

Waimanalo Gulch Sanitary Landfill

State Special Use Permit No. 2008/SUP-2

LUC Docket No. SP09-403, Deletion of Condition No. 14

List of Exhibits

ITEM	DPP	ENV	KOCA	Schnitzer	Planning Commission	Hanabusa	Description
1	DPP 1						Planning Division Master Application Form - Modification of Condition 14.
2	DPP 2						Application by Dept. of Environmental Services (ENV) to Modify SUP and
3	DPP 3						Letter from ENV on Whether a Supplemental EIS is Needed.
4	DPP 4						Dept. of Planning and Permitting (DPP) Environmental Checklist.
5	DPP 5						Acceptance of SUP Application for Processing Forms and Mailing List.
6	DPP 6						Agency Comments on SUP Application by HFD, DTS, DFM, HPD, DDC, DEM, BWS, DLNR, DOH, OHA.
7	DPP 7						Community Comments from Ko Olina Community Association, Ko Olina Fairways AOA, William and Sara Barnes, The Coconut Plantation, Councilmember Tom Berg, Commercial Contracting Hawaii, Alex Duarte, Alan Nakamura, Honu Group Communications, LLC, Pieter and Claire van Wingerden, Mario Beekes, Representative Jo Jordan, James Handsel, Resort Operations-LLC, Watabe Wedding, Congresswoman Colleen
8	DPP 8						Letter from DPP to Office of Environmental Quality Control - Determination
9	DPP 9						Letter from DPP to Councilmember Tom Berg on Request to Extend
10					PC 1		Hearing Notice October 5, 2011.
11	DPP 10						DPP's Report and Recommendation to Planning Commission and Hearing
12					PC 2		Agenda October 5, 2011.
13				SCHN 1			Petition to Intervene filed by Schnitzer Steel Hawaii Corp. (Schnitzer).
14			KOCA 1				Motion to Recognize Ko Olina Association and Maile Shimabukuro (KOCA) as Parties, Memorandum in Support of Motion, Verification, Exhibit A.

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15		P 1					ENV's Memorandum in Opposition to KOCA's Motion to Recognize KOCA as Parties, Attachment 1.
16			KOCA 2				KOCA's Reply to ENV's Memorandum in Opposition to Motion to Recognize
17			KOCA 3				KOCA's Prehearing Conference Statement.
18				SCHN 2			Schnitzer's Prehearing Conference Statement.
19		P 2					ENV's Prehearing Conference Statement.
20					PC 3		Stipulation to Amend Briefing Schedule as Provided in the PC's Prehearing Conference Dated November 9, 2011.
21					PC 4		Planning Commission Order on Prehearing Conference dated November 9,
22			KOCA 4				KOCA's Motion to Dismiss, Memorandum in Support of Motion, Declaration of Christopher T. Goodwin, Exhibits 1-14.
23				SCHN 3			Schnitzer's Memorandum in Opposition to KOCA's Motion to Dismiss Filed
24		P 3					ENV's Memorandum in Opposition to KOCA's Motion to Dismiss, Exhibits A-
25				SCHN 4			Schnitzer's List of Exhibits and List of Witnesses.
26		P 4					ENV's List of Exhibits and List of Witnesses.
27			KOCA 5				KOCA's List of Witnesses and List of Exhibits (K 1 to K 79).
28			KOCA 6				KOCA's First Amended Witness List.
29			KOCA 7				KOCA's Second Amended Witness List.

