



SPECIAL PERMIT	
Petition Received	_____
Maps	_____
Action Span	_____
Action Date	OCT 31, 1987
Recordation	NOV 6, 1987



<p>PETITION FILED: August 9, 1989</p> <p>SP87-362 DEPT. OF PUBLIC WORKS, CITY AND COUNTY OF HONOLULU</p>	<p>Sam Callejo, Director Dept. of Public Works City and County of Honolulu 650 South King Street Honolulu, HI 96813</p>
<p>COUNTY</p> <p>DONALD A. CLEGG, Chief Planning Officer City and County of Honolulu Dept. of General Planning 650 South King Street Honolulu, HI 96813</p>	
<p>rec'd 8-23-89</p>	<p>1) Notice of Public Hearing; 2) HECO letter and attachment 3) DPW Special Permit Application and Attachment (Per telecon request of William Enriquez of DCA on 8/22/89.)</p>
<p>9/6/89</p>	<p>Staff report to LUC, Donald A. Clegg, Sam Callejo (Dept. of Public Works)</p> <p>to</p>
<p>9/12/89</p>	<p>Agenda sent to D. Clegg, Sam Callejo, also to all persons &amp; organizations on the Statewide &amp; Oahu mailing lists. Action set for 9/21,22/89.</p> <p>fl</p>
<p>9/14/89</p>	<p>Amended Agenda sent to D. Clegg, Sam Callejo, Planning Commission, &amp; all persons &amp; organizations on the Statewide &amp; Oahu mailing lists. Action set for 9/21,22/89.</p> <p>fl</p>
<p>10/31/89</p>	<p>Served Findings of Facts, Conclusions of Law and Decision and Order to D. Clegg, Sam Callejo.</p> <p>to</p>





Room 104, Old Federal Building, 335 Merchant Street  
Honolulu, Hawaii 96813 Telephone: 548-4611

## COMMISSION MEMBERS:

Sharon R. Himeno  
Allen K. Hoe  
Allen Y. Kajitoka  
Eusebio Lapenia, Jr.  
James M. Shinno  
Elton Wada  
Frederick P. Whittemore

ESTHER UEDA  
Executive Officer

November 7, 1989

NOTIFICATION OF SPECIAL PERMIT DECISIONS  
AND DECLARATORY RULING FILED BY THE STATE LAND USE COMMISSION

To all concerned agencies:

The Findings of Fact, Conclusions of Law and Decision and Order for the following special permit petitions and declaratory ruling have been filed by the Land Use Commission:

<u>Petition Docket No.</u>	<u>Special Permits Requested</u>	<u>LUC Action on September 21, 1989</u>	<u>Date of Decision and Order</u>
SP73-159 TOYAMA GARDENS HAWAII CORP. dba NANI MAU GARDENS	For a Third Amendment to the Special Permit to Allow the Expansion of an Existing Commercial Arboretum and Related Uses on Approximately 33.786 Acres of Land Within the Agricultural District at Waiakea, South Hilo, Hawaii	Approved Third Amendment for approximately 33.786 acres at Waiakea, South Hilo, Hawaii, TMK: 2-2-48: Parcels 15, 85, 86, 88, 93 and Portion 12 (see map attached)	October 31, 1989
✓ SP87-362 DEPARTMENT OF PUBLIC WORKS, CITY & COUNTY OF HONOLULU	For a First Amendment to the Special Permit to Allow the Expansion of an Existing Sanitary Landfill on Approximately 26 Acres of Land Within the Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu	Approved First Amendment for approximately 26 acres at Waimanalo Gulch, Honouliuli, Ewa, Oahu, TMK: 9-2-03: Portion of Parcel 2 (See map attached)	October 31, 1989



Notification of Special Permit  
Decisions, and Declaratory Ruling  
filed by the State Land Use Commission  
Page Two

<u>Petition Docket No.</u>	<u>Declaratory Ruling Requested</u>	<u>IUC Action on September 21, 1989</u>	<u>Date of Decision and Order</u>
DR89-15 WILLIAM C. PEEBLES	For a Declaratory Ruling to Determine the Urban/Conser- vation District Boundary at Kaneohe, Koolaupoko, Oahu	Denied Petition For Ruling to Establish the State Land Use Urban/Conservation District Boundary at Kaneohe, Koolaupoko, Oahu, TMK: 4-4-13: Parcel 73	October 30, 1989

Should you have any questions, please do not hesitate to  
contact this office.

Sincerely,



ESTHER UEDA  
Executive Officer

EU:to  
Att.



NOTIFICATION OF BOUNDARY AMENDMENT DECISIONS BY LUC

Concerned Agencies

State (all petitions)

1. Office of State Planning - (1) Harold Masumoto  
(2) LUD-Abe Mitsuda
2. Dept. of Transportation - Office of the Director
3. Board of Land & Natural Resources - Office of the Chairman
4. Dept. of Education - Facilities & Auxiliary Services Branch
5. Office of Environmental Quality Control
6. USDA Soil Conservation Service - Attention: Harry Sato
7. Board of Agriculture - Office of the Chairman
8. C&C, Dept. of Finance - Mapping Section
9. Deputy Attorney General - John Anderson

City & County of Honolulu (Oahu petitions only)

1. Dept. of General Planning - Chief Planning Officer
2. Dept. of general Planning - Division Head,  
Policy Analysis Division
3. Dept. of Land Utilization - Director
4. Planning Commission - Executive Secretary
5. Board of Water Supply - Manager and Chief Engineer
6. Dept. of Public Works - Director
7. C&C, Dept. of Finance - Property Assessment Section
8. C&C, Dept. of Finance - Property Technical Office

Hawaii County (Hawaii petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works
5. Real Property Tax Office

Maui County (Maui petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works
5. Real Property Tax Division

Kauai County (Kauai petitions only)

1. Dept. of Planning - Director
2. Planning Commission - Chairman
3. Dept. of Water Supply
4. Dept. of Public Works
5. Real Property Division







BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
DEPARTMENT OF PUBLIC WORKS, )  
CITY AND COUNTY OF HONOLULU )  
For an Amendment to the Special )  
Use Permit Which Establishes a )  
Sanitary Landfill on Approximately )  
60.5 Acres of Land Situate Within )  
the Agricultural District at )  
Waimanalo Gulch, Honouliuli, Ewa, )  
Oahu, Tax Map Key No.: 9-2-03: )  
Portion of Parcel 2 and Portion )  
of Parcel 13 )

DOCKET NO. SP87-362

DEPARTMENT OF PUBLIC  
WORKS, CITY AND COUNTY  
OF HONOLULU

This is to certify that this is a true and correct  
copy of the Decision and Order on file in the office  
of the State Land Use Commission, Honolulu Hawaii.

OCT 31 1989

Date

by

Executive Officer

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION AND ORDER

OCT 31 8 32 AM '89  
LAND USE COMMISSION  
STATE OF HAWAII



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	)	DOCKET NO. SP87-362
	)	
DEPARTMENT OF PUBLIC WORKS,	)	DEPARTMENT OF PUBLIC
CITY AND COUNTY OF HONOLULU	)	WORKS, CITY AND COUNTY
	)	OF HONOLULU
For an Amendment to the Special	)	
Use Permit Which Establishes a	)	
Sanitary Landfill on Approximately	)	
60.5 Acres of Land Situate Within	)	
the Agricultural District at	)	
Waimanalo Gulch, Honouliuli, Ewa,	)	
Oahu, Tax Map Key No.: 9-2-03:	)	
Portion of Parcel 2 and Portion	)	
of Parcel 13	)	
_____	)	

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION AND ORDER

The Department of Public Works, City and County of Honolulu (hereinafter the "Petitioner") initiated this proceeding pursuant to Section 205-6, Hawaii Revised Statutes, as amended, and Subchapter 12 of the Hawaii Land Use Commission Rules. The Land Use Commission (hereinafter the "Commission") having considered the entire record on this matter, hereby makes the following findings of fact, conclusions of law and decision and order:

FINDINGS OF FACT

Procedural Matters

1. Petitioner filed the amendment to Special Permit 87-362/Department of Public Works with the Department of Land Utilization, City and County of Honolulu on June 16, 1989.



2. On July 26, 1989, the City and County of Honolulu Planning Commission (hereinafter the "Planning Commission") conducted a public hearing on the request. Public testimony was presented by Jane Ross, Chairperson of Neighborhood Board Number 23. The Planning Commission also received a written statement from William W. Paty, Director of the State Department of Land and Natural Resources.

3. On July 26, 1989, the Planning Commission voted to recommend approval with one additional condition. The record of the proceeding on the Special Permit amendment (hereinafter "Amendment") was received by the Commission on August 9, 1989.

#### Background Information and Proposed Amendment

4. By Decision and Order issued on April 20, 1987, the Commission approved the original special permit for a landfill site for approximately 60.5 acres subject to eight conditions as follows:

"1. That an earth berm shall be installed prior to the commencement of any waste disposal operations.

"2. The landscaping plans which would include plant names, sizes, quantities and location shall be submitted to the Department of Land Utilization for approval and shall be implemented within 90 days of completion of the berm work.

"3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.



"4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.

"5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.

"6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.

"7. That the project be completed and operating within 3 years of the approval of the special use permit.

"8. That the City and County of Honolulu indemnify and hold harmless the State of Hawaii and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination or noise, odor pollution relative to the operation of the landfill."

5. Petitioner's Exhibit 3 of the original Special Permit docket reflected an area of approximately 80 plus acres for the landfill site. However, the Planning Commission's approval at that time was for 60.5 acres.

#### Description of Property

6. The 60.5 acre previously approved landfill site and the proposed expansion area (hereinafter collectively the



"Project Site") is in Waimanalo Gulch adjacent to and on the Makakilo side of the Kahe Electric Power Plant. The site abuts the mauka side of Farrington Highway and is mauka of the proposed Ko Olina Resort (formerly known as the West Beach Resort). The Honokai Hale residential subdivision is approximately one mile east of the Project Site.

7. The proposed 26-acre expansion area, Oahu Tax Map Key Number: 9-2-03: portion of 2, (hereinafter the "Property") is located immediately mauka and contiguous to the existing approved 60.5-acre area.

8. The Project Site is located adjacent to 13 single-family dwellings. These dwellings are located within the Agricultural District situate between the Kahe Power Plant Urban District and the Project Site, mauka of Farrington Highway.

9. The previously approved 60.5-acre area is presently being developed for landfill use.

10. The expansion area is traversed by three electrical transmission lines originating from the Kahe Power Plant.

11. Soils found on the Project Site are classified as Lualualei extremely stony clay 3 to 5% slope (LPE) and Rock Land (rRK).

12. The Project Site is located in an area that receives between 20 and 30 inches of rainfall per year.



Groundwater found below the Project Site is brackish with a salinity range of 250 to 19,000 parts per million chloride content.

13. The Project Site is not classified by the Agricultural Lands of Importance to the State of Hawaii system.

14. No endangered plants and animals were found on the Project Site.

15. The Department of Land and Natural Resources indicates that the landfill project will have no effect on significant historic sites.

16. Petitioner indicates that the Property is owned by the City and County of Honolulu.

17. Access to the Project Site is currently provided by Farrington Highway, a four lane divided highway. Petitioner proposes to improve Farrington Highway by constructing exclusive turning lanes connecting to a 2000 lineal foot access roadway on the Project Site.

#### Description of Proposed Amendment to Special Permit

18. The current request is to modify the existing Special Permit by including approximately 26.0 acres of land inadvertently left out of the original Special Permit for a total Special Permit area of 86.5 acres.

19. Petitioner proposes this addition in order to allow enough land area for the proposed administration building, weighing station, drainage structures and access roads.



#### State and County Plans and Programs

20. The Property is located in the State Agricultural District as designated on State Land Use District Boundary Map O-6 Ewa, Hawaii.

21. The City and County of Honolulu Ewa Development Plan designates the Property as Agriculture. Zoning is AG-2 General Agriculture. The current zoning allows the use of the Property for sanitary landfill.

22. The Property is not located within the Special Management Area.

#### Environmental Concerns

23. Environmental concerns such as the possible contamination of offshore waters from leachates generated at the Project Site; visual, noise, dust, odor and traffic impacts on surrounding existing and proposed communities were addressed in the Environmental Impact Statement accepted by the Department of Land Utilization on October 17, 1985 and submitted with the original Special Permit application.

#### Agency Comments

24. The State Department of Health indicates in its June 29, 1989 letter (Petitioner's Exhibit E) that the Petitioner will need to amend its original Solid Waste Management Permit to reflect the modification.

25. The Department of Land and Natural Resources had no objections to the proposed 26-acre addition.



26. The Hawaiian Electric Company, Inc. (HECO) indicates in its July 12, 1989 letter, the following:

"During construction, adequate safety precaution must be taken to prevent construction equipment from contacting our overhead facilities. In order to work under our lines, the following conditions must be agreed to:

"Hawaiian Electric reserves the right to review and approve any proposed construction work within our easement area.

"No buildings or structures are to be erected within the easement area.

"The minimum clearance from the lowest conductor to ground shall be as specified by General Order No. 6.

"No grading work will be allowed within a 20-foot radius of any poles, structures or anchors without Hawaiian Electric's approval.

"Vehicular access will be required to each easement area for maintenance and for future construction.

"In addition, the City and contractor must provide us with a Hold Harmless Agreement before any work is done under our overhead lines."

#### Conformance With Special Permit Tests

27. In support of the proposed amendment to the Special Permit, the Department of Land Utilization (DLU) provided, in part, the following:

"The request to modify the State Special Use Permit to increase the Waimanalo Gulch Sanitary Landfill site by 26.0±



acres meets the State Land Use Agriculture District's "Five Tests to be applied."

"The effects of the proposed modification were adequately reviewed during the original State Special Use Permit process and during the preparation of the Environmental Impact Statement. The modification will not adversely impact on the surrounding properties if conditions of approval required by the SLUC approve (Attachment C, Docket No. SP87-362) and 86/SUP-5 remain in effect and are implemented."

Planning Commission Recommendation

28. On August 3, 1989, the Planning Commission recommended that the modification of the existing State Special Use Permit for the Waimanalo Gulch Landfill be approved subject to all conditions of the original permit as well as to an additional condition requiring coordination between the Department of Public Works and the Hawaiian Electric Company during the construction and operation of the landfill.

CONCLUSIONS OF LAW

The proposed Amendment is an "unusual and reasonable" use as defined in Chapter 205-6, Hawaii Revised Statutes and the proposed expansion is not contrary to the objectives to be accomplished by the State Land Use Law to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare.

ORDER

IT IS HEREBY ORDERED that an Amendment to Special Permit Docket Number 87-362 to expand the existing approved area by approximately 26 acres situate within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Tax Map Key Number: 9-2-03: portion of parcel 2, and approximately identified on Exhibit A attached hereto and incorporated by reference herein be approved subject to the following eight conditions of the original Special Permit and the additional condition as recommended by the Planning Commission:

1. That an earth berm shall be installed prior to the commencement of any waste disposal operations.

2. The landscaping plans which would include plant names, sizes, quantities and location shall be submitted to the Department of Land Utilization for approval and shall be implemented within 90 days of completion of the berm work.

