

RECEIVED

August 11, 2011 AUG 12 A9:51

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

David K. Tanoue, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813

Re: Waimanalo Gulch Landfill, Project File # 2011/GEN-8

Dear Mr. Tanoue:

We understand that the Department of Planning and Permitting is currently reviewing an application to extend the July 31, 2012, deadline for the closure of the Waimanalo Gulch Sanitary Landfill.

As home owners in the Ko Olina Resort community , we urge you in the strongest possible terms to oppose any extension to the July 31, 2012, deadline. The Waimanalo Gulch Landfill poses a hazard to the health and well-being of the residents of the Waianae Coast and of Ko Olina and jeopardizes the significant economic contributions of the Ko Olina Resort.

In our view, the following factors make it unwise to continue the operation of Waimanalo Gulch Landfill beyond July 31, 2012:

- **Waste Management of Hawaii, the landfill's operators, have a history of 20 violations, as cited by EPA and DOH, and have been assessed over \$3 million in fines on WMH.** This long history of negligent behavior and apparent disregard for public safety call into question their fitness to continue to operate a landfill for the City and County. What assurance is there that they will change their behavior?
- **The particular construction of the Waimanalo Gulch Landfill makes it much more vulnerable to serious spills than a landfill where the opala is in a hole in the ground.** Waimanalo Gulch is a natural drainage-way and relies on several berms to hold the mountain of opala in place. Moreover, the site was built to landfill construction standards lower than those now in effect.

EXHIBIT K122

David K. Tanoue

- **The landfill is in close proximity to growing residential areas and presents an ongoing threat to the health and safety of all residents of the Waianae Coast and Ko Olina Resort through the potential for spills and ground water contamination.** The growth of population and homes in the 22 years since the landfill was opened have made its location increasingly unsuitable.

- **The Waimanalo Gulch Landfill is a threat to the significant economic contribution that the Ko Olina Resort makes to the City and County of Honolulu and to the state of Hawaii.** An independent economic analysis of Ko Olina Resort done by CB Richard Ellis in January of this year shows the following economic benefits of the resort:
 - Current direct spending of \$520 million annually and 2,800 jobs locally.
 - Current indirect spending of \$280 million and 1,500 jobs.
 - Future direct spending estimated at \$925 million and 5,200 jobs.
 - Future indirect spending estimated at \$501 million and 2,800 jobs.
 - Future construction spending, direct and indirect, estimated at \$5.7 billion and 43,000 jobs.
 - Current tax revenue to the City and County of \$20 million annually and \$40 million to the State.
 - Projected tax revenues of \$55 million annually to the City and County and \$71 million to the State.

A single disastrous spill or series of spills could significantly change these figures, bringing to a halt future construction and driving tourists and homeowners from Ko Olina at alarming rates.

On a personal note, we would like to say that we experienced the January 2011 spill. It was not a pretty sight. Quantities of medical waste and other landfill debris were seen in the water and on the beaches of Ko Olina and along the Waianae Coast. The water and beaches were closed to the public. The beaches of the hotels and time shares were empty, and business slowed at the Ko Olina marina, restaurants, hotels and timeshare. We wondered at the lost revenue, not

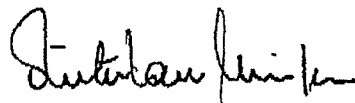
only for the hotel and restaurant owners, but also in terms of the trickle-down effect on resort workers and community businesses.

Finally, we want to note that the time for action by the City and County is long overdue. We are aware that it takes several years to locate and construct a new landfill. However, we also realize that the city and County have been aware of this timeframe for some time and have failed to make substantial progress to identify a new landfill or to find other ways of dealing with the waste. The increased incineration of medical waste and increased recycling are steps in the right direction, and we urge the construction of a third burner at HPOWER and expanded recycling. We also urge the city to consider new technologies used in other cities and countries. We happen to have spent considerable time in both Japan and the Netherlands and are aware of the countries' use of innovative technologies which minimize landfill usage. There is no reason that Hawaii cannot be equally forward-looking in its waste management.

The time has come for the city and county of Honolulu to do what is right and prudent in this matter. Please use your authority to see that the landfill is closed on July 31, 2012.

Thank you very much,


Pieter and Claire van Wingerden



Kai Lani, Unit 23D, Ko Olina