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Attorneys for Petitioner  
**CMBY 2011 INVESTMENT, LLC**

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of

CMBY 2011 INVESTMENT, LLC

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District  
For Certain Lands Situate at Pulehunui,  
District of Wailuku, Island and County of  
Maui, State of Hawai'i, consisting of  
approximately 86.030 acres, Tax Map Key No.  
(2) 3-8-008:019

DOCKET NO. A13-797

PETITIONER'S FIRST AMENDED LIST  
OF WITNESSES; PETITIONER'S LIST  
OF REBUTTAL EXHIBITS; EXHIBITS 43  
- 46; CERTIFICATE OF SERVICE

**PETITIONER'S FIRST AMENDED LIST OF WITNESSES; PETITIONER'S LIST OF  
REBUTTAL EXHIBITS; EXHIBITS 43 - 46; CERTIFICATE OF SERVICE**

**LAND USE COMMISSION DOCKET A13-797,  
PETITIONER CMBY 2011 INVESTMENT LLC FIRST AMENDED LIST OF WITNESSES**

	<b>NAME ORGANIZATION</b>	<b>TO BE QUALIFIED AS AN EXPERT IN:</b>	<b>SUBJECT MATTER</b>	<b>WRITTEN TESTIMONY (Yes or No)</b>	<b>EXHIBITS</b>	<b>LENGTH OF DIRECT</b>
1.	Glenn Tadaki Chris Hart & Partners, Inc.	Land use planning and environmental review	Project planning, environmental impacts and land use	Yes, Exhibit 35	1, 2, 3, 5, 9, 10, 34, 35, 39, 40, 43, 44	25 minutes
2.	Phillip L. Bruner	Biology	Project bird and mammal surveys	Yes, Exhibit 13	1, 12, 13	N/A
3.	Robert W. Hobdy	Biology	Project nene survey; project arthropod study	Yes, Exhibit 15	1, 14, 15	N/A
4.	Maya LeGrande LeGrande Biological Surveys Inc.	Botany	Project botany and endangered plant species	Yes, Exhibit 17	1, 16, 17	10 minutes
5.	Michael F. Dega, Ph.D. Scientific Consultant Services Inc.	Archaeology/Historic Preservation	Project archaeology, historic and cultural impacts	Yes, Exhibit 19	1, 18, 19	10 minutes

	<b>NAME ORGANIZATION</b>	<b>TO BE QUALIFIED AS AN EXPERT IN:</b>	<b>SUBJECT MATTER</b>	<b>WRITTEN TESTIMONY (Yes or No)</b>	<b>EXHIBITS</b>	<b>LENGTH OF DIRECT</b>
6.	John S. Vuich Malama Environmental	Geological engineering	Review of Phase 1 environmental assessment	Yes, Exhibit 25	1, 24, 25	10 minutes
7.	Stacy Otomo Otomo Engineering, Inc.	Civil engineering	Project engineering	Yes, Exhibit 29	1, 28, 29, 40, 42	15 minutes
8.	Tom Nance Tom Nance Water Resource Engineering	Groundwater and surface water development Hydraulics and water system design Flood control and drainage Coastal engineering	Project hydrology and water resource engineering	Yes, Exhibit 37	1, 36, 37, 41, 42, 45	15 minutes
9.	Phillip Rowell Phillip Rowell and Associates	Traffic engineering	Project traffic	Yes, Exhibit 31	1, 30, 31	10 minutes
10.	Yoichi Ebisu Y. Ebisu & Associates	Noise	Project noise impacts	Yes, Exhibit 21	1, 20, 21	10 minutes
11.	Barry Neal B.D. Neal & Associates	Air quality	Project air quality impacts	Yes, Exhibit 23	1, 22, 23	10 minutes

	<b>NAME ORGANIZATION</b>	<b>TO BE QUALIFIED AS AN EXPERT IN:</b>	<b>SUBJECT MATTER</b>	<b>WRITTEN TESTIMONY (Yes or No)</b>	<b>EXHIBITS</b>	<b>LENGTH OF DIRECT</b>
12.	Glenn K. Kuniyama, MAI, CRE ACM Consultants, Inc.	Market and Economic/Fiscal Analysis	Project market, economic and fiscal issues, to include impacts on agricultural activities	Yes, Exhibit 27	1, 26, 27, 39, 40	15 minutes
13.	Charles Jencks CMBY 2011 Investment, LLC	Planning, permitting, Project feasibility	Project overview, finance and development	Yes, Exhibit 33	1, 3, 4, 5, 6, 7, 9, 10, 11, 32, 33, 38, 39, 40, 41, 42, 43, 44	30 minutes
14.	Steven J. Dollar, Ph.D. Marine Research Consultants, Inc.	Coral reef ecology and coastal oceanography	Water quality Marine biology	Yes, Exhibit 47	1, 46, 47	10 minutes

**LAND USE COMMISSION DOCKET A13-797,  
 PETITIONER CMBY 2011 INVESTMENT LLC LIST OF REBUTTAL EXHIBITS 43, 44, 45, 46, 47**

EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
<p>Petitioner's Exhibits 1 - 11 were filed with the Petition For Land Use District Boundary Amendment in Docket A13-797 on May 3, 2013, and served on all parties.</p> <p>Petitioner's Exhibits 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 39, 40, 41, 42 in Docket A13-797 were filed with the Land Use Commission and copies served on all parties on July 29, 2013.</p>			
1.	Final Environmental Assessment		
2.	November 28, 2012, letter from County of Maui Department of Planning to Mr. Gary Hooser, Director, Office of Environmental Quality Control		
3.	Maui Island Plan, Maps I-12 and I-13		
4.	Authorization of CMBY 2011 Investment, LLC		
5.	Tax map showing Petition Area		
6.	Limited Warranty Deed dated March 17, 2011		
7.	Title Report dated March 1, 2013		
8.	Notification of Petition Filing		

