

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 Key Nos. (2) 1-1-001:044 & 050; ) **MINUTE ORDER NO. 14,**  
(2) 2-9-014:001, 005, 011, 012 & 017; (2) 1-1- )  
002:002 (por.) and (2) 1-2-004:005 & 007 for ) **ORDER GRANTING REQUESTS FOR**  
Water Use on the Island of Maui to Alexander ) **SUBPOENAS**  
& Baldwin, Inc. (A&B) and East Maui )  
Irrigation Company, LLC (EMI) for the ) **SUBPOENAS (Ayron Strauch (2), Scott**  
remainder of the 2021 RPs, if applicable, and ) **Fretz, Ian Hirokawa, Skippy Hau, Kaleo**  
for their continuation through the end of 2022 ) **Manuel, Keola Cheng, Dalton Beauprez)**  
) )  
) **CERTIFICATE OF SERVICE**  
) )

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**MINUTE ORDER NO. 14,**

**ORDER GRANTING REQUESTS FOR SUBPOENAS**

Pursuant to Hawai'i Administrative Rules ("HAR") 13-1-33, the following requests for subpoenas are hereby GRANTED:

- (1) Alexander & Baldwin, Inc. and East Maui Irrigation Company, LLC's "Request for Subpoena" filed November 24, 2021,
- (2) Sierra Club's "Request for Subpoenas of DLNR Employees to Testify at the Contested Case Hearing" filed November 29, 2021, and
- (3) Sierra Club's "Second Request for Subpoenas" filed November 29, 2021.

Attached hereto are the requested subpoenas, signed by the hearing officer. When serving the subpoenas, parties are reminded to comply with HAR § 13-1-33(c), which requires the payment of witness fees and mileage.

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SO ORDERED Dec 1, 2021, Honolulu, Hawai'i.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer

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*In the Matter of a Contested Case Regarding the Continuation of Revocable Permits (RPs) for Tax Map Key Nos. (2) 1-1-001:044 & 050; (2) 2-9-014:001, 005, 011, 012 & 017; (2) 1-1-002:002 (por.) and (2) 1-2-004:005 & 007 for Water Use on the Island of Maui to Alexander & Baldwin, Inc. (A&B) and East Maui Irrigation Company, LLC (EMI) for the remainder of the 2021 RPs, if applicable, and for their continuation through the end of 2022, DLNR File No. CCH-LD-21-01; Minute Order No. 14, ORDER GRANTING REQUESTS FOR SUBPOENAS.*

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In the Matter of a Contested Case  
Regarding the Continuation of Revocable  
Permits (RPs) for Tax Map Key Nos.  
(2) 1-1-001 :044 & 050; (2) 2-9-014:001,  
005, 011, 012 & 017; (2) 1-1-002:002 (por.)  
and (2) 1-2-004:005 & 007 for Water Use on  
the Island of Maui to Alexander & Baldwin,  
Inc. (A&B) and East Maui Irrigation  
Company, LLC (EMI) for the remainder of  
the 2021 RPs, if applicable, and for their  
continuation through the end of 2022

DLNR File No. CCH-LD-21-01

**SUBPOENA**

**[Dr. Ayron Strauch, Hydrologist]**

**SUBPOENA**

THE STATE OF HAWAII

TO THE SHERIFF of the State of Hawai'i or his Deputy, any Police Officer or any person not less than 18 years of age and not a party in the above cited Contested Case Hearing.

YOU ARE COMMANDED to Subpoena Dr. Ayron Strauch of the Commission on Water Resource Management to appear before the Board of Land and Natural Resources or its designated hearing officer on **December 9, 2021, at 9:00 A.M. (or as soon thereafter as you can be heard)**, via interactive technology to testify as a witness on the part of Applicants Alexander & Baldwin, Inc. and East Maui Irrigation Company, LLC in the above-entitled matter.

Testimony will be required via the interactive technology platform, "Zoom." A link to access the hearing via Zoom will be provided at a later date. Each subpoena recipient shall promptly contact Custodians of Records Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for further information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

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*In the Matter of a Contested Case Regarding the Continuation of Revocable Permits (RPs) for Tax Map Key Nos. (2) 1-1-001:044 & 050; (2) 2-9-014:001, 005, 011, 012 & 017; (2) 1-1-002:002 (por.) and (2) 1-2-004:005 & 007 for Water Use on the Island of Maui to Alexander & Baldwin, Inc. (A&B) and East Maui Irrigation Company, LLC (EMI) for the remainder of the 2021 RPs, if applicable, and for their continuation through the end of 2022, DLNR File No. CCH-LD-21-01; SUBPOENA [Dr. Ayron Strauch, Hydrologist]*

BOARD OF LAND AND NATURAL RESOURCES

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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 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled contested case hearing, you are commanded to subpoena SCOTT FRETZ.

SCOTT FRETZ of DLNR’s Division of Forestry and Wildlife, 685 Haleakala Highway, Kahului, Hawaii 96732, you are commanded to appear via interactive technology before the Board of Land and Natural Resources’ designated hearing officer on **December 13, 2021 at 9:15 a.m. (or as soon thereafter as you can be heard)** to testify as a witness on the part of the Sierra Club in the above-entitled matter. Testimony will be required via the interactive technology platform, “Zoom.” A link to access the hearing via Zoom will be provided at a later date. You shall promptly contact Custodians of Records Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)).

DATED: Honolulu, Hawai‘i, Dec 1, 2021, 2021.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

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Irrigation Company, LLC for the remainder )  
of the 2021 RPs, if applicable, and for their )  
continuation through the end of 2022 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled  
contested case hearing, you are commanded to subpoena KALEO MANUEL.

