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DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU

2024 MAR 27 AM 10:05  
DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU



BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAI'I

In the Matter of Application of

DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU

Application to Modify SUP No. 2008/SUP-2  
(SP09-403) by Modifying 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's  
Planning Commission's Recommendation to  
Approve Special Use Permit, certified on  
November 1, 2019

FILE NOS. 2008/SUP-2  
2023/SUP-2

DEPARTMENT OF ENVIRONMENTAL  
SERVICES, CITY AND COUNTY OF  
HONOLULU'S RESPONSE TO THE  
PLANNING COMMISSION OF THE CITY  
AND COUNTY OF HONOLULU'S DRAFT  
FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND DECISION AND ORDER;  
CERTIFICATE OF SERVICE

**DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF  
HONOLULU'S RESPONSE TO THE PLANNING COMMISSION OF THE CITY AND  
COUNTY OF HONOLULU'S DRAFT FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND DECISION AND ORDER**

COMES NOW Applicant DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU ("Applicant" or "ENV"), by and through its attorneys, JEFFREY HU and KAMILLA C. K. CHAN, Deputies Corporation Counsel, and respectfully submits its Response to the Planning Commission of the City and County of Honolulu's ("Planning Commission") draft Findings of Fact, Conclusions of Law, and Decision and Order, emailed to the parties on March 1, 2024, pursuant to the Planning Commission's instructions for responses to be submitted by EOB on March 27, 2024.

ENV maintains its positions stated in its filings dated December 22, 2023 (ENV's Proposed Findings of Fact, Conclusions of Law, and Decision and Order) and January 9, 2024 (ENV's Response to Intervenors Ko Olina Community Association and Maile Shimabukuro's Proposed Findings of Fact, Conclusions of Law, and Decision and Order). But for the sake of compromise, ENV has no objections to the Planning Commission's draft Findings of Fact, Conclusions of Law, and Decision and Order.

ENV reserves the right to respond to arguments made by other parties at the April 3, 2024 hearing.

DATED: Honolulu, Hawai'i, March 27, 2024.

DANA M.O. VIOLA  
Corporation Counsel

By  \_\_\_\_\_  
JEFFREY HU  
KAMILLA C. K. CHAN  
Deputies Corporation Counsel

BEFORE THE PLANNING COMMISSION  
OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

In the Matter of Application of

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FILE NOS. 2008/SUP-2  
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CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A COPY OF THE **DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU'S RESPONSE TO THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU'S DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER** was duly served by hand-delivery, to the following on the date below, addressed as follows:

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DATED: Honolulu, Hawai'i, March 27, 2024.

DANA M.O. VIOLA  
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By   
JEFFREY HU  
KAMILLA C. K. CHAN  
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