



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

2014 MAY 28 P 1:30  
LAND USE COMMISSION  
STATE OF HAWAII

|  |   |                         |
|--|---|-------------------------|
| In The Matter Of The Application Of The  | ) | DOCKET NO. SP09-403     |
|  | ) |                         |
| DEPARTMENT OF ENVIRONMENTAL              | ) | ORDER REQUIRING WRITTEN |
| SERVICES, CITY AND COUNTY OF             | ) | STATUS REPORTS; AND     |
| HONOLULU                                 | ) | CERTIFICATE OF SERVICE  |
|  | ) |                         |
| For A New Special Use Permit To          | ) |                         |
| Supersede Existing Special Use Permit To | ) |                         |
| Allow A 92.5-Acre Expansion And Time     | ) |                         |
| Extension For Waimānalo Gulch Sanitary   | ) |                         |
| Landfill, Waimānalo Gulch, O`ahu,        | ) |                         |
| Hawai`i, Tax Map Key: 9-2-03: 72 And 73  | ) |                         |
| _____                                    | ) |                         |

ORDER REQUIRING WRITTEN STATUS REPORTS

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.

May 28, 2014 by

Executive Officer



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ORDER REQUIRING WRITTEN STATUS REPORTS

On May 16, 2014, the State of Hawai`i Land Use Commission ("LUC") met in Honolulu, Hawai`i, to hear a status report on the proceedings before the City and County of Honolulu Planning Commission ("Planning Commission") relating to County Special Use Permit File No. 2008/SUP-2.<sup>1</sup> Dana Viola, Esq., and Lori Kahikina appeared on behalf of the City and County of Honolulu Department of Environmental Services ("Applicant"). Calvert G. Chipchase, Esq., appeared on behalf of Intervenor

<sup>1</sup> Upon receipt of the decision and complete record of the Planning Commission in this matter in 2009, the LUC designated the application as Docket No. SP09-403.

the Ko `Olina Community Association (“KOCA”) and Maile Shimabukuro. Richard Wurdeman, Esq., appeared on behalf of Intervenor Colleen Hanabusa. Bryan C. Yee, Esq., and Rodney Funakoshi were also present on behalf of the State of Hawai`i Office of Planning (“OP”).

At the meeting, the Applicant updated the LUC on the status of the proceedings before the Planning Commission and provided information on the current operations of the Waimānalo Gulch Sanitary Landfill. The LUC also heard oral arguments from the other parties and public testimony from OP on this matter.<sup>2</sup>

Following discussion, a motion was made and seconded to require that the Applicant file written status reports with the LUC on the aforementioned proceedings of the Planning Commission every other month starting from July 2014 with service upon the other parties in this matter. A vote was taken on this motion. There being a vote tally of 8 ayes and 1 excused, the motion carried.

