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Attorney for the Sierra Club

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the Matter of a Contested Case Regarding) DLNR File No. CCH-LD-21-01
the Continuation of Revocable Permits (RPs))
for Tax Map Keys (2) 1-1-001:044 & 050;) Sierra Club's Request for Subpoenas;
(2) 2-9-014:001, 005, 011, 012 & 017; (2) 1-) Certificate of Service; Draft Subpoena
1-002:002 (por.) and (2) 1-2-004:005 & 007)
for Water Use on the Island of Maui to)
Alexander & Baldwin, Inc. and East Maui)
Irrigation Company, LLC for the remainder)
of the 2021 RPs, if applicable, and for their)
continuation through the end of 2022)

Sierra Club's Request for Subpoenas

The Sierra Club requests subpoenas of the Wilson Okamoto planners who oversaw, prepared, coordinated and drafted the Corrected Final Environmental Impact Statement for Proposed Lease (Water Lease) for the Nāhiku, Ke'anae, Honomanū and Huelo License Areas (September 2021). A&B's Exhibits X-1 – X-5 comprise the FEIS. Keola Cheng is the director of planning at Wilson Okamoto and led the presentation of the document to BLNR. Dalton Beauprez is the lead planner for the document. Their address is

Wilson Okamoto Corporation
1907 South Beretania Street, Suite 400
Honolulu, HI 96826

The information in the FEIS is material to this case. "In almost every setting where important decisions turn on questions of fact, due process requires an opportunity to confront and cross-examine adverse witnesses." *Goldberg*, 397 U.S. at 269; *In re Wai'ola O Moloka'i, Inc.*,

103 Hawai'i 401, 444, 83 P.3d 664, 706 (2004). Keola Cheng and Dalton Beauprez will be questioned about the contents of the FEIS and the assumptions that underlie it.

Dated: Honolulu, Hawai'i November 22, 2021

/s/ David Kimo Frankel
Attorney for the Sierra Club

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Certificate of Service

Pursuant to Minute Order No.s 1 & 5, a copy of the foregoing is being served via email
today to:

lauren.k.chun@hawaii.gov

melissa.d.goldman@hawaii.gov

dlnr.land@hawaii.gov

ian.c.hirokawa@hawaii.gov

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Dated: Honolulu, Hawai'i November 22, 2021

/s/ David Kimo Frankel
Attorney for the Sierra Club