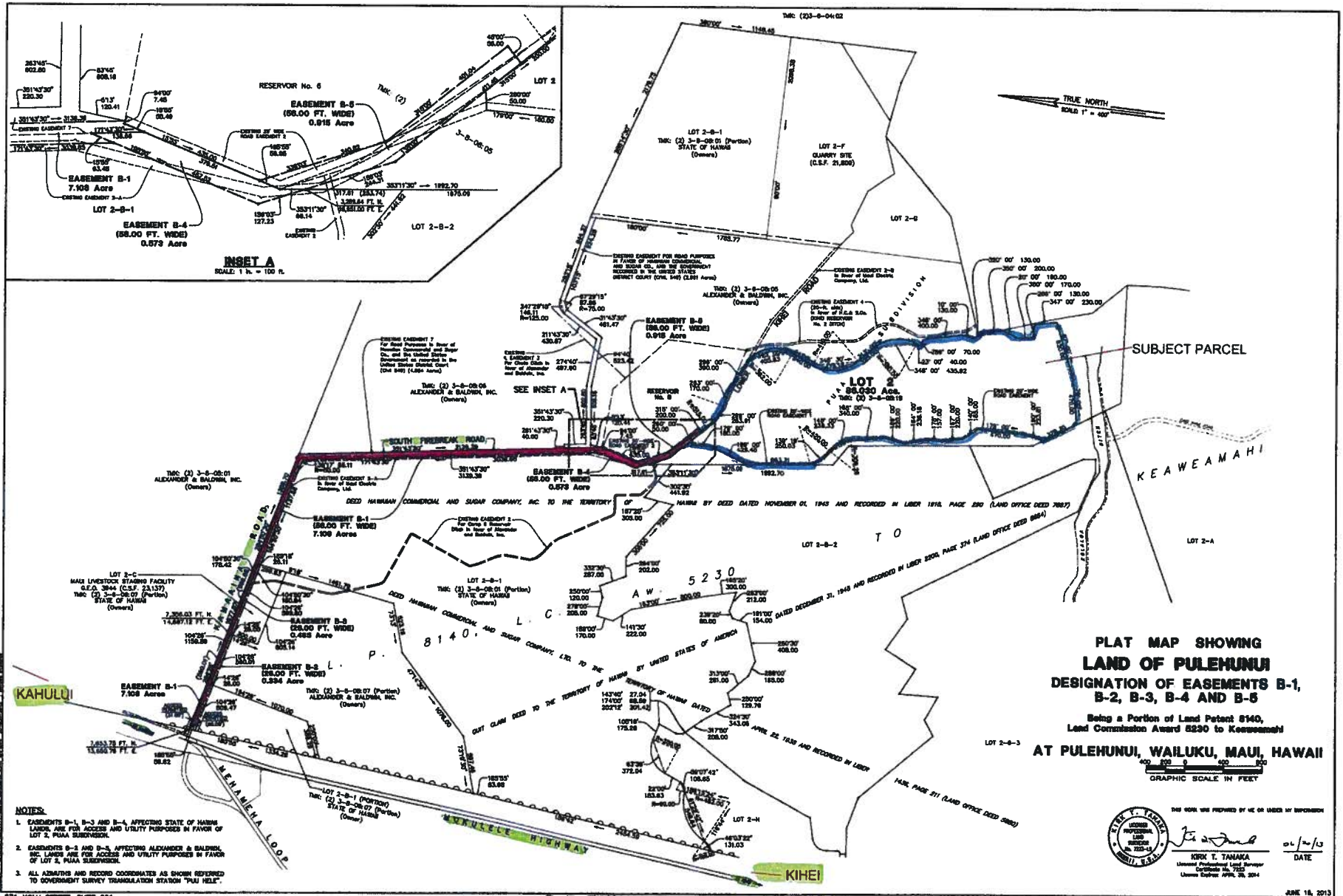
EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
9.	Written Comments (Feb. 18, 2013 and March 7, 2013, Petitioner's correspondence to Kihei Community Association; March 11, 2013, Petitioner's correspondence to Director William Spence; March 22, 2013, Director William Spence's correspondence to Petitioner)		
10.	DLNR Staff Report, April 12, 2013		
11.	Balance sheet and income statement dated January 1, 2013		
12.	Resume of Phillip L. Bruner		
13.	Written direct testimony of Phillip L. Bruner		
14.	Resume of Robert W. Hobdy		
15.	Written direct testimony of Robert W. Hobdy		
16.	Resume of Maya LeGrande		
17.	Written direct testimony of Maya LeGrande		
18.	Resume of Michael F. Dega		
19.	Written direct testimony of Michael F. Dega		

EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
20.	Resume of Yoichi Ebisu		
21.	Written direct testimony of Yoichi Ebisu		
22.	Resume of Barry Neal		
23.	Written direct testimony of Barry Neal		
24.	Resume of John S. Vuich		
25.	Written direct testimony of John S. Vuich		
26.	Resume of Glenn Kunihisa		
27.	Written direct testimony of Glenn Kunihisa		
28.	Resume of Stacy Otomo		
29.	Written direct testimony of Stacy Otomo		
30.	Resume of Phillip Rowell		
31.	Written direct testimony of Phillip Rowell		

EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
32.	Resume of Charles Jencks		
33.	Written direct testimony of Charles Jencks		
34.	Resume of Glenn Tadaki		
35.	Written direct testimony of Glenn Tadaki		
36.	Resume of Tom Nance		
37.	Written direct testimony of Tom Nance		
38.	June 13, 2013 letter from A&B Properties, Inc. regarding field inspection of Petition Area		
39.	Maui County Ordinance No. 3977		
40.	Power point presentation "Puunene Heavy Industrial Subdivision"		
41.	November 8, 2012 Commission on Water Resource Management Well Construction Permit and Pump Installation Permit for CMBY Wells 1 & 2 (Nos. 6-4927-002 and 003)		
42.	Well Infrastructure Site Plan		



EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
<b><u>PETITIONER'S EXHIBITS 43 - 46 WERE FILED AND SERVED ON AUGUST 8, 2013</u></b>			
43.	Plat Map showing Land of Pulehunui dated June 20, 2013		
44.	Topo Map showing stake points		
45.	Diagram "Puunene Heavy Industrial Subdivision Disposal Well Design"		
46.	Resume of Steven J. Dollar, Ph.D.		
47.	Written direct testimony of Steven J. Dollar, Ph.D.		



