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Attorneys for Intervenor  
**SCHNITZER STEEL HAWAII CORP.**

BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII



2023 JUN 13 PM 4:03  
DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

In the Matter of the Application of

DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU

Application to Modify SUP No. 2008/SUP-2  
(SP09-403) by Modifying (1) Condition No. 1  
of the Planning Commission’s Findings of  
Fact, Conclusions of Law, and Decision and  
Order, dated June 10, 2019, and (2) Condition  
No. 5 of the LUC’s Findings of Fact,  
Conclusions of Law, and Decision and Order  
Approving with Modifications the City and  
County of Honolulu Planning Commission’s  
Recommendation to Approve Special Use  
Permit, certified on November 1, 2019

FILE NO. 2008/SUP-2  
LUC DOCKET NO. SP09-403

INTERVENOR SCHNITZER STEEL  
HAWAII CORP.’S **PETITION TO  
INTERVENE**; MEMORANDUM IN  
SUPPORT OF PETITION; DECLARATION  
OF COUNSEL; EXHIBIT 1;  
VERIFICATION; CERTIFICATE OF  
SERVICE

HEARING:  
Date: June 28, 2023  
Time: 1:30 p.m.

**INTERVENOR SCHNITZER STEEL HAWAII CORP.’S PETITION TO INTERVENE**

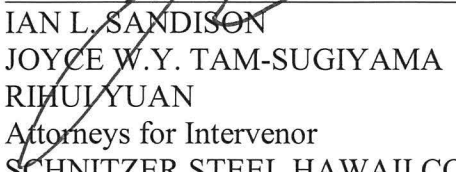
Comes now, Schnitzer Steel Hawaii Corp. (“Schnitzer”), by and through its attorneys,  
Watanabe Ing LLP, and hereby submits it petition to intervene in the above-captioned

proceeding. The Department of Environmental Services, City and County of Honolulu ("ENV") seeks to modify the date in Condition No. 1 of the Planning Order, dated June 10, 2019 for Special Use Permit No. 2008/SUP-2 from December 31, 2022 to December 31, 2024.

The Notice of publication for the hearing on the above-captioned proceeding appeared in the Honolulu Star-Advertiser on May 29, 2023.

This petition for intervention is brought pursuant to §§2-52(c), 2-53, 2-55 and 2-56 of the Rules of the Planning Commission, and Hawaii Revised Statutes §205-6, and is based on the attached Memorandum in Support of Petition to Intervene and the records and files of this case.

DATED: Honolulu, Hawaii, June 13, 2023.



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IAN L. SANDISON  
JOYCE W.Y. TAM-SUGIYAMA  
RIHUIYUAN  
Attorneys for Intervenor  
SCHNITZER STEEL HAWAII CORP.

BEFORE THE PLANNING COMMISSION  
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FILE NO. 2008/SUP-2  
LUC DOCKET NO. SP09-403

MEMORANDUM IN SUPPORT OF  
PETITION

**MEMORANDUM IN SUPPORT OF PETITION**

COMES NOW, SCHNITZER STEEL HAWAII CORP. ("Schnitzer"), by and through its attorneys, Watanabe Ing LLP, and hereby respectfully submits its Memorandum in Support of its Petition to Intervene,

**I. BACKGROUND**

Schnitzer is a major recycler in the State. Formerly known as Flynn Learner and Hawaii Metal Recycling, its recycling operation has been serving Hawaii since 1949. Schnitzer's operations on Oahu employ approximately 30 people, and include equipment and processes to recycle ferrous and non-ferrous scrap metal. Its state-of-the-art metal shredder can reduce a full-size automobile into fist-sized pieces of shredded steel scrap in approximately 30 seconds. For

each ton of scrap metal received by Schnitzer, its recycling operation reduces the volume by 80%. Much of this material would otherwise take up significant space in the Waimanalo Gulch Sanitary Landfill ("WGSL"), or be simply abandoned on Oahu's streets and vacant lots.

Recycling operations produce some residual waste. Schnitzer shreds approximately 120,000 tons of scrap metal every year. In so doing, it generates approximately 20,000 tons of recycling residue. That residue consists primarily of plastics, glass, carpet and other nonmetallic automobile and appliance components.

Schnitzer's recycling operations are permitted by the Department of Health, State of Hawaii ("DOH") through a Solid Waste Management Permit ("SWMP"). One of the conditions of the SWMP is that Schnitzer's recycling residue must be deposited in a DOH-permitted solid waste disposal facility. WGSL is the only DOH-permitted solid waste disposal facility on Oahu where Schnitzer can dispose of recycling residue.

The City and County of Honolulu ("City") Planning Commission's ("Planning Commission") June 10, 2019 Findings of Fact, Conclusions of Law, and Decision and Order (the "2019 PC Order") imposed Condition 1 ("Condition 1") which requires that:

1. On December 31, 2022, the Applicant shall identify an alternate landfill site that may be used upon WGSL reaching its capacity at a future date. This identification shall have no impact on the closure date for the WGSL because the WGSL shall continue to operate until it reaches capacity. This identification does not require the alternative landfill to be operational on December 31, 2022, but is intended to require the Applicant to commit to the identification of an alternative landfill site that may replace WGSL when it reaches capacity at a future date. The identification of an alternative landfill site by December 31, 2022 is based on the evidence presented and that, as the Planning Commission discussed in 2017, a five year timeframe was sufficient time for the Applicant to identify an alternative landfill before WGSL nears capacity. Upon identification of the alternative landfill site, the Applicant shall provide written notice to the Planning Commission and the LUC.

The State Land Use Commission imposed the same December 31, 2022 deadline in Condition 5 (“Condition 5”) of its November 1, 2019 order (the 2019 LUC Order”):

5. By no later than December 31, 2022, the Applicant shall identify an alternative landfill site that may be used upon closure of WGS. Upon identification of the alternative landfill site, the Applicant shall provide written notice to the Planning Commission and the LUC.

The Department of Environmental Services, City and County of Honolulu (“ENV”) is currently seeking to modify Condition 1 of the 2019 PC Order and Condition 5 of the 2019 LUC Order. Schnitzer supports ENV's request. If the City is not given adequate time to identify a viable alternate landfill site before the closure of WGS, then Schnitzer will have no other place to dispose of its recycling residue. This would have a significant impact on Schnitzer's recycling operation on Oahu. Without question, Schnitzer will suffer substantial harm that is different from that suffered by the general public or the City and County of Honolulu.

## **II. LEGAL ARGUMENT**

### **A. STANDARD FOR INTERVENTION**

The subject matter of these proceedings is a modification of State Special Use Permit No. 2008/SUP-2 (the “Permit”). Under §2-49 of the Rules of the Planning commission (“RPC”), a request to modify or delete a condition imposed in a special use permit shall be processed in the same manner as the original petition for the special use permit. Pursuant to RPC §2-52(c) “[p]ersons may petition the commission to intervene in all proceedings before the commission for special use permits, subject to the requirements of this subchapter RPC Subchapter 5]” Furthermore, under RPC §2-56(d) any petitioner seeking to intervene who has been denied standing as a party may appeal that denial to the Circuit Court.

RPC Subchapter 5, in turn, requires particular information in a petition to intervene. RPC §2-53(b) provides as follows:

(b) Contents of petition to intervene as a party. The petition shall include the following Points:

- (1) The nature of petitioner's statutory or other right to intervene as a party to the proceedings.
- (2) The nature and extent of petitioner's interest in the proceedings, and if the petitioner is an abutting property owner, the tax map key description of the property.
- (3) A statement of the specific issues to be raised or contested by the petitioner in the contested case hearing'.
- (4) The effect of any decision in the proceeding on the petitioner's interest.

Once a timely request to intervene has been made, it can only be denied in limited circumstances, as provided in RPC §2-55(c):

(c) Leave to intervene shall be freely granted, provided that the commission may deny petition to intervene when in the commission's discretion, it appears that:

- (1) The position of the party requesting intervention concerning the proposed action is substantially the same as the position of a party already admitted to the proceeding; and
- (2) The admission of additional parties will render the proceedings inefficient and unmanageable.

The term "party" is defined under RPC §1-5 as follows:

(j) "Party" means any person or agency named or admitted as a party or properly seeking and entitled as of right to be admitted as a party in a proceeding. More specifically, it includes the following, upon the filing of timely requests:

- (1) Any state or county agency,
- (2) Any person who has some property interest in the land, or who lawfully resides in the land, or who can demonstrate that person will be so directly and immediately affected by the Commission's decision that that person's interest in the proceeding is clearly distinguishable from that of the general public; provided that this requirement shall be liberally construed.

## **B. ANALYSIS**

As an initial matter, the PC previously recognized Schnitzer's right to intervene in proceedings related to this Permit. *See* 2019 PC Order at FOF ¶¶ 121-122. The facts underlying Schnitzer's right to be heard on the Permit have not changed, and Schnitzer remains a party that

will be directly and immediately affected by the PC's decision in this matter in a way that is clearly distinguishable from the public. Nonetheless, for purposes of this motion, Schnitzer reiterates why the PC should grant Schnitzer's request for intervention under RPC §2-53, and under RPC §2-55.

1. RPC §2-53(b)(1): The nature of petitioner's statutory or other right to intervene as a party to the proceedings.

Schnitzer is the largest single private user of WGS� and has a legal right to intervene to ensure its continued access to use WGS�. Schnitzer currently holds a SWMP, which requires it to dispose of its recycling residue at a DOH-permitted solid waste disposal facility. WGS� is the only DOH-permitted solid waste disposal facility on Oahu that can accept Schnitzer's residual waste.

If Condition 1 and Condition 5 are not modified to give the City more time to find and establish an alternate landfill site before the anticipated closure of WGS�, Schnitzer will be prohibited from depositing its recycling residue at a DOH-permitted solid waste disposal facility once WGS� closes, thereby prohibiting Schnitzer from being able to comply with its SWMP. This would jeopardize an integral component of Schnitzer's recycling operation. Therefore, Schnitzer has a direct stake in the outcome of these proceedings. In addition, as a holder of a SWMP, and a major user of WGS� and its future replacement landfill, due process dictates that Schnitzer has a right to be a party to these proceedings in order to protect its business interests.

2. RPC §2-53(b)(2): The nature and extent of petitioner's interest in the proceedings, and if the petitioner is an abutting property owner, the tax map key description of the property.

Schnitzer is not an abutting property owner. Nevertheless, Schnitzer has a direct, personal stake in these proceedings. A key factor for determining standing is whether the petitioner has "a

personal stake in the outcome of the controversy." *Life of the Land v. Land Use Comm'n*, 63 Haw. 166, 172, 623 P.2d 431, 438 (1981). Siting and establishing a new landfill prior to the closure of WGS� will ensure a continuing means of disposal of Schnitzer's recycling residue. The timing and mechanics of that transition will be critical to Schnitzer's recycling operations.