KALEO MANUEL of the Commission on Water Resource Management, 1151  
Punchbowl St., Honolulu, HI, 96813, you are commanded to appear via interactive technology  
before the Board of Land and Natural Resources' designated hearing officer on **December 13,  
2021 at 9:00 a.m. (or as soon thereafter as you can be heard)** to testify as a witness on the part  
of the Sierra Club in the above-entitled matter. Testimony will be required via the interactive  
technology platform, "Zoom." A link to access the hearing via Zoom will be provided at a  
later date. You shall promptly contact Custodians of Records Ian Hirokawa  
([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for further  
information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

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Irrigation Company, LLC for the remainder )  
of the 2021 RPs, if applicable, and for their )  
continuation through the end of 2022 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled contested case hearing, you are commanded to subpoena SKIPPPY HAU.

SKIPPPY HAU of DLNR's Division of Aquatic Resources, 130 Mahalani Street, Wailuku, HI 96793, you are commanded to appear via interactive technology before the Board of Land and Natural Resources' designated hearing officer on **December 13, 2021 at 9:30 a.m. (or as soon thereafter as you can be heard)** to testify as a witness on the part of the Sierra Club in the above-entitled matter. Testimony will be required via the interactive technology platform, "Zoom." A link to access the hearing via Zoom will be provided at a later date. You shall promptly contact Custodians of Records Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for further information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

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continuation through the end of 2022 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled contested case hearing, you are commanded to subpoena AYRON STRAUCH.

AYRON STRAUCH of the Commission on Water Resource Management, 1151 Punchbowl St., Honolulu, HI, 96813, you are commanded to appear via interactive technology before the Board of Land and Natural Resources' designated hearing officer on **December 9, 2021 at 9:00 a.m. (or as soon thereafter as you can be heard)** to testify as a witness on the part of the Sierra Club in the above-entitled matter. Testimony will be required via the interactive technology platform, "Zoom." A link to access the hearing via Zoom will be provided at a later date. You shall promptly contact Custodians of Records Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for further information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources



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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 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled  
contested case hearing, you are commanded to subpoena IAN HIROKAWA.

IAN HIROKAWA of DLNR’s Land Division, 1151 Punchbowl St., Honolulu, HI,  
96813, you are commanded to appear via interactive technology before the Board of Land and  
Natural Resources’ designated hearing officer on **December 8, 2021 at 9:00 a.m. (or as soon  
thereafter as you can be heard)** to testify as a witness on the part of the Sierra Club in the  
above-entitled matter. Testimony will be required via the interactive technology platform,  
“Zoom.” A link to access the hearing via Zoom will be provided at a later date. You shall  
promptly contact Custodian of Records Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for  
further information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*

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Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

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Irrigation Company, LLC for the remainder )  
of the 2021 RPs, if applicable, and for their )  
continuation through the end of 2022 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled contested case hearing, you are commanded to subpoena DALTON BEAUPREZ.

DALTON BEAUPREZ of Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826, you are commanded to appear via interactive technology before the Board of Land and Natural Resources' designated hearing officer on **December 14, 2021 at 9:00 a.m. (or as soon thereafter as you can be heard)** to testify as a witness on the part of the Sierra Club in the above-entitled matter. Testimony will be required via the interactive technology platform, "Zoom." A link to access the hearing via Zoom will be provided at a later date. You shall promptly contact Custodians of Records Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for further information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*

\_\_\_\_\_  
Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

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Irrigation Company, LLC for the remainder )  
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continuation through the end of 2022 )

**SUBPOENA**

THE STATE OF HAWAII

To any person not less than 18 years of age and not a party in the above-entitled contested case hearing, you are commanded to subpoena KEOLA CHENG.

KEOLA CHENG of Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826, you are commanded to appear via interactive technology before the Board of Land and Natural Resources' designated hearing officer on **December 14, 2021 at 9:00 a.m. (or as soon thereafter as you can be heard)** to testify as a witness on the part of the Sierra Club in the above-entitled matter. Testimony will be required via the interactive technology platform, "Zoom." A link to access the hearing via Zoom will be provided at a later date. You shall promptly contact Custodians of Records Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov)) and Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov)) for further information.

DATED: Honolulu, Hawai'i, Dec 1, 2021, 2021.

*Suzanne D. Case*  
\_\_\_\_\_  
Suzanne D. Case  
Hearing Officer  
Board of Land and Natural Resources

BOARD OF LAND AND NATURAL RESOURCES

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(2) 1-1-001:044 & 050; (2) 2-9-014:001, ) CERTIFICATE OF SERVICE  
005, 011, 012 & 017; (2) 1-1-002:002 )  
(por.) and (2) 1-2-004:005 & 007 for )  
Water Use on the Island of Maui to )  
Alexander & Baldwin, Inc. (A&B) and )  
East Maui Irrigation Company, LLC )  
(EMI) for the remainder of the 2021 RPs, )  
if applicable, and for their continuation )  
through the end of 2022 )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies a true and accurate copy of the foregoing was duly served upon the following parties by electronic mail, on December 1, 2021.

SUZANNE D. CASE  
[Suzanne.Case@hawaii.gov](mailto:Suzanne.Case@hawaii.gov)  
*Hearings Officer*

DAVID KIMO FRANKEL  
[davidkimofrankel@gmail.com](mailto:davidkimofrankel@gmail.com)  
*Attorney for Petitioner*  
*Sierra Club of Hawaii*

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*Attorneys for Intervenor County of Maui*

DATED: December 1, 2021, Honolulu, Hawai'i.



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Ian Hirokawa ([ian.c.hirokawa@hawaii.gov](mailto:ian.c.hirokawa@hawaii.gov))  
Blue Kaanehe ([blue.kaanehe@hawaii.gov](mailto:blue.kaanehe@hawaii.gov))  
Custodians of Record, Land Division  
Department of Land and Natural Resources