- NOTES:**
- EASEMENTS B-1, B-3 AND B-4, AFFECTING STATE OF HAWAII LANDS, ARE FOR ACCESS AND UTILITY PURPOSES IN FAVOR OF LOT 2, PUAIA SUBDIVISION.
  - EASEMENTS B-2 AND B-5, AFFECTING ALEXANDER & BALDWIN, INC. LANDS ARE FOR ACCESS AND UTILITY PURPOSES IN FAVOR OF LOT 2, PUAIA SUBDIVISION.
  - ALL ADMITTANCE AND RECORD COORDINATES AS SHOWN REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION "PAU HELI".

**PLAT MAP SHOWING  
LAND OF PULEHUNUI  
DESIGNATION OF EASEMENTS B-1,  
B-2, B-3, B-4 AND B-5**

Being a Portion of Land Patent 8140,  
Land Commission Award 8290 to Kooeomahaui

**AT PULEHUNUI, WALUKU, MAUI, HAWAII**

GRAPHIC SCALE IN FEET

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

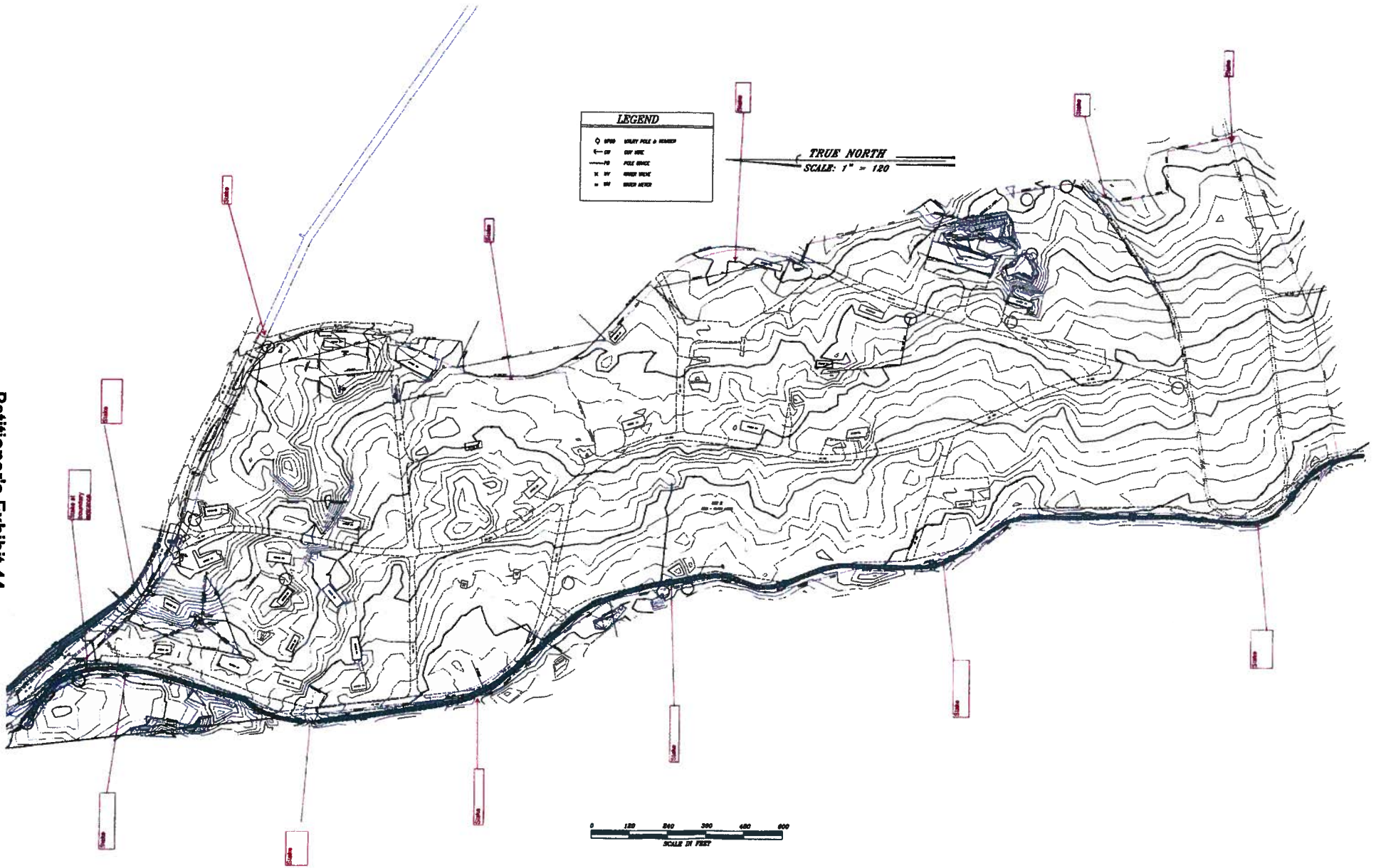
*Kirk T. Tanaka* 01/10/13  
DATE

**KIRK T. TANAKA**  
Licensed Professional Land Surveyor  
Certificate No. 7222  
License Expires APRIL 30, 2014

871 KOLU STREET, SUITE 201  
WAILUKU, MAUI, HAWAII 96793

**R. T. TANAKA ENGINEERS, INC.**  
LAND SURVEYORS - CIVIL & STRUCTURAL ENGINEERS

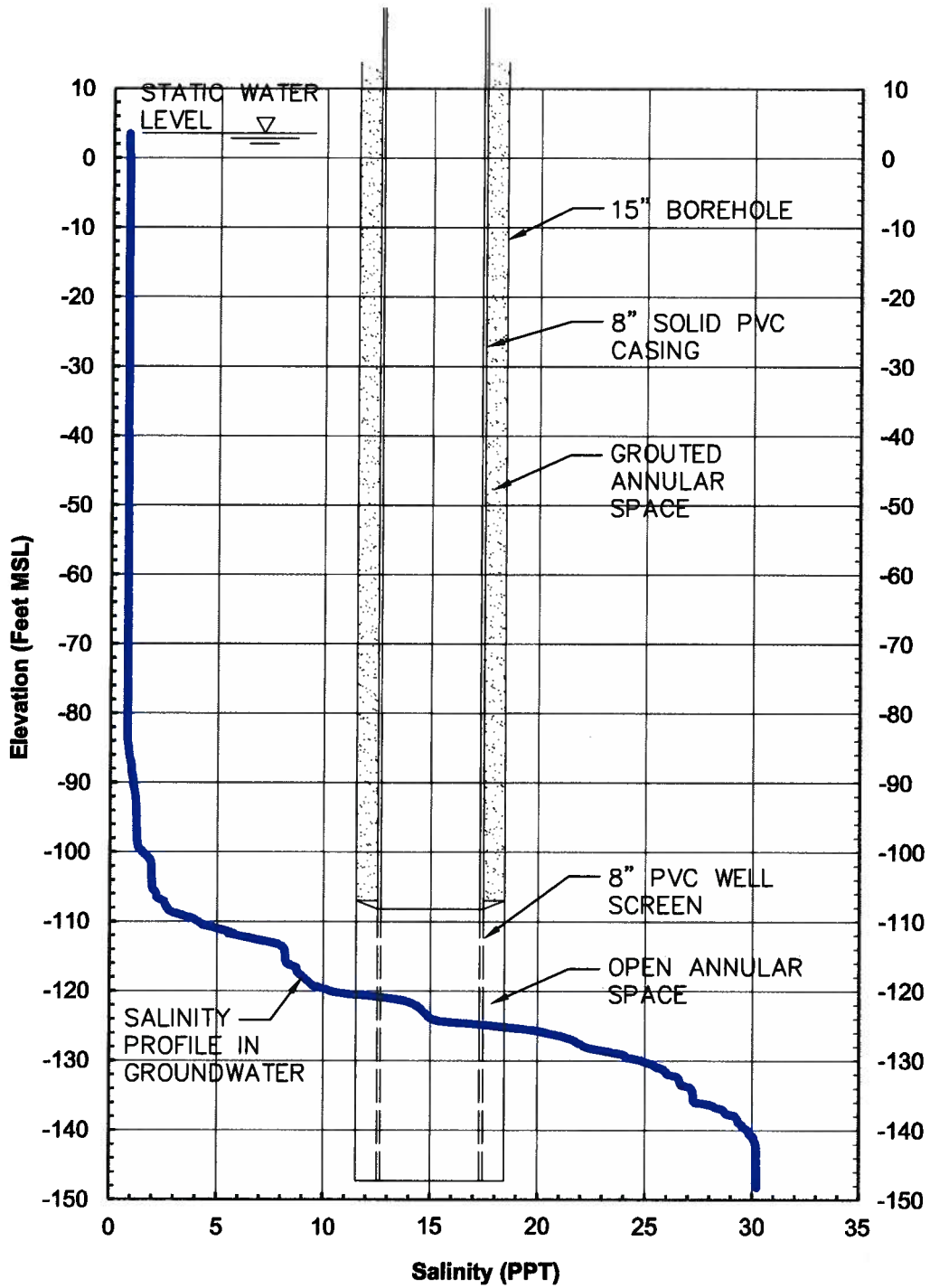
JUNE 16, 2013  
JOB NO. 11-2003



LEGEND	
◇	WIRE POLE & MARKER
—x—	DIP WIRE
- - - -	FENCE BOUND
—x—	DIP WIRE
—x—	DIP WIRE

TRUE NORTH  
SCALE: 1" = 120

