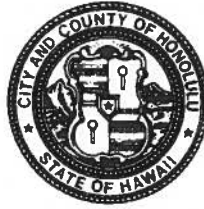


DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
Phone: (808) 692-5159 Fax: (808) 692-5113

JEREMY HARRIS
MAYOR



FRANK J. DOYLE, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

IN REPLY REFER TO:
RE 04-081 ✓

9-1-04

August 31, 2004

**VIA FACSIMILE 587-3827
AND U.S. MAIL**

Mr. Anthony J.H. Ching
Executive Director
State Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Dear Mr. Ching:

Subject: LUC Docket No. SP87-362 Department of Environmental Services

This constitutes the third monthly status report requested in your May 13, 2004, letter. With the exceptions noted below, our responses to specific items remain the same.

- Solicit and review for accuracy and acceptability financial costs estimates for securing, outfitting and operationalizing alternative MSW landfill sites based upon the receipt of letters from landowners and/or occupants of the alternative landfill sites and other research;

The City Council has asked for financial information of the current landowners of the four proposed sites. They have received responses from Ameron Hawaii (Kapaa Quarry) and the Estate of James Campbell (Makaiwa Gulch).

The City Council Public Works and Economic Development Committee held an informational briefing on landfill operation presented by Waste Management of Hawaii, Inc., on August 5, 2004.

Mr. Anthony J.H. Ching
August 31, 2004
Page 2

The Department requested from the landowner/operators a two to three page explanation regarding their property to be included in an appendix of the environmental impact statement for the next landfill site. We have attached a copy of our August 5, 2004 letter and copies of the responses received.

Please contact Wilma Namumnart of the Refuse Division at 692-5378 if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Frank J. Doyle". The signature is written in a cursive style with a large, stylized "F" and "D".

FRANK J. DOYLE, P.E.
Director

Attach.

cc: City Council (w/attachments)
Brian Takeda, RM Towill

DEPARTMENT OF ENVIRONMENTAL SERVICES
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308, KAPOLEI, HAWAII 96707
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JEREMY HARRIS
MAYOR



FRANK J. DOYLE, P.E.
DIRECTOR

TIMOTHY A. HOUGHTON
DEPUTY DIRECTOR

IN REPLY REFER TO:
RE 04-067 ✓

August 5, 2004

Ameron Quarry
P.O. Box 29968
Honolulu, Hawaii 96820

Gentlemen:

Subject: Recommended Landfill Site
TMK: (1) 4-2-15: 001

As part of our research into the four potential landfill sites identified by the Mayor's Landfill Site Selection Committee, we offer you the opportunity to submit a two to three page document regarding your property for inclusion in an appendix of the environmental impact statement. The submittal should state at minimum, the current land use, the anticipated future use and your estimate of the current value of the site. Please do not include any confidential information, as it will become part of a public document.

Please submit your information by August 30, 2004, to:

Wilma Namumnart
Acting Assistant Division Chief
ENV-Refuse Division
1000 Uluohia Street, Suite 212
Kapolei, Hawaii 96707

If you decide to decline this offer, please be kind enough to respond in writing by August 30, 2004. If you have any questions or need further information, please call Wilma Namumnart at 692-5378.

Sincerely,


FRANK J. DOYLE, P.E.
Director

IMANAKA
KUDO &
FUJIMOTO

A Limited Liability Law Company

Mitchell A. Imanaka

Benjamin A. Kudo

Wesley M. Fujimoto

Jon M. H. Pang

Richard T. Asato, Jr.

Naomi U. Kuwaye

Bryan P. Andaya

Nikki T. Senter

Ryan E. Sanada

Paula W. Chong

Jamie Y. Cheng

Bree M. Kurihara

Of Counsel

R. Brian Tsujimura

Perfecto R. Yasay, Jr. *

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New York and Philippines

Hon. Mario R. Ramil

Former Associate Justice
Hawaii Supreme Court

TOPA Financial Center

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745 Fort Street, 17th Floor

Honolulu Hawaii 96813

Phone: (808) 521-9500

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info@imanakakudo.com

http://www.imanakakudo.com

August 30, 2004

Ms. Wilma Namumnart
Acting Assistant Division Chief
ENV-Refuse Division
1000 Uluohia Street, Suite 212
Kapolei, Hawaii 96707

**Re: Request for Comments on City Recommended Landfill Site
TMK No. (1) 9-2-3:002**

Dear Ms. Namumnart:

On behalf of the Estate of James Campbell ("Campbell Estate"), we are responding to your request for comments to state our strong opposition to the City's proposed landfill site at Makaiwa Gulch, which is owned by Campbell Estate.

Makaiwa Gulch is the planned location of Campbell Estate's Makaiwa Hills residential development project ("Residential Project"). In the early 1990's, the Honolulu City Council placed the Residential Project on the Ewa Development Plan as an integral part of the area's development. In 1993, the State Land Use Commission urbanized the property. There is currently an agreement for the near-term development of the Residential Project.