If Condition 1 and Condition 5 are not amended, Schnitzer's continued business viability will be called into question. This is sufficient injury for Schnitzer to intervene in the proceeding and be heard on whether and how Condition 1 and Condition 5 should be modified. *See In re Hawaiian Elec. co., Inc.*, 56 Haw. 260, 535 P.2d 1102 (1975) ("*HECO*"). In *HECO*, the Public utilities Commission denied a petition for intervention filed by a nonprofit corporation in a rate increase proceeding. The corporation appealed that denial; two members of the corporation testified that they would be paying higher utility rates as a result of the PUC decision. The Hawaii Supreme Court held that one who has to pay higher utility rates due to an agency action is a person "specially, personally and adversely affected." *Id.* at 264, 535 P.2d at 1105. The court added that, "[t]he fact that he shares this additional burden with other users does not disentitle him from challenging the results." *Id.* Schnitzer's business relies on the ability to dispose its recycling residue at a DOH-permitted landfill. That business will be substantially impaired if there is significant downtime between the closure of WGS� and the start-up of an alternate landfill. Therefore, Schnitzer could be directly, specifically, personally and adversely affected by the Planning Commission's (and later, the LUC's) decision on this matter.

Furthermore, the outcome of these proceedings directly affects Schnitzer's property interest in its SWMP. Schnitzer holds a SWMP from the DOH. *See Brown v. Thompson*, 91 Hawaii 1, 979 P.2d 586 (1999) (holding that a mooring permit is constitutionally protected property that cannot be taken without due process). The SWMP is essential for Schnitzer's



business, and it requires Schnitzer to dispose of waste at a DOH-permitted facility. WGS� is the only DOH-permitted facility on Oahu that can accept Schnitzer's residual waste. Therefore, the outcome of these proceedings will directly affect Schnitzer's property interest in its SWMP.

3. RPC §2-53(b)(3): A statement of the specific issues to be raised or contested by the petitioner in the contested case hearing.

Without access to WGS�, or an adequate alternative, there would be no place to deposit recycling residue on oahu. This would have a major, critical impact on schnitzer's business. Moreover, for many years, Schnitzer has taken an active role in reducing the amount of scrap metal waste that enters WGS�. Loss of Schnitzer's recycling operation due to the closing of WGS� without an alternate landfill fully established and ready to receive Schnitzer's recycling residue waste would substantially increase the volume of unrecycled waste on Oahu.

4. RPC §2-53(b)(4): The effect of any decision in the proceeding on the petitioner's interest.

Schnitzer will be directly and immediately affected by the Commission's decision in this proceeding. As a major recycler in the State, Schnitzer relies on the existence of a DOH-permitted landfill to continue its recycling operations. The SWMP requires Schnitzer to deposit its recycling residue at WGS�. If Schnitzer can no longer use WGS� with no alternative landfill ready to replace it, Schnitzer will not be able to comply with its SWMP. If that occurs, there could be significant harm to Schnitzer's business interests.

5. RPC §2-53(c): Schnitzer's Petition is Timely.

RPC§2-53(a) provides that "[a]ny person or agency, requesting to intervene as a party shall file a petition with the commission within fourteen (14) days of the date of newspaper publication of not the notice of a public hearing to be held by the planning commission on a

petition for a special use permit.” The notice for this proceeding was published on May 29, 2023.

Because June 12, 2023 was a state holiday, Schnitzer's request is timely.

6. RPC §2-55(c)(1): Schnitzer's Interest is Not Substantially the Same As Any Other Party's.

Currently, ENV is the only confirmed party to these proceedings, and it is unclear whether Ko Olina Community Association and Senator Maile Shimabukuro (collectively “KOCA”) are also parties.<sup>1</sup> In any event, neither ENV nor KOCA would adequately represent Schnitzer’s interest in the Permit.

ENV represents the interests of the general public and the City and County of Honolulu. For example, the City’s May 25, 2023 report from the Director of the Department of Planning and Permitting to the PC concerning the City’s request to extend the deadline in Condition 1 and Condition 5 states that the request “to extend the deadline to identify an alternative landfill site will not burden public agencies to provide necessary infrastructure, school improvements, or police and fire protection.” Ex. 1 at 9. The report further states that “providing the ENV more time to pursue an alternative landfill site is consistent with the public policy to provide basic government services and to protect the public health.” *Id.*

Schnitzer's interest is distinct from that of the general public and the City and County’s public agencies. Schnitzer is a private user of WGS. Schnitzer holds a SWMP, which allows it to operate a major recycling operation. Just as WGS is currently an essential component of Schnitner's business, the alternative landfill that will replace WGS will also be essential to Schnitzer’s business. Schnitzer's business and economic interest in continued access to a DOH-permitted landfill is clearly different from that of ENV’s or the general public.

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<sup>1</sup> On June 9, 2023, KOCA filed its (1) Motion to Recognize Them as Existing Parties Or In The Alternative (2) Petition To Intervene (“KOCA’s Motion”).

Schnitzer's interest is also distinct from KOCA. As set forth in KOCA's Motion, KOCA's interest arises from its proximity to WGS� and the impact that WGS� has had on KOCA and "Ko Olina's residents, workers, and visitors." KOCA's Motion at 6. KOCA's interest "in having WGS� close as soon as possible" (*id.*) is clearly distinguishable from Schnitzer's interest in ensuring that there remains an operating DOH-permitted landfill for its operations.

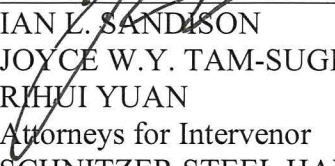
7. RPC §2-553(c)(2): Schnitzer's Interevention Will Not Render the Proceedings Inefficient and Unmanageable.

Schnitzer is only a single party seeking intervention in this proceeding. Because its interest in these proceedings is not substantially the same as that of ENV or KOCA, there will not be duplication of claims or evidence. There is, therefore, no danger of these proceedings becoming inefficient and unmanageable. This is further supported by Schnitzer's participation in prior proceedings relating to this Permit. In prior proceedings, Schnitzer has contributed testimony and evidence demonstrating the importance of WGS� to Schnitzer's operations and the significant disruption that would be caused by the sudden unavailability of a DOH-permitted landfill. That testimony was not duplicative, relevant, and helpful to the PC's and LUC's consideration of the Permit.

III. CONCLUSION

For the reasons stated herein, Schnitzer respectfully requests that the PC grant this petition and allow Schnitzer to intervene as a party to the proceedings in State Special Use Permit Amendment Application No. 2008/SUP-2.

DATED: Honolulu, Hawaii, June 13, 2023



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IAN L. SANDISON  
JOYCE W.Y. TAM-SUGIYAMA  
RHHI YUAN  
Attorneys for Intervenor  
SCHNITZER STEEL HAWAII CORP.

BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of the Application of

DEPARTMENT OF ENVIRONMENTAL  
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Permit, certified on November 1, 2019

FILE NO. 2008/SUP-2  
LUC DOCKET NO. SP09-403

**DECLARATION OF COUNSEL**

**DECLARATION OF COUNSEL**

I, JOYCE W.Y. TAM-SUGIYAMA, do declare and aver as follows:

1. I am an attorney with the law firm of Watanabe Ing, LLP and am licensed to practice law, and am in good standing in all state and federal courts in the State of Hawai'i.
2. I am one of the attorneys representing Intervenor Schnitzer Steel Hawaii Corp. ("**Schnitzer**") in the above-captioned matter.
3. I make this declaration based on my personal knowledge, information, belief and my review of the records and files concerning this matter, which are kept and maintained by my firm in the ordinary course of its business. I am competent and qualified to testify to the matters set forth herein.

4. Attached hereto as Exhibit "1" is a true and correct copy of the City and County of Honolulu Department of Planning and Permitting's May 25, 2023 Report to the Members of the Planning Commission regarding Special Use Permit (SUP) – Waimanalo Gulch Sanitary Landfill 91-460 Farrington Highway, Honouliuli, Ewa, Oahu, TMK 9-2-050; 005 and 006.

I, JOYCE W.Y TAM-SUGIYAMA, do declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, June 13, 2023.



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JOYCE W.Y. TAM-SUGIYAMA

Authorization *Dawn Takeuchi Apuna, Director*  
Advertisement *May 29, 2023*  
Public Hearing *June 28, 2023*

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov/dpp](http://www.honolulu.gov/dpp)

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23 MAY 25 P3:27

RICK BLANGIARDI  
MAYOR

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU



DAWN TAKEUCHI APUNA  
DIRECTOR

JIRO A. SUMADA  
DEPUTY DIRECTOR

May 25, 2023

2008/SUP-02  
2023/SUP-02(FK)

**MEMORANDUM**

TO: Pane Meatoga III, Chair  
and Members of the Planning Commission

FROM: Dawn Takeuchi Apuna, Director  
Department of Planning and Permitting

SUBJECT: Special Use Permit (SUP) – Waimanalo Gulch Sanitary Landfill  
92-460 Farrington Highway, Honouliuli, Ewa, Oahu  
Tax Map Keys 9-2-050: 005 and 006

Transmitted for appropriate action is our report and recommendation for approval of the SUP application to modify Condition No. 1 of the Planning Commission's 2019 decision on 2008/SUP-02 for the Waimanalo Gulch Sanitary Landfill (WGSL). The purpose of the request is to extend the deadline for identifying an alternative landfill site to December 31, 2024.

As the WGSL exceeds the 15-acre threshold, a favorable decision by the Planning Commission will require the State Land Use Commission to review the appropriateness of modifying Condition No. 5 of their Docket No. SP09-403 to extend the same deadline to December 31, 2024.

Enclosure

cc: Department of Environmental Services  
State Office of Planning and Sustainable Development  
State Department of Agriculture  
State Land Use Commission

DEPARTMENT OF PLANNING AND PERMITTING  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION )  
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 OF )  
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 DEPARTMENT OF )  
 ENVIRONMENTAL SERVICES )  
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 FOR A MODIFICATION TO A )  
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 STATE SPECIAL USE PERMIT )  
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FILE NOs. 2008/SUP-2  
2023/SUP-2

FINDINGS OF FACT, ANALYSIS, CONCLUSIONS  
OF LAW, AND DECISION AND RECOMMENDATION

**I. APPLICATION**

**A. Basic Information**

APPLICANT/LANDOWNER : Department of Environmental Services,  
(ENV) City and County of Honolulu

LOCATION : 92-460 Farrington Highway, Honouliuli,  
Ewa, Oahu

TAX MAP KEYS (TMKs) : 9-2-050: 005 and 006

AREA OF SPECIAL USE PERMIT:  
(SUP) : 200.622 Acres

RECORDATION : Land Court

STATE LAND USE DISTRICT : Agricultural

EWA DEVELOPMENT PLAN : Recognizes the location of the existing  
landfill;

EXISTING ZONING : AG-2 General Agricultural District



EXISTING USE : Landfill and open space

SURROUNDING LAND USE : Hawaiian Electric Company Kahe Power Plant to the west, single-family dwellings and Ko Olina Resort to the south, vacant lands to the north and east.

