

CADES SCHUTTE  
A Limited Liability Law Partnership

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**Electronically Filed**  
**FIRST CIRCUIT**  
**1CCV-20-0001541**  
**27-DEC-2021**  
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**Dkt. 444 ORDG**

**Note addition to order (in red) /jpc**

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

SIERRA CLUB,

Appellant,

vs.

BOARD OF LAND AND NATURAL  
RESOURCES, ALEXANDER AND  
BALDWIN, INC., and EAST MAUI  
IRRIGATION, LLC,

Appellees.

CIVIL NO. 20-0001541  
(Environmental Court)

**ORDER GRANTING APPELLEES  
ALEXANDER & BALDWIN, INC. AND EAST  
MAUI IRRIGATION COMPANY, LLC'S  
MOTION FOR SUPPLEMENTAL ORDER  
REGARDING REVOCABLE PERMITS  
FILED NOVEMBER 29, 2021 [Dkt. 418]**

Hearing:

Date: December 17, 2021

Time: 9:30 a.m.

Judge: Hon. Jeffrey P. Crabtree

**ORDER GRANTING APPELLEES ALEXANDER & BALDWIN, INC.  
AND EAST MAUI IRRIGATION COMPANY, LLC'S  
MOTION FOR SUPPLEMENTAL ORDER RE: REVOCABLE PERMITS  
FILED NOVEMBER 29, 2021 [Dkt. 418]**

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On November 29, 2021, Appellees ALEXANDER & BALDWIN, INC. and EAST MAUI IRRIGATION COMPANY, LLC's ("A&B/EMI") filed their Motion for Supplemental Order re: Revocable Permits (the "**Motion**") [Dkt. 418]. Also on November 29, 2021, Appellee Board of Land and Natural Resources ("**BLNR**") filed its Substantive Joinder to the Motion [Dkt. 422] ("**BLNR Joinder**"). On November 30, 2021, the County of Maui ("**County**") filed its Joinder to the Motion [Dkt. 424] ("**County Joinder**"). On December 9, 2021, Appellant Sierra Club filed its opposition to the Motion [Dkt. 433-436]. On December 14, 2021, A&B/EMI and BLNR filed their respective reply memoranda [Dkts. 437, 439].

The Motion was heard via Zoom before the Honorable Jeffrey P. Crabtree on December 13, 2021 at 9:30 a.m. Lauren Chun and Linda Chow appeared on behalf of BLNR. Trisha Akagi and David Schulmeister appeared on behalf of A&B/EMI. Caleb Rowe appeared on behalf of the County, and David Frankel appeared on behalf of Appellant Sierra Club.

Having considered the Motion, the BLNR Substantive Joinder, the County Joinder, the briefing of the parties, and the argument of counsel, the Motion is GRANTED.

The Court modifies the expiration date of the subject revocable permits: S-7263, S-7264, S-7265, and S-7266 (collectively, the "**RPs**") from December 31, 2021 until the earlier of (1) May 1, 2022, (2) the date on which the Board of Land and Natural Resources renders a substantive / decision on the continuation of the RPs for calendar year 2022, or (3) further order of this Court.

/jpc

IT IS SO ORDERED.

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DATED: Honolulu, Hawai'i, December 27, 2021, 2021.

/s/ Jeffrey P. Crabtree



JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

/s/ Lauren K. Chun

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LAUREN K. CHUN  
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BOARD OF LAND AND NATURAL RESOURCES

/s/ Caleb P. Rowe

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SIERRA CLUB

***Sierra Club v. BLNR, et al.*; Civil No. 20-0001541 (Haw. 1st Cir.): ORDER GRANTING APPELLEES ALEXANDER & BALDWIN, INC. AND EAST MAUI IRRIGATION COMPANY, LLC'S MOTION FOR SUPPLEMENTAL ORDER RE: REVOCABLE PERMITS FILED NOVEMBER 29, 2021 [Dkt. 418]**

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Appellees.

CIVIL NO. 20-0001541  
(Environmental Court)

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing document was served on the following via the JEFS system (email), as noted below:

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DATED: Honolulu, Hawai‘i, December 17, 2021.

CADES SCHUTTE  
A Limited Liability Law Partnership

*/s/ Trisha H.S.T. Akagi*

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