

Lanny Alan Sinkin
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Lay representative for Temple of Lono

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)
District Use Permit (CDUP) (HA-3568 for) **TEMPLE OF LONO REQUEST FOR**
The Thirty Meter Telescope at the Mauna) **WITNESS SUBPOENA FOR DLNR**
Kea Science Reserve, Kaohe Mauka,) **EMPLOYEE TO TESTIFY ON**
Hamakua District, Island of Hawai'i,) **WHETHER DLNR HAS A FORM**
TMK (3) 4-4-015:009) **TO FILL OUT REQUESTING**
_____) **PERMISSION TO BUILD AN ALTAR**
) **ON MAUNA KEA; COS**

**TEMPLE OF LONO REQUEST FOR WITNESS SUBPOENA FOR
DLNR EMPLOYEE TO TESTIFY ON WHETHER DLNR
HAS A FORM TO FILL OUT REQUESTING PERMISSION
TO BUILD AN ALTAR ON MAUNA KEA**

The Temple of Lono requests a subpoena be issued to DLNR to produce a witness to testify on whether DLNR has a form to fill out requesting permission to build an altar on Mauna Kea.

In her testimony during cross-examination, Stephanie Nagata, Executive Director of the Office of Mauna Kea Management stated that there is a form at DLNR to fill out requesting permission to build an altar on Mauna Kea.

Based on information and belief, there is no such form and DLNR has no rule or regulation requiring a permit to build an altar on Mauna Kea.

Received
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
2017 Jan 8 9:26 pm

To complete the record truthfully, the Temple of Lono requests a subpoena be issued to DLNR to produce a witness that can testify as to whether DLNR has a form to fill out requesting a permit to build an altar on Mauna Kea.

Alternatively, the Temple has no objection, if the University wishes to reopen their case, recall Ms. Nagata, and have Ms. Nagata correct the record.

DATED: January 8, 2016

_____/s/_____
Lanny Alan Sinkin

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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) **DECLARATION OF**
The Thirty Meter Telescope at the Mauna) **LANNY ALAN SINKIN**
Kea Science Reserve, Kahohe Mauka,)
Hamakua District, Island of Hawai'i,)
TMK (3) 4-4-015:009)
_____)

DECLARATION OF LANNY ALAN SINKIN

I, LANNY ALAN SINKIN, declare the following to be true to the best of my knowledge and belief:

1. On December 12, 2016, during my cross-examination of Ms. Stephanie Nagata, Executive Director of the Office of Mauna Kea Management, I asked Ms. Nagata whether the Department of Land and Natural Resources had a form to fill out requesting permission to build an altar on Mauna Kea.
2. Ms. Nagata responded that DLNR did have such a form.
3. Subsequently, people who had called DLNR to inquire about securing a copy of that form reported that DLNR said that there was no such form.
4. In the same conversation, the DLNR employee stated that there is no permit required to build an altar on Mauna Kea.
5. I have reviewed the DLNR website list of forms -- <http://dlnr.hawaii.gov/forms/> -- and do not find a form to request a permit to build an altar on Mauna Kea.

DATED: January 8, 2017

_____/s/_____
Lanny Alan Sinkin

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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 the **TEMPLE OF LONO REQUEST FOR WITNESS SUBPOENA FOR DLNR EMPLOYEE TO TESTIFY ON WHETHER DLNR HAS A FORM TO FILL OUT REQUESTING PERMISSION TO BUILD AN ALTAR ON MAUNA KEA** was served on the following parties by eMail on, 2016:

Michael Cain <michael.cain@hawaii.gov>, Kealoha Pisciotto-Keomailani Von Gogh <keomaivg@gmail.com>, Clarence Ching <kahiwaL@cs.com>, Uncle Kalani Flores <ekflores@hawaiiantel.net>, Pua Case <puacase@hawaiiantel.net>, cordylinecolor@gmail.com, kealiikea@yahoo.com, Bianca Isaki <bianca@kahea.org>, Ian Sandison <isandison@carlsmith.com>, tluikwan@carlsmith.com, John P. (Pete) Manaut <jpm@carlsmith.com>, Lindsay N. McAneeley <lmcaneley@carlsmith.com>, T. Shinyama' <RShinyama@wik.com>, douging@wik.com <douging@wik.com>, mehana kihoi <uhiwai@live.com>, Kahookahi Kanuha <kahookahi@gmail.com>, Joseph Camara <kualiic@hotmail.com>, lsa@torkildson.com <lsa@torkildson.com>, njc@torkildson.com <njc@torkildson.com>, leina'ala s <leinaala.mauna@gmail.com>, Maelani Lee <maelanilee@yahoo.com>, Lanny Sinkin <lanny.sinkin@gmail.com>, akulele@yahoo.com <akulele@yahoo.com>, s.tabbada@hawaiiantel.net <s.tabbada@hawaiiantel.net>, tiffniekakalia <tiffniekakalia@gmail.com>, Glen Kila <makakila@gmail.com>, Brannon Kealoha <brannonk@hawaii.edu>, hanahanai@hawaii.rr.com <hanahanai@hawaii.rr.com>, pohaku7@yahoo.com <pohaku7@yahoo.com>, Ivy McIntosh <3popoki@gmail.com>, Kealamakia Jr. <mkealama@yahoo.com>, Patricia Ikeda

<peheakeanila@gmail.com>, Yuklin Aluli <yuklin@kailualaw.com>, Dexter Kaiama <cdexk@hotmail.com>, "DLNR.CO.Maunakea" <dlnr.maunakea@hawaii.gov>

and will be served by hand on January 9, 2017 to:

1. Dwight J. Vicente
2608 Ainaola Drive
Hilo, Hawaiian Kingdom

2. Harry Fergerstrom
P.O. Box 951
Kurtistown, HI 96760

3. Michael Cain, Custodian of Records
Conservation and Coastal Lands
1151 Punchbowl, Room 131
Honolulu, Hawai'i 96813

Dated: January 8, 2017

_____/s/_____
Lanny Alan Sinkin