

1224953v1

WATANABE ING LLP  
IAN L. SANDISON 5597  
JOYCE W.Y. TAM-SUGIYAMA 10325  
RIHUI YUAN 11535  
First Hawaiian Center  
999 Bishop Street, Suite 1250  
Honolulu, Hawaii 96813  
Email: isandison@wik.com  
jtam@wik.com  
ryuan@wik.com

2023 OCT -3 AM 10:49  
CITY & COUNTY OF HONOLULU



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  
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

STIPULATION TO ADMIT INTERVENOR  
SCHNITZER'S ADDITIONAL EXHIBITS  
INTO EVIDENCE; CERTIFICATE OF  
SERVICE

CONTINUED HEARING:  
Date: October 18, 2023  
Time: 9:00 a.m.

And

Date: November 1, 2023  
Time: 9:00 a.m.

**STIPULATION TO ADMIT INTERVENOR SCHNITZER'S ADDITIONAL  
EXHIBITS INTO EVIDENCE**

IT IS HEREBY STIPULATED AND AGREED, by and between, Schnitzer Steel Hawaii Corp. (“Schnitzer”), Ko‘Olina Community Association and Maile Shimabukuro (“KOCA”), and the City and County of Honolulu Department of Environmental Services (“ENV”) (collectively, the “Parties”), by and through their respective counsel, that the following is hereby stipulated to:

WHEREAS, at the public hearing held on August 9, 2023, the Planning Commission addressed several prehearing matters relating to the Contested Case Hearing on the Applicant ENV’s application to modify the State Special Use Permit – 2008/SUP-2, Waimanalo Gulch Sanitary Landfill;

WHEREAS, the Planning Commission admitted all exhibits filed by the parties as of August 9, 2023, into evidence for the Contested Case Hearing;

WHEREAS, the Contested Case Hearing will continue on October 18, 2023;

WHEREAS, on September 29, 2023, Schnitzer filed its Schnitzer’s Second Amended Exhibit List, adding Exhibits S-9 and S-19; and

WHEREAS, prior to Schnitzer’s filing, ENV and KOCA have examined and do not object to the admission of Exhibits S-9 through S-19 into evidence;

THEREFORE, the Parties hereby stipulate to the admission of those exhibits identified in Schnitzer’s Second Amended Exhibit List as S-9 through S-19 into evidence.

DATED: Honolulu, Hawai‘i, October 3, 2023.

/s/ Rihui Yuan  
IAN L. SANDISON  
JOYCE W.Y. TAM-SUGIYAMA  
RIHUI YUAN  
Attorneys for Intervenor  
SCHNITZER STEEL HAWAII CORP.

/s/ Christopher T. Goodin

---

CALVERT G. CHIPCHASE  
CHRISTOPHER T. GOODIN  
STACEY F. GRAY  
KATHERINE E. BRUCE  
Attorneys for Intervenors  
KO'OLINA COMMUNITY  
ASSOCIATION and MAILE  
SHIMABUKURO

/s/ Jeffrey Hu

---

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

BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of the Application of

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

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

DANA M.O. VIOLA, , ESQ.  
Corporation Counsel  
KAMILLA C. K. CHAN, ESQ.  
JEFFREY HU, ESQ.  
Deputy Corporation Counsel  
City and County of Honolulu  
530 South King Street, Room 110  
Honolulu, Hawaii 96813

(Hand Delivery)

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

CALVERT G. CHIPCHASE  
CHRISTOPHER T. GOODIN  
Cades Schutte LLP  
Cades Schutte Building  
1000 Bishop Street, Suite 1200  
Honolulu, Hawaii 96813

(Hand Delivery)

Attorney for Intervenors  
KO OLINA COMMUNITY ASSOCIATION and  
MAILE SHIMABUKURO

RICHARD NAIWIEHA WURDEMAN, ESQ.  
Attorney at Law, A Law Corporation  
Pauahi Tower, Suite 720  
1003 Bishop Street  
Honolulu, HI 96813

(Hand Delivery)

Attorney for Intervenor  
COLLEEN HANABUSA

ANNE E. LOPEZ, ESQ.  
Attorney General  
BRYAN C. YEE, ESQ.  
Department of the Attorney General  
425 Queen Street  
Honolulu, HI 96813

(Hand Delivery)

Attorney for Intervenor  
OFFICE OF PLANNING, STATE OF HAWAII

DATED: Honolulu, Hawai'i, October 3, 2023.

/s/ Rihui Yuan

IAN L. SANDISON

JOYCE W.Y. TAM-SUGIYAMA

RIHUI YUAN

Attorneys for Intervenor

SCHNITZER STEEL HAWAII CORP.