3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.

4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.

5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when



it becomes apparent that a modification is necessary and appropriate.

6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.

7. That the project be completed and operating within 3 years of the approval of the special use permit.

8. That the City and County of Honolulu indemnify and hold harmless the State of Hawaii and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination, noise, or odor pollution relative to the operation of the landfill.

9. Petitioner shall coordinate construction and operation of the landfill with the Hawaiian Electric Company.

DOCKET NO. SP87-362 - DEPARTMENT OF PUBLIC WORKS, CITY AND COUNTY  
OF HONOLULU

Done at Honolulu, Hawaii, this 31st day of October 1989,  
per motions on September 21, 1989 and October 19, 1989.

LAND USE COMMISSION  
STATE OF HAWAII

By \_\_\_\_\_ (absent)  
RENTON L. K. NIP  
Chairman and Commissioner

By Lawrence F. Chun  
LAWRENCE F. CHUN  
Vice Chairman and Commissioner

By Sharon R. Himeno  
SHARON R. HIMENO  
Commissioner

By Allen K. Hoe  
ALLEN K. HOE  
Commissioner

By Allen Y. Kajioka  
ALLEN Y. KAJIOKA  
Commissioner

By Eusebio Lapenia, Jr.  
EUSEBIO LAPENIA, JR.  
Commissioner

By James M. Shinno  
JAMES M. SHINNO  
Commissioner

By Elton Wada  
ELTON WADA  
Commissioner

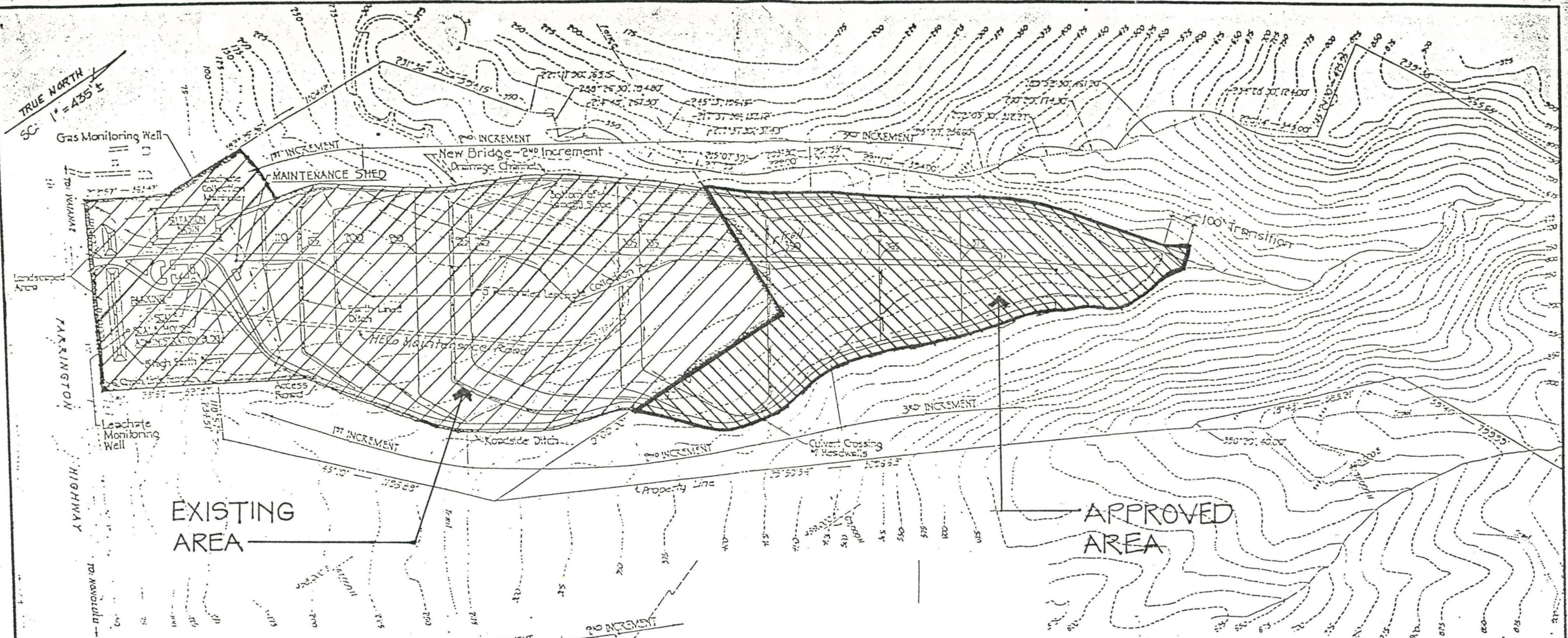
By Frederick P. Whittemore  
FREDERICK P. WHITTEMORE  
Commissioner

Filed and effective on  
October 31, 1989

Certified by:

Robert Land  
Executive Officer

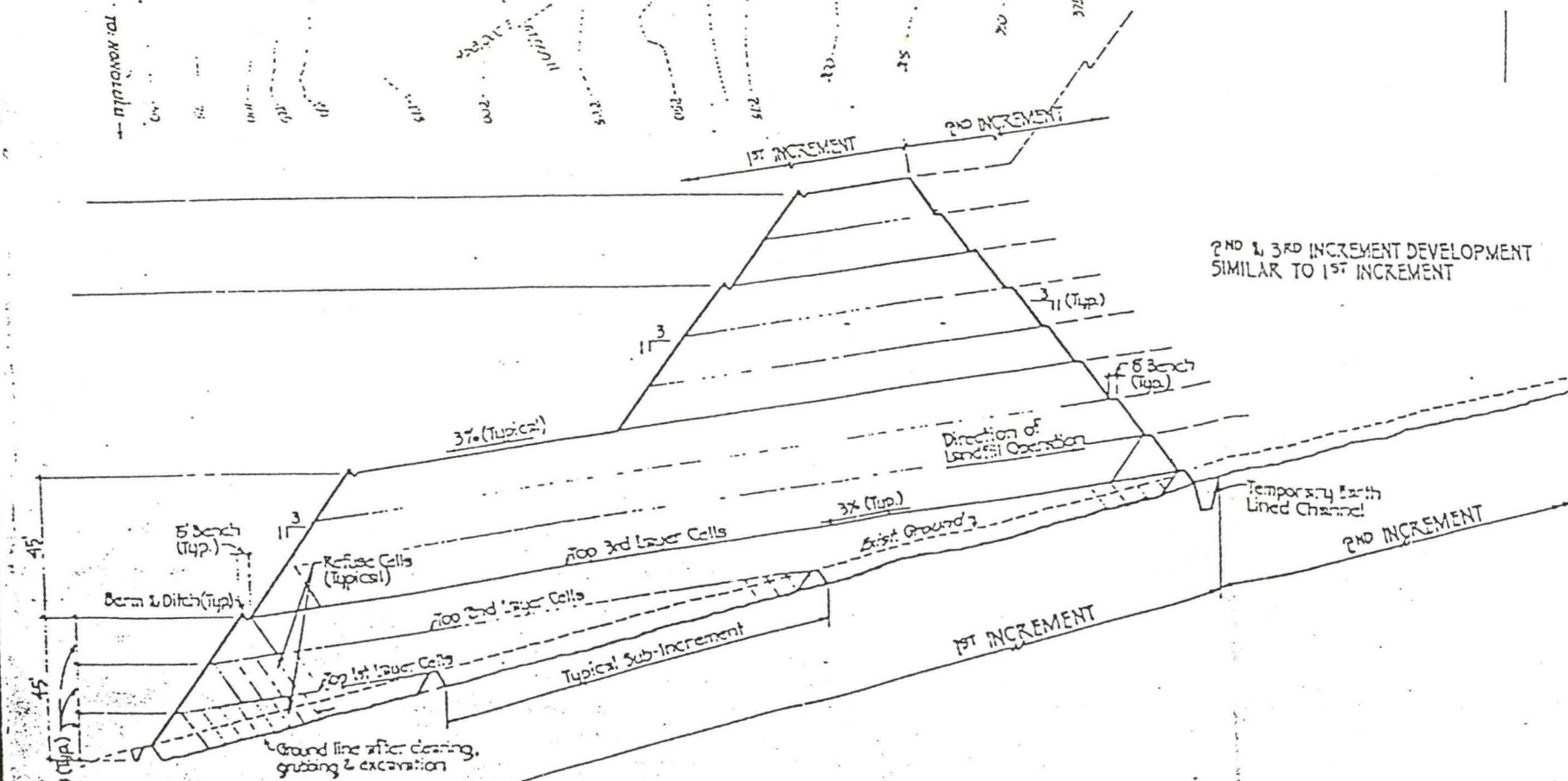




SP87-362/DEPARTMENT OF PUBLIC  
WORKS, CITY & COUNTY OF HONOLULU

## LOCATION MAP

TMK. NO. 9-2-03:Por.13, & Por. 2  
WAIMANALO GULCH  
HONOLULU, EWA, OAHU



TYPICAL SECTION OF LANDFILL DEVELOPMENT - SCHEMATIC ONLY  
NOT TO SCALE



P 130 965 210

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

SP87-362/DPW, C&C of Honolulu

Sent to

Sam Callejo

Street and No.

650 South King Street

P.O., State and ZIP Code

Honolulu, HI 96813

Postage

\$

.85

Certified Fee

.85

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing  
to whom and Date Delivered

.90

Return Receipt showing to whom,  
Date, and Address of Delivery

TOTAL Postage and Fees

\$

2.60

Postmark or Date



PS Form 3800, June 1985



STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

CP87-262/DPW, C&C of Honolulu

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Sam Callejo, Director  
Department of Public Works  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

4. Article Number

P 130 965 210

Type of Service:

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt  
for Merchandise

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

H. Kimura

7. Date of Delivery

11-1-89

8. Addressee's Address (ONLY if  
requested and fee paid)



UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS



**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE  
USE, \$300

**RETURN  
TO**



Print Sender's name, address, and ZIP Code in the space below.

State of Hawaii  
\_\_\_\_\_  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
\_\_\_\_\_  
335 Merchant Street  
Honolulu, Hawaii 96813  
\_\_\_\_\_

P 130 965 209

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SP87-362/DPW, C&C of Honolulu

Sent to

Donald A. Clegg

Street and No.

650 South King Street

P.O. State and ZIP Code

Honolulu, HI 96813

Postage

\$ .85

Certified Fee

.85

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing  
to whom and Date Delivered

.90

Return Receipt showing to whom  
Date, and Address of Delivery

TOTAL Postage and Fees

2.60

Postmark or Date

PS Form 3800, June 1985





**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address.      2. ☐ Restricted Delivery  
(Extra charge) (Extra charge)

3. Article Addressed to:

Mr. Donald A. Clegg  
Chief Planning Officer  
Department of General Planning  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

4. Article Number

P 130 965 209

Type of Service:

- |   |  |
|---|--|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                           |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                               |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt<br>for Merchandise |

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

*H. Kimura*

7. Date of Delivery

*11-1-89*

8. Addressee's Address (ONLY if  
requested and fee paid)



**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**



**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**PENALTY FOR PRIVATE  
USE, \$300**

**RETURN  
TO**



Print Sender's name, address, and ZIP Code in the space below.

State of Hawaii  
\_\_\_\_\_  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
\_\_\_\_\_  
335 Merchant Street  
Honolulu, Hawaii 96813  
\_\_\_\_\_

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	)	DOCKET NO. SP87-362
DEPARTMENT OF PUBLIC WORKS,	)	
CITY AND COUNTY OF HONOLULU	)	DEPARTMENT OF PUBLIC
	)	WORKS, CITY AND COUNTY
	)	OF HONOLULU
For an Amendment to the Special	)	
Use Permit Which Establishes a	)	
Sanitary Landfill on Approximately	)	
60.5 Acres of Land Situate Within	)	
the Agricultural District at	)	
Waimanalo Gulch, Honouliuli, Ewa,	)	
Oahu, Tax Map Key No.: 9-2-03:	)	
Portion of Parcel 2 and Portion	)	
of Parcel 13	)	
_____	)	

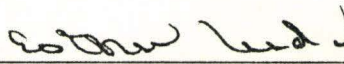
CERTIFICATE OF SERVICE

I hereby certify that a copy of the Findings of Fact, Conclusions of Law and Decision and Order was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT.           DONALD A. CLEGG, Chief Planning Officer  
                  Department of General Planning  
                  City and County of Honolulu  
                  650 South King Street  
                  Honolulu, Hawaii 96813

CERT.           SAM CALLEJO, Director  
                  Department of Public Works  
                  City and County of Honolulu  
                  650 South King Street  
                  Honolulu, Hawaii 96813

DATED:   Honolulu, Hawaii, this 31st day of October 1989.

  
\_\_\_\_\_  
ESTHER UEDA  
Executive Officer



REFUSE COLLECTION AND DISPOSAL MEMO

Date 8 / 22 / 89

TO: Ray

SUBJECT: \_\_\_\_\_

As requested I have attached  
Final Order of Condemnation  
for Campbell Property. Call me  
at 527-6267 if you need  
further information.

LAND USE COMMISSION  
STATE OF HAWAII  
AUG 23 3 04 PM '89

Mel Lee

8/28 - Lee will send  
map showing 118.067 acre parcel

Not Part of  
record recd  
from DGP

FROM \_\_\_\_\_

RICHARD D. WURDEMAN 911  
Corporation Counsel  
WINSTON K. Q. WONG 1498  
Deputy Corporation Counsel  
City and County of Honolulu  
Honolulu, Hawaii 96813  
Telephone: 523-4202

Attorneys for Plaintiff

1ST CIRCUIT COURT  
STATE OF HAWAII  
FILED  
1989 APR 14 AM 11:48

B. TERAOKA  
CLERK

LAND USE COMMISSION  
STATE OF HAWAII  
Aug 23 3 04 PM '89

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU,  
a municipal corporation,

Plaintiff,

v.

F. E. TROTTER, INC., W. H. McVAY,  
INC., P. R. CASSIDAY, INC., and  
H. C. CORNUELLE, INC., all Hawaii  
professional corporations, The  
Trustees Under the Will and of the  
Estate of James Campbell, Deceased,

Defendants,

and

OAHU RECLAMATION, INC.,

Intervenor-  
Defendant.