#### ORDER

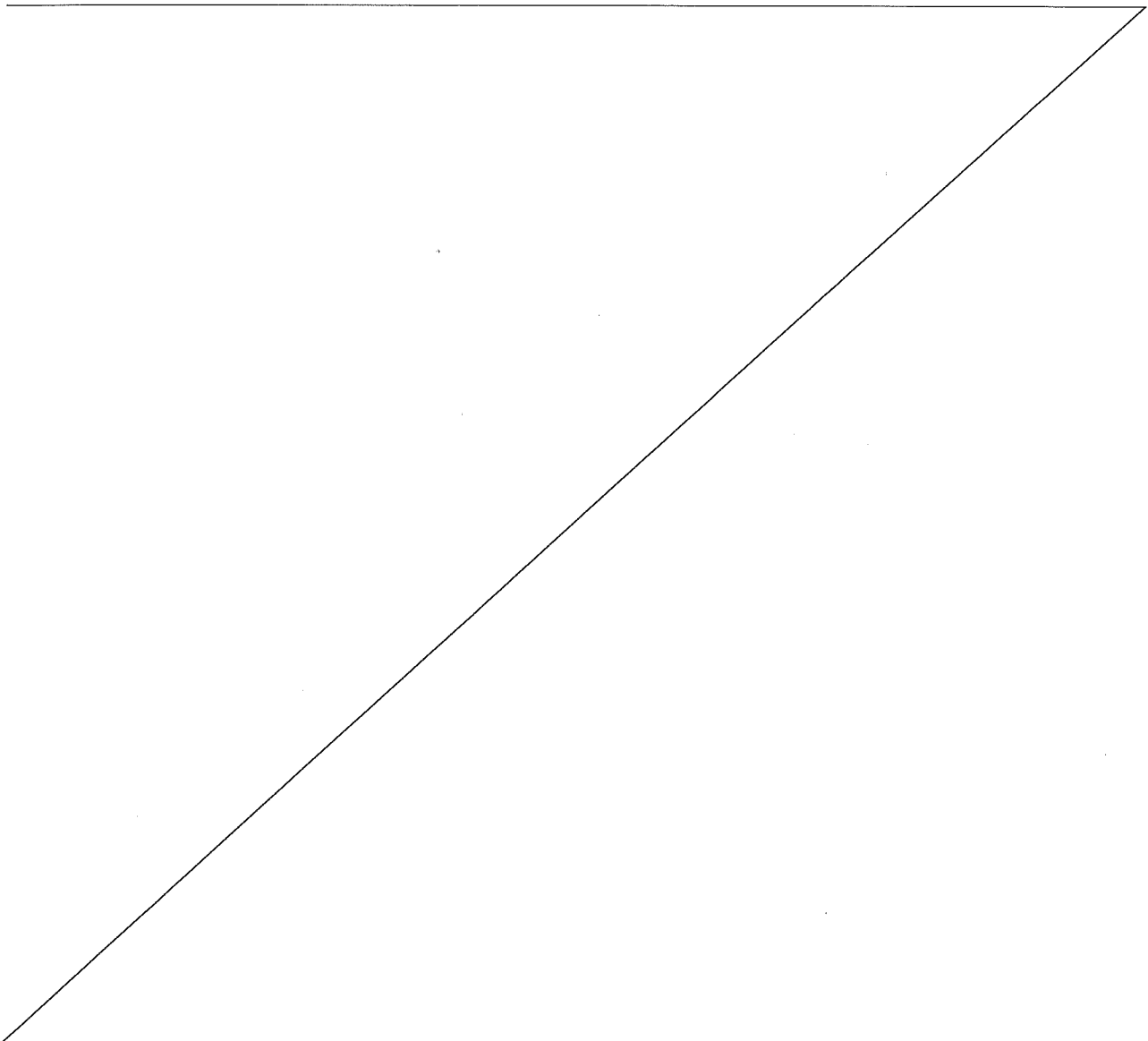
Having duly considered the status report provided by the Applicant and the oral arguments presented by the other parties in this proceeding, and a motion having been made at a meeting held on May 16, 2014, in Honolulu, Hawai`i, and the

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<sup>2</sup> Aside from the testimony of OP, there was no other public testimony provided. Prior to the presentation of the Applicant, Chair Ronald Heller reiterated his disclosure made during previous proceedings in this docket that he represents the Association of Apartment Owners of Beach Villas, a member of KOCA, in litigation against KOCA. There were no objections by the parties to the participation of Chair Heller in this proceeding.

motion having received the affirmative votes required by Hawai'i Administrative Rules §15-15-13, and there being good cause for the motion, the LUC ORDERS as follows:

The Applicant shall file written status reports with the LUC on the proceedings of the Planning Commission relating to County Special Use Permit File No. 2008/SUP-2 every other month starting from July 2014 with service upon the other parties in this matter. The other parties are free to file written responses with the LUC in regard to the aforementioned status reports.



ADOPTION OF ORDER


This ORDER shall take effect upon the date this ORDER is certified by this Commission.


Done at Honolulu, Hawai'i, this 28th, day of May, 2014, per motion on May 16, 2014.

LAND USE COMMISSION

APPROVED AS TO FORM

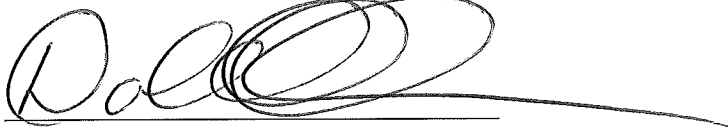
STATE OF HAWAII

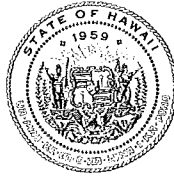
  
Deputy Attorney General

By   
RONALD HELLER  
Chairperson and Commissioner

Filed and effective on:  
May 28, 2014

Certified by:

  
DANIEL ORODENKER  
Executive Officer



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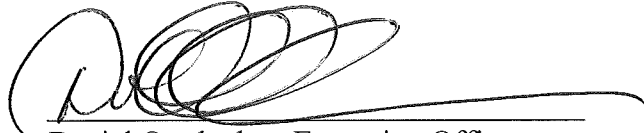
I hereby certify that a copy of the ORDER REQUIRING WRITTEN STATUS  
REPORTS was served upon the following by either hand delivery or depositing the same in the  
U. S. Postal Service by regular or certified mail as noted:

- DEL. Leo Asuncion, Acting Director  
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CHRISTOPHER T. GOODIN  
1000 Bishop St. Suite 1200  
Honolulu, HI 96813

Dated: May 28, 2014, Honolulu, Hawaii.



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Daniel Orodener, Executive Officer