



BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

2016 MAR - 3 P 2:05
LAND USE COMMISSION
STATE OF HAWAII

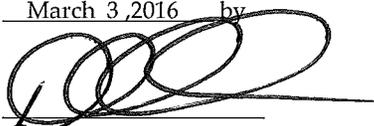
In The Matter Of The Petition Of)	DOCKET NO. DR15-54
)	
PU'UNOA HOMEOWNERS)	ORDER DENYING HO'OMOANA
ASSOCIATION, INC., AND)	FOUNDATION'S PETITION TO
DEVONNE LANE)	INTERVENE; AND CERTIFICATE OF
)	SERVICE
To Issue A Declaratory Order That The)	
Proposed Construction Of A Homeless)	
Encampment And Commercial)	
Campground On 7.9 Acres Of A 22.7)	
Acre Parcel Located At Hokiokio Place)	
And Lahaina Bypass Road At Maui)	
Tax Map Key No. (2) 4-7-003: 031)	
(Por.), Lahaina, Maui, Hawai'i In The)	
Agricultural District Requires A)	
Boundary Amendment)	
_____)	

ORDER DENYING HO'OMOANA FOUNDATION'S PETITION TO INTERVENE

AND

CERTIFICATE OF SERVICE

This is to certify that this is a true and correct copy of the document on file in the office of the State Land Use Commission, Honolulu, Hawai'i.

March 3, 2016 by 
Executive Officer



BEFORE THE LAND USE COMMISSION
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2016 MAR - 3 P 12:05

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ORDER DENYING HO'OMOANA FOUNDATION'S PETITION TO INTERVENE

On February 19, 2016, Ho`omoana Foundation ("Ho`omoana") filed a Petition to Intervene in the above-entitled docket, pursuant to Hawai`i Administrative Rules ("HAR") §15-15-53.

On February 24, 2016, the State of Hawai`i Land Use Commission ("LUC") met in Kahului, Maui, Hawai`i, to consider the Petition to Intervene. James W. Geiger, Esq., appeared on behalf of Ho`omoana. Also present were Deborah K. Wright, Esq.,

and Douglas R. Wright, Esq., on behalf of the Pu`unoa Homeowners Association, Inc., and DeVonne Lane (collectively "Petitioners"); Bryan C. Yee, Esq., and Lorene Maki on behalf of the State of Hawai`i Office of Planning; and Michael Hopper, Esq., and Kurt Wollenhaupt on behalf of the County of Maui Department of Planning. At the meeting, prior to consideration of Ho`omoana's Petition to Intervene, the LUC duly granted Petitioners' Petition for a Declaratory Order, rendering Ho`omoana's Petition to Intervene moot.

Following discussion, a motion was made and seconded to deny Ho`omoana's Petition to Intervene on the basis that it is moot in light of the LUC's granting of Petitioners' Petition for a Declaratory Order. There being a vote tally of 7 ayes, 0 nays, and 1 excused, the motion carried.¹

ORDER

The LUC, having duly considered Ho`omoana's Petition to Intervene, and a motion having been made at a meeting on February 24, 2016, in Kahului, Maui, Hawai`i, and the motion having received the affirmative votes required by HAR §15-15-13, and there being good cause for the motion,

HEREBY ORDERS that Ho`omoana's Petition to Intervene be DENIED.

¹There are currently eight sitting commissioners on the LUC. The one remaining seat is vacant.

ADOPTION OF ORDER

This ORDER shall take effect upon the date this ORDER is certified by this Commission.

Done at Honolulu, Hawai'i, this 3rd, day of March, 2016 per motion on February 24, 2016.

LAND USE COMMISSION

APPROVED AS TO FORM

STATE OF HAWAII

Deane Erickson
Deputy Attorney General

By Edmund C. Aczon
EDMUND ACZON
Chairperson and Commissioner

Filed and effective on:

3/3/2016

Certified by:

Daniel Orodenger
DANIEL ORODENKER
Executive Officer



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CERTIFICATE OF SERVICE

I hereby certify that due service of the within document was made by depositing the same with the United States Mail, postage prepaid, or by hand delivery, on March 4, 2016, addressed to:

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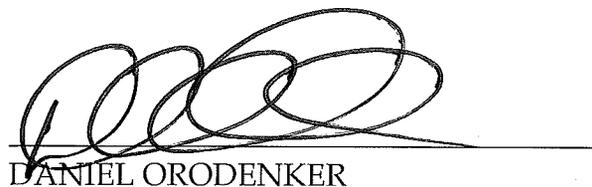
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DATED: Honolulu, Hawai'i, March 3, 2016.



DANIEL ORODENKER
Executive Officer
State Land Use Commission