CIVIL NO. 85-4820

(EMINENT DOMAIN)

FINAL ORDER OF  
CONDEMNATION; EXHIBIT A

(Trial held September 19,  
1988 before the  
Honorable Wendell K.  
Huddy, Judge)

FINAL ORDER OF CONDEMNATION

It appearing from the records and files in this cause that  
the payment required by the Judgment on file herein with respect  
to the real property described as Parcel 2 in the Complaint on  
file and more specifically described in Exhibit A attached



hereto and made a part hereof has been made by the Plaintiff in accordance with the terms and conditions of said Judgment,

NOW, THEREFORE, IT IS FINALLY ORDERED AND ADJUDGED as follows:

That the said Judgment with respect to the said real property be and the same is fully satisfied and that all claims of the Defendants above named or of anyone claiming through said Defendants in connection with the payment by the Plaintiff as required by the terms of said Judgment be and the same are hereby fully satisfied;

That the said real property be and the same is hereby condemned for the use of the City and County of Honolulu, to wit: Leeward Sanitary Landfill (Waimanalo Gulch Site), situate at Honouliuli, Ewa, Oahu, Hawaii, the said use being a public use to and for which said real property and its appurtenances are necessary;

That the City and County of Honolulu, Plaintiff herein, does have and acquires the said real property and all appurtenances thereto, including all of the interests and estates of the Defendants therein and that the title to the same be and it is hereby vested in fee simple in the City and County of Honolulu; subject to the following encumbrances:

a. Designation of Easements 291 and 293 as shown on Map 131 (Land Court Order No. 20062).

b. Designation of Easement 362, as shown on Map 140 (Land Court Order No. 20723).


c. Grants for utility purposes in favor of Hawaiian Electric Company, Inc., and assigned to Hawaiian Trust Company, Limited, as Trustee.

d. Safety Easement 362 in favor of United States of America, by Quitclaim Deed dated December 30, 1964, Document No. 351377.

DATED: Honolulu, Hawaii, APR 13 1989.

/s/ Wendell K. Huddy (Seal)  
Judge of the above-entitled Court

APPROVED:



A. JAMES WRISTON, JR.

PAUL S. AOKI

LORRIN B. HIRANO

Attorneys for Defendant Trustees

854820W



LEEWARD SANITARY LANDFILL  
(WAIMANALO GULCH SITE)

PARCEL 2  
(Fee Simple)

Being a portion of Lot 359-A-4-A-1-A (Map 277) of Land Court Application 1069 and covered by Transfer Certificate of Title No. 15,790.

Situate at Honouliuli, Ewa, Oahu, Hawaii.

Beginning at the Southwest corner of this parcel of land, being also the Northeast corner of Lot 358-A-1 and the Southeast corner of Lot 359-B-1 (Map 221) of Land Court Application 1069, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUAI NEW" being 8,127.68 feet South and 17,007.00 feet West, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-2-3-11, and running by azimuths measured clockwise from true South:

Along Lot 359-B-1 (Map 221) of Land Court Application 1069, along the middle of ridge for the next eleven (11) courses, the direct azimuths and distances between points on said middle of ridge being:

- |    |      |     |     |              |
|----|------|-----|-----|--------------|
| 1. | 217° | 37' | 30" | 31.43 feet;  |
| 2. | 215° | 07' | 30" | 277.33 feet; |
| 3. | 203° | 30' |     | 222.00 feet; |
| 4. | 207° | 55' |     | 211.00 feet; |
| 5. | 221° | 17' |     | 394.00 feet; |
| 6. | 195° | 27' |     | 256.60 feet; |
| 7. | 202° | 05' | 30" | 312.27 feet; |
| 8. | 210° | 20' |     | 174.30 feet; |

9. 189° 52' 30" 461.20 feet;
10. 234° 28" 30" 124.00 feet;
11. 220° 14' 345.00 feet;
12. 145° 24' 30" 425.95 feet along Lot 359-B-1 (Map 221) of Land Court Application 1069;
13. 239° 38' 1,665.65 feet along remainder of Lot 359-A-4-A-1-A (Map 277) of Land Court Application 1069;
14. 355° 45' 187.00 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
15. 345° 00' 68.00 feet along same;
16. 331° 30' 101.00 feet along same;
17. 327° 00' 832.00 feet along same;
18. 59° 40' 799.99 feet along remainder of Lot 359-A-4-A-1-A (Map 277) of Land Court Application 1069;
19. 18° 43' 885.21 feet along same;
20. 350° 20' 40.00 feet along Lot 359-A-4-B (Map 155) of Land Court Application 1069;
21. 25° 50' 54" 3,096.62 feet along remainder of Lot 359-A-4-A-1-A (Map 277) of Land Court Application 1069;
22. 180° 00' 1,500.00 feet along Lot 358-B-1-A-1-A (Map 191) of Land Court Application 1069;
23. 90° 00' 712.81 feet along same to the point of beginning and containing an area of 118.067 acres.



STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

House Conference Room 310  
3rd. Floor, State Capitol  
Honolulu, Hawaii

September 21, 1989

*approved  
10/5/89*

COMMISSIONERS PRESENT: Lawrence Chun, Vice-Chairman (Portion  
of Proceeding)  
Frederick P. Whittemore  
James M. Shinno  
Allen Hoe  
Allen Y. Kajioka (Portion of  
Proceeding)  
Elton Wada  
Eusebio Lapenia, Jr. (Portion of  
Proceeding)  
Sharon R. Himeno (Portion of  
Proceeding)

COMMISSIONERS ABSENT: Renton L.K. Nip, Chairman

STAFF PRESENT: Esther Ueda, Executive Officer  
Russell Suzuki, Esq, Deputy Attorney  
General  
Raymond Young, Staff Planner  
Darlene Kinoshita, Chief Clerk  
Holly Hackett, Court Reporter

Vice-Chairman Chun called the meeting to order.

ACTION

\* SP87-362 - CITY AND COUNTY OF HONOLULU, DEPT. OF PUBLIC WORKS  
(Oahu)

Vice-Chairman Chun announced that the Commission would take action in the matter of the special use permit by the Department of Public Works to consider a 26-acre expansion of a sanitary landfill for a total of approximately 86.5 acres of land situated within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Hawaii.

Appearances

Melvin Lee, Engineer, Department of Public Works, City and County of Honolulu

Raymond Young, Staff Planner, oriented the Commission to the area on the Land Use District Boundaries and tax maps and gave a summary report of the special use permit request.

Arguments were heard from Mr. Lee. After hearing arguments, questions were asked by the Commissioners.

Commissioner Kajioka moved that the first amendment to SP87-362, Department of Public Works, City and County of Honolulu be approved in order to include an additional 26 acres, effective on the date of approval by the State Land Use Commission and subject to all conditions of the original permit as well as to an additional condition, as recommended by the Director of the Department of Land Utilization, requiring coordination between the Department of Public Works and the Hawaii Electric Company during the construction and operation of the landfill.

The motion was seconded by Commissioner Hoe and unanimously approved by the following votes:

Ayes: Commissioner Hoe, Kajioka, Lapenia, Shinno, Wada, Whittemore, Himeno, and Vice-Chairman Chun.

SP73-159 - TOYAMA GARDENS HAWAII CORPORATION DBA NANI MAU  
GARDENS (Third Amendment) (Hawaii)

Vice-Chairman Chun announced that the Commission would take action in the matter of the special use permit by Toyama Gardens Hawaii Corp. dba Nani Mau Gardens to consider deletion of Condition Number 8 of the Commission's Decision and Order and a 33.786 acre expansion of the Special Permit area to include an agricultural museum, aviary and animal exhibits, horse stables and equestrian trails, a fruit and vegetable stand and related improvements for a total special permit area of approximately 53.876 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Hawaii.



Appearances

Sidney Fuke, Planner Consultant, for Petitioner

Robert Jitchaku, for Petitioner

Junichi Adachi, General Manager, for Petitioner

Connie Kiriu, Planning Department, County of Hawaii

Raymond Young, Staff Planner, oriented the Commission to the area on the Land Use District Boundaries and tax maps and gave a summary report of the special use permit request.

Arguments were heard from Mr. Fuke and Ms. Kiriu. After hearing arguments, questions were asked by the Commissioners.

Commissioner Lapenia was absent from the proceeding at this time.

Commissioner Hoe moved to grant the special use permit amendment to delete Condition Number 8 and expand the Special Permit area subject to the twelve conditions recommended by the County of Hawaii, Planning Commission. The motion was seconded by Commissioner Kajioka and approved by the following votes:

Ayes: Commissioner Hoe, Kajioka, Shinno, Wada, Whittemore, Himeno, and Vice-Chairman Chun.

Abstain: Commissioner Lapenia

Vice-Chairman Chun and Commissioner Kajioka were absent from the proceeding at this time.

DR89-15 - WILLIAM C. PEEBLES (Oahu)

Commissioner Hoe announced that the Commission will take action to consider a request for declaratory ruling by Mr. Peebles regarding the location of the Urban District boundary for property situate at Kaneohe, Oahu, Hawaii.



Appearances

William C. Peebles, Petitioner

Betsy Marcinkus, Department of General Planning, City  
and County of Honolulu

Ann Ogata-Deal, Esq., Deputy Attorney General, Office  
of State Planning

Abe Mitsuda, Land Use Division, Office of State  
Planning

Raymond Young, Staff Planner, oriented the Commission  
to the area on the Land Use District Boundaries and tax maps  
and gave background information on the declaratory ruling  
request.

Arguments were heard from Mr. Peebles, Betsy  
Marcinkus, and Ann Ogata-Deal, Esq. After hearing arguments,  
questions were asked by the Commissioners.

Commissioner Whittemore moved for an executive session  
to discuss probative value of admitting the letter that was  
received by the Commission and to discuss legal procedure to  
establish a boundary with our legal counsel. The motion was  
seconded by Commissioner Shinno and unanimously carried by  
voice votes.

Commissioner Wada moved that the July 13, 1989  
boundary interpretation is a proper interpretation and that a  
request to change that line must be done through a boundary  
amendment. The motion was seconded by Commissioner Shinno and  
unanimously carried by voice votes.

A lunch recess was taken at 12:00 p.m. to reconvene at  
1:30 p.m.

- 1:32 p.m. -

ACTION

A86-600 - WAITEC DEVELOPMENT, INC. (Oahu)

Commissioner Hoe announced that the Commission will

take action to consider Petitioner's Motion to Amend Findings of Fact, Conclusions of Law, and Decision and Order which reclassified approximately 547.5 acres of land from the Agricultural District into the Urban District at Waikele and Hoaeae, Oahu, Hawaii, for a residential community. Petitioner is requesting a release of Condition No. 2 which, in general, requires Petitioner to coordinate the development with the Department of the Navy and requires Petitioner to construct a berm bordering the designated blast zone area.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

Betsy Marcinkus, Department of General Planning, City and County of Honolulu

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Intervenor, Mililani/Waipio/Melemanu Neighborhood Board No. 25 was not present to the proceeding at this time.

Arguments on the motion were heard from Jan Sullivan, Esq., Betsy Marcinkus, and Ann Ogata-Deal, Esq. The Office of State Planning requested a representative from the Navy to testify in regards to the motion to delete Condition No. 2. Questions were asked of Lt. Chris D. Reiling by the parties.

Jan Sullivan, Esq., Attorney for the Petitioner, requested the Commission defer action on this matter until testimony on Docket No. A89-640 Halekua Development Corporation is heard. Commissioner Shinno moved to defer action on the motion by Waitec Development, Inc. The motion was seconded by Commissioner Whittemore and unanimously carried by voice votes.

Commissioner Himeno was absent from the proceeding at this time.



HEARING

A89-640 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

Pursuant to a notice published in the Honolulu Star Bulletin on August 7, 1989 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Halekua Development Corporation to reclassify approximately 163.4 acres of land currently in the Agricultural District into the Urban District at Hoaeae and Waikele, Ewa, Oahu, Hawaii for golf course complex and tennis courts.

Commissioner Kajioka did not participate in this proceeding due to a declared conflict of interest.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

Betsy Marcinkus, Department of General Planning, City and County of Honolulu

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

EXHIBITS

1. Petitioner's Exhibit Nos. 1 through 33 were admitted into evidence by the Land Use Commission.

2. County's Exhibit No. 1 was admitted into evidence by Land Use Commission.

3. State's Exhibit No. 1 and were admitted into evidence by the Land Use Commission.

4. The letter from Elizabeth Ann Stone was admitted into evidence by the Land Use Commission.

Commissioner Hoe allowed untimely public witnesses to testify.

PUBLIC WITNESSES

1. Lt. Chris Reiling
2. Deane Asato
3. Cal Kawamoto

Ray oriented the Commission to the area being requested for reclassification on the Land Use District Boundaries and tax maps.

PETITIONER'S WITNESSES

1. William Wankett
2. John Zapotocky

The meeting was adjourned at 4:15 p.m.



STATE OF HAWAII  
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

September 21, 1989 - 9:00 a.m.  
September 22, 1989\*

House Conference Room 310  
3rd. Flr., State Capitol  
Honolulu, Hawaii

REC'D. BY

1989 SEP 13 PM 2 31

L. J. GOVERNOR'S OFFICE

A M E N D E D

A G E N D A

I. ACTION

- ✓ 1. SP87-362 - CITY AND COUNTY OF HONOLULU, DEPARTMENT OF  
PUBLIC WORKS (1st Amendment) (Oahu)

To consider a 26-acre expansion of a sanitary landfill for a total of approximately 86.5 acres of land situated within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Hawaii.

2. SP73-159 - TOYAMA GARDENS HAWAII DBA NANI MAU GARDENS  
(Third Amendment) (Hawaii)

To consider deletion of Condition Number 8 of the Commission's Decision and Order and a 33.786 acre expansion of the Special Permit area to include an agricultural museum, aviary and animal exhibits, horse stables and equestrian trails, a fruit and vegetable stand and related improvements for a total Special Permit area of approximately 53.786 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Hawaii.

3. DR89-15 - WILLIAM C. PEEBLES (Oahu)

To consider a request for declaratory ruling regarding the location of the Urban District boundary for property situate at Kaneohe, Oahu, Hawaii.



4. A86-600 - WAITEC DEVELOPMENT, INC. (Oahu)

To consider Petitioner's Motion to Amend Findings of Fact, Conclusions of Law, and Decision and Order which reclassified approximately 547.5 acres of land from the Agricultural District into the Urban District at Waikele and Hoaeae, Oahu, Hawaii, for a residential community.

Petitioner is requesting a release of Condition No. 2 which, in general, requires Petitioner to coordinate the development with the Department of the Navy and requires Petitioner to construct a berm bordering the designated blast zone area.

II. HEARING

1. A89-640 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

To consider reclassifying approximately 161.1 acres of land currently in the Agricultural District into the Urban District at Hoaeae and Waikele, Ewa, Oahu, Hawaii, for a golf course complex and tennis courts.

III. MISCELLANEOUS

1. Adoption of Minutes
2. Adoption of Decision and Order
3. Tentative Meeting Schedule



STATE OF HAWAII  
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

September 21, 1989 - 9:00 a.m.  
September 22, 1989\*

House Conference Room 310  
3rd. Flr., State Capitol  
Honolulu, Hawaii

A G E N D A

I. ACTION

- ✓ 1. SP87-362 - CITY AND COUNTY OF HONOLULU, DEPARTMENT OF  
PUBLIC WORKS (1st Amendment) (Oahu)

To consider a 26-acre expansion of a sanitary landfill for a total of approximately 86.5 acres of land situated within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Hawaii.

