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Corporation Counsel  
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Deputy Corporation Counsel  
City and County of Honolulu  
530 South King Street, Room 110  
Honolulu, Hawaii 96813  
Facsimile: (808) 768-5105

Attorneys for Applicant  
DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU

BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

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 No. (1) 9-2-03: 72 And 73,

In the Matter of the Application of

DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU

FILE NO. 2008/SUP-2

DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU'S MOTION TO STRIKE  
INTERVENOR COLLEEN  
HANABUSA'S (1) RENEWAL OF  
SUBMISSION OF PROPOSED  
FINDINGS OF FACT AND  
CONCLUSIONS OF LAW;  
MEMORANDUM IN SUPPORT OF  
MOTION TO STRIKE; DECLARATION  
OF KAMILLA C. K. CHAN; EXHIBITS  
"1" - "2"; CERTIFICATE OF SERVICE

2017 FEB 17 PM 2:17  
DEPT OF PLANNING  
AND PERMITTING  
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 WGS� up to July 21, 2012, provided that only ash and residue from H-POWER shall be allowed at the WGS� after July 31, 2012.”

**DEPARTMENT OF ENVIRONMENTAL SERVICES,  
CITY AND COUNTY OF HONOLULU’S MOTION TO STRIKE  
INTERVENOR COLLEEN HANABUSA’S RENEWAL OF SUBMISSION  
OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

COMES NOW DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU (the “Applicant” or “ENV”), by and through its attorney, KAMILLA C. K. CHAN, Deputy Corporation Counsel, under Section 2-67 of the Rules of the Planning Commission, and hereby moves to strike Intervenor Colleen Hanabusa’s Renewal of Submission of Proposed Findings of Fact and Conclusions of Law, which was submitted to the Planning Commission on February 10, 2017. The Applicant moves to strike the aforementioned submission because it was not timely submitted to the Planning Commission.

Applicant reserves its right to object to the Objections and Rebuttals raised by Intervenor Colleen Hanabusa in the document submitted to the Planning Commission on February 10, 2017.

DATED: Honolulu, Hawaii, February 17, 2017.



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KAMILLA C. K. CHAN  
Deputy Corporation Counsel  
Attorneys for Applicant  
DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY  
OF HONOLULU

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FILE NO. 2008/SUP-2

MEMORANDUM IN SUPPORT OF  
MOTION TO STRIKE

**MEMORANDUM IN SUPPORT OF MOTION TO STRIKE**

The DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF  
HONOLULU (the "Applicant" or "ENV") submits this memorandum in support of the  
Applicant's Motion to Strike Intervenor Colleen Hanabusa's Renewal of Submission of  
Proposed Findings of Fact and Conclusions of Law.

## I. RELEVANT FACTS

On October 12, 2016, the Planning Commission, City and County of Honolulu (“Planning Commission”), heard several motions in the above-captioned consolidated contested case proceedings. Counsel for the Applicant, Intervenor Ko Olina Community Association and Maile Shimabukuro (collectively, “Intervenor KOCA”), and Intervenor Schnitzer Steel Hawaii Corp. (“Intervenor Schnitzer”) were present. See Draft Transcript (“Tr.”) 10/12/16, 5:23-25, 6:1-5, relevant excerpts attached to Declaration of Kamilla C. K. Chan (“Chan Decl.”) as Exhibit “1”. Counsel for Intervenor Colleen Hanabusa (“Intervenor Hanabusa”) was not present at the hearing.

At the October 12, 2016 hearing, the Planning Commission granted the Applicant’s Motion for Extension of Time, filed on October 5, 2016, and set January 27, 2017 as the deadline for submission of the parties’ respective Proposed Findings of Fact, Conclusions of Law, and Decision and Order, and February 10, 2017 as the deadline for submission of responses. Id. at 20:13-18, 21:8-22. The Planning Commission also scheduled “a [Decision and Order] Planning Commission meeting on March 1st.” Id. at 20:20, 21:15.