**B. Proposal**

ENV or the Applicant seeks to modify Condition No. 1 of the City and County of Honolulu (City) Planning Commission's (PC) June 10, 2019 Findings of Fact, Conclusions of Law, and Decision and Order (2008/SUP-2) and Condition No. 5 of the November 1, 2019 State of Hawaii Land Use Commission's (LUC) Findings of Fact, Conclusions of Law, and Decision and Order (SP09-403). Both actions established a December 31, 2022 deadline for the Applicant to identify an alternative landfill site. The Applicant requests a two-year extension of time to December 31, 2024.

**C. Background**

The Waimanalo Gulch Sanitary Landfill (WGSL) is located in Waimanalo Gulch, Oahu, at 92-460 Farrington Highway, Kapolei, Hawaii 96707, and TMKs 9-2-050: 005 and 006<sup>1</sup> (the Property). The Property consists of approximately 200 acres. The City has operated a portion of the Property as a landfill subject to a SUP since 1989.

Since 1989, due to the ongoing need for waste disposal via landfilling, ENV conducted additional environmental reviews and studies to justify continued use of the WGSL, and the PC and LUC have approved extensions and expansions of the WGSL SUP.

WGSL's background, including its history of contested case hearings, has been documented extensively but most recently in the PC's 2019 Decision of 2008/SUP-2. This Decision added Condition No. 1, which set a December 31, 2022 deadline for the City to identify an alternative landfill site. On November 1, 2019, the LUC issued its 2019 Decision subject to certain conditions, including Condition No. 5 that also set a December 31, 2022 deadline to identify an alternative landfill site. The December 31, 2022 deadline was based on previous testimony presented to the PC that five years was sufficient time for the ENV to identify an alternative landfill site.

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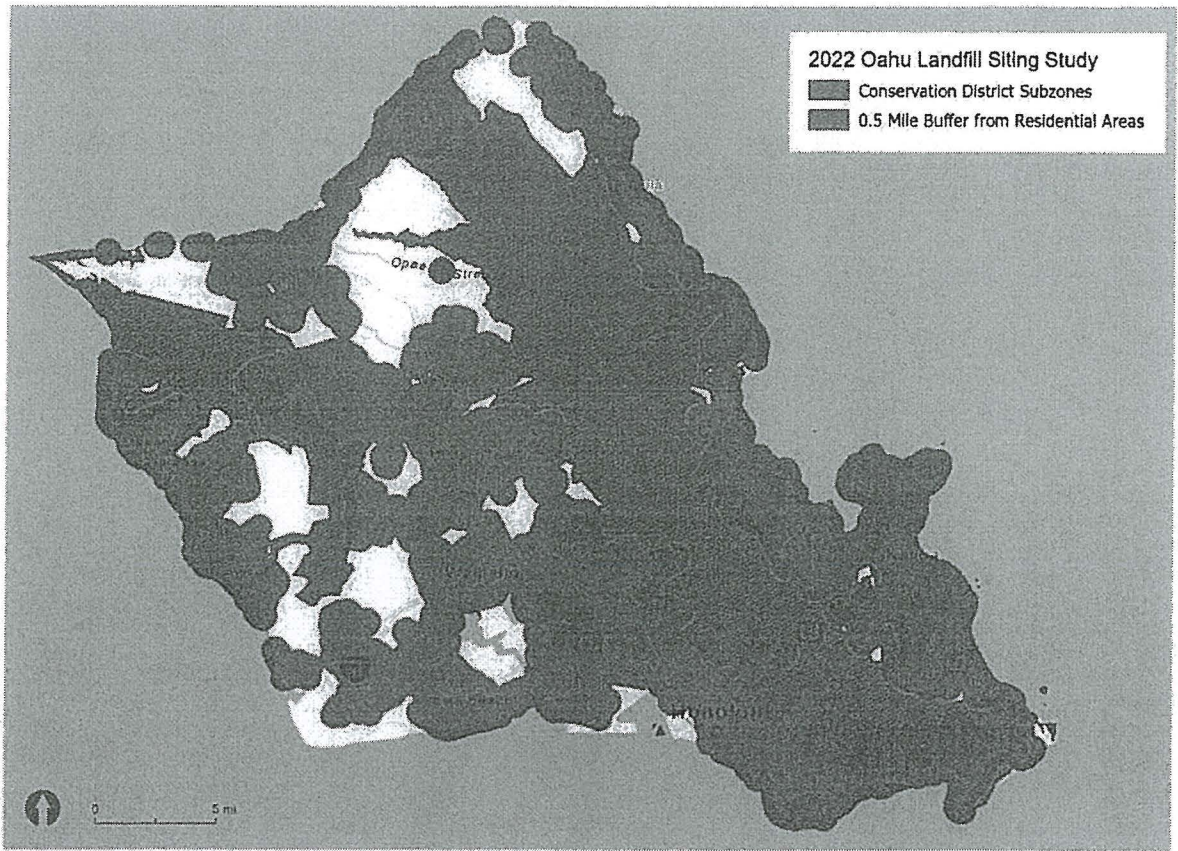
<sup>1</sup> These are the new TMK numbers. TMKs 9-2-03:72 and 73 were previously referenced in the applications and records of the PC and LUC, relating to their 2019 Decisions.

The following table summarizes the history of SUP approvals for the project:

**Table 1 – Summary of SUP Approvals**

Date of Approved Decision and Order	Description	Acreage
April 20, 1987	The PC and LUC approve first WGSL SUP for landfill development (86/SUP-5 and LUC Docket No. SP87-362).	60.5
October 31, 1989	The WGSL SUP area amended to include accessory uses expanding the landfill by 26 acres.	26.0
June 9, 2003	The LUC approves a 21-acre expansion to the WGSL SUP area for the landfill but with the condition to close by May 1, 2008.	21.0
March 14, 2008	The LUC extends the SUP closure deadline to November 1, 2009.	--
October 22, 2009	The LUC approves an amendment to the WGSL SUP (becomes 2008/SUP-2 and LUC Docket No. SP09-403) area adding 93.1 acres to the landfill. Condition No. 4 requires the Applicant to develop one or more landfill sites to either replace or supplement WGSL. Condition No. 14 is added that prohibits disposal of municipal solid waste after July 1, 2012; disposal of the waste-to-energy facility (H-POWER) ash and residue is allowed to continue.	93.1
June 28, 2011	The City files SUP application to remove Condition No. 14. On May 4, 2012 Supreme Court ruled and struck down Condition No. 14. Remand back to the LUC.	--
October 8, 2012	By Order, the LUC remands the 2008 application back to the PC. The PC consolidates the 2008 application with the 2011 application in order to transmit a single Findings of Fact (FOF), Conclusions of Law (COL), and Decision and Order (D&O) to the LUC.	--
June 10, 2019	The PC modifies the 2009 SUP Decision and Order by deleting Condition Nos. 4 and 14, adding Condition No. 1 among other refinements to conditions. Condition No. 1 states that on December 31, 2022, the ENV shall identify an alternative landfill site that may be used upon WGSL reaching its capacity at a future date.	--
November 1, 2019	LUC considers the PC's June 10, 2019 FOF, COL, and D&O. The LUC adds Condition No. 5 also requiring the December 31, 2022 deadline.	--
Total SUP Acreage		200.6

The basis for the request to extend the deadline is twofold. First, Act 73, Session Laws of Hawaii 2020 (Act 73), was signed into law after the PC's and LUC's 2019 Decisions. This law placed new restrictions on potential landfill sites by: 1) prohibiting "waste or disposal facilities" (e.g., landfills) in conservation districts and, 2) prohibiting the construction of "waste or disposal facilities" within one-half mile from residential, school, or hospital property lines.



**Figure 1**

Source: *The Department of Environmental Services SUP 2022 Application to Modify 2008/SUP-2 and SP19-403.*

Figure 1 depicts the areas of Oahu where a landfill cannot be sited as a result of the conservation district (green) and one-half mile buffer from residential areas zone (blue) restrictions in Act 73.

Figure 2 depicts how the new restrictions imposed by Act 73 prohibit the City from siting a landfill in a significant portion of the island of Oahu. The white areas in Figure 2 represent the only areas where a landfill can be sited, after factoring in all restrictions.

At the time of the 2019 Decisions which added the December 31, 2022 deadline to identify an alternative landfill site, the PC and the LUC could not have known that the ENV's existing list of proposed landfill sites would be eliminated as a result of Act 73. However, a new list of proposed sites was formulated but these six Act 73 compliant sites were all located in the Honolulu Board of Water Supply (BWS) No Pass Zone, areas of the island that are directly above the groundwater that is used for drinking water.



Furthermore, in a November 16, 2022 letter, the BWS advised the ENV that it “does not approve any of the six proposed landfill sites that are located above (or mauka of) the BWS’ “No Pass Zone” and over Oahu’s drinking water aquifer system.” Moreover, in light of the contamination of drinking water associated with leaking petroleum from the U.S. Navy’s Red Hill Bulk Fuel Storage Facility, the ENV believes it is obligated to proceed with extreme caution, taking into consideration any and all potential impacts such as that identified by the BWS, before identifying the next landfill site.

The ENV believes the combination of Act 73 restrictions and the No Pass Zone prevents them from designating an alternative landfill site and this request for an extension of time is in the best interest of all Oahu communities. It is not an attempt to extend the life or area of the WGSL.

**D. Applicant Will Use the Two-Year Extension to Work Towards Identifying an Alternative Site**

According to the Application, the ENV will use the next two years to further evaluate and pursue other options for siting an alternative landfill outside of the No Pass Zone. As recommended by the LAC, the ENV will: (1) seek a repeal of or amendment to Act 73; (2) continue discussions with the U.S. military regarding the acquisition of a site outside the No Pass Zone; and (3) evaluate the feasibility of acquiring (by eminent domain if necessary) residential properties adjacent to potential landfill sites to create sites that would comply with the one-half mile buffer from residential areas restriction in Act 73. The ENV will also continue to explore all other legally compliant options to identify a new site.

**I. FINDINGS OF FACT**

On the basis of the evidence provided, the Director found:

**A. Public Agency Comments**

On March 31, 2023, the following local, state, and federal governmental agencies were requested to evaluate the proposed amendment:

**CITY**

1. BWS
2. Budget and Fiscal Services
3. Corporation Counsel
4. Office of the City Clerk
5. Office of Climate Change, Sustainability, and Resiliency
6. Office of Council Services
7. Department of Customer Services
8. Department of Emergency Management

9. Department of Facility Maintenance
10. Department of Transportation Services
11. Honolulu Emergency Services Department
12. Honolulu Fire Department
13. Honolulu Police Department
14. Managing Director
15. Mayor's Office
16. Neighborhood Commission

#### STATE

1. Department of Business, Economic Development and Tourism, Office of Planning and Sustainable Development
2. Department of Business, Economic Development and Tourism, Land Use Commission
3. Department of Land and Natural Resources
4. Department of Land and Natural Resources, State Historic Preservation Division
5. Department of Health
6. Department of Transportation
7. Office of Hawaiian Affairs
8. Oahu Metropolitan Planning Organization

#### FEDERAL

1. 14<sup>th</sup> Coast Guard District, Honolulu
2. Department of the Interior, Fish and Wildlife Service
3. Natural Resources Conservation Service

No objections were raised by the public agencies. Comments submitted by agencies are provided in **Attachment A**.