2. SP73-159 - TOYAMA GARDENS HAWAII DBA NANI MAU GARDENS  
(Third Amendment) (Hawaii)

To consider deletion of Condition Number 8 of the Commission's Decision and Order and a 13-acre expansion of the Special Permit area to include an agricultural museum, aviary and animal exhibits, horse stables and equestrian trails, a fruit and vegetable stand and related improvements for a total Special Permit area of approximately 33 acres of land situated within the State Land Use Agricultural District at Waiakea, South Hilo, Hawaii.

3. DR89-15 - WILLIAM C. PEEBLES (Oahu)

To consider a request for declaratory ruling regarding the location of the Urban District boundary for property situate at Kaneohe, Oahu, Hawaii.

RECEIVED BY

1989 SEP 12 AM 10 21

U. GOVERNOR'S OFFICE



4. A86-600 - WAITEC DEVELOPMENT, INC. (Oahu)

To consider Petitioner's Motion to Amend Findings of Fact, Conclusions of Law, and Decision and Order which reclassified approximately 547.5 acres of land from the Agricultural District into the Urban District at Waikele and Hoaeae, Oahu, Hawaii, for a residential community.

Petitioner is requesting a release of Condition No. 2 which, in general, requires Petitioner to coordinate the development with the Department of the Navy and requires Petitioner to construct a berm bordering the designated blast zone area.

II. HEARING

1. A89-640 - HALEKUA DEVELOPMENT CORPORATION (Oahu)

To consider reclassifying approximately 161.1 acres of land currently in the Agricultural District into the Urban District at Hoaeae and Waikele, Ewa, Oahu, Hawaii, for a golf course complex and tennis courts.

III. MISCELLANEOUS

1. Adoption of Minutes
2. Adoption of Decision and Order
3. Tentative Meeting Schedule



P 130 965 305

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to

Donald A. Clegg

Street and No.

650 So. King St.

P.O., State and ZIP Code

Honolulu, HI 96813

Postage

\$ .25

Certified Fee

.85

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing  
to whom and Date Delivered

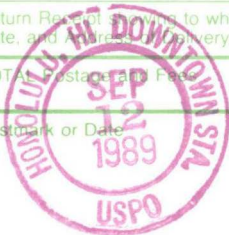
.90

Return Receipt showing to whom,  
Date, and Address of Delivery

TOTAL Postage and Fees

\$ 2.00

Postmark or Date



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Donald A. Clegg, Chief Planning  
Officer, Dept. of Gen. Planning  
C&C of Honolulu  
650 South King St.  
Honolulu, HI 96813

4. Article Number

P 130 965 305

Type of Service:

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt  
for Merchandise

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

*H. Kamm*

7. Date of Delivery

*9-13-89*

8. Addressee's Address (ONLY if  
requested and fee paid)

✓ SP87-362 / DR89-15 A86-600

**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**



**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**PENALTY FOR PRIVATE  
USE, \$300**

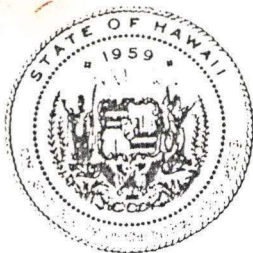
**RETURN  
TO**



Print Sender's name, address, and ZIP Code in the space below.

State of Hawaii  
\_\_\_\_\_  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
\_\_\_\_\_  
335 Merchant Street  
Honolulu, Hawaii 96813  
\_\_\_\_\_



DEPARTMENT OF BUSINESS  
AND ECONOMIC DEVELOPMENTRENTON L.K. NIP  
ChairmanLAWRENCE F. CHUN  
Vice Chairman

LAND USE COMMISSION

Room 104, Old Federal Building, 335 Merchant Street  
Honolulu, Hawaii 96813 Telephone: 548-4611

COMMISSION MEMBERS:

Sharon R. Himeno  
Allen K. Hoe  
Allen Y. Kajioke  
Eusebio Lapenia, Jr.  
James M. Shinno  
Elton Wada  
Frederick P. WhittemoreESTHER UEDA  
Executive Officer

September 12, 1989

Mr. Donald A. Clegg, Chief Planning Officer  
Department of General Planning  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

Dear Mr. Clegg:

Enclosed is a Land Use Commission meeting agenda.

Please note that petitions

✓ SP87-362/CITY AND COUNTY OF HONOLULU, DEPARTMENT OF PUBLIC

WORKS (1st Amendment) (Oahu)\*

DR89-15/WILLIAM C. PEEBLES (Oahu)\*

A86-600/WAITEC DEVELOPMENT, INC. (Oahu)\*

A89-640/HALEKUA DEVELOPMENT CORPORATION (Oahu)\*\*

will be <sup>\*acted on</sup>  
<sup>\*\*heard</sup> at that time. We

request that you or your representative attend this meeting.

Should you have any questions on these matters, please  
contact this office.

Very truly yours,

ESTHER UEDA  
Executive Officer

Enclosure

P 130 965 307

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to

Mr. Sam Callejo

Street and No.

650 South King Street

Post Office and Zip Code

Honolulu, HI 96813

Postage

\$

.25

Certified Fee

.85

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing  
to whom and Date Delivered

.95

Return Receipt showing to whom,  
Date, and Address of Delivery

TOTAL Postage and Fees

\$

2.00

Postmark or Date



OF PUBLIC WORKS

SP87-362/C&C OF HONOLULU, DEPT.



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1988-217-132

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address.      2. ☐ Restricted Delivery  
(Extra charge) (Extra charge)

3. Article Addressed to:  
Mr. Sam Callejo, Director  
Department of Public Works  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

4. Article Number  
P 130 965 307

Type of Service:

- |   |  |
|---|--|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                           |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                               |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt<br>for Merchandise |

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

*H. Kimura*

7. Date of Delivery

*9-13-89*

8. Addressee's Address (ONLY if  
requested and fee paid)



UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE  
USE, \$300

**RETURN  
TO**



Print Sender's name, address, and ZIP Code in the space below.

State of Hawaii  
LAND USE COMMISSION  
Rm. 104, Old Federal Bldg.  
335 Merchant Street  
Honolulu, Hawaii 96813

STATE OF HAWAII

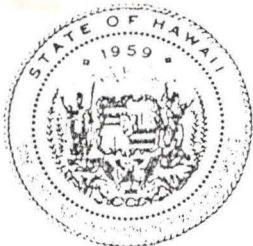
JOHN WAIHEE  
Governor

DEPARTMENT OF BUSINESS  
AND ECONOMIC DEVELOPMENT

RENTON L.K. NIP  
Chairman

LAWRENCE F. CHUN  
Vice Chairman

LAND USE COMMISSION



Room 104, Old Federal Building, 335 Merchant Street  
Honolulu, Hawaii 96813 Telephone: 548-4611

COMMISSION MEMBERS:

Sharon R. Himeno  
Allen K. Hoe  
Allen Y. Kajioke  
Eusebio Lapenta, Jr.  
James M. Shinno  
Elton Wada  
Frederick P. Whittemore

ESTHER UEDA  
Executive Officer

September 12, 1989

Mr. Sam Callejo, Director  
Department of Public Works  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

Dear Mr. Callejo:

Enclosed is a Land Use Commission meeting agenda.

Please note that petition(s)

SP87-362/CITY AND COUNTY OF HONOLULU, DEPARTMENT OF PUBLIC  
WORKS (1st Amendment) (Oahu)

will be acted on at that time. We request that you or  
your representative attend this meeting.

Should you have any questions on this matter, please  
contact this office.

Very truly yours,

ESTHER UEDA  
Executive Officer

Enclosure



STATE OF HAWAII

JOHN WAIHEE  
Governor

DEPARTMENT OF BUSINESS  
AND ECONOMIC DEVELOPMENT

RENTON L.K. NIP  
Chairman

LAWRENCE F. CHUN  
Vice Chairman

LAND USE COMMISSION



Room 104, Old Federal Building, 335 Merchant Street  
Honolulu, Hawaii 96813 Telephone: 548-4611

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James M. Shinno  
Elton Wada  
Frederick P. Whittemore

ESTHER UEDA  
Executive Officer

September 21, 1989

MEMORANDUM

TO: Land Use Commissioners

FROM: Staff *Esther Ueda*

SUBJECT: First Amendment to Special Permit Docket Number  
87-362/Department of Public Works, City and County of  
Honolulu

Procedural Matters

The application for First Amendment to Special Permit 87-362/Department of Public Works was initiated by the Department of Public Works, City and County of Honolulu (hereinafter the "Applicant") to the Department of Land Utilization, City and County of Honolulu on June 16, 1989.

On July 26, 1989, the Planning Commission conducted a public hearing on the request. Public testimony was presented by Jane Ross, Chairperson of Neighborhood Board Number 23. The Planning Commission also received a written statement from William W. Paty, Director of the State Department of Land and Natural Resources.

On July 26, 1989, the Planning Commission voted to recommend approval with one additional condition. The record of the City and County's proceeding on the Special Permit Amendment was received by the Land Use Commission on August 9, 1989.

Description of Property

The existing and proposed landfill site (hereinafter the "Project Site") is in Waimanalo Gulch adjacent to and on the Makakilo side of the Kahe Electric Power Plant. The site abuts the mauka side of Farrington Highway and is mauka of the proposed Ko Olina Resort (formerly known as the West Beach Resort). The Honokai Hale residential subdivision is approximately one mile east of the site.

The proposed 26-acre expansion area is located immediately mauka and contiguous to the existing approved 60.5-acre area.

The Project Site is located adjacent to 13 single-family dwellings. These dwellings are located within the Agricultural District situate between the Kahe Power Plant Urban District and the Project Site, mauka of Farrington Highway.

The Project Site, which extends from Farrington Highway to about the 425 foot elevation level, is currently vacant and undeveloped. Two abandoned military tunnels are located at about the 275 foot elevation and three electrical transmission lines from the Kahe Power Plant appears to traverse the Property at about the mauka end. Prior to 1960, the site was used for cattle grazing.

Soils found on the Project Site are classified as Lualualei extremely stony clay 3 to 5% slope (LPE) and Rock Land (rRK).

The Project Site is located in an area that receives between 20 and 30 inches of rainfall per year. Groundwater found below the Project Site is brackish with a salinity range of 250 to 19,000 parts per million chloride content.

The Project Site is not classified by the Agricultural Lands of Importance to the State of Hawaii system.

No endangered plants and animals were found on the Property.

The Department of Land and Natural Resources indicates that the project will have no effect on significant historic sites.

According to the Applicant, the Project Site involves Oahu Tax Map Key Number: 9-2-03: portion of parcel 2 and portion of parcel 13. The Applicant's Exhibit B indicates that the proposed 26-acre expansion area, within the Project Site, involves TMK No. 9-2-03: portion of 13. (Tax maps for the area indicate that the 26-acre expansion area involves TMK No. 9-2-03: portion of 2).

Applicant indicates that the Property is owned by the City and County of Honolulu.

Access to the Project Site is currently provided by Farrington Highway, a four lane divided highway. Applicant proposes to improve Farrington Highway by constructing exclusive turning lanes connecting to a 2000 lineal foot access roadway on the Project Site.



### Background Information and Proposed Amendment

The original special permit for a landfill site for approximately 60.5 acres was approved, subject to eight conditions, by Decision and Order issued by the Land Use Commission on April 20, 1987, as follows:

"IT IS HEREBY ORDERED that Special Permit Docket Number 86-362 to establish a sanitary landfill including highway and roadway improvements, administration building, scale and scalehouse, maintenance shed, drainage system, leachate collection system, leachate and gas monitoring wells, landscaping and irrigation, security fencing and utilities, on approximately 60.5 acres, consisting a portion of the Property, situate within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Tax Map Key Number: 9-2-03: portion of parcel 13, and approximately identified on Exhibit A attached hereto and incorporated by reference herein be approved subject to the following conditions:

"1. That an earth berm shall be installed prior to the commencement of any waste disposal operations.

"2. The landscaping plans which would include plant names, sizes, quantities and location shall be submitted to the Department of Land Utilization for approval and shall be implemented within 90 days of completion of the berm work.

"3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.

"4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of

Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.

"5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.

"6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.

"7. That the project be completed and operating within 3 years of the approval of the special use permit.

"8. That the City and County of Honolulu indemnify and hold harmless the State of Hawaii and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination or noise, odor pollution relative to the operation of the landfill."

Applicant's Exhibit 3 of the original special permit docket reflected an area of approximately 80 plus acres for the landfill site. However, the Planning Commission's approval at that time was for 60.5 acres. The current request is to modify the existing special permit by including approximately 26.0 acres of land (hereinafter the "Property") inadvertently left out of the original special permit for a total area of 86.5 acres.

Applicant proposes this addition in order to allow enough land area for the proposed administration building, weighing station, drainage structures and access roads.



### State and County Plans and Programs

The Property is located in the State Agricultural District as designated on State Land Use District Boundary Map O-6 Ewa, Hawaii.

The City and County of Honolulu Ewa Development Plan designates the Property as Agriculture. Zoning is AG-2 General Agriculture. The current zoning allows the use of the Property for sanitary landfill.

The Property is not located within the Special Management Area.

### Environmental and Agency Concerns

Environmental concerns such as the possible contamination of offshore waters from leachates generated at the Project Site; visual, noise, dust, odor and traffic impacts on surrounding existing and proposed communities were addressed in the Environmental Impact Statement accepted by the Department of Land Utilization on October 17, 1985 and submitted with the original Special Permit application.

The State Department of Health indicates in its June 29, 1989 letter (Applicant's Exhibit E) that the Applicant will need to amend its original Solid Waste Management Permit to reflect the modification.

The Department of Land and Natural Resources had no objections to the proposed 26-acre addition.

Hawaiian Electric Company, Inc. (HECO) indicates in its July 12, 1989 letter, the following:

"During construction, adequate safety precaution must be taken to prevent construction equipment from contacting our overhead facilities. In order to work under our lines, the following conditions must be agreed to:

"Hawaiian Electric reserves the right to review and approve any proposed construction work within our easement area.

"No buildings or structures are to be erected within the easement area.

"The minimum clearance from the lowest conductor to ground shall be as specified by General Order No. 6.

"No grading work will be allowed within a 20-foot radius of any poles, structures or anchors without Hawaiian Electric's approval.

"Vehicular access will be required to each easement area for maintenance and for future construction.

"In addition, the City and contractor must provide us with a Hold Harmless Agreement before any work is done under our overhead lines."

Notices of the application were sent to adjoining property owners, community organizations, elected officials, and the Waianae and Ewa Neighborhood Board. No responses except for Neighborhood Board No. 23, were received.

#### Justification for Special Permit

In support of the proposed amendment to the special permit, the Department of Land Utilization (DLU) provided the following:

"The Waimanalo Gulch Sanitary Landfill is permitted under Table 5-A of the Land Use Ordinance. The 26-acre site was initially considered under the first SUP; however, the area was not included in the approved acreage.