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30					PC 5		Public comments from Joseph Yamaoka, Takeo Ishii on behalf of Masaki Nagamine, Congresswoman Colleen Hanabusa, Rep. Georgette Jordan, Rep Sharon Har, Louis Shiraishi, Harry Smiskin, D. Kawika Nahoopii, Hawaii Reporter News Article, "Time to Show a Little Respect", Councilmember Tom Berg, Dep. AG opinion dated Sept. 22, 2011,
31					PC 6		Contested Case Hearing Notice of Dec. 7, 2011.
32					PC 7		Agendas - December 7, 2011, January 11, 2012, January 25, 2012, February 8, 2012, March 7, 2012, March 14, 2012*, April 4, 2012, April 11, 2012, April 17, 2012*, April 23, 2012, May 25, 2012. * No transcripts for these dates as meetings were cancelled.
33		P 5					ENV's First Amended List of Exhibits and Exhibits A1 through A33.
34		P 6					ENV's Written Direct Testimony of Timothy E. Steinberger.
35		P 7					ENV's Testimony of Steven Y. K. Chang.
36		P 8					ENV's Pre-Contested Case Hearing Statement.
37		P 9					ENV's First Amended List of Witnesses.
38				SCHN 5			Schnitzer's Written Direct Testimony of Larry Snodgrass, Exhibits S-2 to S-
39				SCHN 6			Schnitzer's Contested Case Opening Brief.
40			KOCA 8				KOCA's Written Direct Testimony of Ken Williams, Declaration of Ken
41			KOCA 9				KOCA's Written Direct Testimony of Maile Shimabukuro, Declaration of
42			KOCA 10				KOCA's Written Direct Testimony of Cynthia K. L. Rezentes, Declaration of Cynthia K. L. Rezentes.
43			KOCA 11				KOCA's Written Direct Testimony of Maeda Timson, Declaration of Maeda
44			KOCA 12				KOCA's Written Direct Testimony of Shad Kane, Declaration of Shad Kane.

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45			KOCA 13				KOCA's Written Direct Testimony of Duke Hospodar, Declaration of Duke
46			KOCA 14				KOCA's Written Direct Testimony of Beverly Munson, Declaration of
47			KOCA 15				KOCA's Written Direct Testimony of Dwight Miller, Declaration of Dwight
48			KOCA 16				KOCA's Pre-Contested Case Statement.
49			KOCA 17				KOCA's First Amended Exhibit List.
50			KOCA 18				KOCA's Exhibits K1 through K169.
51			KOCA 19				KOCA's Errata to Exhibit K154, Exhibit K154.
52			KOCA 20				KOCA's Errata to the Declaration of Dwight Miller Filed December 13, 2011,
53			KOCA 21				KOCA's Second Amended Exhibit List, Exhibits K156-K158.
54			KOCA 22				KOCA's Third Amended Exhibit List, Exhibits K159-K161.
55			KOCA 23				KOCA's Request for Issuance of a Subpoena Duces Tecum to the Custodian of Records of Waste Management of Hawaii, Inc., Subpoena
56			KOCA 24				KOCA's Fourth Amended Exhibit List, Exhibits K162-K163.
57					PC 8		Transcripts of the Public Hearing of October 5, 2011, Contested Case Hearings of December 7, 2011, January 11, 2012, January 25, 2012, February 8, 2012, March 7, 2012, April 4, 2012, April 11, 2012, April 23,
58			KOCA 25				KOCA's Fifth Amended Exhibit List, Exhibits K164 - K169.
59			KOCA 26				KOCA's Sixth Amended Exhibit List, Exhibits K171-K172, K173-K176, &
60			KOCA 27				KOCA's Subpoena Duce Tecum to the Custodian of Records of the Dept. of Environmental Services.

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61					PC 9		Waste Managements Hawaii, Inc.'s Response and Objections to Subpoena Duces Tecum, Exhibit 1.
62		P 10					ENV's Second Amended List of Exhibits, Exhibits A34 Through A50.
63		P 11					First Annual Report for Special Use Permit No. 09-403.
64		P 12					Second Annual Report for Special Use Permit No. 09-403.
65			KOCA 28				KOCA's Seventh Amended Exhibit List, Exhibits K191, K194, K208, K215, K217, K218, K222, K223, K226, & K227.
66			KOCA 29				KOCA's Rebuttal Witness List.
67			KOCA 30				KOCA's First Amended Rebuttal Witness List.
68			KOCA 31				KOCA's Eighth Amended Exhibit List, Exhibits K189, K190, K192, K193, K195, K196, K198, K220, K230, K247, K251, K255, K256, K257, & K258.
69			KOCA 32				KOCA's Motion to Reopen Contested Case Hearing to Admit Limited Additional Evidence to Correct Error, Declaration of Calvert Chipchase,
70		P 13					ENV's Memorandum in Opposition to KOCA's Motion to Reopen Contested
71		P 14					ENV's Proposed Findings of Fact, Conclusions of Law, and Decision and
72			KOCA 33				KOCA's Proposed Findings of Fact, Conclusions of Law, and Decision and
73				SCHN 7			Schnitzer's Proposed Findings of Fact, Conclusions of Law, Decision and
74			KOCA 34				KOCA's Response to ENV's Proposed Findings of Fact, Conclusions of Law, and Decision and Order.
75			KOCA 35				KOCA's Response to Schnitzers' Proposed Findings of Fact, Conclusions of Law, Decision and Order.
76		P 15					ENV's Response to KOCA's Proposed Findings of Fact, Conclusions of