0 100 200 300 400 500  
SCALE IN FEET



**PUUNENE HEAVY INDUSTRIAL  
SUBDIVISION DISPOSAL WELL DESIGN**



**MARINE  
RESEARCH  
CONSULTANTS, INC.**

1038 WAAKAUA PL. HONOLULU, HI 96822

PHONE: (808) 988-5009  
CELL NO: (808) 779-4009  
EMAIL: [sdollar@MRC-Hawaii.com](mailto:sdollar@MRC-Hawaii.com)

## RESUME

**STEVEN J. DOLLAR, Ph.D.**  
President

### AREAS of EXPERTISE

Over thirty years experience dealing with coral reef ecology, and coastal oceanography in the Pacific, primarily in the Hawaiian and Marianas Islands. Extensive practical research experience in the fields of biological and chemical oceanography, marine ecology, sea turtle population dynamics, reef ecosystem stress, benthic community metabolism, sediment-water interactions, water quality monitoring, environmental impact assessment, coral transplantation and remote sensing of coral reef and coastal habitats. Particularly emphasis has been focused on effects to the nearshore environment from activities such as marine construction and dredging, sewage effluent disposal, resort and urban development, construction and operation of military installations, and any land uses that result in point and nonpoint source input to the ocean, streams and wetlands.

