

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
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MEMORANDUM

TO: All parties in Contested Case HA-16-02 regarding Conservation District Use Application (CDUA) HA-3568 for the Thirty Meter Telescope at the Mauna Kea Science Reserve, Kahohe Mauka, Hamakua, Hawaii, TMK (3) 4-4-015:009

FROM:  Michael Cain, Custodian of the Records, State of Hawai'i, Department of Land and Natural Resources, Office of Conservation and Coastal Lands

SUBJECT: Contested Case Transcripts

On Tuesday, April 18, 2017, copies of the transcripts of the Pre-Hearing Conferences and Evidentiary Hearings on the above subject contested case were delivered to the following libraries:

- **Hilo Public Library**
300 Waianueue Ave, Hilo, 96720
Documents available at the Reference Desk
 - Closed Sunday and Monday
 - Tuesday: 11 am -- 7 pm
 - Wednesday: 11 am -- 7 pm
 - Thursday: 9 am -- 5 pm
 - Friday: 10 am -- 5 pm
 - Saturday: 9 am -- 5 pm
- **Kailua Kona Public Library**
75-138 Hualalai Rd, Kailua-Kona, HI 96740
Documents available at the Reference Desk
 - Closed Sunday and Monday
 - Tuesday: 12 pm -- 7 pm
 - Wednesday: 9 am -- 5 pm
 - Thursday: 9 am -- 5 pm
 - Friday: 11 am -- 5 pm
 - Saturday: 9 am -- 5 pm

- **Thelma Parker Memorial Library**
67-1209 Mamalahoa Hwy, Waimea, HI 96743
Documents available at the Circulation Desk
 - Closed Sunday and Monday
 - Tuesday: 9:30 am – 4:30 pm
 - Wednesday: 12:30 pm – 7:30 pm
 - Thursday: 9:30 am – 4:30 pm
 - Friday: 9:30 am – 4:30 pm
 - Saturday: 9:30 am – 4:30 pm

- **Edward H Mookini Library (University of Hawaii at Hilo)**
200 W Kawili St, Hilo, HI 96720
Documents available at the Circulation Desk
Note: Transcripts might not be available at this location until later in the week; Please call 923-7311 to confirm when they are on the shelves.
 - Hours vary depending on the school calendar. Please visit the UH Hilo website for summer hours at guides.library.uhh.hawaii.edu/about/hours

- **Hawaii State Public Library**
478 S King St, Honolulu, HI 96813
Documents available at the Reference Desk
 - Closed
 - Monday: 10:00 am – 5:00 pm
 - Tuesday: 9:00 am – 5:00 pm
 - Wednesday: 10:00 am – 5:00 pm
 - Thursday: 9:00 am – 8:00 pm
 - Friday: 9:00 am – 5:00 pm
 - Saturday: 9:00 am – 5:00 pm

These copies are available for public review; however, they cannot be checked out. Any parties or members of the public who wish to have a copy directly from the Court Reporter should contact the court reporting agency for that day, as noted below:

- Volume 8 (November 15) and 9 (November 16): Island Court Reporting and Transcription Services, 808-518-7522
- Volumes 23 (January 9), 27 (January 19), and 28 (January 23): Ralph Rosenberg Court Reporters, Inc., 808-524-2090
- All other volumes: McManus Court Reporters, 808-239-6148

An index to the transcripts is attached to this memo. The index will also be posted in the online documents library as **Doc-551 OCCL**.

