

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 Application (CDUA) )  
(HA-3568) for The Thirty Meter Telescope)  
at the Maun Kea Science Reserve, ) **Kalikolehua Kanaele Motion to  
Join Temple of Lono Motion to Board of Land and Natural  
Resources to Dismiss HA-3568 , Memorandum in Support,  
Certificate of Service** Kaohe Mauka, Hamakua District, )Island of  
Hawai'i, TMK (3) 4-4-015:009 )

**Kalikolehua Kanaele Motion to Join Temple of Lono Motion to  
Board of Land and Natural Resources to Dismiss HA-3568**

NOW COMES Kalikolehua Kanaele **Motion to Join Temple of Lono  
Motion to Board of Land and Natural Resources to Dismiss  
HA-3568.**

Intervenor Kalikolehua Kanaele also agrees with the Temple of Lono as to the desecration, and after Sam Lemmo testimony of the Board's inability to really look at all the documents concerning the TMT, non-diligence because of non-abilities whether of funding or man power. That doesn't excuse the Board of Land of Natural Resources from approving Prior Permit/sublease or any future permits by omission, redelegation of powers, non-funding for enforcement, ect.... On face value of no funding for enforcement, there is the crux of the possible criminal actions, using official capacity to pursue personal gains or desires or both or more than, seeing the significant cumulative impacts by this project, by the descriptions of the FEIS, which to Intervenor Kalikolehua Kanaele is great and terrible "***desecration***" of our sacred Temple.

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The statute would be is applicable because:

- (1) Mauna Kea is a place of worship, Section (1)(b), **OR**
- (2) Mauna Kea is a place of burial, Section (1)(b), **OR**
- (3) Mauna Kea is an object of veneration, Section (1)(c), **AND**
- (4) The proposed Thirty Meter Telescope would damage the place of worship **OR** the burial ground **OR** the object of veneration,

Section (2), **AND**

- (5) The defendant knows that the damage to the place of worship, **or** burial ground, **or** object of veneration will produce public outrage.

Section (2).Kalikolehua Kanaele argues that BLNR, TMT, TIO, UH P.U.E.O. knowingly by omission violates the statute and BLNR clear inability to protect Mauna Kea by informed and educated staff reviewing UH/TMT/TIO documents of hidden desecration, omissions of fact and legal law, have broken their trust to the real owners the Kanaka and non-kanaka of Hawaiian Nationality article 19 of the Admission Act.

Because the Board lacks the authority to grant a permit to violate the law, the Board has no options other then to dismiss or deny the application immediately.

The Kalikolehua Kanaele moves the Board to dismiss or deny the application and any and every application asking to desecrate in whatever language used to hide the legal fact of desecration.

Kalikolehua Kanaele March 22, 2017