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ITEM	DPP	ENV	KOCA	Schnitzer	Planning Commission	Hanabusa	Description
77				SCHN 8			Schnitzer's Exceptions to KOCA's Proposed Findings, Conclusions of Law, and Decision and Order.
78					PC 10		Land Use Commission's Request to Planning Commission to Stay
79		P 16					ENV's Notification of Supreme Court Decision or in the Alternative Motion to Stay Contested Case Hearing.
80			KOCA 36				KOCA's Memorandum in Opposition to ENV's Notification of Supreme Court Decision or in the Alternative Motion for Stay of Contested Case
81				SCHN 9			Schnitzer's Position on KOCA's Motion to Reopen Contested Case Hearing to Admit Limited Evidence to Correct Error.
82				SCHN 10			Schnitzer's Opposition to ENV's Notification of Supreme Court Decision or in the Alternative Motion to Stay Proceedings of Contested Case Hearing.
83		P 17					ENV's Notice Regarding Procedure for ENV vs. LUC in Civil No. 09-1-2719-
84					PC 11		Letter dated May 29, 2012, from the Planning Commission to the Land Use Commission on a 6-month stay of its proceedings and no necessity to
85	DPP 11						Letter dated June 18, 2012, from the Department Planning and Permitting to the Land Use Commission transmitting a copy of the record of the Planning Commission proceedings, a list of all exhibits to date, and a copy
86					PC 12		Land Use Commission Order Remanding Special Permit to Planning
87			KOCA 37				Letter dated October 30, 2012, from Chipchase on a joint request of parties for a status conference before the Planning Commission to discuss
88					PC 13		Agenda and Amended Agenda for Planning Commission meeting of
89					PC 14		Transcripts of the December 19, 2012, Planning Commission meeting.

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ITEM	DPP	ENV	KOCA	Schnitzer	Planning Commission	Hanabusa	Description
90			KOCA 38				Intervenor KOCA's Motion to Effect Consolidation of the Separate Proceedings as ordered by the Land Use Commission, Exhibits 1 to 3,
91		P 18					ENV's Memo in Opposition to KOCA's Motion to Effect Consolidation of the Separate Proceedings as ordered by the Land Use Commission, Certificate
92					PC 15		Agenda of the Planning Commission meeting of February 20, 2013.
93			KOCA 39				Stipulation and Order to Continue the February 20, 2013 Hearing to April
94					PC 16		Letter dated March 8, 2013, to KOCA transmitting a filed copy of the Stipulation and Order to Continue Hearing to April 17, 2013.
95					PC 17		Transcripts of the February 20, 2013, Planning Commission meeting.
96					PC 18		Letter dated May 25, 2016, from the Planning Commission to all parties requesting follow-up status report or extension on on Special Use Permit to
97		P 19					Letter dated June 3, 2016 from ENV to Planning Commission responding to request for status report or extension on Special Use Permit.
98		P 20					ENV's Motion to Stay Proceedings to April 22, 2017, Memorandum in Support, Certificate of Service
99			KOCA 40				KOCA's Joinder in ENV's Motion to Stay Proceedings to April 22, 2017, Exhibits 1-4, Certificate of Service.
100					PC 19		Letter dated August 9, 2016, from the Planning Commission to all parties transmitting the Planning Commission agenda for the August 17, 2016
101					PC 20		Agenda for the August 17, 2016 Planning Commission meeting.
102				SCHN 11			Schnitzer's Joinder in ENV's Motion to Stay Proceedings to April 22, 2017,
103					PC 21		Transcripts of the Planning Commission meeting of August 17, 2016.