"According to the DPW, the landfill will initially be used for the disposal of raw refuse from Leeward Oahu. When H-Power is fully operational, most of the raw refuse will be diverted to the H-Power Plant and the landfill site will be used for disposal of residue from the H-Power as well as solid waste. With the H-Power and the additional 26.0 acres, the life of the Waimanalo Gulch Sanitary Landfill should increase by seven years.

"A 60.5-acre sanitary landfill site was granted a State Special Use Permit by the State Land Use Commission (Docket No. SP87-362) on April 20, 1987. (See Exhibit C.) The Department of Land Utilization (DLU) is recommending the original SUP be modified to include the 26.0± acres of land as part of the landfill, thereby covering the entire acreage of the Waimanalo Gulch Sanitary Landfill.

"The request to modify the State Special Use Permit to increase the Waimanalo Gulch Sanitary Landfill site by 26.0± acres meets the State Land Use Agriculture District's "Five Tests to be applied."

"The effects of the proposed modification were adequately reviewed during the original State Special Use Permit process



and during the preparation of the Environmental Impact Statement. The modification will not adversely impact on the surrounding properties if conditions of approval required by the SLUC approve (Attachment C, Docket No. SP87-362) and 86/SUP-5 remain in effect and are implemented."

The DLU recommended to the Planning Commission approval of the special permit amendment with an additional condition that the Applicant work with HECO to address their concerns.

#### Planning Commission Recommendation

By Findings of Fact and Conclusions dated August 3, 1989, the Planning Commission recommended to the Land Use Commission that the modification of the existing State Special Use Permit for the Waimanalo Gulch Landfill be approved in order to include an additional 26 acres, effective on the date of approval by the State Land Use Commission and subject to all conditions of the original permit as well as to an additional condition, as recommended by the Director of the Department of Land Utilization, requiring coordination between the Department of Public Works and the Hawaiian Electric Company during the construction and operation of the landfill.

#### Special Permit Record

The following materials are attached for your information:

- 1) August 3, 1989 letter from Karen Nakamura, Chairperson, Planning Commission to Renton Nip
- 2) May 17, 1988 memorandum from Alfred Thiede, Department of Public Works to John Whalen, Department of Land Utilization
- 3) June 14, 1989 memorandum from Sam Callejo to John Whalen
- 4) Notice of Planning Commission Public Hearing
- 5) July 14, 1989 memorandum from John Whalen to Planning Commission dated transmitting director's report and Exhibits A through E
- 6) July 12, 1989 letter from Charles Ane, Hawaiian Electric Company, Inc. to Department of Land Utilization with attachment

- 7) July 26, 1989 minutes of the Planning Commission meeting of and attached letter from William Paty to John Whalen dated July 18, 1989
- 8) Findings of Fact and Conclusions of the Planning Commission filed on August 3, 1989
- 9) Land Use Commission Decision and Order on the original Special Permit issued on April 20, 1987



Aug 23 3 38 PM '89  
LAND USE COMMISSION  
STATE OF HAWAII

PUBLIC HEARING  
PLANNING COMMISSION

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Planning Commission of the City and County of Honolulu:

PLACE: Civil Service Conference Room, City Hall Annex  
530 So. King St., Honolulu, Hawaii  
DATE: Wednesday, July 26, 1989  
TIME: 1:30 p.m.

or as soon thereafter so that all interested persons shall be afforded a reasonable opportunity to be heard to consider a request for a modification to an existing Special Use Permit by the Department of Public Works of the City and County of Honolulu.

EWA--STATE SPECIAL USE PERMIT--86/SUP-5(WE)

TAX MAP KEYS: 9-2-3: 2 and 13

Applicant: Department of Public Works  
Landowner: City and County of Honolulu  
Location: Waimanalo Gulch located mauka of Farrington Highway and across from West Beach in Ewa, Oahu.

Land Area: 26 acres, portion of 200 acres.

Zoning: AG-2 Agricultural District

Development Plan: Agriculture

Public Facilities Map: The Ewa Development Plan Public Facilities Map indicates a solid waste facility within six years for the site. Other improvements nearby include a highway interchange with roadway and water transmission work for the West Beach Development.

State Land Use: Agriculture

REQUEST: To modify an existing State Special Use Permit (86/SUP-5 and docket no. SP87-362) in order to include an additional 26.0 acres of land with the existing 60.5-acre Waimanalo Gulch Landfill in Ewa. The additional acreage will be used for disposal of ash from H-Power and to separate the ash from the refuse.

1. This hearing is to be held under the provisions of Chapters 46, 91, 92 and 205, Hawaii Revised Statutes; Articles 5 and 13, Revised Charter of the City and County of Honolulu 1973, as amended; Rules 4 and 5 of the Rules Relating to Administrative Procedure of the Planning Commission, City and County of Honolulu and Rule 9-3 of the State Land Use Commission Rules of Practice and Procedure.

① Notice of P.H.

② HECO LTR & MAP

③ DPW APPLICATION W MAP  
SHOWING APPROVED AREA.

(Per telecon request to William  
Enriquez on 8-22-89 to be

LAND USE COMMISSION  
STATE OF HAWAII

AUG 23 3 04 PM '89

included in record )

ry



2. This hearing is for a proposed modification of an existing State Special Use Permit (86/SUP-5 and docket no. SP87-362) which would include 26.0 acres of land with the existing 60.5-acre Waimanalo Gulch Landfill in Ewa. The additional acreage will be used for disposal of ash from H-Power and to separate the ash from the refuse.

3. Any party may retain counsel if he or she so desires; an individual may appear on his or her own behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation or trust or association may represent the corporation, trust or association.

4. A contested case hearing may be held on the matter pursuant to Chapter 91, Hawaii Revised Statutes.

5. Any person or agency wishing to be a party shall file a petition with the Commission within fourteen days after this notice is published in the newspaper. The petition must conform to the requirements of the adopted Rules of the Planning Commission which are available at 650 So. King Street, Honolulu, Hawaii, 8th floor.

6. Public testimony will be taken at the public hearing on July 26, 1989.

Documents relating to the granting of this permit and any conditions placed thereon are on file in the office of the Department of Land Utilization, Zoning Information Counter (tel. 523-4131), 7th floor, Honolulu Municipal Building, 650 So. King St., Honolulu. These documents are available to the public for inspection during office hours.

Ten copies of testimony on the subject matter should be filed before the date of the public hearing or at the time of the public hearing.

PLANNING COMMISSION

KAREN NAKAMURA, Chairman

BY

WILLIAM J. MEDEIROS  
Acting Executive Secretary

---

For advertisement on Friday, June 30, 1989  
in The Honolulu Advertiser and Star Bulletin

2-column, M-6 border

LAND USE COMMISSION  
STATE OF HAWAII

AUG 23 3 05 PM '89



DEPARTMENT OF GENERAL PLANNING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813



FRANK F. FASI  
MAYOR

DONALD A. CLEGG  
CHIEF PLANNING OFFICER

GENE CONNELL  
DEPUTY CHIEF PLANNING OFFICER

August 3, 1989

Aug 9 12 25 PM '89  
LAND USE COMMISSION  
STATE OF HAWAII

Mr. Renton L. K. Nip  
State Land Use Commission  
Old Federal Building, Room 104  
335 Merchant Street  
Honolulu, Hawaii 96813

Dear Mr. Nip:

This is to inform you that the Planning Commission, on July 26, 1989 recommended approval of the State Special Use Permit application for the Department of Public Works in order to modify an existing State Special Use Permit (86/SUP-5 and docket no. SP87-362) in order to include an additional 26.0 acres of land with the existing 60.5-acre Waimanalo Gulch Landfill in Ewa.

Attached is a copy of the Director's report, the Planning Commission Minutes, and the Commission's Findings of Fact and Conclusions.

Sincerely,

*Karen T. Nakamura*  
KAREN T. NAKAMURA, Chairman  
Planning Commission

Attachments

FORWARDED:

*Donald A. Clegg*  
DONALD A. CLEGG  
Chief Planning Officer

LU5/88-3996

DEPARTMENT OF PUBLIC WORKS  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813

MAY 19 1988 PM 3 01

FRANK F. FASI  
MAYOR



ALFRED J. THIEDE  
DIRECTOR AND CHIEF ENGINEER

IN REPLY REFER TO:

R 88-687-5102F

May 17, 1988

MEMORANDUM

TO: MR. JOHN P. WHALEN, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION


FROM: ALFRED J. THIEDE, DIRECTOR AND CHIEF ENGINEER  
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SPECIAL PERMIT FOR THE  
WAIMANALO GULCH SANITARY LANDFILL

We request that the Special Permit for the Waimanalo Gulch Sanitary Landfill be expanded to include another 26 acres as shown on the attached map.

The original permit was for 60.5 acres although it was always intended for the additional 26 acres to be included for the landfill as was depicted in the project Environmental Impact Statement (EIS).

We request action to be taken immediately so the remaining landfill can be developed. This is important so that the permanent drainage system can be constructed. It is also important so that the landfill can be built up gradually eliminating having steep roads and not decreasing the valuable landfill capacity.

  
ALFRED J. THIEDE  
Director and Chief Engineer

Attach.



Y AND COUNTY OF HONOLULU  
DEPARTMENT OF LAND UTILIZATION

650 South King Street, 7th Floor  
Honolulu, Hawaii 96813

DLU MASTER APPLICATION FORM

Additional data, drawing/plans, and fee requirements are listed on a separate sheet titled "Instructions for Filing."  
PLEASE ASK FOR THESE INSTRUCTIONS.

All specified materials and fees must accompany this form; incomplete applications could delay processing. You are encouraged to consult with department staff in completing the application. Please call the appropriate phone number given in the "Instructions for Filing" sheet.

Please print legibly or type the required information.

PERMIT REQUESTED (Check one or more as appropriate):

Clusters:

- ☐ Agricultural Cluster  
☐ Cluster Housing  
☐ Country Cluster

- ☐ Park Dedication  
☐ Plan Review Use  
☐ Planned Development-Housing  
☐ Shoreline Setback Variance  
☐ Site Plan Review

- ☐ Special Management Area Permit/Assessment  
☒ State Special Use Permit  
☐ Subdivision  
☐ Sunlight Reflection  
☐ Variance from LUO Sec.(s):

Conditional Use Permits:

- ☐ Type 1 ☐ Type 2

- ☐ Existing Use  
☐ Flood Hazard Variance

- ☐ Site Development Plan  
☐ Special District:

(Indicate District)

- ☐ Waiver (public uses/utilities)  
☐ Zero Lot Line  
☐ Zone Change, From \_\_\_\_\_ to \_\_\_\_\_  
☐ Zoning Adjustment, LUO Sec.(s):

TAX MAP KEY(S): 9-2-03: 2 and 13

LOT AREA: 200.622 AC

ZONING DISTRICT: AG-1

STATE LAND USE DISTRICT:

STREET ADDRESS/LOCATION OF PROPERTY: Waimanalo Gulch, Honouliuli, Ewa, Oahu

RECORDED FEE OWNER:

Name Department of Public Works  
Mailing Address City and County of Honolulu  
650 S. King St., Honolulu, HI 96813  
Phone Number 523-4341  
Signature

APPLICANT:

Name Alfred Thiede, Director & C.E.  
Mailing Address  
Phone Number  
Signature Sam Calleja

PRESENT USE OF PROPERTY/BUILDING: Hawaiian

Electric Co. maintenance road runs through the property; 60.5 acres being developed for landfill; remainder of property is unimproved and not in use.

PROJECT NAME (if any): Waimanalo Gulch Sanitary Landfill

AUTHORIZED AGENT/CONTACT PERSON:

Name  
Mailing Address  
Phone Number  
Signature

PROJECT PROPOSAL (Briefly describe the proposed activity or project): The City is constructing a sanitary landfill on the site. Approval was granted for 60.5 acres which did not encumber the entire site. We request that an additional 26 acres be included for landfill as was the original intent. The landfill will be used for the disposal of raw refuse from leeward Oahu. When the H-POWER facility becomes operational, the landfill will be used for the disposal of ash from H-POWER and other non-combustibles.

FOR DEPARTMENT USE ONLY

FILE NO.

Submitted Fee Amount: \$

Date Application Accepted: Accepted By:

Date of Public Hearing:

☐ Approved

☐ Approved with conditions indicated below.

☐ Denied for reason(s) given below.

☐ Exempt project.

THIS COPY, WHEN SIGNED BELOW, IS NOTIFICATION OF THE ACTION TAKEN.

Signature

Title

Date

The above approval does not constitute approval of any other required permits such as building permits.



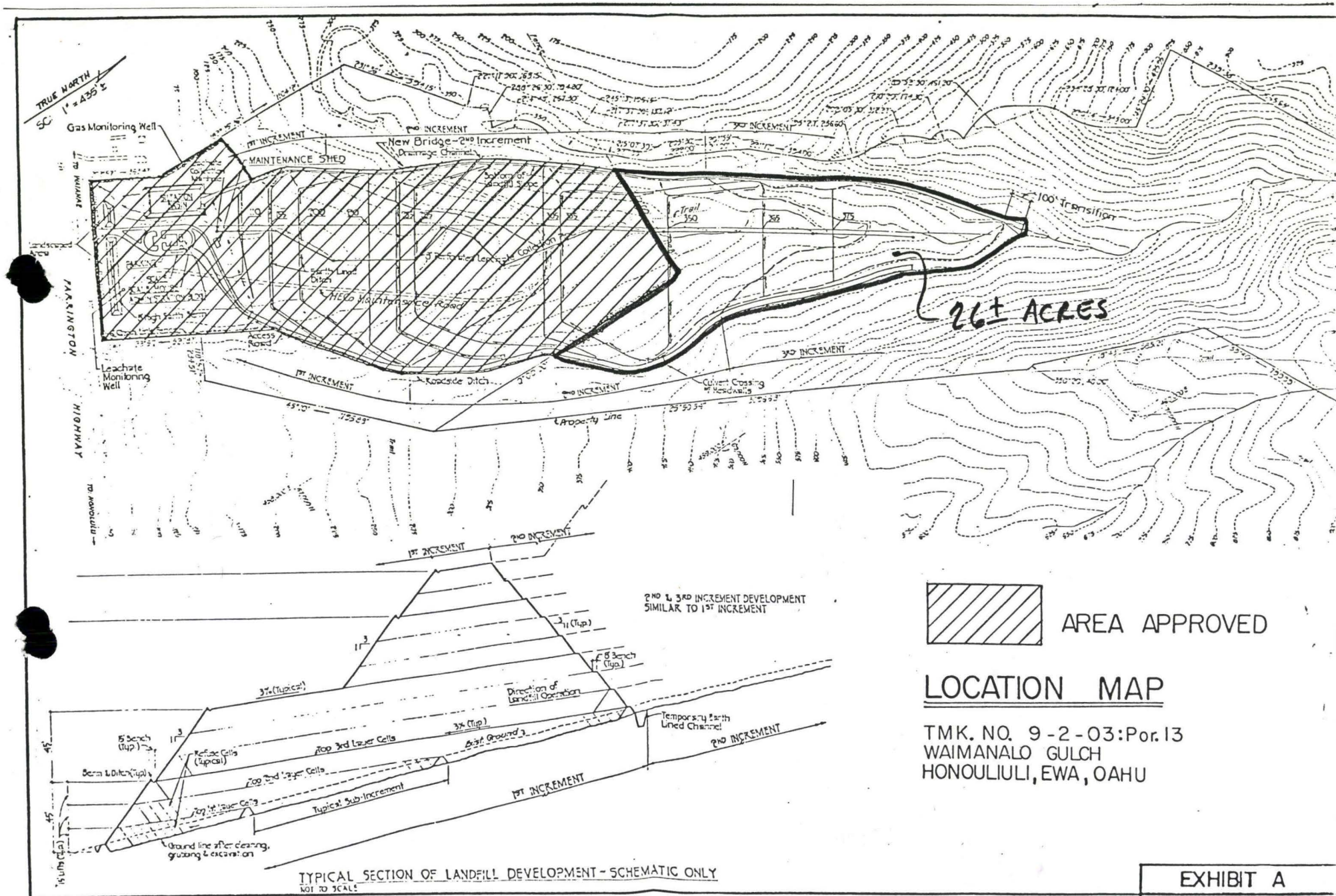


EXHIBIT A



LAND USE COMMISSION  
STATE OF HAWAII  
Aug 23 3 05 PM '89

206/89-3573

DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813



FRANK F. FASI  
MAYOR

SAM CALLEJO  
DIRECTOR AND CHIEF ENGINEER

IN REPLY REFER TO:

R 89-0663-7237F

June 14, 1989

MEMORANDUM

TO: MR. JOHN WHALEN, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER  
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SPECIAL USE PERMIT FOR  
WAIMANALO GULCH SANITARY LANDFILL

Aug 23 3 39 PM '89  
LAND USE COMMISSION  
STATE OF HAWAII

We request that the Special Use Permit for the Waimanalo Gulch Sanitary Landfill be expanded to include an additional 26 acres as explained in our letter to your office dated May 17, 1988.