By letter dated October 13, 2016, the Planning Commission notified Intervenor Hanabusa that:

Deadline for submission of amended Proposed Findings of Fact, Conclusions of Law, and Decision and Order to the Planning Commission is Friday, **January 27, 2017**. Deadline for submission of rebuttals to the Planning Commission is Friday, **February 10, 2017**. The Planning Commission will consider adoption of the Proposed Findings of Fact, Conclusions of Law, and Decision and Order on Wednesday, **March 1, 2017**, at 1:30 p.m., in the Mission Memorial Conference Room, 550 South King Street, Honolulu, Hawaii.

See Letter to Richard Wurdeman from Planning Commission dated October 13, 2016, attached to Chan Decl. as Exhibit “2” (emphasis in original).

The Applicant is not aware of any response from Intervenor Hanabusa to the Planning Commission's letter dated October 13, 2016. See Chan Decl. at ¶ 6.

On January 27, 2017, the Applicant, Intervenor KOCA, and Intervenor Schnitzer submitted to the Planning Commission their respective Proposed Findings of Fact, Conclusions of Law, and Decision and Order.

On February 10, 2017, the Applicant submitted to the Planning Commission its Response to Intervenor KOCA's Proposed Findings of Fact, Conclusions of Law, and Decision and Order, and Intervenor Schnitzer submitted to the Planning Commission its Response to Intervenor KOCA's Proposed Findings of Fact, Conclusions of Law and Decision and Order. On the same date, Intervenor KOCA submitted its Response to Applicant's January 27, 2017 Proposed Findings of Fact, Conclusions of Law, and Decision and Order and its Response to Intervenor Schnitzer's January 27, 2017 Proposed Findings of Fact, Conclusions of Law and Decision and Order.

On February 10, 2017, Intervenor Hanabusa submitted to the Planning Commission "Intervenor Colleen Hanabusa's: (1) Renewal of Submission of Proposed Findings of Fact and Conclusions of Law; and (2) Objections and Rebuttals".

Intervenor Hanabusa did not respond to the Planning Commission's letter dated October 13, 2016. See Chan Decl. at ¶ 6.

Intervenor Hanabusa did not object to the deadlines set by the Planning Commission at the October 12, 2016 hearing until February 10, 2017, two weeks after the deadline for submission of Proposed Findings of Fact, Conclusions of Law and Decision and Order. Id. at ¶ 7.

Intervenor Hanabusa did not seek an extension of time or leave to submit the Proposed Findings of Fact and Conclusions of Law after the January 27, 2017 deadline set by the Planning Commission. See Chan Decl. at ¶ 8.

Applicant now moves to strike Intervenor Hanabusa's Renewal of Submission of Proposed Findings of Fact and Conclusions of Law. Applicant reserves the right to respond to Intervenor Hanabusa's Objections and Rebuttals that were concurrently submitted to the Planning Commission on February 10, 2017.

## II. ARGUMENT

### A. Intervenor Hanabusa's Renewal of Submission of Proposed Findings of Fact and Conclusions of Law Should be Stricken Because it was not Timely Filed.

Counsel for Intervenor Hanabusa was not present at the Planning Commission hearing on October 12, 2016, but counsel was informed of the deadlines that were set. See Chan Decl. Exhibit "2". In a letter dated October 13, 2016, the Planning Commission notified Intervenor Hanabusa that the deadline for submission of amended Proposed Findings of Fact, Conclusions of Law, and Decision and Order was January 27, 2017, and that the deadline for submission of rebuttals was February 10, 2017. Id.

Intervenor Hanabusa failed to submit her Proposed Findings of Fact and Conclusions of Law by the January 27, 2017 deadline. Two weeks after the deadline set by the Planning Commission, Intervenor Hanabusa resubmitted Intervenor's Ko Olina Community Association, Colleen Hanabusa and Maile Shimabukuro Proposed Findings of Fact, Conclusions of Law, and Decision and Order, filed on July 17, 2009, in File No. 2008/SUP-2(RY) and 86/SUP-5, as her submission in this proceeding. Intervenor Hanabusa's submission is not timely, and for this

reason, the Renewal of Submission of Proposed Findings of Fact and Conclusions of Law should be stricken from the record.

