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

In the Matter of the Petition of )

CASTLE & COOKE HOMES HAWAII, )
INC. and PACIFIC HEALTH )
COMMUNITY, INC. )

To Amend the Agricultural Land Use )
District Boundary into the Urban Land Use )
District for Approximately 1,247.983 Acres )
of Land at Waipio and Waiawa, O‘ahu, )
Hawai‘i, TMKs: 9-4-06: 1, 2, por. 3, por. 29; )
9-5-03: por. 1, por. 2, por. 4; and 9-6-04: 21 )

DOCKET NO. A00-734
ORDER GRANTING PETITION FOR
INTERVENTION FILED BY THE
MILILANI/MELEMANU/WAIPIO
NEIGHBORHOOD BOARD #25

ORDER GRANTING PETITION FOR INTERVENTION FILED BY THE
MILILANI/MELEMANU/WAIPIO NEIGHBORHOOD BOARD #25
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of

CASTLE & COOKE HOMES HAWAI'I,
INC. and PACIFIC HEALTH
COMMUNITY, INC.

To Amend the Agricultural Land Use
District Boundary into the Urban Land Use
District for Approximately 1,247.983 Acres
of Land at Waipio and Waiawa, O'ahu,
Hawai'i, TMKs: 9-4-06: 1, 2, por. 3, por. 29;
9-5-03: por. 1, por. 2, por. 4; and 9-6-04: 21

DOCKET NO. A00-734

ORDER GRANTING PETITION FOR
INTERVENTION FILED BY THE
MILILANI/MELEMANU/WAIPIO
NEIGHBORHOOD BOARD #25

ORDER GRANTING PETITION FOR INTERVENTION FILED BY THE
MILILANI/MELEMANU/WAIPIO NEIGHBORHOOD BOARD #25

On June 26, 2001, the Mililani/Melemanu/Waipio Neighborhood Board

#25 filed an Application To Intervene ("Petition for Intervention") in this proceeding,
pursuant to section 15-15-52, Hawai'i Administrative Rules ("HAR").

This Petition for Intervention was heard in Kailua-Kona, Hawai'i, on

July 18, 2001. Commissioner Catalani stated that his law firm had represented Castle &

Cooke, and he therefore recused himself from participating in this docket. Dickson Lee,

Esq., appeared on behalf of Co-Petitioner Castle & Cooke Homes Hawaii, Inc.

("CCHHI"); John Chang, Esq., appeared on behalf of the Office of Planning ("OP"); and

Dick Poirier appeared on behalf of the Mililani/Melemanu/Waipio Neighborhood Board

#25. The City and County of Honolulu Department of Planning and Permitting and
Co-Petitioner Pacific Health Community, Inc. ("PHCI"), were notified of the meeting but were not present. At the meeting, Co-Petitioner CCHHI and OP stated that it had no objections to the Petition for Intervention. CCHHI also stated that PHCI had authorized it to state that PHCI had no objection to the Petition for Intervention.

During discussion on the Petition for Intervention, Mr. Poirier agreed to coordinate the efforts of the Mililani/Melemanu/Waipio Neighborhood Board #25 with the Sierra Club, Hawai‘i Chapter, and to work with OP in the proceedings.

This Commission, having duly considered the Petition for Intervention filed by the Mililani/Melemanu/Waipio Neighborhood Board #25, the arguments presented by the parties and the record in this docket, hereby finds and concludes that the Mililani/Melemanu/Waipio Neighborhood Board #25 has demonstrated that it will be so directly and immediately affected by the proposed change that its interest in the proceeding is clearly distinguishable from that of the general public; that its position concerning the proposed change is not substantially the same as the position of a party already admitted in this proceeding; and that admission of the Mililani/Melemanu/Waipio Neighborhood Board #25 will not render the proceedings inefficient and unmanageable. Therefore, for good cause shown,

ORDER

IT IS HEREBY ORDERED that the Petition for Intervention filed by the Mililani/Melemanu/Waipio Neighborhood Board #25 be GRANTED.
ADOPTION OF ORDER

The undersigned Commissioners, being familiar with the record and the proceedings, hereby adopt and approve the foregoing ORDER this 13th day of August 2001. The ORDER and its ADOPTION shall take effect upon the date this ORDER is certified and filed by this Commission.

LAND USE COMMISSION
STATE OF HAWAI‘I

By __________________________ (absent)
MERLE A. K. KELAI
Chairperson and Commissioner

By __________________________
LAWRENCE N.C. ING
Vice Chairperson and Commissioner

By __________________________ (recused)
P. ROY CATALANI
Commissioner

By __________________________
BRUCE A. COPPA
Commissioner

By __________________________
PREVIN DESAI
Commissioner

By __________________________
ISAAC FIESTA, JR.
Commissioner

-3-
M. CASEY JARMAN
Commissioner

STANLEY ROEHMIG
Commissioner

PETER YUKIMURA
Commissioner

APPROVED AS TO FORM:

Deputy Attorney General

Filed and effective on August 13, 2001

Certified by:

Executive Officer
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI’I

In the Matter of the Petition of

CASTLE & COOKE HOMES HAWAI’I, INC.
and PACIFIC HEALTH COMMUNITY, INC.

To Amend the Agricultural Land Use District Boundary into the Urban Land Use District for Approximately 1,247.983 Acres of Land at Waipio and Waiawa, O’ahu, Hawai’i, TMKs: 9-4-06: 1, 2, por. 3, por. 29; 9-5-03: por. 1, por. 2, por. 4; and 9-6-04: 21

DOCKET NO. A00-734
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Petition For Intervention Filed By The Mililani/Melemanu/Waipio Neighborhood Board #25 was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

DAVID W. BLANE, Director
DEL. Office of Planning
P. O. Box 2359
Honolulu, Hawaii 96804-2359

RANDALL K. FUJIKI, Director
CERT. Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, HI 96813

JANE HOWELL, ESQ.
CERT. Corporation Counsel
City and County of Honolulu
530 South King Street
Honolulu, Hawaii 96813
DICKSON C.H. LEE, ESQ., Attorney for Petitioner  
Takushi Funaki Wong & Stone  
CERT.  
Grosvenor Center, Suite 1400  
733 Bishop Street  
Honolulu, Hawaii 96813

DR. RANDALL SUZUKA, Representing Petitioner  
CERT.  
Pacific Health Community, Inc.  
650 California Avenue  
Wahiawa, Hawaii 96786

HARRY A. SAUNDERS, Representing Petitioner  
Executive Vice President and Chief Operating Officer  
CERT.  
Castle & Cooke Homes Hawaii, Inc.  
P. O. Box 898900  
Mililani, Hawaii 96789-8900

RODNEY Y. SATO, ESQ., Attorney for Petitioner  
CERT.  
95-155 Waikalani Drive  
Mililani, Hawaii 96789

JEFF MIKULINA, Director, Representing Intervenor  
CERT.  
Sierra Club, Hawai`i Chapter  
P. O. Box 2577  
Honolulu, Hawaii 96803

RICHARD G. POIRIER, Representing Intervenor  
DEL.  
Mililani/Melemanu/Waipio Neighborhood Board No. 25  
95-584 Naholoholo Street  
Mililani Town, Hawaii 96789

DATED: Honolulu, Hawaii, this _________ day of August 2001.

[Signature]

ANTHONY J.H. CHING  
Executive Officer