

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

In the Matter of the Petition of ) DOCKET NO. A00-734  
)  
CASTLE & COOKE HOMES HAWAII, ) ORDER GRANTING PETITION FOR  
INC. and PACIFIC HEALTH ) INTERVENTION FILED BY THE  
COMMUNITY, INC. ) MILILANI/MELEMANU/WAIPIO  
) NEIGHBORHOOD BOARD #25  
)  
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 )  
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LAND USE COMMISSION  
STATE OF HAWAII

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

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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

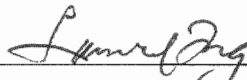
IT IS HEREBY ORDERED that the Petition for Intervention filed by the Mililani/Melemanu/Waipio Neighborhood Board #25 be GRANTED.

ADOPTION OF ORDER

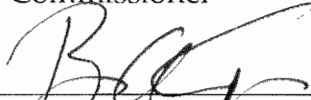
The undersigned Commissioners, being familiar with the record and the proceedings, hereby adopt and approve the foregoing ORDER this 13<sup>th</sup> day of August 2001. The ORDER and its ADOPTION shall take effect upon the date this ORDER is certified and filed by this Commission.

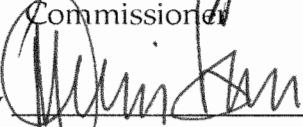
LAND USE COMMISSION  
STATE OF HAWAII


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

By   
LAWRENCE M.C. ING  
Vice Chairperson and Commissioner

By (recused)  
P. ROY CATALANI  
Commissioner

By   
BRUCE A. COPPA  
Commissioner

By   
PRAVIN DESAI  
Commissioner

By   
ISAAC FIESTA, JR.  
Commissioner

By M. Casey Jarman  
M. CASEY JARMAN  
Commissioner

By Stanley Roehrig  
STANLEY ROEHRIG  
Commissioner

By Peter Yukimura  
PETER YUKIMURA  
Commissioner

APPROVED AS TO FORM:

Diane Chutkan  
Deputy Attorney General

Filed and effective on  
August 13, 2001

Certified by:

Anthony Schwing  
Executive Officer

BEFORE THE LAND USE COMMISSION

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COMMUNITY, INC. )  
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To Amend the Agricultural Land Use )  
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9-5-03: por. 1, por. 2, por. 4; and 9-6-04: 21 )  
\_\_\_\_\_ )

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:

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

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

CERT. JANE HOWELL, ESQ.  
Corporation Counsel  
City and County of Honolulu  
530 South King Street  
Honolulu, Hawaii 96813

CERT. DICKSON C.H. LEE, ESQ., Attorney for Petitioner  
Takushi Funaki Wong & Stone  
Grosvenor Center, Suite 1400  
733 Bishop Street  
Honolulu, Hawaii 96813

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

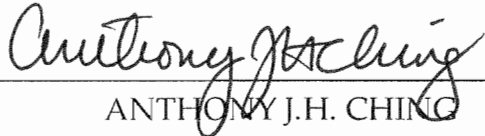
CERT. HARRY A. SAUNDERS, Representing Petitioner  
Executive Vice President and Chief Operating Officer  
Castle & Cooke Homes Hawaii, Inc.  
P. O. Box 898900  
Mililani, Hawaii 96789-8900

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

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

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

DATED: Honolulu, Hawaii, this 13<sup>th</sup> day of August 2001.

  
\_\_\_\_\_  
ANTHONY J.H. CHING  
Executive Officer