

481347v2

WATANABE ING LLP
A Limited Liability Law Partnership

J. DOUGLAS ING #1538-0
BRIAN A. KANG #6495-0
ROSS T. SHINYAMA #8830-0
SUMMER H. KAIawe #9599-0

First Hawaiian Center
999 Bishop Street, 23rd Floor
Honolulu, Hawaii 96813
Telephone No.: (808) 544-8300
Facsimile No.: (808) 544-8399
E-mails: rshinyama@wik.com

Attorneys for
TMT INTERNATIONAL OBSERVATORY, LLC

BOARD OF LAND AND NATURAL RESOURCES
FOR THE STATE OF HAWAII

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2017 MAR -9 A 11:38

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

IN THE MATTER OF

Case No. BLNR-CC-16-002

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

TMT INTERNATIONAL
OBSERVATORY, LLC'S SECOND
SUPPLEMENT TO ITS MOTION TO
ADMIT EXHIBITS AND WRITTEN
DIRECT TESTIMONY INTO EVIDENCE,
FILED JANUARY 23, 2017;
CERTIFICATE OF SERVICE

**TMT INTERNATIONAL OBSERVATORY, LLC'S SECOND SUPPLEMENT
TO ITS MOTION TO ADMIT EXHIBITS AND WRITTEN DIRECT
TESTIMONY INTO EVIDENCE, FILED JANUARY 23, 2017**

TMT International Observatory, LLC ("TIO"), by and through its counsel Watanabe Ing, LLP, and hereby submits this Second Supplement to its Motion to Admit Exhibits and Written Direct Testimony Into Evidence, Filed January 23, 2017 ("Motion").

On January 5, 2017, TIO rested its case in the above entitled matter. On January 23, 2017, TIO filed its Motion to Admit Exhibits and Written Direct Testimony into Evidence of its

witnesses and the exhibits introduced therein during the contested case hearing. Subsequent to its Motion filed in January, TIO filed a Supplement to its Motion on February 24, 2017, which included additional exhibits C-41 through C-49. Based on all evidence introduced during cross-examination and/or rebuttal, TIO submits this Second Supplement to its Motion, which includes the following exhibits previously submitted in its filings of January 23rd and February 24th and additional exhibits C-52 and C-54.

WRITTEN DIRECT TESTIMONY

Ex. No.	Description
C-1	Testimony of Ed Stone
C-2 (including errata)	Testimony of Gary Sanders
C-6	Testimony of David M. Callies
C-8	Testimony of Dr. Heather Kaluna
C-9	Testimony of Naea Stevens
C-11	Testimony of Robert B. Rechtman
C-17	Testimony of Paul Coleman

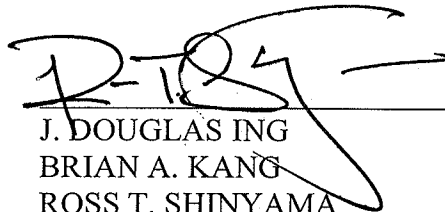
EXHIBITS

Ex. No.	Description
C-3	Graphic showing Mitigation Measures Reduce Size and Visibility of TMT
C-12	Thirty Meter Telescope Archaeological Report, prepared by Genevieve Glennon and Robert Rechtman (October 2013)
C-13	Letter to Robert Rechtman from DLNR Historic Preservation Division, approving TMT Archaeological Report (December 16, 2013)

Ex. No.	Description
C-14	Thirty Meter Telescope Monitoring Report re: Groundbreaking prepared by Samuel Plunket and Robert Rechtman (September 2014)
C-15	Field Reconnaissance of TMT Development Site
C-16	Updated Field Reconnaissance of TMT Development Site
C-18	Aerial Graphic showing distances from cultural practice areas to proposed TMT Observatory
C-19	Aerial Graphic showing that TMT does not block/impinge on view of Haleakala from Poli'ahu
C-23	Graphic of Size Comparison Chart of TMT with other Telescopes
C-35	Mauna Kea Summit aerial photograph
C-36	Mauna Kea Summit USGS Map
C-37	Map of Honokohau Harbor Area
C-38	8/22/2014 Letter to William Aila (DLNR) from Bob Rechtman
C-39	TMT International Observatory, LLC Initial Decommissioning Funding Plan (April 2014)
C-40	<u>Kilakila 'O Haleakala v. Board of Land and Natural Resources, et al.</u> , 138 Hawaii 383, 382 P.3d 195 (2016) (Opinion of Court by Recktenwald, C.J.).
C-41	12/22/1992 Disciplinary Board of the Hawaii Supreme Court Decision regarding suspension of Clarence F. T. Ching from the practice of law
C-42	4/14/1993 Hawaii Supreme Court Order of Suspension regarding Clarence F. T. Ching
C-43	FEIS Response to MKAH Comments
C-44	TMT EIS, Figure 3-3: Historic Sites
C-45	Pua Case Facebook page, November 9 at 8:44 a.m.
C-45a	Duplicate of Pua Case Facebook page of November 9 at 8:44 a.m., dated November 9, 2016
C-46	Article by Gregory Johnson: Authenticity, Invention, Articulation: Theorizing Contemporary Hawaiian Traditions from the Outside

Ex. No.	Description
C-47	Article by Gregory Johnson: The Newark Earthworks – Caring for Depressed Cultural Sites, Hawaiian Style
C-48	Brannon Kealoha Facebook Post re Mailani Neal
C-49	Article by Noelani Goodyear-Kaopua and Mary Tuti Baker - The Great Shift: Moving Beyond a fossil Fuel-Based Economy
C-52	Article by Davianna McGregor – Na Kuaaina, Living Hawaiian Culture
C-54	Mililani Trask’s Presentation on Community Benefits Package in Development

DATED: Honolulu, Hawai‘i, March 9, 2017.



