

LINDA LINGLE
GOVERNOR



ANTHONY J.H. CHING
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
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Will see per phone
John

March 1, 2006

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DEPARTMENT OF ENVIRONMENTAL SERVICES

Mr. Eric Takamura
Department of Environmental Services
City and County of Honolulu
1000 Uluohia Street, Suite 308
Kapolei, Hawaii 96707

Dear Mr. Takamura:

Subject: LUC Docket No. SP87-362/Department of Environmental Services, City and County of Honolulu (fka Department of Public Works, City and County of Honolulu)

This is to request that you or a representative of your department appear before the Land Use Commission (LUC) at its meeting on April 21, 2006, in Honolulu, Hawaii, to provide an oral status report on the expansion of the Waimanalo Gulch Sanitary Landfill and on your department's progress in complying with the conditions of approval imposed thereon.

As you know, by Decision and Order Approving Amendment to Special Use Permit issued on June 9, 2003, the LUC imposed 19 conditions on the expansion of the landfill on approximately 21 acres of land. As you also know, by Order Granting in Part and Denying in Part Motion to Amend and/or Stay the Decision and Order Approving Amendment to Special Use Permit Dated June 3, 2003 issued on May 10, 2004, the LUC granted an extension to the deadline by which to select a landfill site from June 1, 2004, to December 1, 2004, subject to the City Council's submittal of monthly progress reports to the LUC to include, among other things, updates on the City's efforts to select a new landfill site and to find alternative technologies to reduce or eliminate landfilling.

EXHIBIT K90

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The progress reports were to specifically include an assessment of the progress to date of the City Council and/or the Department of Environmental Services to:

- Review and accept or reject all or portions of the Mayor's Advisory Committee Report (MACR);
- Solicit and review for accuracy and acceptability financial costs estimates for securing, outfitting and operationalizing alternative municipal solid waste (MSW) landfill sites based upon the receipt of letters from landowners and/or occupants of the alternative landfill sites and other research;
- Receive public input and comment according to the work plan specified by the City Council and/or its Public Works Committee;
- Identify and include any additional MSW landfill sites (per City Council action) into the site review and selection process;
- Assemble any final report documenting the criteria and factors utilizing by the City Council in making its selection of an alternative MSW landfill site and specifying a project development schedule (outlining the necessary steps to be taken to acquire, develop and operate the proposed landfill site on or about June 2008 as per the LUC special use permit);
- Specify appropriate and necessary City and County of Honolulu FY 2005 (and beyond) budget items to fund the selection and/or establishment of a new MSW landfill site;
- Finalize the closure plan for the existing MSW landfill at Waimanalo Gulch (as per the LUC special use permit);
- Understand and/or operationalize alternative technologies and methodologies for processing municipal solid waste;
- Establish waste reduction and recycling programs designed to reduce (if not eliminate) the volume of municipal solid waste which is landfilled; and

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- Secure if appropriate, any necessary amendment to the LUC special use permit in effect for LUC Docket No. SP87-362 Department of Environmental Services, City and County of Honolulu (fka Department of Public Works, City and County of Honolulu).

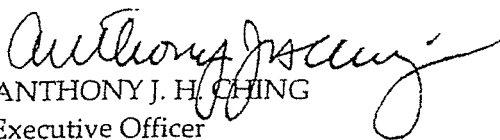
Review of our records indicates that the last such monthly progress report received was dated November 30, 2004. Given the time that has passed since the submittal of this report and the continuing interest in this matter, we believe it is imperative that the LUC be kept apprised of the City's current efforts to resolve the issues and concerns associated with the operation and closure of the landfill.

An agenda specifying the date, time, and place of the LUC's meeting will be provided to you as soon as it is filed.

Finally, the LUC would like to take a field trip to the landfill site on April 20, 2006. We will contact you shortly to make the necessary arrangements.

Please feel free to contact Bert Saruwatari of my office at 587-3822, should you require clarification or any further assistance.

Sincerely,


ANTHONY J. H. CHING
Executive Officer