

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
THE OFFICE OF STATE PLANNING,)
STATE OF HAWAII)
To Amend the State Land Use)
Agricultural District Boundary)
into the Conservation Land Use)
District for Approximately 10,895)
Acres of Land at Kealakekua,)
South Kona, Hawaii, TMK No.:)
8-2-12: 1 (por.) and 13)

Docket No. BR94-702
ORDER GRANTING PETITION
FOR INTERVENTION

LAND USE COMMISSION
STATE OF HAWAII
APR 15 1 49 PM '94

ORDER GRANTING PETITION FOR INTERVENTION

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	Docket No. BR94-702
THE OFFICE OF STATE PLANNING,)	ORDER GRANTING PETITION
STATE OF HAWAII)	FOR INTERVENTION
To Amend the State Land Use)	
Agricultural District Boundary)	
into the Conservation Land Use)	
District for Approximately 10,895)	
Acres of Land at Kealahou,)	
South Kona, Hawaii, TMK No.:)	
8-2-12: 1 (por.) and 13)	

ORDER GRANTING PETITION FOR INTERVENTION

On March 29, 1994, Kealahou Ranch, Ltd. ("KRL") filed a Petition for Intervention ("Petition") in this proceeding pursuant to Section 15-15-52, Hawaii Administrative Rules ("HAR").

On April 5, 1994, the Office of State Planning ("OSP") filed a Response to KRL's Petition and argued that it had no opposition to the intervention "so long as the intervention is limited to issues properly before the Land Use Commission in a boundary review proceeding" and "to issues of merit on the boundary review petition."

On April 6, 1994, Intervenor Kealahou Development Corporation filed a statement of no objection to KRL's Petition.

The County of Hawaii Planning Department ("Planning Department") was served with a copy of KRL's Petition and did

not submit any written response to the Petition nor did the Planning Department appear at the hearing on this matter.

KRL's Petition having come on for hearing before this Commission on April 7, 1994 at its meeting in Honolulu, Hawaii, and this Commission, having considered the arguments presented by KRL and OSP in this proceeding and the record in this proceeding, hereby finds and concludes that KRL has a property interest in the Petition Area; that KRL will be so directly and immediately affected by the proposed change that KRL's interest in the proceeding is distinguishable from that of the general public; and, that admission of KRL will not render the proceedings inefficient and unmanageable, and for good cause shown;

NOW HEREBY ORDERS that the Petition for Intervention filed by Kealakekua Ranch, Ltd. be and is hereby GRANTED.

Dated: Honolulu, Hawaii, April 15, 1994.

LAND USE COMMISSION
STATE OF HAWAII

By Joann N. Mattson
JOANN N. MATTSON
Chairperson and Commissioner

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
THE OFFICE OF STATE PLANNING,)
STATE OF HAWAII)
To Amend the State Land Use)
Agricultural District Boundary)
into the Conservation Land Use)
District for Approximately 10,895)
Acres of Land at Kealahou,)
South Kona, Hawaii, TMK No.:)
8-2-12: 1 (por.) and 13)

Docket No. BR94-702
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting
Petition For Intervention was served upon the following by
either hand delivery or depositing the same in the U. S. Postal
Service by certified mail:

CERT. RICK EICHOR, ESQ., Attorney for Petitioner
Deputy Attorney General
Hale Auhau, Third Floor
425 Queen Street
Honolulu, Hawaii 96813


HAROLD S. MASUMOTO, Director
Office of State Planning
P. O. Box 3540
Honolulu, Hawaii 96811-3540

CERT. VIRGINIA GOLDSTEIN, Planning Director
Planning Department, County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

CERT. SANDRA PECHTER SCHUTTE, ESQ., Attorney for Intervenor
Case & Lynch
460 Kilauea Avenue.
Hilo, Hawaii 96720-3084

CERT. RAYMOND S. IWAMOTO, ESQ.
KELLIE M. N. SEKIYA, ESQ., Attorneys for Intervenor
Goodsill Anderson Quinn & Stifel
Ali'i Place, Suite 1800
1099 Alakea Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 15th day of April 1994.



ESTHER UEDA
Executive Officer