**B. Intervenor Hanabusa was Notified About the Deadline and Failed to Timely Submit the Proposed Findings of Fact and Conclusions of Law.**

On October 13, 2016, the Planning Commission sent a letter to Intervenor Hanabusa to advise her of the deadlines set in this proceeding. Id. Intervenor Hanabusa does not contend that she was unaware of the January 27, 2016 deadline for submission of her Proposed Findings of Fact and Conclusions of Law. See Intervenor Colleen Hanabusa's: (1) Renewal of Submission of Proposed Findings of Fact and Conclusions of Law; and (2) Objections and Rebuttals, submitted on February 10, 2017.

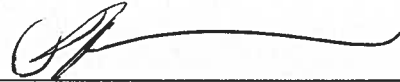
Intervenor Hanabusa did not respond to the Planning Commission's letter dated October 13, 2016. See Chan Decl. at ¶ 6. Intervenor Hanabusa did not object to the deadlines imposed by the Planning Commission at the October 12, 2016 hearing until two weeks after the deadline for submission of the Proposed Findings of Fact and Conclusions of Law. Id. at ¶ 7. Further, Intervenor Hanabusa did not seek an extension of time or leave to submit the Proposed Findings of Fact and Conclusions of Law after the January 27, 2017 deadline set by the Planning Commission. Id. at ¶ 8.

Based on these facts, there is no reasonable dispute that Intervenor Hanabusa was notified of the January 27, 2017 deadline and failed to timely submit the Proposed Findings of Fact and Conclusions of Law by the deadline set by the Planning Commission. Accordingly, Intervenor Hanabusa's Renewal of Submission of Proposed Findings of Fact and Conclusions of Law should be stricken.

**III. CONCLUSION**

For the above-stated reasons, Applicant respectfully requests that the Planning Commission grant its Motion to Strike Intervenor Hanabusa's Renewal of Submission of Proposed Findings of Fact and Conclusions of Law.

DATED: Honolulu, Hawaii, February 17, 2017.



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KAMILLA C. K. CHAN  
Deputy Corporation Counsel  
Attorneys for Applicant  
DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY  
OF HONOLULU



BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of the Application of

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allowed at the WGS� after July 31, 2012."

FILE NO. 2008/SUP-2

DECLARATION OF KAMILLA C. K.  
CHAN; EXHIBITS "1" – "2"

**DECLARATION OF KAMILLA C. K. CHAN**

I, KAMILLA C. K. CHAN, hereby declare as follows:

1. That I am an attorney for the City and County of Honolulu, a municipal corporation of the State of Hawaii.

2. That I am the attorney representing the Department of Environmental Services, City and County of Honolulu (the “Applicant” or “ENV”) in the above-captioned consolidated contested case hearing. I first assumed representation of Applicant in this proceeding on or about March 1, 2016.

3. That I have personal knowledge of and am competent to testify on the matters herein.

4. That on October 12, 2016, I appeared before the Planning Commission, City and County of Honolulu (“Planning Commission”), on behalf of the Applicant. Counsel for Intervenor Ko Olina Community Association and Maile Shimabukuro (“Intervenor KOCA”) and Intervenor Schnitzer Steel Hawaii Corp. (“Intervenor Schnitzer”) were present at the hearing. Counsel for Intervenor Colleen Hanabusa was not present. See Draft Transcript (“Tr.”) 10/12/16, 5:23–6:5, relevant excerpts attached hereto as Exhibit “1”.

5. That at the October 12, 2016 hearing, the Planning Commission granted the Applicant’s Motion for Extension of Time, filed on October 5, 2016, and set January 27, 2017 as the deadline for submission of the parties’ respective Proposed Findings of Fact, Conclusions of Law, and Decision and Order, and February 10, 2017 as the deadline for submission of responses. Id. at 20:13-18, 21:8-22. The Planning Commission also scheduled “a D&O Planning Commission meeting on March 1st.” Id. at 20:20, 21:15.