#### **B. Community Concerns**

On March 31, 2023, copies of the Application were transmitted to the Waianae Coast Neighborhood Board (NB) No. 24, the Kapolei/Makakilo/Honokai Hale NB No. 34, and the Nanakuli-Maili NB No. 36.

As of the date of this report, it is understood that the Waianae Coast NB No. 24 and the Nanakuli-Maili NB No. 36 are likely to provide their comments in separate correspondence to the PC. At their May 16, 2023 meeting the Nanakuli-Maili NB No. 36 unanimously voted to not support the two-year extension request.

The Department of Planning and Permitting (DPP) received one letter via email supporting the request. Over the May 12-14, 2023 weekend, 57 emails from residents including the Ko Olina Community Association was directed to the PC expressing displeasure with the extension request.

Comments received relate to the continual delays in identifying a site, history of violations at the site including the 2012 accidental release of municipal solid waste, and general impacts related to traffic, noise, odor, and litter impacts on area residents. The common suggestion from those responding is for the PC to require the ENV to report quarterly in person to the Commission on its efforts to select a new landfill.

Community comment letters are attached as part of **Attachment B**.

### III. ANALYSIS

#### A. Public Plans and Policies

1. Land Use Law, Chapter 205, Hawaii Revised Statutes (HRS).

The proposed site is within the State Land Use Agricultural District.

Section 205-6, HRS, allows certain unusual and reasonable uses within the Agricultural District other than those uses for which the district is classified so long as they would promote the effectiveness and objectives of the Agricultural District.

In determining whether a proposed use is deemed “unusual and reasonable,” Section 2-45 of the PC Rules established five guidelines to be applied. These guidelines are also found in Title 15-15, of the Hawaii Administrative Rules for the LUC.

Moreover, Section 2-49 of the Rules of the Planning Commission (PC Rules) states that a modification or deletion of a condition shall be processed in the same manner as the original petition for an SUP.

The analysis and subsequent conclusion of whether the existing landfill constitutes an “unusual and reasonable use” has been completed and determined by the PC and by the LUC as the SUP, (2008/SUP-2 and LUC Docket No. SP09-403). These approvals have allowed the landfill to be developed, expanded, and to operate continuously since 1989.

The Director finds that the proposal to modify Condition No. 1 to extend the deadline to identify an alternative landfill site to December 31, 2024 meets the requirements of Chapter 205 and the five guidelines of Section 2-45 of the PC Rules as follows:

**Guideline 1: Such use shall not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations.**

As indicated in the ENV's Application, the request to extend the deadline is a result of unforeseen and extraordinary circumstances. The use of the Property has been approved by a SUP granted by both the PC and the LUC and has been in operation since 1989. The ENV and the City remain committed to finding an alternative landfill site in the most environmentally responsible way.

The ENV's request to modify Condition No. 1 is not contrary to the objectives sought to be accomplished by the Land Use Law and Regulations to preserve and protect lands for its best use and to encourage uses for which lands are best suited.

**Guideline 2: The desired use would not adversely affect surrounding property.**

The use has already been established and approved with conditions, in part, addressing impacts on surrounding property. The SUP request merely extends the deadline to identify an alternative landfill site, and does not extend the life of the WGS.

**Guideline 3: The use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and school improvements and police and fire protection.**

The SUP request to extend the deadline to identify an alternative landfill site will not burden public agencies to provide necessary infrastructure, school improvements, or police and fire protection.

During the public comment period, agencies providing such services did not have objections to the proposal to modify Condition No. 1. Comments are provided in Attachment A.

**Guideline 4: Unusual conditions, trends and needs have arisen since the district boundaries and regulations were established.**

Unforeseen circumstances and extraordinary conditions resulting from the passage of Act 73 in 2020 have severely restricted the areas to site potential new landfill. Even within these constraints, the six sites that could meet these stringent regulatory limits were then deemed unacceptable due to the potential threat of contaminating Oahu's drinking water supplies by the BWS. Accordingly, providing the ENV more time to pursue an alternative landfill site is consistent with the public policy to provide basic government services and to protect the public health.



**Guideline 5: The land upon which the proposed use is sought is unsuited for the uses permitted within the district.**

The SUP area has extremely rocky soils and is not conducive to crop production. The steep terrain of the site does not lend itself to pasture use. The existing landfill use has already removed the property from agricultural use. Essentially, the circumstances of the site's use for agriculture have not changed since the original SUP was approved.

**B. State and County Plans, Programs, and Zoning Regulations**

The extension of the deadline to December 31, 2024 to identify an alternative landfill site does not alter previous findings that the WGSL is consistent with the Hawaii State Plan, the Oahu General Plan, and Ewa Development Plan. Therefore, the extension of the deadline to December 31, 2024 to identify an alternative landfill site is consistent with State and local plans, programs, and local zoning requirements.

**C. Social Impacts**

Modification of Condition No. 1 will not have any increased social impacts that were not already addressed in the Director's prior analysis and report to the PC.

**IV. CONCLUSION**

Modification of Condition No. 1 would allow the ENV more time to pursue alternative landfill sites. As there is no other alternative landfill site identified at this time due to more restrictive regulatory restrictions in place due to Act 73, and the heightened concern for protection of the island's groundwater resources, the need to extend the deadline is necessary to successfully protect the public health and welfare.

Denial of the request to modify the deadline to identify an alternative landfill site leaves the WGSL in violation of the 2019 PC and LUC Decision and Order for reasons beyond the ENV's control. This situation goes against prioritizing public health and welfare and the protection of the environment over the long-term. Therefore, the granting of this request is a reasonable and necessary decision.

The proposal to give the ENV more time to identify an alternative landfill site is also in compliance with relevant State and City policies and no adverse infrastructure impacts are anticipated. Thus, the modification of the deadline to identify an alternative landfill site is "unusual and reasonable" as set forth in Chapter 205-6, HRS, and the five guidelines established by the PC, pursuant to Section 2-45, PC Rules.

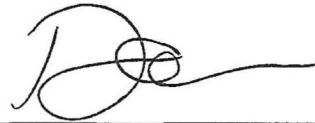
**V. RECOMMENDATION**

The Director of the DPP recommends modification of the date in Condition No. 1 of the PC's FOF, COL, and D&O, dated June 10, 2019 for SUP No. 2008/SUP-2 to December 31, 2024, when the Applicant shall identify an alternative landfill site be APPROVED. All other conditions shall remain in full force and effect.

Dated at Honolulu, Hawaii, this 25th day of May, 2023.

DEPARTMENT OF PLANNING AND PERMITTING  
CITY AND COUNTY OF HONOLULU  
STATE OF HAWAII

By



\_\_\_\_\_  
Dawn Takeuchi Apuna  
Director

Attachments

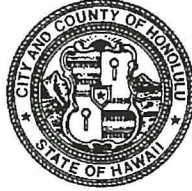
**Attachment A**  
**Agency Responses**

DEPARTMENT OF FACILITY MAINTENANCE  
**CITY AND COUNTY OF HONOLULU**

2023 APR 25 PM 1:04

1000 Ulu'ohia Street, Suite 215, Kapolei, Hawaii 96707  
Phone: (808) 768-3343 • Fax: (808) 768-3381  
Website: www.honolulu.gov

RICK BLANGIARDI  
MAYOR  
CITY & COUNTY OF HONOLULU



DAWN B. SZEWCZYK, P.E.  
DIRECTOR AND CHIEF ENGINEER

WARREN K. MAMIZUKA  
DEPUTY DIRECTOR


IN REPLY REFER TO:  
DRM 23-232

April 24, 2023

**MEMORANDUM**

TO: Dawn Takeuchi Apuna, Director  
Department of Planning and Permitting

ATTENTION: Franz P. Krajntz, Chief

FROM:   
Dawn B. Szewczyk, P.E.  
Director and Chief Engineer  
Department of Facility Maintenance

SUBJECT: Request to Modify Condition No. 1 of Special Use Permit (SUP)  
2008/SUP-2 and Condition No. 5, State Land Use Commission (LUC)  
Docket No. SP09-403 for the Waimanalo Gulch Sanitary Landfill (WGSL)  
TMKs: 9-2-050:005 and 006

Thank you for the opportunity to review and comment on the subject project dated March 31, 2023.

We have no comments or objections at this time, as we do not have any facilities or easements on the subject property.

If you have any questions, please call Mr. Kyle Oyasato of the Division of Road Maintenance at (808) 768-3600.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org

RICK BLANGIARDI  
MAYOR



2023 MAY -1 AM 9:59

DEPT OF PLANNING  
AND PERMITTING  
& COUNTY OF HONOLULU

ARTHUR J. LOGAN  
CHIEF

KEITH K. HORIKAWA  
RADE K. VANIC  
DEPUTY CHIEFS

OUR REFERENCE GH-EO

April 28, 2023

**MEMORANDUM**

TO: Franz P. Krintz, Chief, Community Planning Branch  
Department of Planning and Permitting

VIA: Dina Wong, Chief, Planning Division

FROM: Glenn Hayashi, Assistant Chief of Police, Support Services Bureau

SUBJECT: Response to Request to Modify Condition No. 1 of Special Use  
Permit (SUP) 2008/SUP-2 and Condition No. 5, State Land Use  
Commission Docket No. SP09-403 for the Waimanalo Gulch Sanitary Landfill;  
Tax Map Keys: 9-2-050: 005 and 006 Ewa District, Oahu,  
Hawaii (Application)

This is in response to your agency's memorandum of March 31, 2023, regarding the subject above.

The Honolulu Police Department (HPD) has reviewed the application for an extension and does not have concerns at this time.

If there are any questions, please call Major Gail Beckley of District 8 (Kapolei, Waianae) at (808) 723-8400.

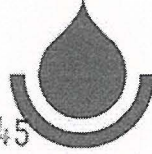
Thank you for the opportunity to review this project.

A handwritten signature in black ink, appearing to read "Glenn Hayashi".

Glenn Hayashi  
Assistant Chief of Police  
Support Services Bureau

**BOARD OF WATER SUPPLY**

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843  
www.boardofwatersupply.com



2023 MAY -1 AM 9:45

PLANNING AND PERMITTING April 27, 2023  
CITY & COUNTY OF HONOLULU

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair  
KAPUA SPROAT, Vice Chair  
MAX J. SWORD  
NA'ALEHU ANTHONY  
JONATHAN KANESHIRO

EDWIN H. SNIFFEN, Ex-Officio  
WARREN K. MAMIZUKA, Acting Ex-Officio

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

ERWIN M. KAWATA  
Deputy Manager

TO: DAWN TAKEUCHI APUNA, DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

ATTN: BRANDON SOO

FROM: *fw* ERNEST Y.W. LAU, P.E. *Erwin Kawata*  
MANAGER AND CHIEF ENGINEER

SUBJECT: MEMORANDUM DATED MARCH 31, 2023 REGARDING THE  
REQUEST TO MODIFY CONDITION NO. 1 OF SPECIAL USE PERMIT  
2008/SUP-2 AND CONDITION NO. 5, STATE LAND USE COMMISSION  
DOCKET NO. SP09-403 FOR THE WAIMANALO GULCH SANITARY  
LANDFILL, TAX MAP KEYS: 9-2-050:005 AND 006.