**Index to transcripts for Contested Case HA-16-02 regarding Conservation District Use Application (CDUA)
HA-3568 for the Thirty Meter Telescope at the Mauna Kea Science Reserve, Kahohe Mauka, Hamakua,
Hawaii**

May 16, 2016 to March 02, 2017

Date	Vol	Subject
16-May	i	Prehearing Conference
17-Jun	ii	Request for Admission and Motions
17-Jun	iii	Scheduling Hearing
5-Aug	iv	Motions Hearing
12-Aug	v	Motions Hearing
29-Aug	vi	Motions Hearing
3-Oct	vii	Motions Hearing

Date	Vol	Party	Witness	Cross
20-Oct	1	UHH	Perry White	Ward, Pisciotta, Ching, Case, Kahea, Fergerstrom, Kihoi, Camara
24-Oct	2	UHH	Perry White (2)	PUEO, Sleightholm, Lono, Kanaele, Vicente, Kealoha, C Freitas
25-Oct	3	UHH	Perry White (3)	W Freitas, Kanuha, Vicente
			James Hayes	TIO, Camara, Ward, Pisciotta
26-Oct	4	UHH	James Hayes (2)	Pisciotta (cont'd), Flores, Ching
27-Oct	5	UHH	Gunther Hasinger	Ward, Pisciotta, Ching, Kahea, Fergerstrom, W Freitas, Kihoi, PUEO, Sleightholm, Lono, Kanaele, Vicente, Kealoha, Kakalia, C Freitas
31-Oct	6	UHH	James Hayes (3)	Ching (cont'd), Kahea, Kihoi, Sleightholm, Lono, Kanaele, Vicente, C Freitas, W Freitas, Fergerstrom
2-Nov	7	UHH	Chad Kalepa Baybayan	Pisciotta, Ching, Case, Kahea, Fergerstrom, Kihoi, Kanuha, PUEO, Sleightholm, Lono, Kanaele, Kakalia, Vicente, Kealoha, C Freitas
			Robert McLaren	Case, Ward
15-Nov	8	UHH	James Hayes (4)	Fergerstrom, Kealoha
			Robert McLaren (2)	Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, Sleightholm, Lono, Vicente, Kealoha, C Freitas,
16-Nov	9	UHH	Robert McLaren (3)	C Freitas, W Freitas
			Wallace Ishibashi	Ward, Pisciotta, Ching, Flores, Kahea, Fergerstrom, Kihoi

Date	Vol	Party	Witness	Cross
1-Dec	10	UHH	Wallace Ishibashi (2)	Kanuha, Camara, Sleightholm, Kakalia, Vicente, C Freitas, Kealoha
			Clifford Smith	Ward, Pisciotta, Ching, Kahea, Kihoi, Camara, Vicente, Kealoha
2-Dec	11	UHH	Walter Heen	Pisciotta, Ward, Ching, Kahea, Fergerstrom, Kihoi, Sleighholm, Lono, Kakalia, Kealoha, C Freitas
5-Dec	12	UHH	Richard Nees	Ward, Pisciotta, Ching, Flores, Kahea, Fergerstrom, Kihoi, Sleighholm, Vicente, Kealoha, C Fretias, W Frietas; UHH (redirect); TIO, Ward, Ching, Pisciotta, Flores, Kahea, Lono, Vicente, Kealoha, W Freitas (recross)
6-Dec	13	UHH	Fritz Klasen	Ward, Pisciotta, Ching, Kahea, Kihoi, Sleighholm, Lono, Kakalia, Vicente, Kealoha, C Freitas, W Freitas; UHH (redirect); Ward, Kihoi, Lono, Kealoha, Pisciotta (recross)
8-Dec	14	UHH	Srephanie Nagata	Ward, Pisciotta, W Freitas, Pisciotta (cont'd), Ching, Kahea, Kihoi, Sleightholm
12-Dec	15	UHH	Srephanie Nagata (2)	Lono, Flores, Kakalia, Vicente, C Freitas
13-Dec	16	UHH	Stephanie Nagata (3)	C Freitas (cont'd), Fergerstrom, Kanaele
16-Dec	17	TIO	David Callies	UHH, Ward, Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, Camara, C Freitas, W Freitas, Lono, Kanaele, Vicente
			Dashiel Naea Stevens	Ward, Pisciotta, Ching, Fergerstrom, Kihoi, Camara, Vicente
19-Dec	18	TIO	Edward Stone	Pisciotta, Ward, C Freitas, W Freitas, Ching, Kahea, Fergerstrom, Kihoi, Lono, Kanaele, Vicente
20-Dec	19	TIO	Robert Rechtman	Ward, Pisciotta, Ching, Flores, W Freitas, Kahea, Kihoi

