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RICHARD NAIWIEHA WURDEMAN 6015-0
Attorney at Law, A Law Corporation
Pauahi Tower, Suite 720
1003 Bishop Street
Honolulu, Hawaii 96813
Telephone: (808) 536-0633
Facsimile: (808) 536-0634
e-mail: rnwurdeman@rnwlaw.com

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DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

Attorney for Intervenor
COLLEEN HANABUSA

BEFORE THE PLANNING COMMISSION
OF THE CITY AND COUNTY OF HONOLULU
STATE OF HAWAII

In the Matter of the Application of)	FILE NO. 2008/SUP2
)	
DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU)	INTERVENOR COLLEEN HANABUSA'S STATEMENT RE:
)	(1) SUBMISSION OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND DECISION AND ORDER; (2) VARIOUS PARTIES' SUBMISSIONS OF REQUESTS FOR EXTENSIONS OF TIME TO SUBMIT PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER; (3) DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU'S MOTION TO REOPEN THE CONTESTED CASE HEARING FOR THE LIMITED PURPOSE OF TAKING OFFICIAL NOTICE OF FACTS, FILED ON SEPTEMBER 30, 2016; and
For a New Special Use Permit to Supersede Existing Special Use Permit to Allow a 92.5 -Acre Expansion and Time Extension for Waimanalo Gulch Sanitary Landfill, Waimanalo Gulch, Oahu, Hawaii'i, Tax Map Key: 9-2-03: 72 and 73)	CERTIFICATE OF SERVICE
)	
In the Matter of the Application of)	
)	
DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU)	
)	
"14. Municipal solid waste shall be allowed at the WGSL up to July 31, 2012, provided that only ash and residue from H-POWER shall be allowed at the WGSL after July 31, 2012.")	
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INTERVENOR COLLEEN HANABUSA'S STATEMENT RE: (1) SUBMISSION OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND DECISION AND ORDER; (2) VARIOUS PARTIES' SUBMISSIONS OF REQUESTS FOR EXTENSION OF TIME TO SUBMIT PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER; (3) DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU'S MOTION TO REOPEN THE CONTESTED CASE HEARING FOR THE LIMITED PURPOSE OF TAKING OFFICIAL NOTICE OF FACTS, FILED ON SEPTEMBER 30, 2016

Intervenor COLLEEN HANABUSA submitted Intervenor's Ko Olina Community Association, Colleen Hanabusa and Maile Shimabukuro Proposed Findings of Fact and Conclusions of Law and Decision and Order, filed on July 17, 2009, towards the end of the contested case hearing In the Matter of the Application of Department of Environmental Services, City and County of Honolulu, For a New Special Use Permit to Supersede Existing Special Use Permit to Allow a 92.5 acre expansion and time extension for Waimanalo Gulch Sanitary Landfill, Waimanalo Gulch, O'ahu, Hawai'i, Tax Map Key: 9-2-03: 72 and 73. Obviously, it is no longer the submission of the Ko Olina Community Association and Maile Shimabukuro as they have since retained new counsel and are in the process of submitting their own proposed findings of fact, conclusions of law, and decision and order, through new counsel.

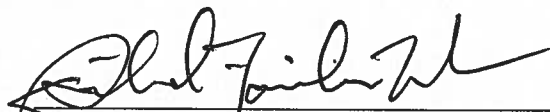
To the extent that any modifications may be made to Intervenor Colleen Hanabusa's original submission as referenced above, some additional time may be necessary. Intervenor Colleen Hanabusa would like to present arguments before the Planning Commission during which all parties are to be heard on the amount of time for any such extension for the purpose of the submission of proposed Findings of Fact, Conclusions of Law, and Decision and Order. As counsel indicated to the Planning Commission at the last hearing on the above-captioned proceedings, counsel would not be available to attend the October 12, 2016 hearing that was supposed to be just for consideration of the Intervenor's Ko Olina Community Association and Maile Shimabukuro's Motion to Reopen the Contested Case Hearing to Admit Limited Additional Documentary Evidence to Correct and Error that was Discovered after the Hearing Closed, filed on April 27, 2012. Intervenor Colleen Hanabusa already filed her position statement and statement of non-appearance of counsel for that hearing, on September 22, 2016.

As a result of counsel's unavailability on October 12, 2016, counsel respectfully requests that the hearings for all motions for extensions of time and for the City's Motion to Reopen the Contested Case Hearing for the Limited Purpose of Taking Official Notice of Facts, Filed on

September 30, 2016, be set for the subsequent hearing, instead, and in balancing the ongoing issue of the City's operation of the Waimanalo Gulch Sanitary Landfill without a valid permit and the necessity of prompt decision-making as discussed by the Planning Commission, previously.

Finally, without waiving the Intervenor Colleen Hanabusa's objections on the consolidation of the cases, and objections to the requests thereto, she joins in the requests of Ko Olina Community Association in their Response to the City's Motion to Reopen the Case Hearing for the Limited Purpose of Taking Official Notice of Facts, filed on October 7, 2016, should the Planning Commission reopen the case as requested by the City over Intervenor Colleen Hanabusa's objections.

DATED: Honolulu, Hawaii, October 7, 2016.



RICHARD NAIWIEHA WURDEMAN
Attorney for Intervenor
COLLEEN HANABUSA

BEFORE THE PLANNING COMMISSION
OF THE CITY AND COUNTY OF HONOLULU
STATE OF HAWAII

In the Matter of the Application of) FILE NO. 2008/SUP2
)
DEPARTMENT OF ENVIRONMENTAL) CERTIFICATE OF SERVICE
SERVICES, CITY AND COUNTY OF)
HONOLULU)
)
To Delete Condition No. 14 of Special)
Use Permit No. 2008/SUP-2 (also referred)
to as Land Use Commission Docket No.)
SP09-403) which states as follows:)
)
"14. Municipal solid waste shall be)
allowed at the WGSL up to July 31, 2012,)
provided that only ash and residue from)
H-POWER shall be allowed at the WGSL)
after July 31, 2012.")
_____)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date set forth below, a true and correct copy of the foregoing document was served on the following parties by depositing the same in the U.S. Mail, postage prepaid, addressed as follows:

Calvert G. Chipchase, Esq.
Christopher T. Goodin, Esq.
Cades Schutte, LLP
1000 Bishop Street, Suite 1200
Honolulu, Hawaii 96813-4212

Attorneys for Intervenors Ko Olina Community
Association and Maile Shimabukuro

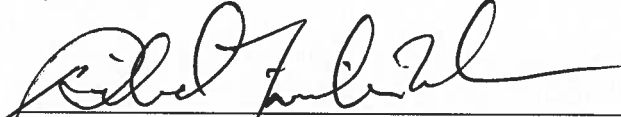
Kamilla C. K. Chan, Esq.
Department of the Corporation Counsel
City and County of Honolulu
530 S. King Street, Room 110
Honolulu, HI 96813

Attorney for Applicant Department of Environmental
Services, City and County of Honolulu

Ian L. Sandison, Esq.
Carlsmith Ball, LLP
American Savings Bank Tower
1001 Bishop Street, Suite 2200
Honolulu, HI 96813

Attorneys for Intervenor
Schnitzer Steel Hawaii Corp.

DATED: Honolulu, Hawaii, October 7, 2016.



RICHARD NAIWIEHA WURDEMAN
Attorney for Intervenor
COLLEEN HANABUSA