BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In The Matter Of The Petition Of

MAUI ECONOMIC DEVELOPMENT BOARD, INC.

To Reclassify Approximately 300 Acres Of Land Currently In The Agricultural District Into The Urban District At Kihei, Maui, Hawai'i, Tax Map Key: 2-2-02: Portion Of Parcel 42

DOCKET NO. A84-585

ORDER GRANTING MOTION TO CONSOLIDATE HEARING AND CERTIFICATE OF SERVICE

ORDER GRANTING MOTION TO CONSOLIDATE HEARING

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

7/31/2013 by

[Signature]
Executive Officer
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

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ORDER GRANTING MOTION TO CONSOLIDATE HEARING


Maui R&T seeks to consolidate the hearings before the State of Hawai‘i Land Use Commission ("Commission") on its Motion for Order Amending the Amended Findings of Fact, Conclusions of Law, and Decision and Order filed February 25, 1986, in the above-entitled docket and its Petition for District Boundary Amendment filed June 23, 2010, in Docket No. A10-787 to promote efficiency and judicial economy.
as it relates to the evidentiary record for the Maui Research & Technology Park Master Plan Update.

On June 28, 2013, the County of Maui Department of Planning (“DP”) filed a Statement of No Opposition to Motion to Consolidate Hearing filed June 19, 2013.

On July 1, 2013, OP filed a Statement of No Objections to (1) Petitioner’s Motion for Order Amending the Amended Findings of Fact, Conclusions of Law and Decision and Order filed February 25, 1986, and (2) Petitioner’s Motion to Consolidate Hearing.

The Commission considered Maui R&T’s Motion to Consolidate Hearing at its meeting on July 25, 2013, at Kihei, Maui, Hawai`i. Curtis T. Tabata, Esq., and Steve Perkins appeared on behalf of Maui R&T. James Giroux, Esq., and William Spence appeared on behalf of the DP. Bryan C. Yee, Esq., and Rodney Funakoshi appeared on behalf of the State of Hawai`i Office of Planning (“OP”).¹

At the meeting, Maui R&T provided a background of the docket and the basis for the Motion to Consolidate Hearing. The DP and OP stated that they had no objections to the Maui R&T’s Motion to Consolidate Hearing.

¹ At the beginning of the meeting, Chair Ronald Heller disclosed that he represented several clients on Maui in which the County of Maui was an adverse party. There were no objections by the parties to Chair Heller’s continued participation in this proceeding.
Thereafter, a motion was made and seconded to grant Maui R&T’s Motion to Consolidate Hearing. Following discussion by the commissioners, a vote was taken on this motion. There being a vote tally of 7 ayes, 0 nays, and 2 excused, the motion carried.

ORDER

Having duly considered Maui R&T’s Motion to Consolidate Hearing and the oral and written arguments of the parties in the proceeding at this Commission’s meeting on July 25, 2013, in Kihei, Maui, Hawai‘i, and the motion having received the affirmative votes required by section 15-15-13, HAR, and there being good cause,

IT IS HEREBY ORDERED that Maui R&T’s Motion to Consolidate Hearing be GRANTED.
ADOPTION OF ORDER

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

Done at Honolulu, Hawai‘i, this 31st, day of July, 2013, per motion on July 25, 2013.

LAND USE COMMISSION

APPROVED AS TO FORM

STATE OF HAWAI‘I

Deputy Attorney General

By

RONALD HELLER
Chairperson and Commissioner

Filed and effective on:

7/31/2013

Certified by:

DANIEL ORODENKER
Executive Officer
BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI’I

In The Matter Of The Petition Of

MAUI ECONOMIC DEVELOPMENT BOARD, INC.

DOCKET NO. A84-585

CERTIFICATE OF SERVICE

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the ORDER GRANTING MOTION TO CONSOLIDATE HEARING was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

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<td>JESSE SOUKI, DIRECTOR Office of Planning</td>
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<td>BRYAN YEE, ESQ. Deputy Attorney General Hale Auhau, Third Floor 425 Queen Street Honolulu, Hawai‘i 96813</td>
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<td>BENJAMIN M. MATSUBARA, Esq. Matsubara-Kotake 888 Mililani Street, Eight Floor Honolulu, HI 96813</td>
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Honolulu, Hawai‘i, July 31 , 2013.

DANIEL ORODENKER
Executive Officer