### ACADEMIC EXPERIENCE

B.S. 1971., University of Miami, Coral Gables, Fla. Majors in Biology and Chemistry.  
M.S. 1975., University of Hawaii, Honolulu, Hi. Biological Oceanography. Thesis title: *Zonation of Reef Corals off the Kona Coast of Hawaii.*  
Ph.D. 1986., University of Hawaii, Honolulu, Hi. Dept. of Oceanography, Dissertation title: *Response of Benthic Ecosystems to Deep Ocean Sewage Outfalls in Hawaii: Nutrient Cycling at the Sediment-Water Interface.*

### PEER-REVIEWED PUBLICATIONS

Russo, A. R., Dollar, S. J. and E. A. Kay. 1976. *An ecological survey of the Mokapu Point sewage treatment plant outfall area.* Water Resources Research Center, Univ. of Hawaii. Tech. Rpt. No. 101.

Kay, E. A., Lau L. S., Stroup, E. D., Dollar, S. J. Fellows, D. O., Young, R. H. F. 1977. *Hydrologic and ecological inventory of coastal waters of West Hawaii.* Water Resources Research Center, Univ. of Hawaii. Tech. Rpt. No. 105.

- Dollar, S. J. 1978. *Guide to research logistics in the Northwestern Hawaiian Islands*. University of Hawaii Sea Grant Working Paper No. 33.
- Russo, A. R., Dollar, S. J. and E. A. Kay. 1979. *Ecological observations off the Mokapu, Oahu ocean outfall: a post-installation study*. Water Resources Research Center, Univ. of Hawaii. Tech Rpt. No. 122.
- Dollar, S. J. 1979. *Sand mining in Hawaii - research, restrictions and choices for the future*. Sea Grant Technical paper, UNIHI-SEAGRANT-TP-79-01, Univ. of Hawaii.
- Dollar, S. J. 1979. *Ecological response to relaxation of sewage stress off Sand Island, Oahu, Hawaii*. Water Resources Research Center, Tech. Rpt. No. 124.
- Russo, A. R., Dollar, S. J. and E. A. Kay. 1980. *Benthic ecosystem and fish populations off the Mokapu outfall: a second post-installation study*. Water Resources Center, Univ. of Hawaii Tech. Rpt. No. 132.
- Grigg, R. W. and S. J. Dollar. 1980. *The status of reef studies in the Hawaiian Archipelago*. In: *Proceedings of the Symposium on the Status of Resource Investigations in the Northwest Hawaiian Islands*. Sea Grant Miscellaneous Report UNIHI-SEAGRANT-MR-80-04, Honolulu, Hawaii.
- Dollar, S. J. and R. W. Grigg. 1981. *Impact of a kaolin clay spill on a coral reef in Hawaii*. *Marine Biology* 65:269-276.
- Dollar, S. J. 1982. *Wave stress and coral community structure in Hawaii*. *Coral Reefs* 1:71-81.
- Dollar, S. J. 1982. *Sand Island, Oahu: Assimilative capacity at a tropical ocean outfall*. In: *Proceedings, Marine Pollutions Sessions OCEANS '82*. Washington, D.C..
- Smith, S. V., S. J. Dollar, plus 6 others. 1987. *Stoichiometry of C, N, P and Si Fluxes in a temperate-climate embayment*. *Journal of Marine Research* 45:427-460.
- Smith, S. V., and S. J. Dollar, 1987. *Response of benthic ecosystems to deep ocean outfalls in Hawaii: a nutrient cycling approach to biological impact assessment and monitoring*. EPA Report No. EPA/600/3-87/006 ERLN-NX02.
- Grigg, R. W., and S. J. Dollar, 1990. *Natural and anthropogenic disturbance on coral reefs*. In *Coral reefs: ecosystems of the world* 25. Z. Dubinski (ed.) Elsevier Science Publishers, Amsterdam.
- Dollar, S. J. 1991. *An assessment of nonpoint source pollution of the marine environment off Kaanapali, Maui, Hawaii*. Tech. Rpt. prepared for Hawaii State Dept. of Health.



- Dollar, S. J. and 4 others. *Annual cycle of benthic fluxes in Tomales Bay, California, and the contribution to net ecosystem metabolism*. 1991. *Marine Ecology Progress Series* 79:115-125.
- Smith, S. V., J. T. Hollibaugh, S. J. Dollar, S. Vink. 1991. *Tomales Bay net metabolism: nonconservative C-N-P stoichiometry and ecosystem heterotrophy at the land-sea interface*. *Estuarine, Coastal and Shelf Science* 33:223-257.
- Miles, C. J., Leong G. and S. Dollar. 1992. *Pesticides in marine sediments associated with golf course runoff*. *Bull. Environ. Contam. Toxicol.* 49:179-185.
- Dollar, S. J. and M. J. Atkinson. 1992. *Effects of nutrient subsidies to nearshore marine systems off the west coast of the Island of Hawaii*. *Estuarine, Coastal and Shelf Science* . 35:409-424.
- Dollar, S. J. and G. W. Tribble. 1993. *Recurrent storm disturbance and recovery: a long-term study of coral communities in Hawaii*. *Coral Reefs*. 12:223-233.
- Dollar, S. J. 1994. *Sewage discharge on coral reefs: not always pollution*. *Coral Reefs*. 13:224.
- Grigg, R. W. and S. J. Dollar. 1995. *Environmental protection misapplied: alleged versus documented impacts of a deep ocean sewage outfall in Hawaii*. *Ambio*. 24:125-128.
- Dollar, S. J. and R. E. Brock. 1996. *Implementation of a water quality monitoring program on the west coast of the Island of Hawaii in support of a proposed amendment to State water quality standards*. Tech. Report for Dept. of Health, Environmental Planning Office.
- Dollar, S. J. and C. Andrews. 1997. *Algal blooms off West Maui: Assessing causal linkages between land and the coastal ocean*. Report to: NOAA Coastal Oceans Program Office.
- DeCarlo, E. H. and S. J. Dollar, 1997. *Assessment of suspended solids and particulate nutrient loading to surface runoff and the coastal ocean in the Honokawai drainage basin, Lahaina District, Maui, HI*. Report to State of Hawaii Department of Health.
- Meesters, E.H., Bak, R.P.M, Westmacott, S., Ridgley, M. and S. Dollar. 1998. *A fuzzy logic model to predict coral reef development under nutrient and sediment stress*. *Conservation Biology*. 12:956-965.
- Ruitenbeek, J., Ridgley, M., Dollar, S. and Huber, R. (1999). *Optimization of economic policies and investment projects using a fuzzy logic based cost-effectiveness model of coral reef quality: empirical results for Montego Bay, Jamaica*. *Coral Reefs*. 18:381-392.

