

Clarence Kukauakahi Ching, Petitioner
64-823 Mamalahoa Hwy
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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 (CDUA) 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	CLARENCE KUKAUAKAHI CHING'S MOTION TO ADMIT EXHIBITS AND WRITTEN DIRECT TESTIMONY INTO EVIDENCE: MEMORANDUM IN SUPPORT OF MOTION CERTIFICATE OF SERVICE
	Hearings Officer: Honorable Riki May Amano (Retired)

CLARENCE KUKAUAKAHI CHING'S MOTION TO ADMIT EXHIBITS AND WRITTEN
DIRECT TESTIMONY INTO EVIDENCE: MEMORANDUM IN SUPPORT OF MOTION
CERTIFICATE OF SERVICE

CLARENCE KUKAUAKAHI CHING, petitioner, hereby submit my Motion to Admit Exhibits and Written Direct Testimony into Evidence ("Motion"). This motion is made pursuant to Hawaii administrative rules ("HAR") 13-5-32, 34, 35.

DATED: Hilo, Hawaii 3/1/17

CALRENCE KUKAUAKAHI CHING, petitioner

Received
Office of Conservation and Coastal Lands
2017 Mar 01 2:27 pm
Department of Land and Natural Resources
State of Hawaii

BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

<p>In the Matter of :</p> <p>A Contested Case Hearing Re Conservation District Use Application (CDUA) 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</p>	<p>Case No: BLNR-CC-16-002</p> <p>MEMORANDUM IN SUPPORT OF MOTION</p>
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MEMORANDUM IN SUPPORT OF MOTION

On January 28, 2018, Clarence Kukauakahi Ching, petitioner, rested his case in the above entitled matter. Clarence Kukauakahi Ching now moves to admit into evidence the written direct testimony (“WDT”) of his witnesses and the exhibits introduced therein during the contested case hearing. The proposed evidence is in accordance with Hawaii Revised Statutes (HRS 91-10 governing the admissibility of evidence in agency proceedings.

The evidence presented by Clarence Kukauakahi Ching is relevant, material and is not privileged or unduly repetitious, and is therefore admissible under the liberal standard of admissibility of evidence in administrative hearings. Therefore, pursuant to HRS 91-10, Ching moves to admit into the record the following testimony and documentary evidence:

WRITTEN DIRECT TESTIMONY

EXH. NO	DESCRIPTION
B.19a	Testimony of Clarence Kukauakahi Ching
B.19d	WDT Supplement of Clarence Kukauakahi Ching

EXHIBITS

EXH. NO	DESCRIPTION
B.19b	Oct. 7, 2014 Photo blockade at access road
B.19c	Letter, Kepa Maly to Group 70 International, 14 Oct 1999
B.19e	New Worlds, New Horizons in Astronomy and Astrophysics; National Research Council (2010)
B.19f	Correspondence from Hui to Douglas Chin re blocking access at Mauna Kea
B.19g	NSF should help build massive telescope in Hawaii, says senior appropriator

Moreover, Clarence Kukauakahi Ching reserves the right to supplement this motion based on additional evidence introduced during cross-examination and or rebuttal. Based on the foregoing, Clarence Kukauakahi Ching respectfully requests that the Hearing Officer grant this Motion.

Dated: Hilo, Hawaii 3/1/2017

Clarence Kukauakahi Ching

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,
Hāmākua, Hawaii, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02
Clarence Kukauakahi Ching
EXHIBIT LIST

CERTIFICATE OF SERVICE

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

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Dated: Hilo, Hawaii 3/1/2017

Signed, Clarence Kukauakahi Ching