The original permit application was for 60.5 acres of actual landfill area, but during the review of the project, it was misunderstood to include the area of the administration building and weighing station, drainage structures, and access roads. Therefore to include these other areas into a 60.5 acre parcel the upper portion of the landfill area was deleted from the original permit with the intent to modify the permit later to include the upper portion of the landfill. The additional 26 acres will cover the area in the original permit which was omitted. This area was intended for landfill as depicted in the project Environmental Impact Statement (EIS).

Although we had originally planned to request the Special Use Permit be modified as the first increment was nearing capacity recent proposed rules favor the separation of the ash and refuse. Therefore, we now have to develop two separate areas for the ash and refuse and need to develop the upper portion of the landfill immediately. We expect to receive ash from H-POWER in November of this year.



Mr. John Whalen  
June 14, 1989  
Page 2

Another reason we need to modify the Special Use Permit at this time is our intent to install a liner on the landfill. We will need time to install an 18 inch clay liner under the refuse and a 3 foot clay liner with a synthetic liner under the ash. We will also need to construct the permanent drainage system which will include the upper portion of the landfill.

A handwritten signature in cursive script, reading "Sam Callejo", with a horizontal line extending to the right.

SAM CALLEJO  
Director and Chief Engineer

W 7/89 4240



89 JUL 14 PM 1 18

DEPT. OF LAND UTILIZATION  
HONOLULU

July 12, 1989

City and County of Honolulu  
Department of Land Utilization  
650 South King Street  
Honolulu, Hawaii 96813

Attention: Mr. William Enriques

Gentlemen:

Notice of Application  
State Special Use Permit - Ewa

AUG 23 3 39 PM '89  
LAND USE COMMISSION  
STATE OF HAWAII

We have reviewed the Department of Public Works application for modification to an existing Special Use Permit (86-SUP-5). Our engineers have outlined on the attached Notice of Application sketch the approximate alignment of our future and existing 46 and 138 kv lines out of Kahe Power Plant

During construction, adequate safety precaution must be taken to prevent construction equipment from contacting our overhead facilities. In order to work under our lines, the following conditions must be agreed to:

- Hawaiian Electric reserves the right to review and approve any proposed construction work within our easement area.
- No buildings or structures are to be erected within the easement area.
- The minimum clearance from the lowest conductor to ground shall be as specified by General Order No. 6.
- No grading work will be allowed within a 20-foot radius of any poles, structures or anchors without Hawaiian Electric's approval.
- Vehicular access will be required to each easement area for maintenance and for future construction.



City - Department of Land Utilization  
Attn: Mr. William Enriques  
Page 2

July 13, 1989

In addition, the City and contractor must provide us with a Hold Harmless Agreement before any work is done under our overhead lines.

Should you have any questions, please call me at 543-7810.

Sincerely,

  
Charles T. Ane  
Land Agent

Attachment



LAND USE COMMISSION  
STATE OF HAWAII

AUG 23 3 05 PM '89



850 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4422



JOHN P. WHALEN  
DIRECTOR

BENJAMIN B. LEE  
DEPUTY DIRECTOR

86/SUP-5(WE)

## STATE SPECIAL USE PERMIT - EWA

This is to inform you that we are reviewing an application for a modification to an existing Special Use Permit (86-SUP-5).

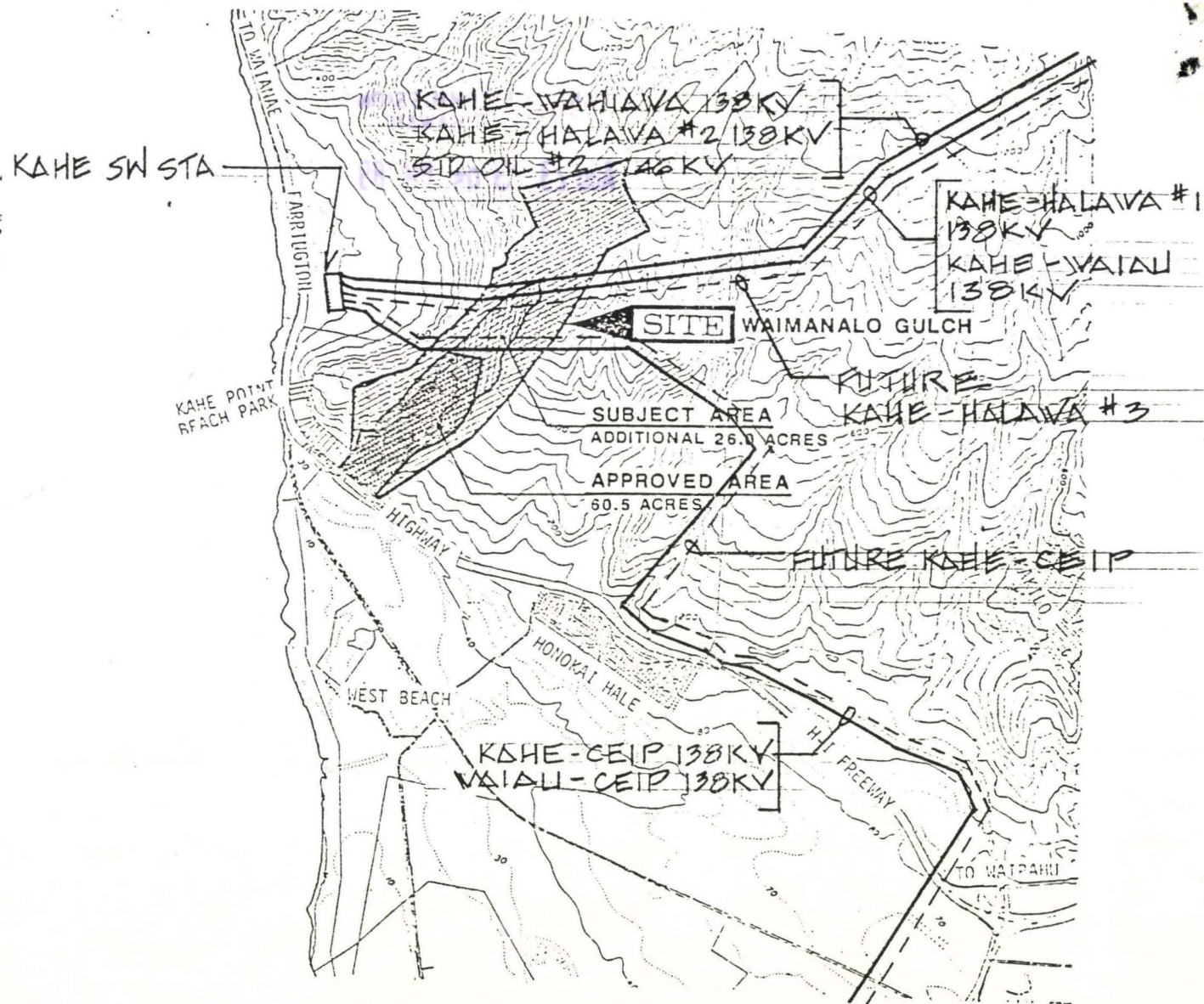
You may review the application material at our office, Monday through Friday, 7:45 a.m. to 4:30 p.m., at 650 South King Street, or at the Waianae or Ewa Beach Satellite City Halls.

If you wish to offer comments on this application, please feel free to call or write William Enriquez of my staff at 523-4817 or 650 South King Street, Honolulu, Hawaii 96813. If you know of any interested person who has not received this notification, we would appreciate it if you would inform him/her.

Very truly yours,

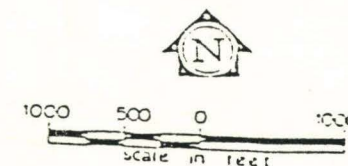
JOHN P. WHALEN  
Director of Land Utilization

JPW:ik  
Enclosure  
0446N/5



89 JUL 14 PM 1 18  
DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

LOCATION MAP



LAND USE COMMISSION  
STATE OF HAWAII

AUG 23 3 05 PM '89

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432

Author: 100	<i>Bill M</i>
Advertisement:	<i>6/30/89</i>
Public Hearing:	<i>7/26/89</i>

FRANK F. FASI  
MAYOR



JOHN P. WHALEN  
DIRECTOR

BENJAMIN B. LEE  
DEPUTY DIRECTOR

86/SUP-5(WE)

July 14, 1989

MEMORANDUM

TO: PLANNING COMMISSION

FROM: JOHN P. WHALEN, DIRECTOR OF LAND UTILIZATION

SUBJECT: REQUEST FOR MODIFICATION TO EXPAND WAIMANALO GULCH SANITARY LANDFILL  
SPECIAL USE PERMIT (86/SUP-5) IN EWA  
TAX MAP KEYS: 9-2-3: Portion of 2 and 13

Transmitted for appropriate action is my report and recommendation for approval of the request.

A handwritten signature in dark ink, appearing to read "John P. Whalen".

JOHN P. WHALEN  
Director of Land Utilization

JPW:ik  
0457N  
Attachment

cc: City Council



PROPOSAL:

The applicant, the Department of Public Works, City and County of Honolulu is requesting a modification to the State Special Use Permit 86/SUP-5 and Docket No. SP87-362 to include an additional 26.0 acres of land to the existing 60.5-acre Waimanalo Gulch Sanitary Landfill in Ewa (see Exhibit A). The additional 26.0 acres will be used for residue from H-Power and solid waste (see Exhibit B).

BACKGROUND:

Since Waimanalo Gulch Sanitary Landfill is located within the State Agriculture District, a Special Use Permit is required and was granted to the City and County, Department of Public Works on April 20, 1989. The following is a chronology of events which led up to the approval:

- October 17, 1985: The final Environmental Impact Statement (EIS) was accepted by the Department of Land Utilization.
- October 1, 1986: The Department of Public Works submitted an application for a State Special Use Permit to the Department of Land Utilization.
- January 8, 1987: The Department of Land Utilization recommended approval of the Special Use Permit to the Planning Commission.
- January 21, 1987: The Planning Commission conducted public hearings on the request. No public testimony was received at either of these hearings. The Planning Commission recommended approval of the request on February 4, 1987, with six conditions.
- February 4, 1987:
- February 23, 1987: The Land Use Commission received the Special Use Permit application and the Planning Commission's recommendation of approval. Since the area (60.5 acres) for the landfill involved more than 15 acres, the Land Use Commission is the authority for the Special Use Permit.
- April 20, 1987: The Land Use Commission approved the request for a Special Use Permit with eight conditions, including those required by the Planning Commission. The approval by the Land Use Commission concludes that the application's "Five Tests" as "unusual and reasonable use" under the State Land Use Law.

Waimanalo Gulch Sanitary Landfill was intended to encompass 86.6 acres of land and consist of three areas: (1) the administration area (20 acres to include the scale house, parking, maintenance shed, and siltation basin area) and (2) the sanitary landfill area (60.5 acres) and (3) roadway and drainage areas

(6.0 acres) which are located throughout the Waimanalo Gulch Sanitary Landfill area.

The landfill site was to be constructed in three increments as follows:

- 1st Increment: 45.9 acres Landfill (includes 20 acres Admin. area)
- 2nd Increment: 15.3 acres Landfill
- 3rd Increment: 19.4 acres Landfill

The Special Use Permit granted by the State Land Use Commission in 1987 was for only the 60.5 acres of sanitary landfill area. The administration area was inadvertently excluded from the Special Use Permit approved in 1987.

PUBLIC AGENCY COMMENTS AND CONCERNS:

The 26.0+ acre area was initially thought to be part of the 60.5 acres of land for the landfill which was considered during the processing of the Special Use Permit. Since there were no objections from the various governmental agencies to the proposed landfill, request for comments on the modification were limited to the Department of Land and Natural Resources (DLNR) and the Department of Health (DOH). Neither department had objections to the modification.

COMMUNITY CONCERNS:

Notices were sent to the adjoining property owners, community organizations, elected officials, and the Waianae and Ewa Neighborhood Boards. As of this date, no responses have been received.

ANALYSIS:

The Waimanalo Gulch Sanitary Landfill is permitted under Table 5-A of the Land Use Ordinance. The 26-acre site was initially considered under the first SUP; however, the area was not included in the approved acreage.

According to the DPW, the landfill will initially be used for the disposal of raw refuse from Leeward Oahu.. When H-Power is fully operational, most of the raw refuse will be diverted to the H-Power Plant and the landfill site will be used for disposal of residue from the H-Power as well as solid waste. With the H-Power and the additional 26.0 acres, the life of the Waimanalo Gulch Sanitary Landfill should increase by seven years.