The Board of Water Supply (BWS) has no objections to the applicant's request to modify Condition No. 1 of 2008/SUP-2 and Condition No. 5 of LUC Docket No. SP09-403 to grant the Department of Environmental Services (ENV) a two-year extension of time to identify alternative landfill sites outside of the no-pass zone.

Our comments to ENV dated November 16, 2022 regarding the BWS's official position on the original six potential landfill sites are still applicable.

If you have any questions, please feel free to contact Barry Usagawa, Water Resources Division at (808) 748-5900.

JOSH GREEN, M.D.  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

EDWIN H. SNIFFEN  
DIRECTOR

Deputy Directors  
DREANALEE K. KALILI  
TAMMY L. LEE  
ROBIN K. SHISHIDO  
JAMES KUNANE TOKIOKA

IN REPLY REFER TO:

DIR 0275  
HWY-PL 2.1216

April 14, 2023

Mr. Franz P. Kraintz, Chief  
City and County of Honolulu  
Department of Planning and Permitting  
Community Planning Branch  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Dear Mr. Kraintz:

Subject: Request to Modify  
Condition No. 1 Special Use Permit 2008/SUP-2 and  
Condition No. 5 State Land Use Commission Docket No. SP09-403  
Waimanalo Gulch Sanitary Landfill  
Ewa, Oahu, Hawaii  
Tax Map Key: (1) 9-2-050: 005 and 006

Thank you for your letter dated March 31, 2023 requesting our comments on the subject application.

We have no objections or concerns regarding the request for additional time to identify alternative sites for a new sanitary landfill.

If you have any questions, please contact Jeyan Thirugnanam, Systems Planning Engineer, Highways Planning Branch, at (808) 587-6336 or by email at [jeyan.thirugnanam@hawaii.gov](mailto:jeyan.thirugnanam@hawaii.gov). Please reference file review number PL 2023-029.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Sniffen".

EDWIN H. SNIFFEN  
Director of Transportation

**Kraintz, Franz**

---

**From:** DBEDT State Planning <dbedt.stateplanning@hawaii.gov>  
**Sent:** Wednesday, April 19, 2023 12:18 PM  
**To:** Soo, Brandon A  
**Cc:** Kraintz, Franz; Balassiano, Katia  
**Subject:** OPSD Response - Request to Modify Condition No. 1 of 2008/SUP-2 and Condition No. 5, State LUC Docket No. SP09-403 Waimanalo Gulch Sanitary Landfill

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha,

RE: Request to Modify Condition No. 1 of Special Use Permit (SUP)  
2008/SUP-2 and Condition No. 5, State Land Use Commission (LUC)  
Docket No. SP09-403 for the Waimanalo Gulch Sanitary Landfill (WGSL),  
Tax Map Keys 9-2-050: 005 and 006 Ewa District, Oahu, Hawaii  
(Application)

Thank you for the opportunity to comment; however, Office of Planning and Sustainable Development will not be providing comments at this time.

Thank you,

**Megumi Nakayama**  
Secretary, Land Use Division  
State of Hawai'i Office of Planning & Sustainable Development  
Dept. of Business, Economic Development & Tourism  
235 S. Beretania Street, 6th Floor  
Honolulu, Hawaii 96813  
(808) 587-2842



**Kraintz, Franz**

---

**From:** Liu, Rouen <rouen.liu@hawaiianelectric.com>  
**Sent:** Wednesday, April 26, 2023 6:24 PM  
**To:** Soo, Brandon A  
**Cc:** Kuwaye, Kristen  
**Subject:** Waimanalo Gulch Sanitary Landfill - Special Use Permit

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Dear Mr. Soo,

Thank you for the opportunity to comment on the subject project Special Use Permit. Hawaiian Electric Company has no objection. Should Hawaiian Electric have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities. We appreciate your efforts to keep us apprised of the subject project in the planning process. As the proposed Waimanalo Gulch Sanitary Landfill project comes to fruition, please continue to keep us informed.

Should there be any questions, please contact me at 808-543-7245.

Thank you,  
Rouen Liu  
Permit Engineer  
Hawaiian Electric Company

---

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**Attachment B**  
**Public Comments**

## Kraintz, Franz

---

**From:** Bautista, Hokulani S on behalf of Department of Planning and Permitting  
**Sent:** Wednesday, April 5, 2023 8:26 AM  
**To:** Kraintz, Franz  
**Subject:** FW: Public Input-2023/SUP-2(FK), Waimanalo Gulch Sanitary Landfill, Kapolei Resident

Hi Franz,

Please see below.

Thank you,  
Hokulani.

**From:** Diana Martin <d3martin@msn.com>  
**Sent:** Tuesday, April 4, 2023 6:06 PM  
**To:** Department of Planning and Permitting <dpp@honolulu.gov>  
**Cc:** Diana Martin <d3martin@msn.com>  
**Subject:** Public Input-2023/SUP-2(FK), Waimanalo Gulch Sanitary Landfill, Kapolei Resident

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

I am a homeowner in Ko Olina; of course, I support an alternative landfill waste site. But I fully recognize the need for protection of water sources, residential communities, wilderness areas, schools, etc.

I recommend a joint task force of all the players and the provision of a one-year extension with another year granted based on verifiable progress by the task force, including planning on the reality the WGSL may need work to extend its capacity.

Having reviewed the material provided, the Department of Environmental Services (ENV) appears to be making good progress on increasing ash vice landfill waste, providing alternatives for sites, and even now looking at more alternatives to meet Oahu's waste disposal requirements.

Act 73 and the Board of Water Supply (BWS) added additional criteria to incorporate in the research, planning, and decision-making process. It seems the beginning criteria for identifying waste landfill sites, the review and approval process, and the lack of understanding/coordination of legislative and other departments were lacking. For example, why wasn't drinking water resources considered a no-no throughout the process, State and Federal land potential addressed early on, and legislators tuned in as to the ramifications of Act 73 on landfill waste alternatives?

This is my perspective based on what I read and, of course, we need to have ENV continue with their work. It is disheartening to even read "...this City administration, under the circumstances, refuses to default pursuing an extension of the WGSL." If all departments and the legislators get on board and work together, it's possible this wouldn't be a consideration. However, realistically, it may well be if all the players don't do due diligence together.

Thank you for the opportunity to provide my comments.

Diana Martin 92-1001 Aliinui Dr Apt 7D, Kapolei, HI 96707 (recipient of the mayor's letter, dated March 31, 2023, To: Land Owner within 300 feet of the Waimanalo Gulch Sanitary Landfill).



NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36

c/o NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD, SUITE 160 HONOLULU, HAWAII 96817  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

May 19, 2023

Department of Planning and Permitting  
650 South Kings Street 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

RE: Request to modify Condition No. 1 Special Permit Use Permit (SUP) 2008/SUP-2 Condition No. 5, State Land Use Commission (LUC) Docket No. SP09-403 for the Waimanalo Gulch Sanitary Landfill (WGSL). Tax Map Keys 9-2-050:005 and and Ewa District, Hawaii (Application)

This is to notify that at our regular Nanakuli-Mailī Neighborhood Board No 36 regular Tuesday, May 16, 2023, meeting, members on the board voted unanimously NOT to support the extension December 31, 2022, deadline to identify an alternative landfill site, further not support ENV application request a two-year extension of time to reevaluate its options.

Further the board does not support any Federal lands located in the Wai'ānae Coast be an option for the City's Sanitary Landfill, to remove the Federal Navy Lualualei parcel in Nanakuli as an alternative site. The board supports all Federal lands located in the Wai'ānae Coast be returned to the State of Hawai'i, then turned over to the Department of Hawaiian Homelands.

Should you have any questions regarding the above recommendation, please feel free to contact me at 808 723-9161.

Sincerely,  
Patty Kahanamoku-Teruya  
CHAIR

Copy: Honorable Governor Josh Green  
Honorable Mayor Rick Blangiardi  
Senator Maile Shimabukuro  
Representative Darius Kila  
City Councilmember Andria Tupola  
Chairman Kali Watson, Department of Hawaiian Homelands  
Neighborhood Commission Office file

May 15, 2023

Honolulu Planning Commission  
Via Email: gtakara@honolulu.gov

RE: Community Resident Support to Increase Oversight of the Landfill Siting Process

Members of the Commission,

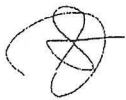
As a resident of the Ko Olina community, I am writing to express my deep concerns with the ongoing issues regarding the Waimanalo Gulch Sanitary Landfill (WGSL).

Among the communities adversely affected by the Landfill, for many years now, we share concerns about noise, traffic, debris, dust and odors from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters over a decade ago (2012).

Past decisions to select a new site (2004) and close the current location (2008) have been ignored. The committee had recommended that action take place to locate a new site for the landfill, but even after a new ENV selection committee was formed in 2021, no new site has been deemed acceptable. There must be accountability and transparency in this process. Please vote to have quarterly, in-person reports given at all upcoming meetings and involve those needed to demand action. If necessary, please let us know who in the State office to contact, in addition to the Governor's Chief of Staff, Brooke Wilson.

Thank you for your prompt attention to this important matter.

Sincerely,



Toni A. Floerke  
Ko Olina Resident

**From:** Toni Floerke <toniafloerke@gmail.com>  
**Sent:** Monday, May 15, 2023 6:09 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Letter of Request - Landfill Issue

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Ms. Takara,  
Please see my attached letter of request.  
Aloha & Blessings,  
Toni Floerke

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of Ko Olina, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Nic Politsch  
Ko Olina Resident



**From:** Nicolas David Politsch <politsch@uci.edu>  
**Sent:** Monday, May 15, 2023 10:41 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Koolina Landfill Opposition

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Your attention to the matter is appreciated, Mahalo.

--  
Sincerely,  
Nic Politsch

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waimanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

The Landfill also released unknown amounts of solid waste, sewage sludge, leachate and medical solid waste into our West Side waters. THE OCEAN WHERE OUR OHANA PLAY, SWIM AND FISH FOR DECADES!

There is a long history of a new site selection of this Landfill. Nothing has been done. Enough already!

Its time the Planning Commission accept no more delays but demand action.

This delay continues to affect our health, possible more waste releases, our pristine coast line and our quality of life.

Mahalo,

*Sorelle Hattori*

Sorelle Hattori

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of West O'ahu, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, and ocean pollution.

In 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

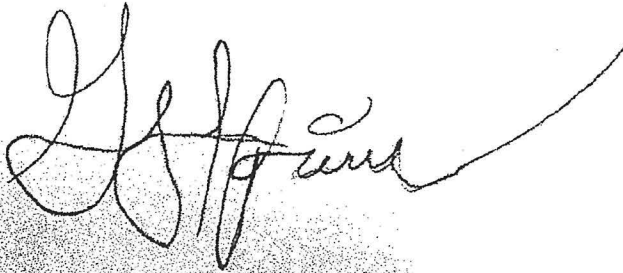
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To date no site has been selected.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require quarterly reports to the Commission on its efforts to select a new landfill.

