

BOARD OF LAND AND NATURAL RESOURCES
FOR THE STATE OF HAWAI'I

IN THE MATTER OF) Case No. BLNR-CC-16-002
)
A Contested Case Hearing Re Conservation) **GLEN KILA**
District Use Permit (CDUP) HA-3568 for) **MEMORANDUM IN SUPPORT**
) **OF TEMPLE OF LONO MOTION**
The Thirty Meter Telescope at the Mauna) **TO FILE MOTION OUT OF TIME;**
Kea Science Reserve, Kaohe Mauka,) **COS**
Hamakua District, Island of Hawai'i,)
TMK (3) 4-4-015:009)
_____)

**GLEN KILA MEMORANDUM IN SUPPORT OF TEMPLE OF LONO
MOTION TO FILE MOTION OUT OF TIME**

Comes now GLEN KILA to file my Memorandum in Support of Temple of Lono Motion to File Motion Out of Time.

The Temple of Lono filed a motion to file a motion out of time. DOC-179.

The challenge by the Temple to the Applicant's qualifications to receive the permit at issue in this proceeding is profound and disturbing.

The question before the Hearing Officer is whether there is a good reason to allow the filing of the motion to dismiss that the Temple seeks to file out of time. DOC-179, Exhibit 2.

The question seems to be answered by considering the nature of the pleading that forms the basis for the Temple's motion. DOC-135. The University describes the Temple of Lono as follows:

- (1) The organization can be deemed a religious organization. DOC-135 at 15.
- (2) The organization is "fundamentally adversarial (and ardently absolutist)." Ibid. at 14.
- (3) The organization is intolerant and unable to compromise Id.

(4) When “confronted with a conflict between cooperation and conformity to doctrine,” the organization “invariably chooses” conformity to doctrine. Id.

(5) The organization chooses conformity to doctrine “regardless of the harm it brings to the society of which it is a part.” Id.

The Hearing Officer can take note that, since 9/11, the public has been told that religious fundamentalists intent on imposing their beliefs on others are harming the societies of which they are a part in pursuit of their fundamentalist agenda. Such organizations are clearly portrayed and perceived as a threat.

As a practitioner of the indigenous Hawaiian religion called Kanenuiakea, I am religiously offended by the University’s attack.

How can the University be trusted with the responsibility to protect Native Hawaiian customary and traditional rights, including the right to practice the Traditional Hawaiian Faith, when the University demeans the faith that they would be obligated to protect?

They cannot.

The Temple motion to file out of time should be granted, so that the Hearing Officer can take up the Temple’s Motion to Dismiss and dismiss the Application.

Dated: August 22, 2016

Glen Kila

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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)
District Use Permit (CDUP) HA-3568 for) **CERTIFICATE OF SERVICE**
The Thirty Meter Telescope at the Mauna)
Kea Science Reserve, Kaohe Mauka,)
Hamakua District, Island of Hawai'i,)
TMK (3) 4-4-015:009)
_____)

CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of **Glen Kila Memorandum in Support of Temple of Lono Motion to File Motion Out of Time [DOC-179]** was served on the following parties by eMail:

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Dated: August 22, 2016

_____/s/_____
Glen Kila

Received
Office of Conservation and Coastal Lands
2016 Aug 19 2:29 pm
Department of Land and Natural Resources
State of Hawaii