

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

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.)	SIERRA CLUB, HAWAII CHAPTER
)	
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,)	
Hawaii, TMKs: 9-4-06: 1, 2, por. 3, por. 29;)	
9-5-03: por. 1, por. 2, por. 4; and 9-6-04: 21)	
_____)	

LAND USE COMMISSION
STATE OF HAWAII
2001 AUG 13 P 3:51

ORDER GRANTING PETITION FOR INTERVENTION
FILED BY THE SIERRA CLUB, HAWAII CHAPTER

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A00-734
)	
CASTLE & COOKE HOMES HAWAII, INC. and PACIFIC HEALTH COMMUNITY, INC.)	ORDER GRANTING PETITION FOR INTERVENTION FILED BY THE SIERRA CLUB, HAWAII CHAPTER
)	
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, Hawaii, TMKs: 9-4-06: 1, 2, por. 3, por. 29; 9-5-03: por. 1, por. 2, por. 4; and 9-6-04: 21)	
_____)	

ORDER GRANTING PETITION FOR INTERVENTION
FILED BY THE SIERRA CLUB, HAWAII CHAPTER

On June 26, 2001, the Sierra Club, Hawaii Chapter, filed a Petition To Intervene ("Petition for Intervention") in this proceeding, pursuant to section 15-15-52, Hawaii Administrative Rules ("HAR"), for the limited purpose of addressing certain environmental and infrastructural issues.

The Petition for Intervention was heard in Kailua-Kona, Hawaii, 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 David Frankel appeared on behalf of the Sierra Club, Hawaii Chapter. 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. Frankel agreed to coordinate the efforts of the Sierra Club, Hawai`i Chapter, with the Mililani/Melemanu/Waipio Neighborhood Board #25 and to work with OP in the proceedings in this docket. Mr. Frankel further stated that the Sierra Club, Hawai`i Chapter, would limit its participation to the environmental and infrastructural issues set forth in its Petition for Intervene.

This Commission, having duly considered the Petition for Intervention filed by the Sierra Club, Hawai`i Chapter, the arguments presented by the parties and the record in this docket, hereby finds and concludes that the Sierra Club, Hawai`i Chapter, 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 Sierra Club, Hawai`i Chapter, will not render the proceedings inefficient and unmanageable. Therefore, for good cause shown,

ORDER

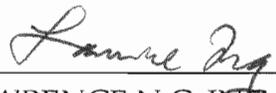
IT IS HEREBY ORDERED that the Petition for Intervention filed by the Sierra Club, Hawai'i Chapter, be GRANTED, and that its intervention shall be limited to the environmental and infrastructural issues raised in its Petition for Intervention.

ADOPTION OF ORDER

The undersigned Commissioners, being familiar with the record and 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 the Commission.

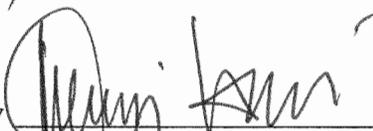
LAND USE COMMISSION
STATE OF HAWAI'I

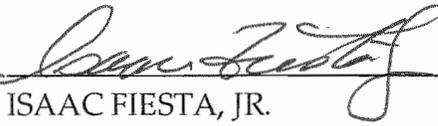
By (absent)
MERLE A. K. KELAI
Chairperson and Commissioner

By 
LAWRENCE N.C. ING
Vice Chairperson and Commissioner

By (recused)
P. ROY CATALANI
Commissioner

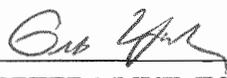
By 
BRUCE A. COPPA
Commissioner

By 
PRAVIN DESAI
Commissioner

By 
ISAAC FIESTA, JR.
Commissioner

By 
M. CASEY JARMAN
Commissioner

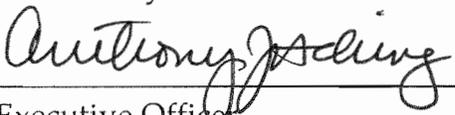
By 
STANLEY ROHRIG
Commissioner

By 
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 HAWAII

In the Matter of the Petition of) DOCKET NO. A00-734
)
CASTLE & COOKE HOMES HAWAII,) CERTIFICATE OF SERVICE
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)
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Petition For Intervention Filed By The Sierra Club, Hawai`i Chapter 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

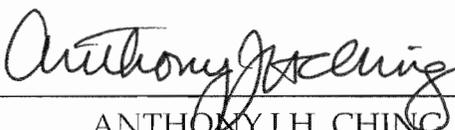
CERT. HARRY A. SAUNDERS, Representing Petitioner
Executive Vice President and Chief Operating Officer
Castle & Cooke Homes Hawaii, Inc.
P. O. Box 898900
Mililani, Hawaii 96789-8900

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 13th day of August 2001.



ANTHONY J.H. CHING
Executive Officer