

LAND USE COMMISSION
MEETING MINUTES
August 22, 2024 – 9:00 a.m.

Pursuant to Hawai'i Revised Statutes, HRS §92 as amended, the Commission conducted its meeting in hybrid format. Interested persons submitting written testimony were recommended to submit their written Statements 24 hours in advance of the meeting to allow for distribution to the Commission prior to the meeting.

LOCATION: Leiopapa A Kamehameha, State Office Tower, Room 405
235 S Beretania Street, Room 405, Honolulu, HI 96813

VIRTUAL: <https://us02web.zoom.us/j/85483849429?pwd=oBxafZ9mTykBWtvdWeust5sszyvB1w.1>

YOUTUBE RECORDING: (<https://www.youtube.com/watch?v=6u722CLegfA>)

COMMISSIONERS PRESENT:

Dan Giovanni
Mel Kahele
Brian Lee
Nancy Carr Smith
Bruce U'u
Myles Miyasato

STAFF PRESENT:

Daniel Orodener, Executive Officer
Scott Derrickson, Chief Planner
Martina Segura, Staff Planner
Ariana Kwan, Chief Clerk
Miranda Steed, Esq. Deputy Attorney General

COURT REPORTER:

Naegeli Deposition and Trial
(Via Zoom Recording)

CALL TO ORDER (*YouTube: 00:00:08*)

Chair Giovanni, called the meeting to order at 9:02 a.m.

SP09-403 DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU (WAIMĀNALO GULCH SANITARY LANDFILL) (O'AHU) (*YouTube: 00:03:35*)

Adoption of Findings of Facts, Conclusions of Law, and Decision and Order for Application to Modify SP09-403 (SUP No. 2008 SUP-2)

Appearances

Petitioner

City and County of Honolulu
Department of Environmental Services ("ENV")
Jeffrey Hu, Esq. Deputy Corporation Counsel

City and County of Honolulu
Department of Planning ("DPP")
Pono Arias, Esq. Deputy Corporation Counsel

Office of Planning and Sustainable Development ("OPSD")
Katia Balassiano, Land Use Development
Program Administrator
Alison Kato, Deputy Attorney General

Intervenors

Schnitzer Steel Hawai'i Corporation
Joyce Tam-Sugiyama, Esq.
Rihui Yan, Esq.

Ko Olina Community Association ("KOCA")
and Maile Shimabukuro
Calvert Chipchase, Esq.
Christopher Goodin, Esq.

Disclosures (*YouTube: 00:06:17*)

Commissioner Hayashida recused himself from the matter, and there were no further disclosures.



Public Testimony Round One (YouTube: 00:09:02 - 00:09:30)

The Land Use Commission received no written testimonies prior to the meeting on the Adoption of the Draft Findings of Facts, Conclusions of Law, and Decision and Order for Application to Modify SP09-403.

Presentations (YouTube: 00:09:35 - 00:23:20)

ENV (YouTube: 00:09:35 - 00:10:33) had no comments on the adoption of the proposed decision and order. Commissioner Kahele asked a question of the Petitioner regarding the lifespan of Waimānalo Gulch Sanitary Landfill and the future of association of the PVT Landfill.

KOCA (YouTube: 00:10:36 - 00:14:41) suggested revision to pg. 68, to specify that the in person quarterly reporting requirement imposed by the City and County of Honolulu Planning Commission and further subject to quarterly reporting from the Applicant to the Land Use Commission in writing. There were no objections by the Parties.

Schnitzer Steel Hawai'i (YouTube: 00:18:43 - 00:19:45) supported the adoption of the proposed decision and order with the changes suggested by KOCA. There were no questions from the parties or Commissioners.

City and County Department of Planning and Permitting (YouTube: 00:19:50 - 00:20:47) had no objections as to the form of the proposed order. There were no questions from the parties or Commissioners.

OPSD (YouTube: 00:20:55 - 00:22:17) presented their support for the adoption of the proposed decision and order, with the amendments identified by KOCA. Additionally, OPSD identified two typographical errors (p.19 highlighted word and p.56 misspelling). There were no questions or objections from the parties.

Public Testimony Round Two (YouTube: 00:23:20 - 00:23:39)

Chair Giovanni invited public testimony on this matter, there were no individuals that wished to provide public testimony on the matter at this time.

Deliberations (YouTube: 00:23:47 - 00:28:58)

Commissioner Lee moved to adopt and authorize the Chair to sign the Draft Findings of Facts, Conclusions of Law, and Decision and Order for Application to Modify SP09-403, with the amendments to specify that the in person quarterly reporting requirement imposed by the City and County of Honolulu Planning Commission and further subject to quarterly reporting from the Applicant to the Land Use Commission in writing, and the two typos identified by OPSD. Commissioner Carr Smith seconded the motion. The motion was approved with 6 ayes, 0 nays, 2 excused, and 1 recused.

ADJORNMENT (YouTube: 00:29:14)

Chair Giovanni adjourned the meeting at 9:31 a.m.