Dollar, S. J., M.J. Atkinson, S. C. Atkinson. 1999. *Investigations on the relation between cesspool nutrients and abundance of Hypnea musciformis, West Maui, Hawaii*. Report to State of Hawaii Department of Health.

Dollar, S. J. and R. W. Grigg. 2004. *Anthropogenic and natural stresses on selected coral reefs in Hawaii: A multidecade synthesis of impact and recovery*. Pac. Sci. 58, no. 2:281-304.

#### PAPERS PRESENTED AT SYMPOSIA

Dollar, S. J. 1980. *Ecological response of benthic communities to relaxation of sewage stress off Sand Island, Oahu*. Environmental Survey Techniques for Coastal Water Assessment Conference, Honolulu, Hawaii.

Dollar, S. J. 1981. *Wave stress and coral community structure in Hawaii*. IV International Coral Reef Symposium, Manila, Philippines.

Dollar, S. J. 1982. *Sand Island, Oahu - Assimilative capacity at a tropical ocean outfall*. OCEANS '82, Washington, D.C.

Dollar, S. J. 1988. *Effects of deep ocean sewage discharges on benthic biogeochemical fluxes in Hawaii*. Ocean Sciences Meeting, ASLO/AGU, New Orleans, LA.

Smith, S. V., J. T. Hollibaugh, and S. J. Dollar. 1988. *Net heterotrophy in Tomales Bay, California*. Ocean Sciences Meeting, ASLO/AGU, New Orleans, LA.

Dollar, S. J. 1989. *Annual cycle of nutrient exchange in Tomales Bay, California; A "top-down" reconciliation of system-level and component fluxes*. Ocean Sciences Meeting, ASLO/AGU, San Francisco, CA.

Dollar, S. J. 1990. *Environmental Impacts of Golf Courses to the Nearshore Marine Environment*. 25th Annual Convention. Hawaii Turfgrass Association.

Dollar, S. J. 1992. *Waste Disposal in Hawaii: four case studies of mitigated impact through engineering design*. Seventh Int. Coral Reef Symposium. Guam.

Grigg, R.W. and S.J. Dollar. 1993. *Doomsday ecology misapplied: alleged versus documented Impacts of a deep ocean sewage outfall in Hawaii*. Global Aspects of Coral Reefs, Health, Hazards, and History, University of Miami, Rosenstiel School of Marine and Atmospheric Science.

Dollar, S. J. 1997. *Algal blooms off West Maui: Assessing causal linkages between land and the coastal ocean*. Geological Society of America. Annual Mtg. Kona HI.



- Dollar, 2007. *Flux and Fate of Groundwater in West Hawaii*. Presented at Water Resources Research Center Symposium on Groundwater in Hawaii.
- Dollar, S. J. 2008. *The Ecological Significance of Fresh Water Discharge in Coastal Areas: Perspectives on Nutrient Subsidies From Groundwater to the Coastal Ocean in West Hawaii*. Presented at the Kona Water Roundtable.
- Hochberg, E.H and S. J. Dollar. 2011. A Coral Reef Habitat Index Developed from Satellite Multispectral Imagery and Lidar Data. Ocean Sciences Meeting AGU, Portland OR.

#### MARINE ENVIRONMENTAL REPORTS

- Grigg, R. W. and S. J. Dollar. 1980. *Environmental impact assessment of nearshore marine life at Princeville, Kauai, Hawaii*. Prepared for Princeville Development Corp.
- Dollar, S. J. 1980. *Environmental impact assessment of nearshore marine life at Ninini Point, Kauai, Hawaii*. Prepared for Belt, Collins & Assoc.
- Dollar, S. J. 1980. *Impacts of the nearshore marine community at Mahukona, Island of Hawaii*. Prepared for Belt, Collins & Assoc.
- Dollar, S. J. 1981. *Environmental impact assessment of nearshore marine community structure at Kohala, Hawaii, in the vicinity of the Kohala Makai development*. Prepared for Belt, Collins & Assoc.
- Dollar, S. J. 1983. *Preliminary assessment of the marine environment at prospective seawater Intake/outfall sites for the solid waste processing and resource recovery facility*. Prepared for the City and County of Honolulu.
- Dollar, S. J. 1983. *Preliminary assessment of the marine environment in the vicinity of Nunuku Inlet, Mauna Lani Resort, South Kohala, Hawaii*. Prepared for Mauna Lani Resort, Inc.
- Dollar, S. J. 1983. *Baseline assessment of the Marine environment and fishponds at the Mauna Lani Resort, south Kohala, Hawaii*. Prepared for Mauna Lani Resort, Inc.
- Dollar, S. J. 1984. *Marine biological impact assessment for the proposed Ford Island Causeway, Pearl Harbor, Hawaii*. Prepared for Belt, Collins and Associates.
- Dollar, S. J. 1984. *Baseline assessment of the marine environment in the vicinity of the Hapuna Beach Resort, South Kohala, Hawaii*. Prepared for Belt, Collins and Associates.
- Dollar, S. J. 1984. *Baseline assessment of the marine environment at Halepalaoa Landing, Lanai, Hawaii*. Prepared for Belt, Collins and Associates.

