

Craig D. Jensen
Marnie E. Riddle
Jonathan C. McKay
Dave Fitzpatrick 6803
DEPARTMENT OF THE NAVY
OFFICE OF GENERAL COUNSEL
850 Ticonderoga Street, Suite 110
JBPHH, HI 96860
Telephone: (703)727-6194

DEPARTMENT OF HEALTH

STATE OF HAWAII

ENVIRONMENTAL HEALTH DIVISION,)	Case No. 21-UST-EA-02
DEPARTMENT OF HEALTH, STATE OF)	
HAWAII,)	NOTICE: TO SIERRA CLUB ON NON-
)	TESTIFYING WITNESSES; OF
Complainant,)	CORRECTED NAVY PRE-HEARING
)	BRIEF, UPDATED NAVY EXHIBIT LIST,
v.)	NAVY EXHIBIT BATES NUMBERING,
)	AND OBJECTIONS TO DOH, BWS AND
UNITED STATES DEPARTMENT OF THE)	SIERRA CLUB EXHIBITS;
NAVY,)	CERTIFICATE OF SERVICE
)	
Respondent.)	

NOTICE TO SIERRA CLUB ON NON-TESTIFYING WITNESSES

Navy gives notice to Sierra Club that it does not intend to cross-examine Professor Laurence Thomas Ramsey or Ms. Melinda Healani Sonoda-Pale.

NOTICE OF CORRECTED NAVY PRE-HEARING BRIEF

Attached is a corrected Navy Pre-hearing Brief. The corrections are insertion of citations that were missing from the prior brief on page 1 of the brief and at two footnotes: footnotes 4 and 6.

NOTICE OF UPDATED NAVY EXHIBIT LIST

Attached is an updated Navy Exhibit List. The update consists of adding to the list Exhibit N-7 and N-7A through N-7M, which are offered to rebut testimony and exhibits offered by Complainant and Interveners.

NOTICE OF AVAILABILITY OF NAVY EXHIBITS' BATES NUMBERING

Navy gives notice that Navy exhibits on the shared drive have been updated with Bates stamp numbers. In addition, for the convenience of all parties, Navy has created six sub-folders within the Navy folder on the shared drive that reproduce the six exhibits and their associated sub-exhibits as individual PDF files. Other than the rebuttal documents attached to Exhibit 7, no new documents have been produced.

OBJECTIONS TO DOH, BWS AND SIERRA CLUB EXHIBITS

Navy does not object to the introduction of any exhibits on the exhibit lists filed by Complainant and Interveners.

Dated: December 19, 2021

Respectfully Submitted,
/S/ Craig D. Jensen

Marnie E. Riddle
Jonathan C. McKay
David Fitzpatrick 6803
Agency Representatives

CERTIFICATE OF SERVICE

I hereby certify that on this date and by the methods of service noted below, a true and correct copy of the foregoing was served on the following as follows:

DAVID D. DAY
STELLA M. KAM
HEARINGS OFFICER
DEPARTMENT OF HEALTH
STATE OF HAWAII
david.d.day@hawaii.gov
stella.m.kam@hawaii.gov

Via Electronic Mail

WADE H. HARGROVE
DEPUTY ATTORNEY GENERAL
STATE OF HAWAII
wade.h.hargrove@hawaii.gov

Via Electronic Mail

Attorneys for:
DEPARTMENT OF HEALTH
STATE OF HAWAII

JEFF A. LAU
DEPUTY CORPORATION COUNSEL
CITY AND COUNTY OF HONOLULU
Jlau3@honolulu.gov

Via Electronic Mail

ELLA FOLEY GANNON
DAVID K. BROWN
MORGAN LEWIS BOCKIUS LLP
ella.gannon@morganlewis.com
david.brown@morganlewis.com

Attorneys for:
HONOLULU BOARD OF WATER SUPPLY
CITY AND COUNTY OF HONOLULU

Via Electronic Mail

DAVID L. HENKIN
ISAAC H. OMORIWAKE
KYLIE W. WAGER CRUZ
EARTHJUSTICE
dhenkin@earthjustice.org
imoriwake@earthjustice.org
kwager@earthjustice.org
Attorneys for:
Sierra Club

Dated: December 19, 2021

Respectfully Submitted,
/S/ Craig D. Jensen

Marnie E. Riddle
Jonathan C. McKay
David Fitzpatrick 6803
Agency Representatives