Thank you for your attention to this important matter.

Sincerely,



Gabrielle St. Pierre

HONOLULU PLANNING COMMISSION

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of West O'ahu to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that NONE of the proposed sites were acceptable, including Waimanalo Gulch Landfill.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Your attention to this important matter is requested.

Sincerely,

*Monica Patrie*

*15 May 23*

*Monica Patrie*

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waimanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

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Mahalo,

*Eric Patrie*

Eric Patrie

May 15, 2023

HONOLULU PLANNING COMMISSION

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Mahalo,

*Austin St. Pierre-Smith*

Austin St. Pierre-Smith

HONOLULU PLANNING COMMISSION

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

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Your attention to this important matter is requested.

Sincerely,

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May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of West O`ahu, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, and ocean pollution.

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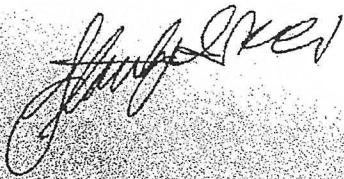
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Thank you for your attention to this important matter.

Sincerely,

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May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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Thank you for your attention to this important matter.

Sincerely,

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May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

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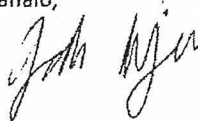
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Mahalo,

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May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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Thank you for your attention to this important matter.

Sincerely,

*Shuleen D. Ohi*

HONOLULU PLANNING COMMISSION

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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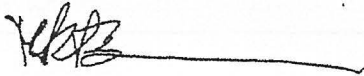
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Your attention to this important matter is requested.

Sincerely,

Kimberly-Kaia Auhua BROWN



May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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Thank you for your attention to this important matter.

Sincerely,

  
Lella Collado-Hegerfeldt K.

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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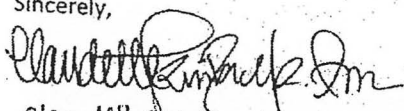
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Thank you for your attention to this important matter.

Sincerely,

  
Claudette Kimberly K. Timson

do the right thing! be pawa to the Saina  
& to the people.

HONOLULU PLANNING COMMISSION

May 15, 2023

Re: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of West O'ahu to express my deep concerns regarding the ongoing issues related to the Waimanale Gulch Sanitary Landfill (WGSL).

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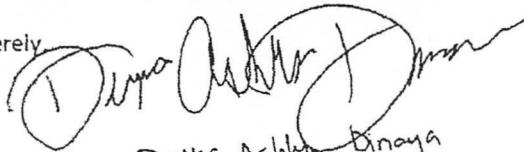
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Sincerely,

  
Deyna Ashlyn Dinaya

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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Thank you for your attention to this important matter.

Sincerely,

*Berrien Jordan Grati*  
Berrien Jordan Grati



May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

Aloha Honolulu Planning Commission:

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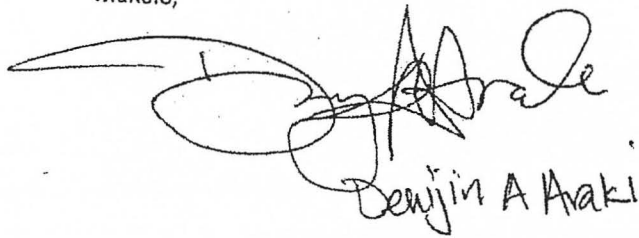
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Mahalo,



Denjin A Aaki

HONOLULU PLANNING COMMISSION

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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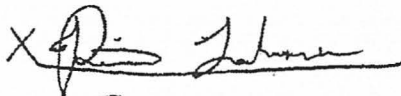
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Your attention to this important matter is requested.

Sincerely,

X 

Print Princessa Sedend

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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Sincerely,

X Dominic Pereres

Print Dominic Pereres

May 15, 2023

HONOLULU PLANNING COMMISSION

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Mahalo,

x   
Print Doreen Sedeno Merced



May 15, 2023

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Mahalo,

*Usuna Jones Johnson*  
± Saikh Jones - Johnson

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

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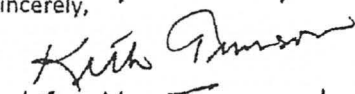
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Thank you for your attention to this important matter.

Sincerely,

  
Keith Timson

HONOLULU PLANNING COMMISSION

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

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Sincerely,

*Maeda C. Timson*  
Maeda C. Timson

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

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Mahalo,

Kayla Mae Jones-Timson  




Resident Testimony Letter #3:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To Whom It May Concern,

I am a resident of West O'ahu that resides in Kapolei, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone. It has been a long road to get to this point, and the Department of Environmental Services (ENV) has not met its deadlines all along the way. The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. Those deadlines were not met. The ENV was later ordered to begin the process of identifying and developing a new site by 2010, but no site was selected. The LUC most recently set a deadline of December 31, 2022, for the City to identify an alternative landfill site to WGSL, another deadline that was missed.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. The time has come for ENV to do its job and find a viable new location for our island's waste. Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,



Name

TARA HILL

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting of a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waimanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

The Landfill also released unknown amounts of solid waste, sewage sludge, leachate and medical solid waste into our West Side waters. THE OCEAN WHERE OUR OHANNA PLAY, SWIM AND FISH FOR DECADES!

There is a long history of a new site selection of this Landfill. Nothing has been done. Enough already!

Its time the Planning Commission accept no more delays but demand action.

This delay continues to affect our health, possible more waste releases, our pristine coast line and our quality of life.

Mahalo,

GH  
gamma hill

Resident Testimony Letter #2:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of West O'ahu to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Name

Daniel Kelly  
*Daniel Kelly*

*Caden Kelly*

Resident Testimony Letter #1:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of West O'ahu, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Name

Carina Kelly



Resident Testimony Letter #1:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of West O'ahu, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

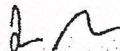
Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Name



Resident Testimony Letter #2:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of West O'ahu to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.


Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Name

  
Jordin Winright

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting of a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waimanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

The Landfill also released unknown amounts of solid waste, sewage sludge, leachate and medical solid waste into our West Side waters. THE OCEAN WHERE OUR OHANNA PLAY, SWIM AND FISH FOR DECADES!

There is a long history of a new site selection of this Landfill. Nothing has been done. Enough already!

Its time the Planning Commission accept no more delays but demand action.

This delay continues to affect our health, possible more waste releases, our pristine coast line and our quality of life.

Mahalo,

BRIAN CORREA



Resident Testimony Letter #3:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To Whom It May Concern,

I am a resident of West O`ahu that resides in Kapolei, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone. It has been a long road to get to this point, and the Department of Environmental Services (ENV) has not met its deadlines all along the way. The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. Those deadlines were not met. The ENV was later ordered to begin the process of identifying and developing a new site by 2010, but no site was selected. The LUC most recently set a deadline of December 31, 2022, for the City to identify an alternative landfill site to WGSL, another deadline that was missed.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. The time has come for ENV to do its job and find a viable new location for our island's waste. Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,



Name

Anthony Hill



May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waimanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

The Landfill also released unknown amounts of solid waste, sewage sludge, leachate and medical solid waste into our West Side waters. THE OCEAN WHERE OUR OHANA PLAY, SWIM AND FISH FOR DECADES!

There is a long history of a new site selection of this Landfill. Nothing has been done. Enough already!

Its time the Planning Commission accept no more delays but demand action.

This delay continues to affect our health, possible more waste releases, our pristine coast line and our quality of life.

Mahalo,



Sorelle Hattori

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To Whom It May Concern,

I am a resident of West O'ahu that resides in Kapolei, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone. It has been a long road to get to this point, and the Department of Environmental Services (ENV) has not met its deadlines all along the way. The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. Those deadlines were not met. The ENV was later ordered to begin the process of identifying and developing a new site by 2010, but no site was selected. The LUC most recently set a deadline of December 31, 2022, for the City to identify an alternative landfill site to WGSL, another deadline that was missed.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. The time has come for ENV to do its job and find a viable new location for our island's waste. Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,

*Michael James* 808-469-6138

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waiʻmanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

The Landfill also released unknown amounts of solid waste, sewage sludge, leachate and medical solid waste into our West Side waters. THE OCEAN WHERE OUR OHANA PLAY, SWIM AND FISH FOR DECADES!

There is a long history of a new site selection of this Landfill. Nothing has been done. Enough already!

Its time the Planning Commission accept no more delays but demand action.

This delay continues to affect our health, possible more waste releases, our pristine coast line and our quality of life.

Mahalo,

A handwritten signature in black ink, appearing to read "Robert L. Wright". The signature is written in a cursive style with a large, stylized initial "R".

May 15, 2023

HONOLULU PLANNING COMMISSION

RE: Lacking the decision of Selecting a new landfill site.

Aloha Honolulu Planning Commission:

As a resident of West Oahu, I am deeply concerned about the ongoing issues of moving the Waimanalo Gulch Landfill out of our community.

For YEARS our ohana has been adversely affected by the odors, noise, dust, blasting, truck traffic, and flying litter from the Landfill.

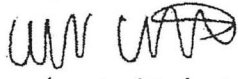
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This delay continues to affect our health, possible more waste releases, our pristine coast line and our quality of life.

Mahalo,

  
Briana Anderson

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of West O`ahu to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

*Kathleen D. Davenport*

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of West O'ahu, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

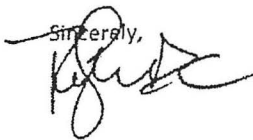
The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,



**From:** Maeda Timson <angelhale@aol.com>  
**Sent:** Monday, May 15, 2023 1:12 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Landfill letters

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Sent from my iPhone

**From:** Mario Nanguse <mnanguse@theresortgroup.com>  
**Sent:** Friday, May 12, 2023 4:23 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Community Residents Support Increased Oversight of the Landfill Siting Process

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

To the Honolulu Planning Commission,

I am writing as a resident of West O`ahu to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Mario Nanguse  
Makakilo Resident  
(808)2301050



**From:** Vicki Cobb <ourplaceofjoy@gmail.com>  
**Sent:** Saturday, May 13, 2023 9:52 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Community Residents Support Increased Oversight of the Landfill Siting Process

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

May 13, 2023

Dear Honolulu Planning Commission,

As a resident of Ko Olina, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Vicki Cobb  
Ko Olina Resident  
92-1001 Aliinui Drive #21D  
Kapolei HI 96707

-----Original Message-----

From: Eileen Meuris <emmeuris@gmail.com>

Sent: Saturday, May 13, 2023 10:07 AM

To: Takara, Gloria C <gtakara@honolulu.gov>

Subject: Support for Increased Oversight of the Landfill Siting Process

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

To the Honolulu Planning Commission,

I am writing as a property owner in Ko Olina to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012. With climate change, we can expect further catastrophic incidents that will endanger our community if the landfill is not relocated as soon as possible.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Eileen Meuris

Ko Olina Property Owner

**From:** Kimball Shelley <shelleykandm@gmail.com>  
**Sent:** Saturday, May 13, 2023 11:08 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Landfill Issue

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Resident Testimony Letter #2:

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of Ko Olina to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Resident Name  
Ko Olina Resident

**From:** wei L <apt2apt@yahoo.com>  
**Sent:** Saturday, May 13, 2023 2:06 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** RE: Community Residents Support Increased Oversight of the Landfill Siting Process

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Dear Honolulu Planning Commission,

As a resident of Ko Olina, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

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Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Wei Lee

KaiLani #16A  
Ko Olina Resident

**From:** joseph lee <joelee8g@gmail.com>  
**Sent:** Saturday, May 13, 2023 2:11 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** RE: Community Residents Support Increased Oversight of the Landfill Siting Process

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

To Whom It May Concern,

I am a resident of West O`ahu that resides in Ko Olina, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone. It has been a long road to get to this point, and the Department of Environmental Services (ENV) has not met its deadlines all along the way. The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. Those deadlines were not met. The ENV was later ordered to begin the process of identifying and developing a new site by 2010, but no site was selected. The LUC most recently set a deadline of December 31, 2022, for the City to identify an alternative landfill site to WGSL, another deadline that was missed.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. The time has come for ENV to do its job and find a viable new location for our island's waste.

Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,

Joseph Lee  
KaiLani 17A  
Ko Olina Resident

**From:** Kimberly Kelley <krkelleymd@yahoo.com>  
**Sent:** Saturday, May 13, 2023 4:43 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Waimanalo Gulch LandFill -Community Response

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RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of Ko Olina to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill. Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Kimberly R. Kelley MD  
Ko Olina Resident

Via Email: gtakara@honolulu.gov

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of Ko Olina to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.


It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,



Kimberly R. Kelley MD  
Ko Olina Resident

**From:** chungkscd@hawaiiintel.net <chungkscd@hawaiiintel.net>

**Sent:** Saturday, May 13, 2023 5:18 PM

**To:** Takara, Gloria C <gtakara@honolulu.gov>

**Subject:** Re: Waimanalo Gulch

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To : Honolulu Planning Commission,

As a resident of Ko Olina, I 'm very much disappointed what's happening with the Waimanalo Gulch Sanitary Landfill(WGSL). it's years and nothing done with no positive result and it seems like history will be repeating itself again.

All the previous sites that chosen but wasn't selected and a lot of money was wasted, didn't anyone considered using Military Land for a land fill?. The Military has a lot on Oahu that's not being used, why don't you look and think about that if it's feasible or possible.

Mahalo , Resident



-----Original Message-----

From: Warren Miles <wemiles47@gmail.com>

Sent: Sunday, May 14, 2023 6:14 AM

To: Takara, Gloria C <gtakara@honolulu.gov>

Subject: Waimanalo Gulch Land Fill Relocation

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I'm a condo owner in the Koolina resort and I wanted to express my concern about the delay in relocating the landfill at Waimanalo Gulch. I moved to Oahu in 2000 and while looking at a place to live within Koolina I was told the landfill was scheduled to relocate by 2008. Well close to 15 years later there is still no firm plan to relocate the landfill. I fully understand no one wants a landfill near their community but let's be fair to the people on the west side, it's time to bite the bullet/pull the trigger on relocating the landfill. No use citing all the spills over the years and false promises as well as the impact to tourism in Koolina. We all recognize the past problems, but enough is enough. Let's do the right thing and get a firm plan in place. Thanks for your consideration,

Warren Miles  
KoOlina Resident

**From:** Lmunsonusa <lmunsonusa@aol.com>  
**Sent:** Sunday, May 14, 2023 8:37 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Cc:** Lee Munson <lmunsonusa@aol.com>  
**Subject:** Oversight of Landfill Siting Process

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via email to: [gtakara@honolulu.gov](mailto:gtakara@honolulu.gov)

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To Whom It May Concern,

I am a property owner in full-time residence at Kai Lani at Ko Olina, which sits directly below the Waimanalo Gulch Sanitary Landfill, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone.

It has been a long road to get to this point, and the **Department of Environmental Services (ENV) has not met its deadlines all along the way.**

When I purchased my Kai Lani home, there was a commitment to close the Waimanalo Gulch Landfill, but **that commitment was not fulfilled.**

The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. **Those deadlines were not met.**

The ENV was later ordered to begin the process of identifying and developing **a new site by 2010, but no site was selected.** The LUC most recently set a deadline of **December 31, 2022,** for the City to identify an alternative landfill site to WGSL, **another deadline that was missed.**

When we moved here in 2003, standard environmental protocols were not being followed by Waste Management, the operator of Waimanalo Gulch Sanitary Landfill. Daily we watched plastic bags and airborne garbage blow down from the Landfill into the ocean. It wasn't until my neighbors, and I began submitting written and verbal testimony before various governing bodies did Waste Management incorporate standard environmental protection protocols into their operations. The lack of environmental protection protocols eventually resulted in significant fines from the United States Environmental Protection Agency.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste including used hypodermic needles from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. **The time has come for ENV to do its job and find a viable new location for our island's waste.**

This history of repeatedly missing deadlines and failing to meet without public pressure the most basic environmental protections is more than enough reason that **the Planning Commission must provide stringent oversight** of current operations at Waimanalo Gulch Landfill, and of the process to find a location for a new Landfill that will protect our environment and the health & safety of our people.

Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,

Lee Munson, Kai Lani at Ko Olina

**From:** Beverly Munson <beverly.chance.munson68@gmail.com>  
**Sent:** Sunday, May 14, 2023 8:40 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Waimanalo Gulch Sanitary Landfill

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via email to: [gtakara@honolulu.gov](mailto:gtakara@honolulu.gov)

RE: I Support Increased Oversight of the Landfill Siting Process

To Whom It May Concern,

I am a property owner in full-time residence at Kai Lani at Ko Olina, which sits directly below the Waimanalo Gulch Sanitary Landfill, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone.

It has been a long road to get to this point, and the **Department of Environmental Services (ENV) has not met its deadlines all along the way.**

When I purchased my Kai Lani home, there was a commitment to close the Waimanalo Gulch Landfill, but **that commitment was not fulfilled.**

The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. **Those deadlines were not met.**

The ENV was later ordered to begin the process of identifying and developing **a new site by 2010, but no site was selected.** The LUC most recently set a deadline of **December 31, 2022,** for the City to identify an alternative landfill site to WGSL, **another deadline that was missed.**

When we moved here in 2003, standard environmental protocols were not being followed by Waste Management, the operator of Waimanalo Gulch Sanitary Landfill. Daily we watched plastic bags and airborne garbage blow down from the Landfill into the ocean. It wasn't until my neighbors, and I began submitting written and verbal testimony before various governing bodies did Waste Management incorporate standard environmental protection protocols into their operations. The lack of environmental protection protocols eventually resulted in significant fines from the United States Environmental Protection Agency.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste including used hypodermic needles from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. **The time has come for ENV to do its job and find a viable new location for our island's waste.**

This history of repeatedly missing deadlines and failing to meet without public pressure the most basic environmental protections is more than enough reason that **the Planning Commission must provide stringent oversight** of current operations at Waimanalo Gulch Landfill, and of the process to find a location for a new Landfill that will protect our environment and the health & safety of our people.

Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,

Beverly M. Munson, Kai Lani at Ko Olina

**From:** Bart Rice <bfrice@alumni.rice.edu>  
**Sent:** Sunday, May 14, 2023 10:31 PM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Increased Oversight of the Landfill Siting Process

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Dear Honolulu Planning Commission,

As a resident of Ko Olina, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Bart Rice, Ko Olina Resident

92-1001 Ali'inui Dr, Apt 18B

Kapolei {KoOlina}, Hawaii 96707

808-744-8763

Via Email: [gtakara@honolulu.gov](mailto:gtakara@honolulu.gov)

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To Whom It May Concern,

I am a resident of West O`ahu that resides in Ko Olina, and I am writing to express my support for increased oversight by the Honolulu Planning Commission of the process to reevaluate options to explore potential landfill sites outside the No Pass Zone. It has been a long road to get to this point, and the Department of Environmental Services (ENV) has not met its deadlines all along the way. The State Land Use Commission (LUC) previously ordered the ENV to close the Waimanalo Gulch Sanitary Landfill (WGSL) by 2008 and to select a new site by 2004. Those deadlines were not met. The ENV was later ordered to begin the process of identifying and developing a new site by 2010, but no site was selected. The LUC most recently set a deadline of December 31, 2022, for the City to identify an alternative landfill site to WGSL, another deadline that was missed.

My community bears the burden of having the landfill mauka of our homes. You may recall the storms that washed medical waste from WGSL onto our beaches where our keiki play. We have housed the landfill in our community for way too long. The time has come for ENV to do its job and find a viable new location for our island's waste. Supporting additional oversight to identify an alternative landfill site by no means indicates approval for the extension of the use of Waimanalo Gulch as I support the closure of WGSL in my community.

Thank you for your attention to this matter.

Sincerely,

Michael Grabow

Ko Olina Resident

**From:** MGrabow <mgrabow4@gmail.com>

**Sent:** Monday, May 15, 2023 6:09 AM

**To:** Takara, Gloria C <gtakara@honolulu.gov>

**Subject:** Community Residents Support Increased Oversight of the Landfill Siting Process

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Please see attached letter for your consideration.

Thank you,

Michael Grabow  
Ko Olina Resident



**From:** Colleen Mehrer <rogncol@aol.com>  
**Sent:** Monday, May 15, 2023 7:22 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Landfill relocation

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I am a resident of Ko Olina and am concerned about the lack of progress in selecting a new landfill site. When we purchased our property in 2003, we were told that the landfill would be closed by 2008. We are still waiting 15 years later, and no progress has been made. The residents of West Oahu have born this burden long enough, and it is time that the landfill is moved to a new site.

Please urge the members of the selection committee to get serious about selecting a new site. No one wants a landfill in their backyard, so it will always have push-back no matter where you go, but there must be another location on this island that is suitable.

Thank you for your attention and diligence in moving this process forward.

Thank you,  
Colleen Mehrer  
Kai Lani  
Ko Olina

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

To the Honolulu Planning Commission,

I am writing as a resident of Ko Olina to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

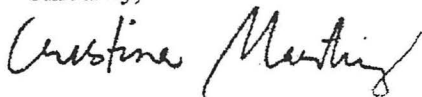
Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill. Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,



Cristina Martinez  
Ko Olina Resident

**From:** Josephine Quirante <jquirante@crisinapowerhouse.com>  
**Sent:** Monday, May 15, 2023 7:51 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Cc:** Cristina Martinez <cmartinez@crisinapowerhouse.com>; kailaniadm@gmail.com  
**Subject:** Landfill Extension - WGSL

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

To Honolulu Planning Commission,

Please see attached letter.