- Dollar, S. J. 1984. *Baseline assessment of the marine environment in the vicinity of Makaiwa Bay, Mauna Lani Resort, South Kohala, Hawaii*. Prepared for Belt, Collins and Associates.
- Dollar, S. J. 1984. *Submersible investigations of the deep marine environment in the vicinity of French Frigate Shoals and Necker Island, Northwestern Hawaiian Island*. Prepared for the State of Hawaii, Dept. of Planning and Economic Development, and the U.S. Dept. of Interior Minerals Management Service.
- Dollar, S. J. 1985. *Environmental assessment of Hilo Bay: Marine biological community structure in the vicinity of the proposed Hilo sewage outfall extension*. Prepared for M & E Pacific, Inc.
- Dollar, S. J. 1985. *Baseline assessment of the offshore marine environment in the vicinity of Kaupulehu Developments, North Kona, Hawaii*. Prepared for Belt, Collins & Assoc.
- Dollar, S. J. 1986. *Effects to the marine ecosystem from beach construction at Makaiwa Bay, Mauna Lani Resort, South Kohala, Hawaii (Phase I)*. Prepared for Mauna Lani Resorts, Inc.
- Dollar, S. J. 1986. *Baseline assessment of the marine environment in the vicinity of the O'oma II Resort Development*. Prepared for Helber, Hastert, Van Horn and Kimura, Planners.
- Dollar, S. J. 1986. *Baseline assessment of the marine environment and anchialine ponds at Awake'e, North Kona, Hawaii*. Prepared for Belt, Collins & Assoc.
- Dollar, S. J. 1987. *Baseline assessment of the water chemistry of the Hilton Hawaiian Village Lagoon, Honolulu, Hawaii*. Prepared for Belt, Collins & Assoc.
- Dollar, S. J. 1987. *Effects to water quality and marine community structure from beach reconstruction at Makaiwa Bay, Mauna Lani Resort, South Kohala, Hawaii*. Prepared for Mauna Lani Resort, Inc.
- Marine Research Consultants. 1987. *A second baseline assessment of the marine environment in the vicinity of the South Kohala Resort, South Kohala, Hawaii*. Prepared for Belt, Collins & Assoc.
- Marine Research Consultants. 1987. *Baseline assessment of the marine and anchialine pond environments in the vicinity of the Hawaiian Riviera Resort, Ka'u, Hawaii*. Prepared for Belt, Collins & Assoc.
- Marine Research Consultants. 1987. *Marine environmental assessment of cooling water discharge and offshore diffuser construction associated with the addition of Unit 7, Kahe Generating Station, Hawaiian Electric Company*. Prepared for Belt, Collins & Assoc.

- Marine Research Consultants, 1987. *Baseline assessment of the marine environment at Waiulua Bay, South Kohala, Hawaii.* Prepared for Belt, Collins Assoc.
- Marine Research Consultants, 1988. *Baseline assessment of the marine environment in the vicinity of the Kohana-iki marina, North Kona, Hawaii.* Prepared for Engineering Concepts, Inc.
- Marine Research Consultants, 1988. *The effects of golf course irrigation and fertilization on nearshore marine waters off West Hawaii.* Prepared for Helber, Hastert and Kimura, Planners.
- Marine Research Consultants, 1988. *Baseline assessment of the marine environment offshore of the Kauai Lagoons golf course, Lihue, Kauai, Hawaii.* Prepared for the Belt, Collins & Associates.
- Marine Research Consultants, 1988. *Baseline assessment of the marine environment in the vicinity of the Ohbayashi Pupukea Recreational Development, Pupukea, Oahu, Hawaii.* Prepared for Group 70.
- Marine Research Consultants, 1988. *Marine environmental survey in the vicinity of the Waikane Golf Course, Oahu, Hawaii.* Prepared for Group 70.
- Marine Research Consultants, 1988. *Baseline assessment of the marine environment in the vicinity of the Kauai Electric Port Allen Generating Station, Port Allen, Kauai.* Prepared for Belt, Collins & Associates.
- Marine Research Consultants, 1989. *Effects of sugar mill waste discharge on reef coral community structure, Hamakua Coast, Island of Hawaii.* Prepared for Tetra Tech. Inc.
- Marine Research Consultants, 1989. *Baseline assessment of the marine environment in the area planned for shoreline improvement near the Sheraton Mirage Hotel, Princeville, Kauai.* Prepared for Belt, Collins & Assoc.
- Marine Research Consultants, 1989. *An assessment of potential environmental impacts from the proposed Kohana'iki Marina; a comparative study of Honokohau Harbor, North Kona, Hawaii.* Prepared for Engineering Concepts, Inc.
- Marine Research Consultants, 1989. *Potential effects of golf course irrigation and fertilization on nearshore waters off Kohana'iki, North Kona, Hawaii.* Prepared for Helber Hastert and Kimura.
- Marine Research Consultants, 1989. *Baseline assessment of the marine environment to assess the effects of swimming lagoon and beach construction at the Azabu Kona Hotel site, North Kona, Hawaii.* Prepared for Belt, Collins & Assoc.
- Marine Research Consultants, 1989. *Preliminary assessment of the potential effects to the marine environment from the proposed Kilauea golf course and country club, Kilauea, Kauai.* Prepared for F.B.D. Enterprises, USA.