6. That on or around October 14, 2016, I received a carbon copy of a letter dated October 13, 2016, to Richard Wurdeman from the Planning Commission. The aforementioned letter notified Mr. Wurdeman, counsel for Intervenor Colleen Hanabusa, of the deadlines for submission of amended Proposed Findings of Fact, Conclusions of Law and Decision and Order and rebuttals, and the date on which the Planning Commission will consider adoption of the

Proposed Findings of Facts, Conclusions of Law, and Decision and Order. A true and correct copy of the October 13, 2016 letter is attached hereto as Exhibit "2".

7. To my knowledge, Intervenor Hanabusa did not respond to the Planning Commission's letter dated October 13, 2016.

8. To my knowledge, Intervenor Hanabusa did not object to the deadlines imposed by the Planning Commission at the October 12, 2016 hearing until February 10, 2017, two weeks after the deadline for submission of the Proposed Findings of Fact, Conclusions of Law and Decision and Order.

9. To my knowledge, Intervenor Hanabusa has not sought an extension of time or leave to submit the Proposed Findings of Fact and Conclusions of Law after the January 27, 2017 deadline set by the Planning Commission.

I declare under penalty of perjury that the foregoing facts are true and correct to the best of my knowledge and belief.

DATED: Honolulu, Hawaii, February 17, 2017.



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KAMILLA C. K. CHAN

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

In the Matter of the	)	File No. 2008/SUP-2
Application of	)	
	)	
DEPARTMENT OF ENVIRONMENTAL	)	
SERVICES, CITY AND COUNTY	)	
OF HONOLULU	)	DRAFT ONLY
	)	
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 ast the WGS� up to	)	
July 31, 2012, provided that only	)	
ash and residue from H-POWER shall	)	
be allowed at the WGS� after	)	
July 31, 2012."	)	
	)	

CONTINUED - CONTESTED CASE HEARING

Ewa-State Special Use Permit Amendment Application -  
2008/SUP-2 (RY) Waimanalo Gulch Sanitary Landfill

Taken at Mission Memorial Conference Room, Mission  
Memorial Building, 550 South King Street, Honolulu, Hawaii  
96813, commencing at 1:35 p.m. on October 12, 2016, pursuant  
to Notice.

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APPEARANCES:

Planning Commission present:

- Dean I. Hazama, Chair
- Arthur B. Tolentino
- Wilfred A. Chang, Jr.
- Ken K. Hayashida
- Theresia C. McMurdo

Planning Commissioners excused:

- Cord D. Anderson, Vice Chair
- Kaiulani K. Sodaro [recused,  
prior notice given]
- Daniel S. M. Young
- Steven S. C. Lim [recused,  
prior notice given]

Planning Commission staff:

- Gloria Takara,  
Secretary-Hearings Reporter

Deputy Corporation Counsel:

- Jennifer D. Waihee-Polk  
(Advisory to the Commission)

1 For the City and County of Honolulu, Department of  
2 Environmental Services:

3 Kamilla C. K. Chan, Esq.  
4 Deputy Corporation Counsel  
5 City and County of Honolulu  
6 530 South King Street, Room 110  
7 Honolulu, Hawaii 96813  
8

9 For intervenor Ko Olina Community Association and Senator  
10 Maile Shimabukuro:

11 Calvert G. Chipchase, IV, Esq.  
12 Cades Shutte  
13 1000 Bishop Street, Suite 1200  
14 Honolulu, Hawaii 96813  
15

16 For intervenor Schnitzer Steel Hawaii Corp.:

17 Arsima Muller, Esq.  
18 Carlsmith Ball LLP  
19 ASB Tower, Suite 2200  
20 1000 Bishop Street  
21 Honolulu, Hawaii 96813  
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For intervenor Colleen Hanabusa:

Richard D. Wurdeman, Esq.  
1003 Bishop Street, Suite 720  
Honolulu, Hawaii 96813

## P R O C E E D I N G S

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2  
3 Chairman: Okay. Good afternoon. I call this  
4 meeting to order of the Honolulu Planning Commission October  
5 12, 2016. First order of business on our agenda are approval  
6 of minutes for July 6th, July 20th, August 3rd, August 17th,  
7 as well as executive sessions on July 20th, August 3rd and  
8 August 17th. Commissioners are in receipt of the draft  
9 minutes and executive session minutes. Are there are any  
10 changes or corrections to the minutes?

