, Hawai‘i, February 28, 2017



E. Kalani Flores
Representing Flores-Case ‘Ohana

**BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAI‘I**

Contested Case Hearing Re
Conservation District Use
Application (CDUA) HA-3568
for the Thirty Meter Telescope
at the Mauna Kea Science
Reserve, Ka‘ohe, Hāmākua,
Hawai‘i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-002

Document title: FLORES-CASE ‘OHANA’S MOTION TO
ADMIT EXHIBITS AND WRITTEN DIRECT
TESTIMONY INTO EVIDENCE; MEMORANDUM IN
SUPPORT OF MOTION; CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced documents were served upon the following parties by the means indicated below:

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Date: February 28, 2017