



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
DEPUTY DIRECTOR
ABBEY SETH MAYER
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P O. Box 2359, Honolulu, Hawaii 96804

Telephone : (808) 587 2846
Fax : (808) 587 2824

Ref. No. P-12503

April 3, 2009

Mr. David K. Tanoue, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Tanoue:

Subject: Application for a Special Use Permit for an Expansion and Time Extension
for the Waimanalo Gulch Sanitary Landfill
2008/SUP-2 and 86/SUP-5
92-460 Farrington Highway, Kapolei, Hawaii
TMK: 9-2-3. 72 and 73

The Office of Planning has reviewed the application for a State Special Use Permit File Number 2008/SUP-2 and 86/SUP-5 to allow a 92-acre expansion and a minimum 15-year time extension for the Waimanalo Gulch Sanitary Landfill. We offer the following comments.

We note that the City has initiated both a Petition for a District Boundary Amendment (DBA) to reclassify approximately 200 acres in Waimanalo Gulch from the State Agricultural District into the State Urban District and a Special Use Permit (SUP) to expand the current landfill site from 107 acres to 200 acres and extend the time limit on the use to a minimum of 15 years.

The Office of Planning has recommended denial of the proposed DBA. It is our view that landfills are a temporary use which should be subject to periodic review and imposition of conditions to mitigate adverse impacts on the environment and adjacent communities. Periodic reviews will also help ensure motivation to reduce the volume of the municipal solid waste stream through expanded recycling, garbage to energy conversion, and other feasible alternatives. Lastly, upon closure of the landfill, this site will not be suitable for urban uses and should thus remain in the Agricultural District. Accordingly, the expansion of the landfill should be handled through the SUP process rather than the DBA process.

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A commitment was made by the City and County of Honolulu to the State Land Use Commission in 2003 to close the Waimanalo Gulch Landfill by 2008. Because the time limit on this commitment has passed, an immediate and far greater effort is needed to reduce the necessity for landfill space and fulfill this commitment as soon as possible.

In the meantime, the Planning Commission should review the current conditions in 86/SUP-5 and impose those that they deem necessary to mitigate adverse impacts of the landfill on the environment and adjacent communities.

In addition, the Planning Commission should require the Department of Environmental Services (ENV) and Waste Management Hawaii to comply with Chapter 6E in regard to the stone uprights to the satisfaction of the State Historic Preservation Division; and comply with the City's Solid Waste Management Plan to the satisfaction of the State Department of Health.

The Office of Planning is not aware of any mitigating measures which ENV has committed to perform in order to reduce the City's need for landfilling, at least not within this SUP application. Although the ENV has stated that it "remained active in the investigation of feasible alternatives to landfilling," the Office of Planning could not identify a specific and enforceable commitment to actually implement any of the alternatives.

Accordingly, the Planning Commission should require at a bare minimum the Department of Environmental Services to provide a schedule for the completion of the following programs: (1) Installation of the third burner at H-Power; (2) Transshipment of garbage; and (3) Expansion of curbside recycling to the entire island of O'ahu. The schedule for completion and initiation of these programs should be expedited to every extent feasible. The Department of Environmental Services should also be required to comply with this schedule, and report back to the Planning Commission as to its progress on these and other mitigating measures in its annual status reports.

Finally, approval of this SUP should be granted in part, for the current footprint of 107 acres only without expansion, limited to a short period of time of no more than three years, in order to assure residents of the Leeward Coast that everything possible is being done to pursue alternatives and fulfill past commitments. An approval for expansion to the entire 200 acre parcel would reduce the pressure on the City and County of Honolulu to fulfill its commitment in Resolution No. 04-348 to "effectively eliminate, to the extent possible, the need for a landfill."

Furthermore, the City's is engaging in considerable and commendable landfill alternative efforts, such as installing a third boiler at H-Power, transshipping of garbage, and curbside recycling. When completed, these alternatives will reduce and possibly eliminate the need for

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additional landfill space. It would be premature, therefore, to grant a 92-acre landfill expansion at this time before the success of these efforts can be judged.

Thank you for the opportunity to comment. If you have questions, please call me at 587-2833.

Sincerely,

A handwritten signature in black ink, appearing to read "Abbey Seth Mayer", with a long horizontal flourish extending to the right.

Abbey Seth Mayer
Director

c: Orlando Davidson, LUC

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