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ITEM	DPP	ENV	KOCA	Schnitzer	Planning Commission	Hanabusa	Description
104					PC 22		Letter to all parties dated September 7, 2016, from the Planning Commission indicating that the Planning Commission will hear on October 12, 2016, the motion of KOCA to re-open the contested case hearing,
105						H 1	Intervenor Hanabusa's position statement on KOCA's motion to re-open contested case hearing to admit limited evidence to correct error, statement of non-appearance at hearing on said motion, Certificate of Service.
106		P 21					ENV's motion to re-open contested case hearing for limited purpose of taking official notice of facts, memorandum in support of motion,
107		P 22					ENV's motion for time extension to file proposed findings of fact and decision and order to April 21, 2017, Declaration of Kamilla Chan,
108				SCHN 12			Schnitzer's joinder in ENV's motion for time extension to file proposed findings of fact and decision and order, Certificate of Service.
109			KOCA 41				KOCA's response to ENV's motion for time extension to April 21, 2017,
110			KOCA 42				KOCA's response to ENV's motion to re-open hearing for limited purpose to take official notice of facts, Certificate of Service.
111						H 2	Hanabusa's Statement: proposed findings of fact; requests for extensions; and ENV's motion to re-open hearing; Certificate of Service.
112					PC 23		Agenda for the Planning Commission meeting of October 12, 2016.
113					PC 24		Transcripts of the Planning Commission meeting of October 12, 2016.
114					PC 25		Letter dated October 13, 2016 from the Planning Commission to Intervenor Hanabusa regarding deadlines for submitting proposed findings of fact and rebuttals, and date of Planning Commission meeting to consider submittals.
115		P 23					ENV's proposed Findings of Fact, Conclusions of Law, and Decision and Order for the consolidated proceedings to allow expansion of WGSL to 200.622 acres, subject to conditions, Certificate of Service.

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ITEM	DPP	ENV	KOCA	Schnitzer	Planning Commission	Hanabusa	Description
116		P 24					ENV's supplement to its proposed findings of fact, conclusions of law, and decision and order, Certificate of Service.
117				SCHN 13			Schnitzer's proposed Findings of Fact, Conclusions of Law, and Decision and Order for consolidated proceedings to allow expansion of WGSL to 200.622 acres, subject to conditions, Certificate of Service
118			KOCA 43				KOCA and Shimabukuro's Proposed Findings of Fact, Conclusions of Law, and Decision and Order for consolidated proceedings to allow expansion of WGSL to 200.622 acres, subject to conditions, Certificate of Service.
119		P 25					ENV's response to KOCA's proposed findings of fact, conclusions of law, and decision and order, Certificate of Service.
120						H 3	Hanabusa's renewal of submission of proposed findings of fact, conclusions of law, objections and rebuttals, declaration of counsel, Exhibit 1 to 2,
121			KOCA 44				KOCA's response to Schnitzer's proposed findings, conclusions of law, and decision and order, exhibits 1 to 2, Certificate of Service.
122			KOCA 45				KOCA's response to ENV's proposed findings, conclusions of law, and decision and order, Exhibits 1 to 2, Certificate of Service.
123				SCHN 14			Schnitzer's response to KOCA's proposed findings, conclusions of law, and decision and order, Certificate of Service.
124		P 26					ENV's motion to strike Hanabusa's renewal of submission of proposed findings of fact, decision and order, Exhibit 1 to 2, Certificate of Service.
125						H 4	Hanabusa's opposition to ENV's motion to strike Hanabusa's renewal of submission of proposed findings of fact, conclusions of law, and decision
126					PC 26		Agenda for the Planning Commission meeting of March 1, 2017.
127					PC 27		Transcripts of the Planning Commission meeting of March 1, 2017.

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ITEM	DPP	ENV	KOCA	Schnitzer	Planning Commission	Hanabusa	Description
128					PC 28		Decision and Order of the Planning Commission on Land Use Commission's Remand on Consolidated Proceedings, Certificate of Service