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BOARD OF LAND AND NATURAL RESOURCES  
FOR THE STATE OF HAWAII

IN THE MATTER OF ) Case No. BLNR-CC-16-002  
)  
A Contested Case Hearing Re Conservation; ) WILLIAM FREITAS, MOTION  
Use Application (CDUA) HA-3568 For the ) TO PROCEDURAL CLARIFICATION  
Thirty Meter Telescope at the Mauna Kea ) CONCERNING TRANSCRIPT  
Science Reserve, Ka'ohē Mauka, Hamakua, ) ERRORS. MEMORANDUM IN  
Hawaii TMK(3)4-4-015:009 ) SUPPORT OF; COS  
)  
)  
)  
) **CERTIFICATE OF SERVICE**

**WILLIAM FREITAS, MOTION TO PROCEDURAL CLARIFICATION  
CONCERNING TRANSCRIPT ERRORS. MEMORANDUM IN SUPPORT OF;  
COS**

Come's now William Freitas Pro-se under threat, duress, and coercion to heard in this Contested case hearing concerning CDUA HA-3568 for the proposed TMT on Mauna Kea, in part of completion of the Evidentiary Hearings with testimonies and transcripts to Prepare proposal of Findings Of Facts, and Conclusion Of Law for Decision and Order For Contested Case Hearings Officer, Riki May Amano, move's hearings officer to Procedural Clarification Concerning Transcript "Errors", before deadline date "May 30, 2017, in reference to HRS 92-F, to provide a full descriptive, accurate and relevant government record of this contested case hearing.

Dated: May 13, 2017

  
William Freitas Pro-se  
Received  
Office of Conservation and Coastal Lands  
Department of Land and Natural Resources  
State of Hawaii  
2017 May 13 10:16 pm

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**WILLIAM FREITAS, MOTION TO PROCEDURAL CLARIFICATION  
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**MEMORANDUM**

I Intervener, William Freitas Pro-se, brings the following concerns to attention of the Hearings Officer in order to be given assurance that the hearing transcript will be Corrected prior to any decision in this case. The matter concerns due process, fairness, And the appearance of fairness.

One of my witness, Professor Greg B. Johnson, upon review of transcript containing his Testimony, has informed me of numerous errors in the document. Many of these are Comparatively minor, though the sheer number of them are certainly alarming (twenty-Two in forty pages). Of far grater consequence for this process and its integrity are two Major errors found within the first twenty pages of his testimony. These errors are so

Egregious as to recast the meaning of two of his key arguments. Allowing these to stand would be a miscarriage of due process.

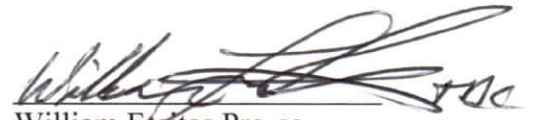
The first is found at page 16, in lines 11-13. “Professor’s Johnson testimony hinged on Establishing on the present and on going Hawaiian Religious Traditions”. Here he was introducing the ground work of his argument. The Transcript reads: “Valid permitting in Such cases entails, as a prior step, in meaningful consultation with those affected, Including early practitioners”. The word “early” is the error. If one consults the “Na leo TV” record, one hears Professor Johnson audibly and clearly says “Religious” not “early”. This error is substantive and highly prejudicial with regards to the meaning of Mr. Johnson’s testimony, focuses as he was on contemporary, not historical, religious practitioners.

This next example is even starker and involves a complete inversion of Professor Johnson’s intended meaning. The error is found in volume 37, pages 37, lines 11, where The word “degenerative” instead of what Professor Johnson said: “generative”. The lines In question (9-11) read: “And to realize the Hawaiian Tradition wasn’t one side or the Other, it was in friction, degenerative friction between the sides”. Rendered thus, the Meaning of Professor Johnson’s point is undermined and reversed. His point was to say That Hawaiian traditions resides even in the moments of intra-cultural friction and this is Precisely generative of traditions. Professor Johnson has spent years of his career making This point with specific reference to Hawaiian Tradition and legal struggles therein. To Have the transcript misrepresent his words so diametrically is extremely problematic for The integrity of the transcript and the process that relies upon it.

## CONCLUSION

Please advise as to how “petitioners” make rectifications of the transcript with regards  
To such major error’s and assurance that this process will not move forward on the basis  
Of a faulty record. Mahalo!

Dated: May 13, 2017



William Freitas Pro-se



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 of the Mauna  
Kea Science Reserve, Ka'ohe Mauka,  
Hamakua, Hawaii, TMK (3) 4-4-015.009

BLNR Contested  
Case HA-16-02  
Document Title

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above reference document was served upon the  
Following parties by the means of email and or mailed and electronically filed.

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