- Marine Research Consultants, 1989. *Marine environmental baseline survey to assess the effects of extension of the runway at Kalaupapa Airport, Kalaupapa, Molokai, Hawaii.* Prepared for Edward K. Noda and Assoc.
- Marine Research Consultants, 1989. *Marine water quality monitoring program to assess the effects of Kapaanui Subdivision, North Kohala, Hawaii.* Prepared for R.H.J. Associates.
- Marine Research Consultants, 1989. *Marine environmental survey to assess the effects of drainage discharge from the Pikoiloa Cemetery.* Prepared for Group 70.
- Marine Research Consultants, 1989. *Preliminary assessment of the marine and pond environments in the vicinity of the proposed Mauna Lani Cove, South Kohala, Hawaii.* Prepared for Belt, Collins & Assoc.
- Marine Research Consultants, 1989. *Marine environmental assessment of Pearl Harbor in the vicinity of Foxtrot 5 Pier.* Prepared for Belt, Collins & Assoc.
- Marine Research Consultants, 1989. *Marine environmental survey to assess potential impacts from the proposed Kealakekua Ranch golf development, Kealakekua, Hawaii.* Prepared for Belt, Collins & Assoc.
- Marine Research Consultants, 1989. *Marine environmental survey to assess potential impacts from the proposed Wailea golf courses, Wailea, Maui, Hawaii.* Prepared for Belt, Collins & Assoc.
- Marine Research Consultants, 1989. *Results of the marine water quality monitoring program to assess the effects of the Plantation at Kapalua Golf Course, Kapalua, Maui.* Prepared for Kapalua Land Company.
- Marine Research Consultants, 1990. *Marine environmental survey to assess potential impacts from the proposed Waihe'e Golf Course, Waihe'e, Maui, Hawaii.* Prepared for Waihe'e Oceanfront, Inc.
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## MONITORING PROGRAMS

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1990 - 2004. *Marine environmental monitoring program at Honolua Bay, Maui, Hawaii.* Prepared for Maui Land and Pineapple Co., Inc.

1990 - present. *Marine environmental monitoring for the Ewa Marina (Ocean Pointe), Ewa, Oahu.* Prepared for Haseko Hawaii, Inc.

1990 - present. *Sea Turtle monitoring for the Ewa Marina (Ocean Pointe), Ewa, Oahu.* Prepared for Haseko Hawaii, Inc.

1993 - 2008†. *Water chemistry monitoring program for the Queen Liliuokalani Trust Keahuolu Lands.* Prepared for the Queen Liliuokalani Trust.

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1995 - 2007. *Marine Biota Monitoring for the Natural Energy Laboratory of Hawaii (NELH).*

1995 - 1996. *Marine Monitoring Program for Marine Corps Base Hawaii, Airfield Repairs.* Prepared for Kiewit Pacific.

1995 - 1997. *Marine Monitoring Program for Berthing Pier at the UNDERSEASURVPAC, Pearl Harbor, Hawaii.* Prepared for Dutra Construction.

- 1996 - present. *Chevron Hawaii water quality monitoring* (NPDES permit requirement). Prepared for Chevron Products USA.
- 1996 – present. *Zone of Mixing Monitoring for Ocean Sewage Discharges on the Island of Hawaii*. Prepared for County of Hawaii.
- 1998 – 2007. *Groundwater monitoring for the Royal Kunia Golf Course*. Prepared for the Royal Kunia Country Club, Inc.
- 2001 - present. *Marine environmental monitoring program in the vicinity of the Agibusiness Development Corporation, Zone of Mixing, Kekaha, Kauai, Hawaii*. Prepared for ADC.
- 2003 – present. *Marine environmental monitoring program for Cates International Offshore Fish Farm*. Prepared for Cates International.
- 2003 – 2008. *Marine Monitoring Program for Repair Wharves K-12 and H-5, Pearl Harbor, Hawaii*. Prepared for Healy Tibbitts Builders Inc.
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- 2006 – 2008. *Marine Monitoring Program for Wharf A-7, Pearl Harbor, Hawaii*. Prepared for Healy Tibbitts Builders Inc.
- 2007-present. *Marine Monitoring program for ZOM and ZID compliance, Fort Kamehameha Wastewater Disposal Facility, Pearl Harbor Hawaii*.
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- 2011 – 2012. *Water Quality Monitoring Program for Waikiki Beach Maintenance Project*. Prepared for Healy Tibbitts Builders Inc.
- 2010-2012. *Comprehensive environmental monitoring program for the Lahaina Watershed Flood Control Project*. Prepared for U.S. Dept. of Agriculture, National Resources Conservation Service, Hawaii State Office.
- 2013-Present. *Water Quality Monitoring Program for Umauma Bridge Repairs Project*. Prepared for Hawaiian Dredging Co.

### PROFESSIONAL SERVICE

1992-1997: Editorial Board, Coral Reefs, Journal of the international Society for Reef

Studies.

2002-present. Member: Regional Technical Assistance Group: National Nutrient Criteria Development, EPA Region IX.

2002-2003: Guest Lecturer – UH Geog 728, Research Seminar in Resource Management in Asia and the Pacific.

2003. Member: Water Quality Standards Technical Advisory Group, State of Hawaii Department of Health.

2003-present. Member: Status of Coral Reefs in Hawaii NOAA Panel.

2003. Guest Lecturer – UHM Undergraduate Honors Program.

2004. Proposal Reviewer, Hawaii Coral Reef Initiative.

2004-2005. Team Leader for Coastal Waters section. Revision of State of Hawaii Water Quality Standards, Dept. of Health, Office of Environmental Planning.

2004-present. Guest Lecturer, UH, Dept of Geography 765. Coastal Zone Management

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Attorneys for Petitioner  
**CMBY 2011 INVESTMENT, LLC**

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of

CMBY 2011 INVESTMENT, LLC

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District  
For Certain Lands Situate at Pulehunui,  
District of Wailuku, Island and County of  
Maui, State of Hawai'i, consisting of  
approximately 86.030 acres, Tax Map Key No.  
(2) 3-8-008:019

DOCKET NO. A13-797

CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I hereby certify that service of a copy of Petitioner's First Amended List of Witnesses;  
Petitioner's List of Rebuttal Exhibits; Exhibits 43 - 46, in the above-referenced Docket was made  
by depositing the same with the United States Mail, by certified mail, postage prepaid, or by  
hand delivery, on August 8, 2013, addressed to:



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