Date	Vol	Party	Witness	Cross
3-Jan	20	TIO	Gary Sanders	UHH, Ward, Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, Lono, Vicente, C Freitas
4-Jan	21	TIO	Gary Sanders (2)	C Freitas (cont'd), Case
			Robert Rechtman (2)	Lono, Vicente, C Freitas
5-Jan	22	TIO	Healthier Kaluna	Ward, Pisciotta, Ching, Case, Kahea, Fergerstrom, Kihoi, PUEO, Lono, Vicente, C Freitas, W Freitas
			Paul Coleman	Pisciotta, Ching, Case, Kahea, Fergerstrom, Kihoi, PUEO, Lono, Vicente, C Freitas, Ward
9-Jan	23	Flores-Case Ohana	Ku Kahakalau	Ward, Pisciotta, Ching, Flores, Kahea, Fergerstrom, Kihoi, PUEO, Lono, Kakalia, Vicente, C Freitas, W Freitas, UHH, Kanaele, TIO; Flores (redirect)
		Kahea	Lei Fujikane	Ward, Pisciotta, Ching, Flores, Fergerstrom
10-Jan	24	Kahea	Marti Townsend	Ward, Pisciotta, Ching, Case, Fergerstrom, Kihoi, PUEO, Lono, Vicente, C Freitas, W Freitas, UHH, TIO; Kahea (redirect)
		Ward	Laulani Teale	Pisciotta, Ching, Case, Kahea, Fergerstrom, Kihoi, PUEO
11-Jan	25	Kahea	David Frankel	Ching, Flores, Fergerstrom, Lono, Vicente, W Freitas, TIO; Kahea (redirect)
			Candace Fujikane	Kihoi, PUEO, Lono, Vicente, W Freitas, TIO; Kahea (redirect)
		Ward	Laulani Teale (2)	Lono, Vicente, W Freitas
		Flores-Case Ohana	Pualani Case	Ward, Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, PUEO, Lono, W Freitas, UHH, TIO; Flores (redirect)
12-Jan	25 b	Kahea	Jonathan Osorio	Ward, Pisciotta, Ching, Case, Fergerstrom, Kihoi, Pueo, W Freitas, Lono, Vicente, C Freitas, UHH; Kahea (redirect)

Date	Vol	Party	Witness	Cross
19-Jan	27	Kahea	Kehaunana Abad	Pisciotta, Ching, Case, Kihoi, Lono, Kanaele, Vicente, C Freitas, W Freitas, UHH, TIO
			Eric Hansen	Ward, Pisciotta, Ching, Case, Kihoi, Lono, Kanaele, Vicente, C Freitas, W Freitas, UHH, TIO; Kahea (redirect)
		Flores-Case	Diana Larose	Ward, Pisciotta, Ching, Kihoi, Lono, Kanaela, C Freitas, TIO; Case (redirect)

23-Jan	28	Harry Fergerstrom	Michael Lee	Ward, Pisciotta, Ching, Flores, Kahea, Kihoi, Pueo, Lono, Kahea, Kamaia (Kanaele?), Vicente, C Freitas, W Freitas, UHH, Fergersrom
			Harry Fergerstrom	Ward, Pisciotta, Ching, Flores, Kihoi, Pueo, Lono, Vicente, C Freitas, UHH, TIO

24-Jan	29	Kahea	Maile Taulii	Ward, Pisciotta, Ching, Case, Kihoi, PUEO, Lono, Kanaele, Vicente, C Freitas, W Freitas, Fergerstrom, UHH, TIO
			Kuulei Kanahele	Ward, Pisciotta, Ching, Case, Fergerstrom, Kihoi, Lono, Kanaele, C Freitas, W Freitas
		Clarence Ching	Clarence Kukauakahi Ching	Pisciotta