In addition, in the vicinity of the Residential Project, other projects would be affected by a landfill at Makaiwa Gulch, such as Kapolei West, Nanakai Gardens, Honokai Hale and Ko 'Olina Resort. Existing developments in Makakilo could also be affected by nuisance impacts related to the landfill although the nearest homes are slightly more than a half-mile from the proposed landfill site.

To date, Campbell Estate has invested well over \$1 million in the planning and entitlement of this property. According to one economist, in addition to the cost of site acquisition for the Makaiwa Hills site, the cost to the City to compensate Campbell Estate for damages (i.e., reduced property value) is expected to exceed \$90 million. As we indicated in our previous correspondence to the City on this issue, Campbell Estate intends to seek the compensation equivalent to the full monetary value of Makaiwa Hills should the City continue its efforts to designate Makaiwa Hills as a landfill site.

Ms. Wilma Namumnart

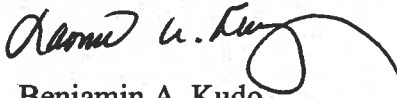
Page 2

August 30, 2004

Based on the foregoing, we urge the City to reconsider its decision to pursue Makaiwa Hills as a landfill site.

Very truly yours,

IMANAKA KUDO & FUJIMOTO

A handwritten signature in black ink, appearing to read "Benjamin A. Kudo". The signature is written in a cursive style with a large, sweeping flourish at the end.

Benjamin A. Kudo

Naomi U. Kuwaye

SPHERE LLC dba PACIFIC AGGREGATE

August 25, 2004

Wilma Namumnart
Acting Assistant Division Chief
ENV-Refuse Division
1000 Uluohia Street, Suite 212
Kapolei, Hawaii 96707

Subject: Recommended Landfill Site
TMK: (1) 8-7-10: 003

Dear Ms. Namumnart,

In response to your request of August 5, 2004 we would like to answer as best we can...our thoughts on Sphere LLC's property at 87-601 Paakea Road in Waianae, Oahu as a possible MSW landfill for the City and County of Honolulu.

The property was purchased in December of 2000 from Hawaiian Cement. The development and usage of the property is planned to be over a 40 to 50 year project. Prior to the purchase, we have been mining the property for Hawaiian Cement since 1998.

The property is currently being operated as a coral quarry permitted as a non-conforming use, to manufacture sand, road base and other coral products, of which provides jobs for the community.

We have a contract to take conditioned ash from AES Hawaii. AES Hawaii purchases our coral product to clean their coal burning power facility.

Uncontaminated concrete and road asphalt as dry fill material is being accepted on the property as permitted by the Department of Health permit by rule and the Department of Planning & Permitting.

August 25, 2004

Recommended Landfill Site
TMK: (1) 8-7-10:003

Page 2

Our plan includes the development of a Construction and Demolition Debris Landfill (C&D) and a Recycling Facility. In August 2003 we submitted an application for a Special Use Permit (SUP) with the Department of Planning and Permitting for approval to develop a C&D Landfill...currently we are working on a Conditional Use Permit-Major (CUP-major) application submittal. Once we have attained an approved (necessary) SUP and CUP-major we will submit our application to the Department of Health for a Solid Waste Permit.

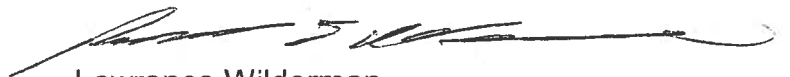
We are also interested in submitting our proposal to the City and County of Honolulu Department of Environmental Services Refuse Division to Furnish and Operate a State of Hawaii Department of Health Permitted Municipal Solid Waste (MSW) Ash Monofill for the disposal of MSW Ash.

The major asset of the subject property is the existing excavated area (large depressed area (cell)) made by Kaiser Cement...and then later by Hawaiian Cement. The existing cell is considered very important...for our future plans. The coral mining activity will create a greater area available for land fill use.

We made the investment and took the risks with the hope that the subject property would be worthwhile and for an opportunity to benefit from our free enterprise system. We would intend to defend that premise. A value cannot be determined at this time, we would need more time to complete an estimated value on the proposed property.

We would welcome any further comments or discussions concerning your MSW project.

Very Truly Yours,



Lawrence Wilderman
President



PVT LAND COMPANY, LTD.

August 19, 2004

City and County of Honolulu
Department of Environmental Services
1000 Uluohia Street, Suite 212
Kapolei, Hawaii 96707
Attention: Wilma Namumnart

Subject: Recommended Landfill Site Letter 8/5/04

The City's request for information concerning our site will necessitate a detailed evaluation and we will need additional time before we can adequately respond to your letter. The area in question (Nanakuli B) is and has always been part of our landfill area. This area was included in the City and County's Integrated Solid Waste Management Plan because the City recognized that this area was part of our ongoing operations and part of our future landfill area. Nanakuli B is included in our site plans and in our permit applications as a future landfill area. Nanakuli B is absolutely necessary to us and plays a crucial part in support of our current operations as well as being indispensable to our future plans.

We will develop the information you have requested and will respond with more details as soon as we can. If you have any additional questions or requests, please feel free to contact me at 668-4561.

Sincerely,

Stephen E. Joseph
General Manager
PVT Land Company, Ltd.