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**Electronically Filed**  
**FIRST CIRCUIT**  
**1CCV-23-0000594**  
**13-JAN-2026**  
**10:16 AM**  
**Dkt. 271 FJ**

Attorneys for Defendants  
BOARD OF LAND AND NATURAL RESOURCES,  
STATE OF HAWAI'I AND DEPARTMENT OF  
LAND AND NATURAL RESOURCES, STATE OF HAWAI'I

**IN THE CIRCUIT COURT OF THE FIRST CIRCUIT**

**STATE OF HAWAI'I**

HAWAII UNITES, a 501(c)(3) nonprofit  
corporation; Tina Lia, an individual,

Plaintiffs,

vs.

BOARD OF LAND AND NATURAL  
RESOURCES, STATE OF HAWAI'I, and  
DEPARTMENT OF LAND AND  
NATURAL RESOURCES, STATE OF  
HAWAI'I,

Defendants,

and

AMERICAN BIRD CONSERVANCY,

Defendant-Intervenor.

CIVIL NO. 1CCV-23-0000594  
(Environmental Court)

FINAL JUDGMENT ON REMAND

Judge: Hon. Shirley M. Kawamura

**FINAL JUDGMENT ON REMAND**

On May 8, 2023, Plaintiffs HAWAI‘I UNITES and TINA LIA (“Plaintiffs”) filed their Complaint for Declaratory and Injunctive Relief (“Complaint”) against Defendant DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE OF HAWAI‘I, and BOARD OF LAND AND NATURAL RESOURCES, STATE OF HAWAI‘I (“State”) [JEFS 1].

On July 9, 2023, the Court approved a stipulation authorizing the intervention of AMERICAN BIRD CONSERVANCY as a Defendant [JEFS 68].

On August 10, 2023, the Court dismissed count II of the Complaint. [JEFS 151].

On February 6, 2024, the Court granted the Defendant State of Hawai‘i’s motion of summary judgment as to the remaining count as well as Defendant-Intervenor American Bird Conservancy’s substantive joinder. [JEFS 215].

On February 6, 2024, Court entered final judgment. [JEFS 221].

On April 14, 2025, the Intermediate Court of Appeals (“ICA”) issued a Summary Disposition Order affirming the final judgment on the grounds that the Board did not clearly err by concluding the proposed action the Final Environmental Assessment (“FEA”) would have no significant effect but vacated and remanded the final judgment to this Court for an order that the Department of Land and Natural Resources, State of Hawai‘i amend the FEA to comply with HAR § 11-200.1-20(d). [JEFS 252].

On January 6, 2026, the parties stipulated that the Board of Land and Natural Resources, State of Hawai‘i will file in the Environmental Notice as an appendix to the FEA of all timely submitted substantive comments (except form letters or petitions that have identical or near identical language and raise the same issues on the same topic) in compliance with HAR § 11-200.1-20(d). [JEFS 265].

The Court has resolved all issues raised in the Complaint. Thus, any and all remaining claims and parties are dismissed. There being no claims or parties remaining in this action, the Court directs that this be entered as a Final Judgment in accordance with Rule 58 of the Hawai'i Rules of Civil Procedure ("HRCP").

NOW THEREFORE IT IS HEREBY ORDERED AND ADJUDGED, pursuant to HRCP Rule 58, that judgment is entered in favor of Defendants DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE OF HAWAI'I, and BOARD OF LAND AND NATURAL RESOURCES and AMERICAN BIRD CONSERVANCY and against Plaintiffs HAWAI'I UNITES and TINA LIA.

DATED: Honolulu, Hawai'i, January 13, 2026 .

/s/ Shirley M. Kawamura



The Honorable Shirley M. Kawamura  
JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

/s/ Timothy A. Vandever

MARGARET D. WILLE  
TIMOTHY A. VANDEVEER

Attorneys for Plaintiffs  
HAWAI'I UNITES AND TINA LIA

/s/ Maxx Phillips

MAXX PHILLIPS  
WILLIAM F. SHEEHAN

Attorneys for Defendant-Intervenor  
AMERICAN BIRD CONSERVANCY

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*Hawai'i Unites, et al. v. State of Hawai'i, et al.*, Civil No. 1CCV-23-0000594; Final Judgment on Remand.