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October 17, 2019

Daniel Orodener, Executive Officer
State of Hawaii Land Use Commission
State Office Tower
Leiopapa A. Kamehameha Building
235 South Beretania Street, Room 406
Honolulu, Hawaii 96813

2019 OCT 18 A 8:55
LAND USE COMMISSION
STATE OF HAWAII

RE: In the Matter of the Application of Department of Environmental Services, City
and County of Honolulu, Waimanalo Gulch
Sanitary Landfill, Docket No. SP09-403

Dear Mr. Orodener:

The Land Use Commission ordered the parties to submit proposed Findings of Fact, Conclusions of Law, and Decision and Order (Decision and Order) in the above-referenced matter. The Office of Planning notes that it is not actually a party to the case. Accordingly, we are not covered under the LUC order, and will not be providing a proposed Decision and Order.

Perhaps more importantly, it is unclear what assistance OP could provide in drafting a proposed Decision and Order consistent with the LUC's oral decision, but inconsistent with OP's position. As we are not parties, OP has no interest in ensuring that the record adequately captured OP's arguments for purposes of appeal. We are also confident that Intervenors KOCA and Maile Shimabukuro will provide a technically competent proposal. To the extent the proposal is inconsistent with the LUC's oral decision, OP would be happy to offer comments at the hearing.

Very truly yours,

Handwritten signature of Bryan C. Yee in black ink.
Bryan C. Yee
Deputy Attorney General

c: Kathy Sokugawa
Kamilla C.K. Chan, Esq.
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