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

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

BLNR Contested Case HA-16-002

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

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

Michael Cain
Office of Conservation and Coastal
Lands
1151 Punchbowl, Room 131
Honolulu, HI 96813
Dlnr.maunakea@hawaii.gov
Custodian of the Records
(ORIGINAL + DIGITAL COPY)

Office of Conservation and
Coastal Lands
dlnr.maunakea@hawaii.gov

Mehana Kihoi
PO Box 393
Honaunau, HI 96726
uhiwai@live.com

Harry Fergerstrom
P.O. Box 951
Kurtistown, HI 96760
hankhawaiiian@yahoo.com
(via email & U.S. mail)

C. M. Kaho'okahi Kanuha
77□6504 Maile St
Kailua Kona, HI 96740
Kahookahi.kukiaimauna@gmail.com

Carlsmith Ball LLP
Ian Sandison, Tim Lui□Kwan, John
P. Manaut, Lindsay N. McAneeley
1001 Bishop Street
ASB Tower, Suite 2200
Honolulu, HI 96813
isandison@carlsmith.com
tluikwan@carlsmith.com
jpm@carlsmith.com
lmcaneley@carlsmith.com
*Counsel for the Applicant University
of Hawai'i at Hilo*

Lanny Alan Sinkin
P. O. Box 944
Hilo, HI 96721
lanny.sinkin@gmail.com
*Representative for The Temple of
Lono*

Maelani Lee
PO Box 1054
Waianae, HI 96792
maelanilee@yahoo.com

J. Leina'ala Sleightholm
P.O. Box 383035
Waikoloa, HI 96738
leinaala.mauna@gmail.com

Kalikolehua Kanaele
4 Spring Street
Hilo, HI 96720
akulele@yahoo.com

Torkildson, Katz, Moore,
Hetherington & Harris
Attn: Lincoln S. T. Ashida
120 Pauahi Street, Suite 312
Hilo, HI 96720□3084
lsa@torkildson.com
njc@torkildson.com
*Counsel for Perpetuating Unique
Educational Opportunities (PUEO)*

Dwight J. Vicente
2608 Ainaola Drive
Hilo, Hawaiian Kingdom
[dwightjvicente@gmail.com](mailto:dwrightjvicente@gmail.com)
(via email & U.S. mail)

Stephanie□Malia:Tabbada
P O Box 194,
Naalehu, HI 96772
s.tabbada@hawaiiiantel.net

Brannon Kamahana Kealoha
89□564 Mokiawe Street
Nanakuli, HI 96792
brannonk@hawaii.edu

Joseph Kualii Lindsey Camara
kualiiic@hotmail.com

William Freitas
PO Box 4650
Kailua Kona, HI 96745
pohaku7@yahoo.com

Cindy Freitas
PO Box 4650
Kailua Kona, HI 96745
hanahanai@hawaii.rr.com

Wilma H. Holi
P.O. Box 368
Hanapepe, HI 96716
Witness for the Hearing Officer
w_holi@hotmail.com
lehina@hawaii.rr.com

Flores-Case 'Ohana
E. Kalani Flores
ekflores@hawaiiantel.net

Glen Kila
89□530 Mokiawe Street
Waianae, HI 96792
makakila@gmail.com

Ivy McIntosh
3popoki@gmail.com
Witness for the Hearing Officer

Tiffnie Kakalia
549 E. Kahaopea St.
Hilo, HI 96720
tiffniekakalia@gmail.com

B. Pualani Case
puacase@hawaiiantel.net

Moses Kealamakia Jr.
mkealama@yahoo.com
Witness for the Hearing Officer

Paul K. Neves
kealiikea@yahoo.com

Clarence Kukauakahi Ching
kahiwaL@cs.com

Patricia P. Ikeda
pheakeanila@gmail.com
Witness for the Hearing Officer

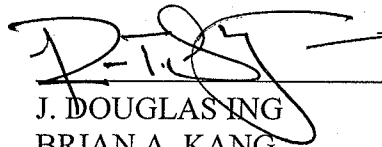
Kealoha Pisciotta and Mauna Kea
Anaina Hou
keomaivg@gmail.com

Yuklin Aluli, Esq.
415-C Uluniu Street
Kailua, Hawaii 96734
yuklin@kailualaw.com
Co-Counsel for Petitioner
KAHEA: The Hawaiian
Environmental Alliance, a domestic
non-profit Corporation

Dexter K. Kaiama, Esq.
111 Hekili Street, #A1607
Kailua, Hawaii 96734
cdexk@hotmail.com
Co-Counsel for Petitioner
KAHEA: The Hawaiian
Environmental Alliance, a domestic
non-profit Corporation

Deborah J. Ward
cordylinecolor@gmail.com

DATED: Honolulu, Hawaii, March 9, 2017.



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