25-Jan	30	Mauna Kea Anaina Hou	Peter Mills	Ward, Ching, Flores, Kahea, Fergerstrom, Kihoi, Lono, Vicente, C Freitas, W Freitas, UHH, TIO; Pisciotta (redirect)
			Davin Vicente	Ward, Ching, Flores, Kahea, PUEO, Lono, C Freitas, W Freitas, UHH; Pisciotta (redirect)

26-Jan	31	Flores- Case Ohana	Manulani Aluli-Meyer	Ward, Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, PUEO, Lono, Kakalia, Vicente, C Fretias, W Freitas, Kanaele; Case (redirect)
		Clarence Ching	Clarence Ching (2)	Case, Kihoi, Lono, Kanaele, Kakalia, Vicente, C Freitas, W Freitas, Ward, UHH, TIO; Kahea (redirect)

30-Jan	32	Flores-Case Ohana	E. Kalani Flores	W Freitas, Ward, Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, Lono, Kanaele, Vicente, C Freitas, UHH, TIO; Case (redirect)
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Date	Vol	Party	Witness	Cross
31-Jan	33	Deborah Ward	Deborah Ward	Pisciotta, Ching, Case, Kahea, Fergerstrom, Kihoio, Lono, Vicente, C Freitas, W Freitas, UHH, TIO
		Paul Kevin K. Neves	Paul Kevin K. Neves	Pisciotta, W Freitas, Cing, Case, Kahea, Ward, Kihoi, Lono, Kanaele, Vicente, C Freitas, UHH, TIO

13-Feb	34	Mauna Kea Anaina Hou	Kealoha Pisciotta	Ching, Flores, Kahea, Fergerstrom, Kihoi, PUEO, Camara, Lono, Vicente, C Freitas, W Freitas, UHH, TIO; redirect
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14-Feb	35	Mehana Kihoi	Leinaala Sleightholm	Pisciotta, Ching, Kahea, Fergerstrom, PUEO, Vicente, W Freitas, UHH, TIO; Kihoi (redirect)
			Mehana Kihoi	Pisciotta, Ching, Kahea, Fergerstrom, PUEO, Sleightholm, Vicente, W Freitas, TIO; Kihoi (redirect)
			Sarah Kihoi	Pisciotta, Ching, Kahea, Fergerstrom, W Freitas; Kihoi (redirect)
			Ruth-Rebeccalynne Aloua (2)	Pisciotta

15-Feb	36	Kahea	Ruth-Rebeccalynne Aloua (2)	Kahea, PUEO, Vicente, C Freitas, W Freitas, Fergerstrom, UHH, Kihoi; Flores (redirect)
		Mehana Kihoi	Hawane Rios	Pisciotta, Ching, Flores, Fergerstrom, Vicente, C Freitas, W Freitas, TIO; Kahea (redirect)
		PUEO	Shadd Keahi Warfield	Pisciotta, Flores, Kahea, Fergerstrom, Vicente, C Freitas, W Freitas

16-Feb	37	Cindy Freitas	Gregory Johnson	Pisciotta, Ching, Kahea, Fergerstrom, Kihoi, Vicente, C Freitas, UHH, TIO; Kahea (redirect)
			Nanci Munroe	Pisciotta, Ching, Kahea, Vicente, W Freitas, UHH, C Freitas
			Susan Rosier	Pisciotta

Date	Vol	Party	Witness	Cross
21-Feb	38	Cindy Freitas	Susan Rosier (2)	Pisciotta (cont'd), Ching, Kahea, UHH, W Freitas; C Freittas (redirect)
			Cindy Freitas	Pisciotta, Kahea, Ching, Kihoi, Vicente, UHH, TIO
		PUEO	Richard Ha	Pisciotta, Ching, Kihoi, Vicente, C Freitas, TIO; PUEO (redirect)
			Elroy Osorio, Jr.	Pisciotta, Ching, Kihoi, Vicente, C Freitas
			William Brown	Pisciotta, Ching, Kihoi, Vicente, C Freitas