Thank you,

Joy Quirante for Cristina Martinez  
Finance Administrator  
**Cristina Martinez Company**  
1699 N. Capitol Ave. #30  
San Jose, CA 95132  
Phone: 408.519.1022  
Fax: 408.934.2010  
Fax to email: 408.684.5944  
[www.cristinapowerhouse.com](http://www.cristinapowerhouse.com)



**CRISTINAMartinez**  
\*A PowerHouse Real Estate Company\*

Powerhouse Property Management, Inc.  
a division of the Cristina Martinez Company

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May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Siting Process

Dear Honolulu Planning Commission,

As a resident of Ko Olina, I am deeply concerned about the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL). Over the years, our community has been adversely affected by the Landfill, and we have expressed concerns about odors, noise, dust, and truck traffic, among other issues.

Furthermore, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. This incident highlights the urgent need for a new landfill to be identified and implemented.

The pending application for an extension to the State Land Use Commission's deadline for identifying a new landfill site is just the latest delay in a long history of delays. The Landfill should have been closed and a new landfill opened a long time ago. The LUC had ordered the Landfill to close by 2008 and a new site to be selected by 2004. However, instead of following the LUC's directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Despite the numerous site selection processes that have taken place since then, no site has been selected. In response to the LUC's most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. However, the committee determined that none of the proposed sites were acceptable after eight meetings held between October 2021 and June 2022.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,



Hernani Mendoza  
Ko Olina Resident

**From:** Josephine Quirante <jquirante@cristinapowerhouse.com>  
**Sent:** Monday, May 15, 2023 7:52 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Cc:** Hernani Mendoza <hmendoza@cristinapowerhouse.com>; kailaniadm@gmail.com  
**Subject:** Landfill Extension - WGSL

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

To Honolulu Planning Commission,

Please see attached letter.

Thank you,

Joy Quirante for Hernani Mendoza  
Finance Administrator  
**Cristina Martinez Company**  
1699 N. Capitol Ave. #30  
San Jose, CA 95132  
Phone: 408.519.1022  
Fax: 408.934.2010  
Fax to email: 408.684.5944  
[www.cristinapowerhouse.com](http://www.cristinapowerhouse.com)



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**From:** Anne Pianca <anne.pianca@gmail.com>  
**Sent:** Monday, May 15, 2023 8:56 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Cc:** Anne Pianca <anne.pianca@gmail.com>  
**Subject:** Landfill Extension

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

To the Honolulu Planning Commission,

Please see attached and below regarding my deep concerns related to the ongoing issues with the Waimanalo Gulch Sanitary Landfill.

Regards,

Anne M. Pianca

May 15, 2023

RE: Community Residents Support Increased Oversight of the Landfill Site Selection Process

To the Honolulu Planning Commission,

I am writing as a resident of Ko Olina to express my deep concerns regarding the ongoing issues related to the Waimanalo Gulch Sanitary Landfill (WGSL).

Our community has been adversely affected by the Landfill for years, with residents, workers, and visitors expressing concerns about odors, noise, dust, blasting, visual blight, truck traffic, and flying litter from the Landfill. Additionally, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters in 2012.

It is unacceptable that the Landfill is still in operation despite the LUC's order to close it by 2008 and to select a new site by 2004. Instead of following these directives and the site selection committee's recommendation, the City selected the existing Landfill as the "new" landfill.

Since then, several site selection processes have taken place, but no site has been selected. The ENV formed a new site selection committee in 2021, but the committee determined that none of the proposed sites were acceptable.

Given the long history of delays and harmful effects on our community, I urge the Honolulu Planning Commission to require ENV to report quarterly in person to the Commission on

its efforts to select a new landfill. This oversight will provide us with reassurance that the risks and benefits associated with the proposed designation of a new site are being properly taken into consideration.

Thank you for your attention to this important matter.

Sincerely,

Anne M. Pianca  
Ko Olina Resident



Ko Olina Community Association, Inc. Testimony  
Project #2023/SUP-2(FK)  
May 15, 2023

**RE: KOCA Supports Increased Oversight of the Landfill Siting Process**

The Honolulu Department of Environmental Services (“ENV”) has missed every deadline associated with the closure and replacement of the Waimanalo Gulch Sanitary Landfill (“WGSL” or the “Landfill”). Its pending application seeks to push off the December 31, 2022 deadline to select a new landfill. ENV must be held to its closure deadline of March 2, 2028. To ensure the deadline is met, Ko Olina Community Association, Inc. (“KOCA”) asks that the Honolulu Planning Commission require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. Reporting during Commission meetings will provide the public with an opportunity to provide testimony and enable the Commission to hold ENV accountable.

KOCA is part of the Leeward community that has been adversely affected by the Landfill. Over the years, Ko Olina’s residents, workers, and visitors have expressed concerns regarding odors, noise, dust, blasting, visual blight, truck traffic and flying litter from the Landfill. LUC 11/1/19 Findings of Fact, Conclusions of Law, and Decision and Order Approving with Modifications the City and County of Honolulu Planning Commission’s Recommendation to Approve Special Use Permit (“LUC Decision”), Finding of Fact (“FOF”) ¶ 327. Indeed, in 2012, the Landfill released unknown quantities of municipal solid waste, sewage sludge, leachate, and medical solid waste into coastal waters. *Id.* ¶ 340.

The pending application involves the most recent delay in a long history of delays to identify a new landfill. ENV has asked to extend a deadline set by the State Land Use Commission (“LUC”) to “identify an alternative landfill site that may be used upon closure of WGSL.” LUC Decision at 104. The current deadline passed five months ago on December 31, 2022. *Id.*

The Landfill should have been closed and a new landfill opened a long time ago. The Landfill was ordered by the LUC to close by 2008 and a new site selected by 2004. LUC Decision, FOF ¶ 286. Several sites were identified by a site selection committee. Instead of following the LUC’s directives and the committee’s recommendation, the City selected the existing Landfill as the “new” landfill. *Id.* ¶¶ 287-89. The ENV was then ordered to begin the process of identifying and developing a new site by 2010 with reasonable diligence. *Id.* ¶¶ 59, 405. Another site selection process followed, sites were identified, but no site was selected.

In response to the LUC’s most recent order to identify a new site by December 31, 2022, the ENV formed a new site selection committee in 2021. Six sites were offered as the only alternatives. The committee held eight meetings between October 2021 and June 2022, during which time the committee determined that none of the proposed sites were acceptable.

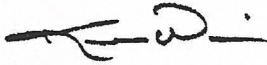


ENV has asked for more time to address issues posed by Act 73. This law was enacted in 2020, a year before the site selection committee was convened. ENV now proposes to explore the use of federal lands and to work with the Hawai'i Legislature on amendments to Act 73. These avenues should have been pursued prior to the initiation of the site selection committee process.

ENV's request for more time to select a new landfill should be viewed in this context of the long history of delays and harmful effects on the community. To ensure that a new landfill is selected as soon as possible and the closure deadline is met, the Honolulu Planning Commission should require ENV to report quarterly in person to the Commission on its efforts to select a new landfill. Meetings before the Commission will provide the public with a forum to participate in the process and offer public testimony. The Commissioners will be able to consider that public input to ask the right questions and hold ENV accountable. Oversight by the Commission will provide the community reassurance that the risks and benefits associated with the proposed designation of a new site are properly taken into consideration.

Thank you for the opportunity to submit testimony.

Sincerely,  
Ko Olina Community Association, Inc.

A handwritten signature in black ink, appearing to read 'Ken Williams', with a horizontal line extending to the right.

Ken Williams  
General Manager

**From:** Kristin Vasquez <kristin.vasquez@koolina.com>  
**Sent:** Monday, May 15, 2023 10:17 AM  
**To:** Takara, Gloria C <gtakara@honolulu.gov>  
**Subject:** Waimanalo Gulch Land Use Extension - 2023/SUP-2(FK)

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha Ms. Takara,

Please find attached testimony for the Ko Olina Community Association.

Mahalo,

***Kristin Vasquez***

Ko Olina Community Association, Inc.  
92-1047 Olani Street, Unit 1206  
Kapolei, HI 96707  
Phone: (808) 791-2199  
Fax: (808) 671.3640  
[Kristin.Vasquez@koolina.com](mailto:Kristin.Vasquez@koolina.com)

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

Application to Modify SUP No. 2008/SUP-2  
(SP09-403) by Modifying (1) Condition No. 1  
of the Planning Commission's Findings of  
Fact, Conclusions of Law, and Decision and  
Order, dated June 10, 2019, and (2) Condition  
No. 5 of the LUC's Findings of Fact,  
Conclusions of Law, and Decision and Order  
Approving with Modifications the City and  
County of Honolulu Planning Commission's  
Recommendation to Approve Special Use  
Permit, certified on November 1, 2019

FILE NO. 2008/SUP-2  
LUC DOCKET NO. SP09-403

**VERIFICATION**

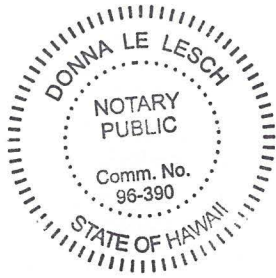
**VERIFICATION**

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

NICK GAROFALO, being first duly sworn on oath, deposes and says he is the General Manager of SCHNITZER STEEL HAWAII, CORP., and as such he is authorized to make and hereby makes this verification on behalf of SCHNITZER STEEL HAWAII CORP., that he has read the foregoing PETITION TO INTERVENE, knows the contents thereof, and the same is true to be his knowledge and belief.



NICK GAROFALO



*Donna Le Lesch*

Name: Donna Le Lesch  
Notary Public, State of Hawaii  
My commission expires: July 18, 2024

NOTARY CERTIFICATION STATEMENT

Document Identification of Description: VERIFICATION

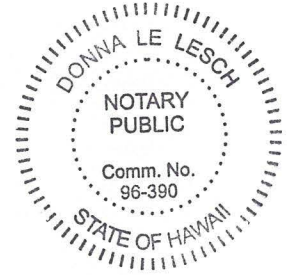
Document Date: 06/13/2023

No. of pages (including this page): 2 First Circuit

*Donna Le Lesch*  
Signature of Notary

06/13/2023  
Date of Notarization

DONNA LE LESCH



BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of the Application of

DEPARTMENT OF ENVIRONMENTAL  
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FILE NO. 2008/SUP-2  
LUC DOCKET NO. SP09-403

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was duly served  
upon the parties identified below on the date set forth below:

DEPARTMENT OF ENVIRONMENTAL SERVICES (via Certified Mail)  
City and County of Honolulu  
1000 Uluohia Street, Suite 308  
Kapolei, Hawaii 96707

DEPARTMENT OF PLANNING AND PERMITTING (Hand Delivery)  
City and County of Honolulu  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813

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(Hand Delivery)

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Attorney for Intervenor  
OFFICE OF PLANNING, STATE OF HAWAII

DATED: Honolulu, Hawaii, June 13, 2023.



---

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JOYCE W.Y. TAM-SUGIYAMA  
RIHUI YUAN  
Attorneys for Intervenor  
SCHNITZER STEEL HAWAII CORP.