

Clarence Kukauakahi Ching, Petitioner  
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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 SUPPLEMENTAL 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 SUPPLEMENTAL 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 Supplemental 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 3/8/17

CALRENCE KUKAUAKAHI CHING, petitioner

Received  
Office of Conservation and Coastal Lands  
Department of Land and Natural Resources  
State of Hawaii  
2017 March 8 1:50 pm

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 SUPPLEMENTAL MOTION</p>
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**MEMORANDUM IN SUPPORT OF SUPPLEMENTAL 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
B.19h	Clarence Kukauakahi Ching’s supplemental exhibit designation; Exhibit B.19h [E. Kalani Flores v. BLNR, et al., Civil No. 14-1-324; Order Granting in Part and Denying in Part Board of Land and Natural Resources, Department of Land and Natural Resources, and Chairman Suzanne D. Case’s Motion for Stay of Proceedings, or in the Alternative for the Court to Issue its Decision on Appeal, Filed October 25, 2016; Vacating Consent to Sublease and Non-Exclusive Easement Agreement Between TMT International Observatory, LLC and the University of Hawaii Under General Lease No. S-4191; and Remanding Matter to the Board of Land and Natural Resources (filed January 6, 2017)]; COS

B.19i	Flora of Mauna Kea
B.19j	IUCN Indigenous Membership Category

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 3/8/2017

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, Hawai'i, 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 3/8/2017

Signed, Clarence Kukauakahi Ching