22-Feb	39	Leinaala Sleightholm	Nelson Ho	Pisciotta, Flores, Kahea, Fergerstrom, Kihoi, Vicente, Freitas, UHH, Kakalia, TIO; Kahea (redirect)
			Noelani Goodyear-Kaopua	Pisciotta, Ching, Flores, Kahea, Fergerstrom, Kihoi, PUEO, Kakalia, Vicente, C Freitas, UHH, TIO; Kahea (redirect)

23-Feb	40	Hearing Officer	Wilma Holi	Pisciotta, Kahea, Fergerstrom, Kihoi, Lono, Vicente, W Freitas, C Freitas
		Tiffnie Kakalia	Joseph Keaweaimoku Kaholokula	Pisciotta, Kahea, Fergerstrom, PUEO, Lono, Vicente, C Freitas, W Freitas, TIO, Kihoi; Kakalia (redirect)
			Tammy Noelani Perreira	Fergerstrom, Lono, Vicente, W Freitas, Kihoi, TIO
			Keahi Tajon	Pisciotta, Kahea, Fergerstrom, Lono

27-Feb	41	Tiffnie Kakalia	Keahi Tajon (2)	Lono, Kanaele, Vicente, C Freitas, W Freitas, Ward, Camara, UHH, TIO; Kakalia (redirect)
			Tiffnie Kakalia	Ward, Pisciotta, Flores, Fergerstrom, Camara, PUEO, Kanaele, Vicente, C Freitas, W Freitas, UHH, TIO
		Flores-Case Ohana	Sam Lemmo	Flores (direct)

Date	Vol	Party	Witness	Cross
28-Feb	42	Flores-Case Ohana	Sam Lemmo (2)	Ward, Pisciotto, Ching, Kahea, Lono, Vicente, W Freitas, UHH; Kahea (redirect)
		Kahea (rebuttal)	Brian Cruz	Ward, Pisciotto, Ching, Fergerstrom, Kihoi, Camara, Lono, W Freitas, UHH; Kahea (voir dire); TIO
		Joseph Camara	Mililani Trask	Ward, Pisciotto, Ching, Kihoi, Lono, Kanaele, Vicente, C Freitas, W Freitas, UHH

1-Mar	43	Temple of Lono	Kahuna Frank Nobriga	Pisciotto, Ching, Flores, Kahea, Fergerstrom, Kihoi, Kanaele, C Freitas, W Freitas, UHH, TIO; Lono (redirect)
		Joseph Camara	Mililani Trask (2)	UHH, TIO; Camara (redirect)
			Joseph Camara	Ward, Pisciotto, Ching, Flores, Kahea, Kihoi, Lono, Kanaele, Vicente, C Freitas, W Freitas, UHH, TIO
		Kalikolehua Kanaele	Kalikolehua Kanaele	Ward, Pisciotto, Ching, Flores

2-Mar	44	Kalikolehua Kanaele	Kalikolehua Kanaele (2)	Lono, Vicente, C Freitas, W Freitas, UHH, TIO; Kahea (redirect)
			Wiremu Carroll	Ward, Pisciotto, Ching, Kahea, Fergerstrom, Kihoi, Lono, Vicente, C Freitas, W Freitas, UHH; Kanaele (redirect)
		William Freitas	Ronald Fujiyoshi	Pisciotto, Ching, Kahea, Fergerstrom, Kihoi, Sleightholm, PUEO, Lono, Kanaele, Kakalia, Vicente, C Freitas, Ward, UHH, TIO; W Freitas (redirect)
			William Freitas	Ward, Pisciotto, Ching, Kahea, Fergerstrom, Kihoi, Sleightholm, Lono, Kanaele, Kakalia, Vicente, C Freitas, UHH, TIO

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

BLNR Contested Case HA-16-02
Document title: **Memorandum on Transcripts;
Index to contested case transcripts**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above referenced document was served upon the following parties by email (when indicated) on April 17, 2017, and by regular mail on April 18, 2017:

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Signature:



Name: Michael Cain, Custodian of the Records

Date: April 18, 2017