BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In The Matter Of The Petition Of

PU’UNOA HOMEOWNERS
ASSOCIATION, INC., AND
DEVONNE LANE

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

DOCKET NO. DR15-54

ORDER DENYING HO’OMOANA FOUNDATION’S PETITION TO INTERVENE; AND CERTIFICATE OF SERVICE

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
ORDER DENYING HO’OMOANA FOUNDATION’S PETITION TO INTERVENE


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.,

Docket No. DR15-54 Pu’uona Homeowners Association, Inc., and DeVonne Lane
Order Denying Ho’omoana Foundation’s Petition To Intervene
and Douglas R. Wright, Esq., on behalf of the Pu’u’noa 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 HAWAI‘I

Deputy Attorney General

EDMUND ACZON
Chairperson and Commissioner

Filed and effective on:

3/3/2016

Certified by:

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:

LEO R. ASUNCION, JR., AICP
Director
Office of Planning
State of Hawaii
235 South Beretania Street, 6th Floor
Honolulu, Hawaii 96813

BY HAND DELIVERY

Daniel Orodenker
Executive Officer
State Land Use Commission