11 Member Tolentino: Move to approve as circulated.

12 Chairman: Okay. So moved.

13 Member Hayashida: Second.

14 Chairman: Moved and seconded. Any objections? [no  
15 response] Any abstentions? [no response] Okay. The minutes  
16 and the executive session minutes has been adopted.

17 Moving on to our agenda, continued contested case  
18 hearing, Ewa State Special Use Permit, Amendment Application  
19 2008/SUP-2, Waimanalo Gulch Sanitary Landfill. At this time,  
20 I'd like to ask the parties to come up, please. Good  
21 afternoon. Okay. For the record if we could go through  
22 introductions first.

23 Ms. Chan: Kamilla Chan Deputy Corporation for the  
24 City.

25



1           Mr. Chipchase: Cal Chipchase, counsel for  
2 intervenors Ko Olina Community Association and Maile  
3 Shimabukuro.

4           Ms. Muller: Arsima Muller and Ian Sandison for  
5 intervenor Schnitzer Steel Hawaii Corp.

6           Chairman: Okay. All right. Thank you. This is a  
7 continued hearing. We'll move on to the motions that were  
8 filed. So, the first motion, I guess, are the next item on  
9 the agenda is consideration of order remanding county  
10 Special Use Permit File No. 2008/SUP-2 to the City and  
11 County of Honolulu, Planning Commission Docket No. SP09-403.  
12 Item No. A, Intervenor Ko Olina Community Association, Maile  
13 Shimabukuro's Motion to Reopen the Contested Case Hearing to  
14 Admit Limited Additional Documentary Evidence to Correct an  
15 Error that was Discovered after the Hearing Closed.  
16 Mr. Chipchase.

17           Mr. Chipchase: Thank you, Chair. If I could  
18 suggest something to the Commission, it would be that we  
19 take up the issue of continuing the hearing first and that's  
20 because of intervenor Hanabusa's statement filed yesterday  
21 requesting a further continuance of the hearings on all  
22 three motions and confirming that counsel for Ms. Hanabusa  
23 would not be available today. And so with that, Chair and  
24 members you have a situation where all the parties, the City  
25 and all intervenors have agreed that these motions at least

1 90-day extension just to give us a little more time to  
2 finish up our discussions, to have some time, should we  
3 reach some type of agreement to be able to submit a Findings  
4 of Fact together as well that we can present to the  
5 Commission. And, I think 90 days would give us sufficient  
6 time to do that.

7 Chairman: So what date are you looking for?

8 Ms. Chan: That would take us to the end of  
9 January. I think realizing that we have the holidays coming  
10 up in between as well, it'll probably create some scheduling  
11 problems, and it'll be difficult to finish up our work.

12 Chairman: Okay. Because my staff gave us a  
13 calendar. So, if we look at the end of January, submission  
14 would be the 27th of January. For the intervenors is one  
15 week, is the 3rd of February for rebuttal sufficient time?

16 Mr. Chipchase: If I might, Chair, just have two  
17 weeks. I anticipate it'll be long.

18 Chairman: Okay. 10 February for rebuttals and to  
19 give us and corp counsel sufficient time we will then  
20 schedule a D&O Planning Commission meeting on March 1st. Is  
21 there any comments or objections from any of the parties? I  
22 know Mr. Wurdeman is not here, but we will break the great  
23 news to him later.

24 Mr. Chipchase: None from us, Chair.

25 Chairman: City?

1 Ms. Chan: None.

2 Ms. Muller: None from us. Thank you.

3 Chairman: Okay. So it poses no scheduling  
4 problems for any of the parties.

5 Mr. Chipchase: No, Chair.

6 Ms. Chan: No.

7 Chairman: Okay. Anybody have anything else?

8 Member Tolentino: No. So, I'll make a motion to  
9 approve and grant the Department of Environmental Services,  
10 City and County of Honolulu, Motion for Extension of Time.

11 Member Hayashida: Second.

12 Member Tolentino: Date as noted, January 27th,  
13 and rebuttal on February 10th.

14 Chairman: Correct. Okay.

15 Member McMurdo: And the hearing of March 1st.

16 Chairman: Yes.

17 Member Hayashida: Second.

18 Chairman: Moved and seconded. Any discussion?

19 [no response] Okay. Any objections to approving the motion?

20 [no response] Any abstentions?[no response] Okay. The

21 motion has been approved and filing will be moved to 27th of  
22 January. Okay. Any other announcements?

23 Member Tolentino: Chair, can we go back to Item A,  
24 I have a clarification for the vote.

25 Chairman: Three ayes and two nays.

PLANNING COMMISSION  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8007 • FAX: (808) 768-6743  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



DEAN I. HAZAMA, Chair  
CORD D. ANDERSON, Vice-Chair  
ARTHUR B. TOLENTINO  
KA'ULANI K. SODARO  
DANIEL S. M. YOUNG  
STEVEN S. C. LIM  
KEN K. HAYASHIDA  
WILFRED A. CHANG, JR.  
THERESIA C. McMURDO

October 13, 2016

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7010 3090 0002 0442 7757

Richard D. Wurdeman, Esq.  
1003 Bishop Street, Suite 720  
Honolulu, HI 96813

Attorney for Intervenor  
Colleen Hanabusa

16 OCT 14 AM 27  
RECEIVED  
CORPORATION COUNSEL  
CITY AND COUNTY OF HONOLULU

RE: Contested Case Hearing – Ewa State Special Use Permit Amendment Application – 2008/SUP-2 Waimanalo Gulch Sanitary Landfill (WGSL) Consideration of Order Remanding County Special Use Permit File No. 2008/SUP-2 to the City and County of Honolulu Planning Commission (Docket No. SP09-403)

Dear Mr. Wurdeman:

At the October 12, 2016 Planning Commission meeting, the Commission moved to approve Department of Environmental Services, City and County of Honolulu's Motion for Extension of Time. Planning Commission's October 26, 2016 meeting has been cancelled.

Deadline for submission of amended Proposed Findings of Facts, Conclusions of Law, and Decision and Order to the Planning Commission is Friday, **January 27, 2017**. Deadline for submission of rebuttals to the Planning Commission is Friday, **February 10, 2017**. The Planning Commission will consider adoption of the Proposed Findings of Facts, Conclusions of Law, and Decision and Order on Wednesday, **March 1, 2017**, at 1:30 p.m., in the Mission Memorial Conference Room, 550 South King Street, Honolulu, Hawaii.

If you have any questions, please contact the Planning Commission at 768-8007.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean I. Hazama".  
Dean I. Hazama, Chairman  
Planning Commission

Richard D. Wurdeman, Esq.

Page 2

October 13, 2016

cc: George I. Atta, Director, Department of Planning and Permitting  
Don S. Kitaoka, Deputy Corporation Counsel  
Jennifer D. Waihee-Polk, Deputy Corporation Counsel for the Planning Commission  
Bryan C. , Esq., Deputy Attorney General  
Leo Asuncion, Acting Director, Office of Planning  
✓ Kamilla C. K. Chan, Deputy Corporation Counsel  
Calvert G. Chipchase, Esq.  
Arsima A. Muller, Esq.

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FILE NO. 2008/SUP-2

CERTIFICATE OF SERVICE

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I HEREBY CERTIFY THAT A COPY OF THE **DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU'S MOTION TO STRIKE INTERVENOR COLLEEN HANABUSA'S RENEWAL OF SUBMISSION OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW** was duly served by hand-delivery to the following on the date below, addressed as follows:

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DATED: Honolulu, Hawai'i, February 17, 2017.



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