A 60.5-acre sanitary landfill site was granted a State Special Use Permit by the State Land Use Commission (Docket No. SP87-362) on April 20, 1987. (See Exhibit C.) The Department of Land Utilization (DLU) is recommending the original SUP be modified to include the 26.0+ acres of land as part of the landfill, thereby covering the entire acreage of the Waimanalo Gulch Sanitary



Landfill in the State Special Use Permit. The Department of Land Utilization concludes that the modification is appropriate and reasonable for the following reasons:

Site Description:

The 26.0± acre site is located in Waimanalo Gulch immediately mauka of and contiguous to the existing Waimanalo Gulch Sanitary Landfill area. The site is currently vacant and is not classified as Agriculture Lands of Importance to the State of Hawaii (ALISH).

Chapter 343:

The Environmental Impact Statement (EIS) for Waimanalo Gulch Sanitary Landfill was accepted on October 17, 1985, by the Department of Land Utilization for 80.0± acres of land. This acreage included the 26.0± acres of land being requested for modification.

State Special Use Permit (SUP):

During the processing of the existing SUP, which included the subject 26.0-acre parcel, governmental agencies, adjoining property owners, community organizations, and elected officials were requested to comment on the application. The various governmental agencies indicated no objections to the proposal. One person objected to the project on the basis of foul odors and another objected because of access concerns. Granting of the initial State SUP (86/SUP-5) concluded that the "Five Tests" have been met; public facilities and services are adequate and available; and there were no major objections from the community and adjoining property owners. (See Exhibit D.)

Request for comments on the modification were limited to the Department of Health, the Department of Land and Natural Resources, the adjoining property owners, and neighborhood boards. Hawaiian Electric Company, an adjoining property owner, had some concerns regarding adequate safety precautions to be taken during construction. Their letter is attached as Exhibit E. The Department of Public Works should be required to work with Hawaiian Electric Company to address these concerns.

The State Land Use Commission (SLUC) noted in a letter dated April 6, 1987, that a request to modify the SUP to expand the landfill area to approximately 86.6 acres is being made. Since the area exceeds 15 acres, the SLUC will make the final decision on the modification.



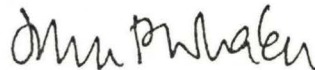
CONCLUSION:

The request to modify the State Special Use Permit to increase the Waimanalo Gulch Sanitary Landfill site by 26.0+ acres meets the State Land Use Agriculture District's "Five Tests to be applied."

The effects of the proposed modification were adequately reviewed during the original State Special Use Permit process and during the preparation of the Environmental Impact Statement. The modification will not adversely impact on the surrounding properties if conditions of approval required by the SLUC approval (Attachment C, Docket No. SP87-362) and 86/SUP-5 remain in effect and are implemented.

RECOMMENDATION:

I recommend approval of the request for modification of 86/SUP-5 subject to the conditions as imposed in the Special Use Permit (86/SUP-5 and LUC Docket No. SP87-362) and an additional condition that the Department of Public Works work with the Hawaiian Electric Company to address their concerns.



JOHN P. WHALEN  
Director of Land Utilization

JPW:ik  
0457N  
Attachments

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432

FRANK F. FASI  
MAYOR



JOHN P. WHALEN  
DIRECTOR

BENJAMIN B. LEE  
DEPUTY DIRECTOR

86/SUP-5(WE)

July 14, 1989

DIRECTOR'S REPORT

STATE SPECIAL USE PERMIT - EWA

APPLICANT: City and County of Honolulu, Department of Public Works

LANDOWNER: City and County of Honolulu

REQUEST: To modify the existing Special Use Permit (86/SUP-5) to include 26.0 acres of land inadvertently left out of the acreage cited in the original SUP for the landfill site.

NOTE: The property described in the applicant's original Exhibit reflected an area of approximately 80 acres; but the Planning Commission's recommendation and the State Land Use Commission's decision for approval was only for 60.5 acres. The 60.5 acreage total does not allow for 26 acres of land necessary for an administration building, weighing station, drainage structures, and access roads.

TAX MAP KEY: 9-2-3: Portion of 2 and 13

LAND AREA: 26.0 acres

ZONING: AG-2 General Agricultural District

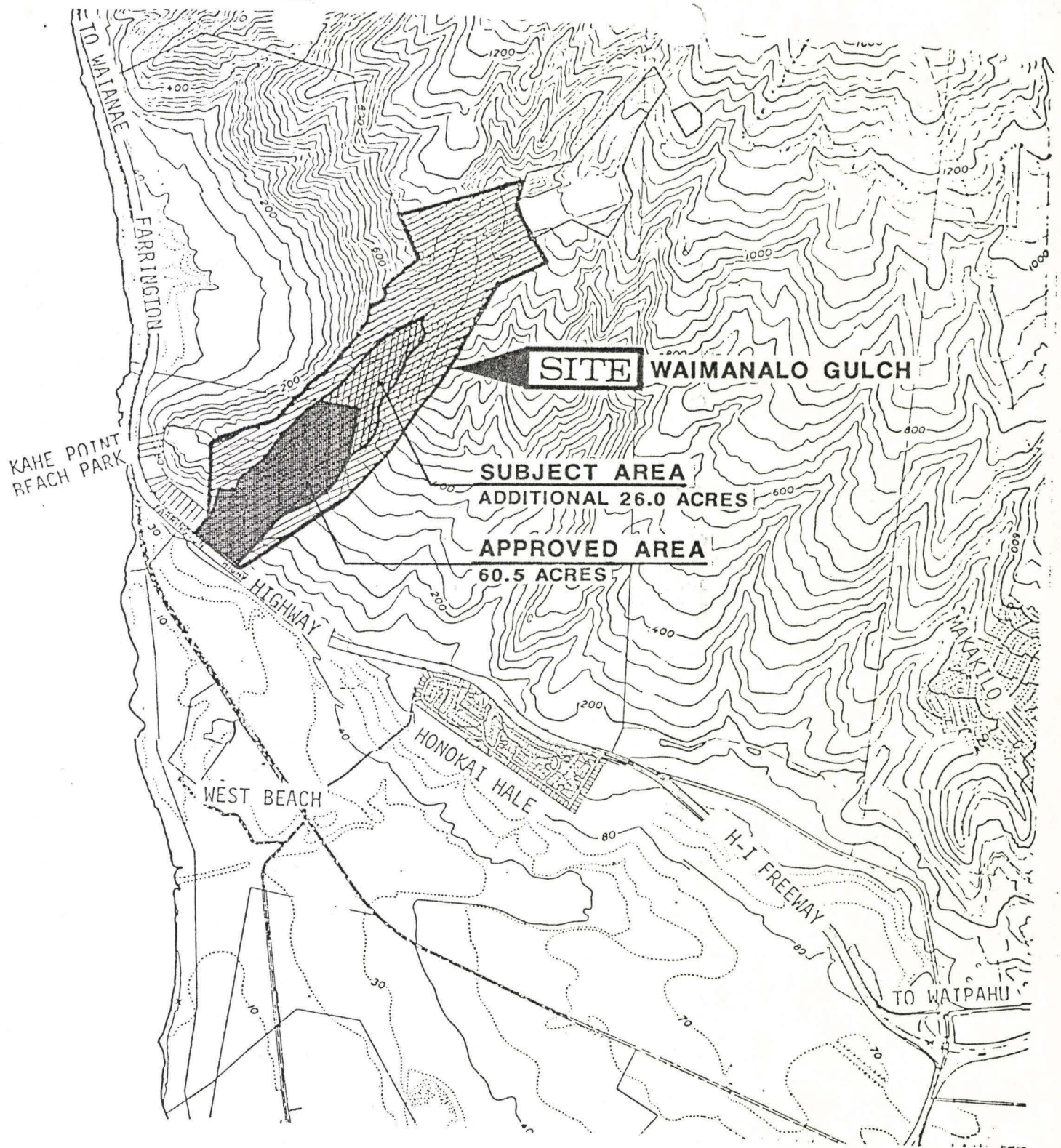
LOCATION: Mauka of Kamehameha Highway, across West Beach.

DEVELOPMENT PLAN: Agriculture

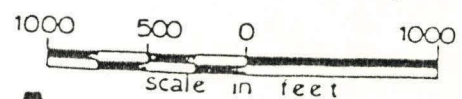
PUBLIC FACILITIES MAP: The Ewa Development Plan Public Facilities Map indicates a solid waste facility within six years for the site. Other improvements nearby include a highway interchange with roadway and water transmission work for the West Beach Development.

STATE LAND USE DISTRICT: Agriculture





LOCATION MAP



**EXHIBIT A**





BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	DOCKET NO. SP87-362
DEPARTMENT OF PUBLIC WORKS, )	
CITY AND COUNTY OF HONOLULU )	DEPARTMENT OF PUBLIC WORKS,
	CITY AND COUNTY OF HONOLULU
For a Special Use Permit to )	
Establish a Sanitary Landfill on )	
Approximately 60.5 Acres of Land )	
Situate Within the Agricultural )	
District at Waimanalo Gulch, )	
Honouliuli, Ewa, Oahu, Tax Map )	
Key No.: 9-2-03: Portion of )	
Parcel 2 and Portion of Parcel 13 )	

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION AND ORDER

The Department of Public Works, City and County of Honolulu (hereinafter the "Petitioner") initiated this proceeding pursuant to Section 205-6, Hawaii Revised Statutes, as amended, and Subchapter 12 of the Hawaii Land Use Commission Rules. The Land Use Commission (hereinafter the "Commission") having considered the entire record on this matter, hereby makes the following findings of fact and conclusions of law and decision and order:

FINDINGS OF FACT

Procedural Matters

1. The Petitioner filed the Special Permit application with the Department of Land Utilization on October 1, 1986. Public hearings were conducted by the Planning

EXHIBIT C

4  
Deposition of [unclear]  
5/26/88



Commission on January 21, 1987 and continued on February 4, 1987. No public testimony was received at either of these hearing dates.

2. On January 16, 1987, the Land Use Commission received a copy of the Planning Commission's agenda for the January 21, 1987 hearing date.

3. On February 4, 1987, the Planning Commission approved the Special Permit, with six conditions. The Special Permit was received by the Land Use Commission on February 23, 1987.

#### Description of Property

4. The proposed landfill site is in Waimanalo Gulch adjacent to and on the Makakilo side of the Kahe Electric Power Plant, abutting the mauka side of Farrington Highway and mauka of the proposed Ko Olina Resort (formerly known as the West Beach Resort) and approximately one mile west of the Honokai Hale residential subdivision.

5. The landfill site is approximately 60.5 acres and is identified as Oahu Tax Map Key No.: 9-2-03: portion of parcel 2 and portion of parcel 13 (hereinafter the "Property").

6. According to the Real Property Assessment of the City Department of Finance, the present owners of the Property are as follows:

TMK: 9-2-03:2 James Campbell Trust Estate  
TMK: 9-2-03:13 Robert H. K. Au & Wife Audrey F.  
Betsy F. S. Au Lum  
Betty L. W. Au



7. The County is in the process of condemning portions of parcels 2 and 13 totaling approximately 200.622 acres of which 60.5 acres will be used for the proposed landfill.

8. The Property, which is currently vacant, is located adjacent to 13 single-family dwellings. Prior to 1960, the site was used for cattle grazing.

9. Soils found on the Property are classified as Lualualei extremely stony clay 3 to 5% slope (LPE) and Rock Land (rRK).

10. The Property is located in an area that receives between 20 and 30 inches of rainfall per year. Groundwater found below the Property is brackish with a salinity range of 250 to 19,000 parts per million chloride content.

11. The Property is not classified by the Agricultural Lands of Importance to the State of Hawaii (ALISH) system.

12. No endangered plants and animals were found on the Property.

13. There are no known significant archaeological sites on the Property.

#### Summary of Proposed Use

14. Petitioner is requesting the Special Permit to allow the establishment of a sanitary landfill including highway and roadway improvements, administration building, scale and scalehouse, maintenance shed, drainage system,

leachate collection system, leachate and gas monitoring wells, landscaping and irrigation, security fencing and utilities on approximately 60.5 acres of land. (The Property as described in Petitioner's Exhibit 3 reflects an area of approximately 80 plus acres although the Planning Commission's recommendation for approval was for only 60.5 acres.)

15. Petitioner proposes the new landfill to initially serve the Leeward Communities for disposing raw refuse and is projected to have an eight year life and a capacity of 6.65 million cubic yards. Petitioner anticipates that when the proposed H-POWER (Honolulu Resource Recover Project) facility becomes operational in 1988, most of the raw refuse will be diverted to this facility and the Property will be used for the disposal of ash from H-POWER and other non-combustibles.

16. Petitioner proposes to operate the proposed landfill from 7:00 a.m. to 4:30 p.m., seven days per week. In addition, contractors with the County will be allowed 24-hour access to the landfill to dispose of ash from the operation of H-POWER once every hour. The accumulated ash will be spread and compacted the next day during normal working hours.

17. Petitioner states that the current sanitary landfills at Kapaa, Kawaiiloa and Waianae are rapidly approaching capacity. Even with a resource recovery project, the ash waste from H-POWER will still need a site for final disposal. However, with a resource recovery facility in place, the useful life of the proposed landfill may be doubled.

18. Access to the Property is currently provided by Farrington Highway, a four lane divided highway. Petitioner proposes to improve Farrington Highway by constructing exclusive turning lanes connecting to a 2000 lineal foot access roadway on the Property.

#### State and County Plans and Programs

19. The subject Property is located in the State Agricultural District as designated on State Land Use District Boundary Map O-6 Ewa, Hawaii.

20. The City and County of Honolulu Ewa Development Plan designates the Property as Agriculture. Zoning for the Property is AG-2 General Agriculture. The current zoning allows the use of the Property for sanitary landfill.

21. The Property is not located within the Special Management Area.

22. The Property lies below the UIC (Underground Injection Control) line for the area.

#### Environmental Concerns

23. Major concerns are the possible contamination of offshore waters from leachates generated at the Property, visual, noise, dust, odor and traffic impacts on surrounding existing and proposed communities.

24. The Final Environmental Impact Statement (EIS) was submitted and was accepted by the Director of Land Utilization on October 17, 1985. The EIS included a summary of probable



impacts, probable adverse environmental effects and proposed mitigation measures, alternatives to the proposed action, irreversible and irretrievable commitments of resources, summary of unresolved issues, and other matter as required by Chapter 343, HRS.

Conformance with Special Permit Guidelines

25. The project does not appear contrary to the Land Use Law. The proposed site is located in a gulch in the Leeward District on generally sloping lands and in an area with a relatively drier climate. The project site does not fall in the prime, unique, or other important agricultural land classifications on the ALISH map. Under the Land Study Bureau Agricultural Soils Classification, the site is rated "E"; where "A" represents the highest productivity rating and "E" the lowest.

26. The desired use would not adversely affect surrounding property. The nearest dwelling is located approximately 400 feet from the weigh station and 500 feet from the disposal area. According to the Petitioner, leachate contamination of off-shore waters from the landfill is unlikely because annual rainfall in Ewa averages only 20 to 30 inches. To ensure against leachate contamination, the Petitioner has incorporated a number of state-of-the art measures in the design of the landfill. These include large silting basins, a perimeter drainage system, the landscaping of graded surfaces

and completed sections, grading and compaction of the bottom of the landfill, and the construction of a leachate collection system, monitoring well and an on-site drainage system.

27. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and school improvements and police and fire protection. Petitioner will make the necessary highway improvements, to include a deceleration lane on the off-ramp. On- and off-site improvements for storm drainage and leachate control, water and wastewater disposal will also be provided by the Petitioner. The proposed projects' traffic impact would generate only a slight increase in overall traffic on the coast highway.

28. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. Petitioner has determined a need for a new Leeward area sanitary landfill and has indicated it on the Development Plan Public Facilities Map (adopted in 1982). Petitioner prepared an EIS which reviewed various alternative sites and found the project area most feasible to provide this service for a projected full-life of approximately 8 years.

29. The land upon which the proposed use is sought is unsuited for the uses permitted within the district. The topography, soil conditions, and general location of the site render the site unfeasible for agricultural applications.

### Planning Commission Recommendation

30. At its meeting of February 4, 1987, the City and County of Honolulu Planning Commission voted to recommend approval of the subject permit for the establishment of the sanitary landfill facility subject to the following conditions:

- "1. The earth berm shall be installed prior to commencement of waste disposal operations.
- "2. A landscape plan, to include plant names, sizes, quantities and location, shall be submitted to the Department of Land Utilization for approval. The plan shall also be implemented within 90 days of completion of the berm work.
- "3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.
- "4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.
- "5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.
- "6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit."

### CONCLUSIONS OF LAW

The proposed use is an "unusual and reasonable" use as defined in Chapter 205-6, Hawaii Revised Statutes and the proposed use is not contrary to the objectives to be accomplished by the State Land Use Law to preserve, protect and encourage the development of lands in the State for those uses



to which they are best suited in the interest of the public health and welfare.

ORDER

IT IS HEREBY ORDERED that Special Permit Docket Number 86-362 to establish a sanitary landfill including highway and roadway improvements, administration building, scale and scalehouse, maintenance shed, drainage system, leachate collection system, leachate and gas monitoring wells, landscaping and irrigation, security fencing and utilities, on approximately 60.5 acres, consisting a portion of the Property, situate within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Tax Map Key Number: 9-2-03: portion of parcel 13, and approximately identified on Exhibit A attached hereto and incorporated by reference herein be approved subject to the following conditions:

1. That an earth berm shall be installed prior to the commencement of any waste disposal operations.

2. The landscaping plans which would include plant names, sizes, quantities and location shall be submitted to the Department of Land Utilization for approval and shall be implemented within 90 days of completion of the berm work.

3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.

4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of

Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.

5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.

6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.

7. That the project be completed and operating within 3 years of the approval of the special use permit.

8. That the City and County of Honolulu indemnify and hold harmless the State of Hawaii and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination or noise, odor pollution relative to the operation of the landfill.

DOCKET NO. SP87-362 - CITY AND COUNTY OF HONOLULU, DEPARTMENT  
OF PUBLIC WORKS

Done at Honolulu, Hawaii, this 20th day of April 1987,  
per motions on March 17, 1987 and April 15, 1987.

LAND USE COMMISSION  
STATE OF HAWAII

By *J. P. Tacbian*  
TEOFILO PHIL TACBIAN  
Chairman and Commissioner

By *Frederick P. Whittemore*  
FREDERICK P. WHITTEMORE  
Vice Chairman and Commissioner

By *Everett L. Cuskaden*  
EVERETT L. CUSKADEN  
Commissioner

By *Robert S. Tamaye*  
ROBERT S. TAMAYE  
Commissioner

By *William W. L. Yuen*  
WILLIAM W. L. YUEN  
Commissioner

By *Toru Suzuki*  
TORU SUZUKI  
Commissioner

By *Richard B. F. Choy*  
RICHARD B. F. CHOY  
Commissioner

By *Lawrence F. Chun*  
LAWRENCE F. CHUN  
Commissioner



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	DOCKET NO. SP87-362
DEPARTMENT OF PUBLIC WORKS, )	
CITY AND COUNTY OF HONOLULU )	DEPARTMENT OF PUBLIC WORKS,
	CITY AND COUNTY OF HONOLULU
For a Special Use Permit to )	
Establish a Sanitary Landfill on )	
Approximately 60.5 Acres of Land )	
Situate Within the Agricultural )	
District at Waimanalo Gulch, )	
Honouliuli, Ewa, Oahu, Tax Map )	
Key No.: 9-2-03: Portion of )	
Parcel 2 and Portion of Parcel 13 )	

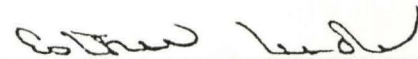
CERTIFICATE OF SERVICE

I hereby certify that a copy of the Findings of Fact, Conclusions of Law, and Decision and Order was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by certified mail:

DONALD A. CLEGG, Chief Planning Officer  
Department of General Planning  
City and County of Honolulu  
650 S. King Street  
Honolulu, Hawaii 96813

MICHAEL J. CHUN, PH.D, Director and  
Chief Engineer  
Department of Public Works  
City and County of Honolulu  
650 S. King Street  
Honolulu, Hawaii 96813

Dated: Honolulu, Hawaii, this 20th day of April 1987.

  
\_\_\_\_\_  
ESTHER UEDA  
Executive Officer

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432

FRANK F. FASI  
MAYOR



JOHN P. WHALEN  
DIRECTOR

86/SUP-5 (BN)  
0105N

January 8, 1987

DIRECTOR'S REPORT  
STATE SPECIAL USE PERMIT - EWA

APPLICANT : City and County of Honolulu  
Department of Public Works

LANDOWNER : City and County of Honolulu

REQUEST : A State Special Use Permit to establish  
a solid waste disposal facility (landfill)  
within the State Agricultural Land Use  
District.

TAX MAP KEY : 9-2-03: 2 and 13

LAND AREA : 60.5 acre portion of 200 acres

ZONING : AG-2 General Agriculture

DEVELOPMENT PLAN  
(Ewa) : Agriculture

DEVELOPMENT PLAN  
PUBLIC FACILITIES : The map indicates a solid waste facility  
within 6 years. Other improvements  
nearby include a highway interchange  
with roadway and water transmission work  
for the West Beach development.

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432

FRANK F. FASI  
MAYOR



JOHN P. WHALEN  
DIRECTOR

86/SUP-5 (BN)

January 8, 1987

MEMORANDUM

TO : PLANNING COMMISSION

FROM : JOHN P. WHALEN, DIRECTOR OF LAND UTILIZATION

SUBJECT: STATE SPECIAL USE PERMIT - PROPOSED SOLID WASTE DISPOSAL FACILITY, CITY AND COUNTY OF HONOLULU

Transmitted for appropriate action is my report and recommendation for approval of the request to allow establishment of a City and County waste disposal facility (landfill) within a State Agricultural District.

A handwritten signature in dark ink, appearing to read "John P. Whalen".

JOHN P. WHALEN  
Director of Land Utilization

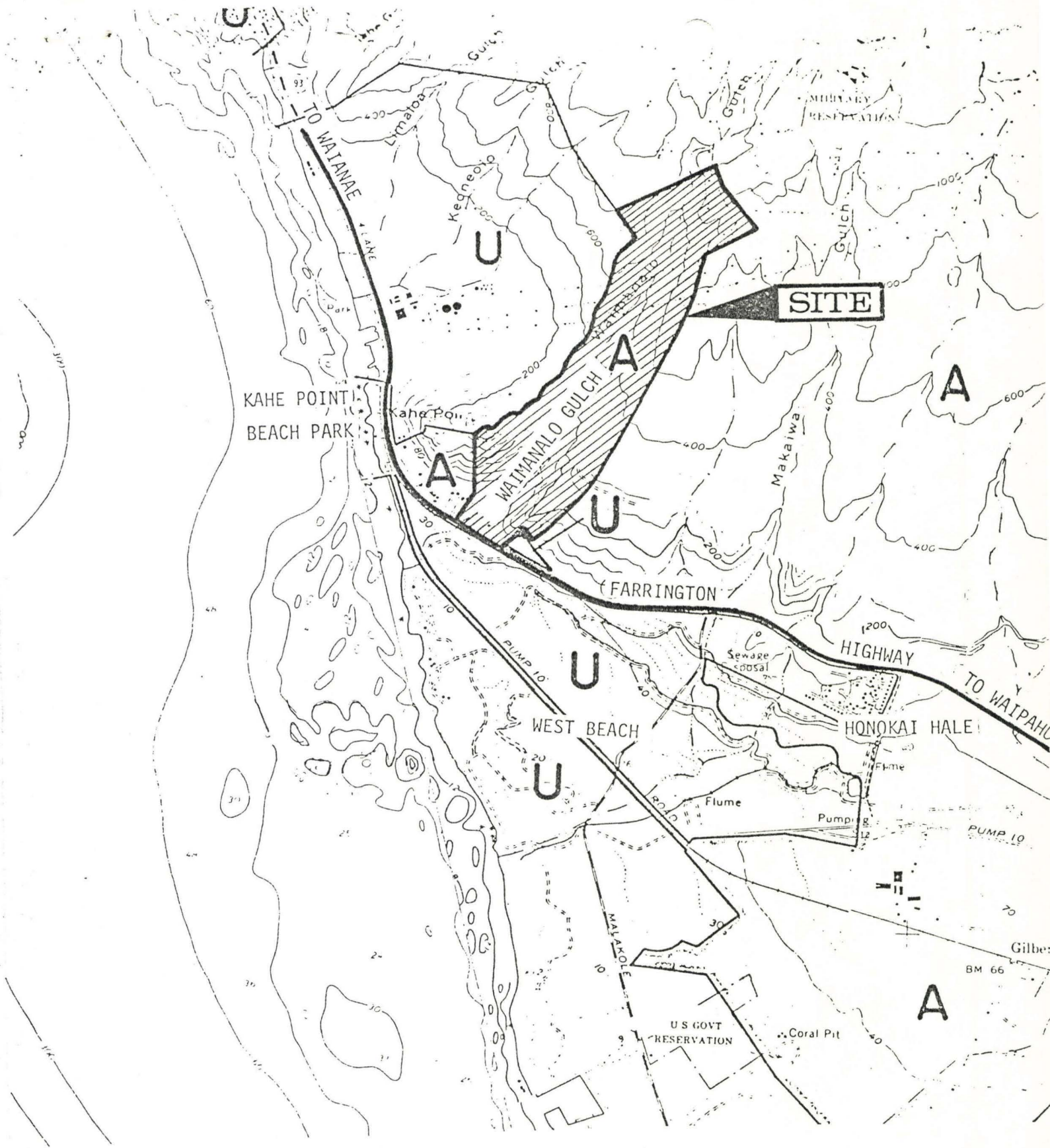
JPW:st  
Attach.  
0104N

Deposition Exhibit No. 1  
Deposition of Lee  
Date 5/26/88

FILE COPY

**EXHIBIT D**



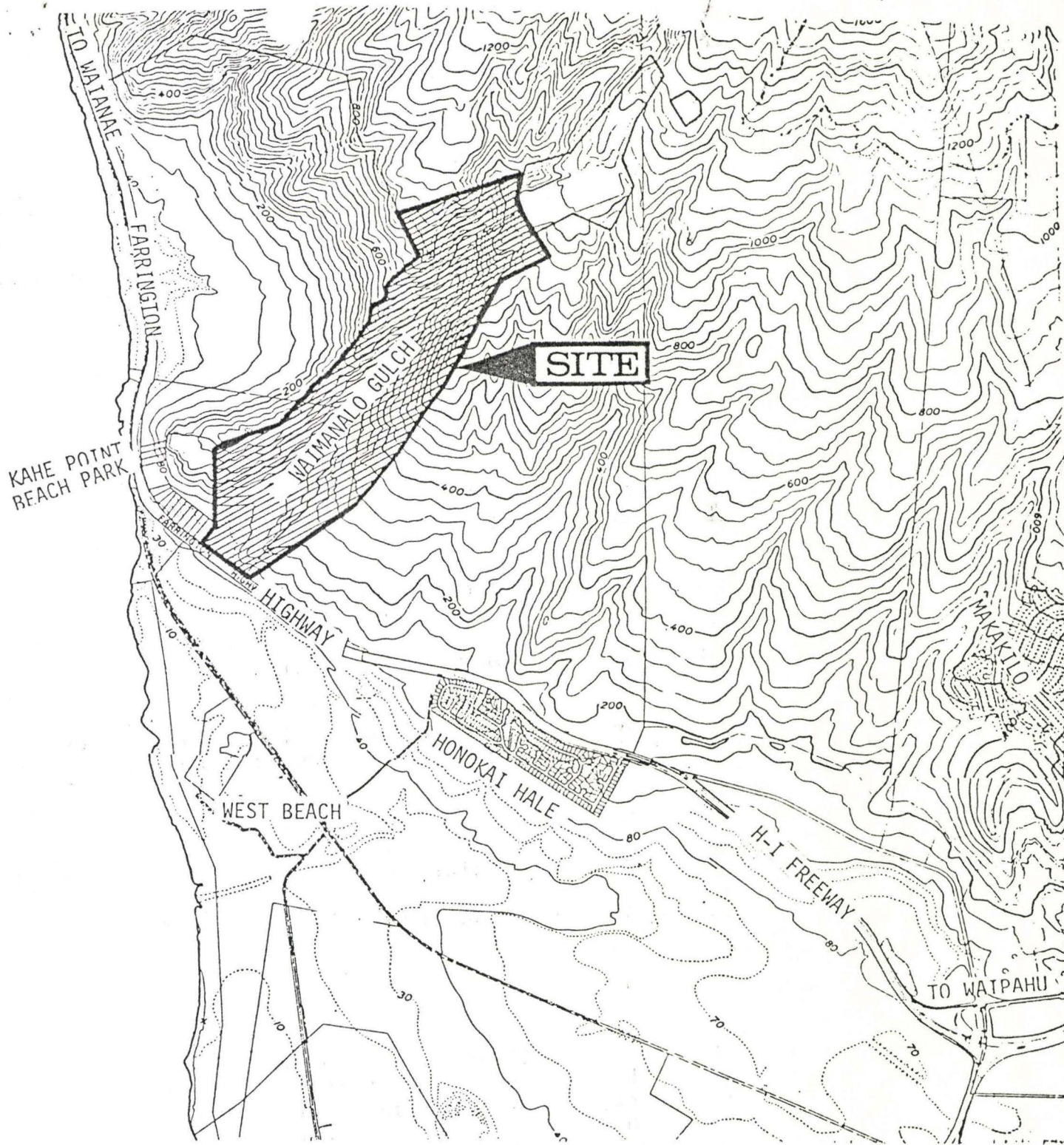


STATE LAND USE MAP

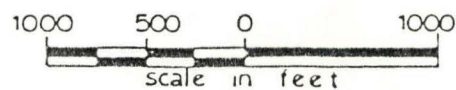


1" = 2000'

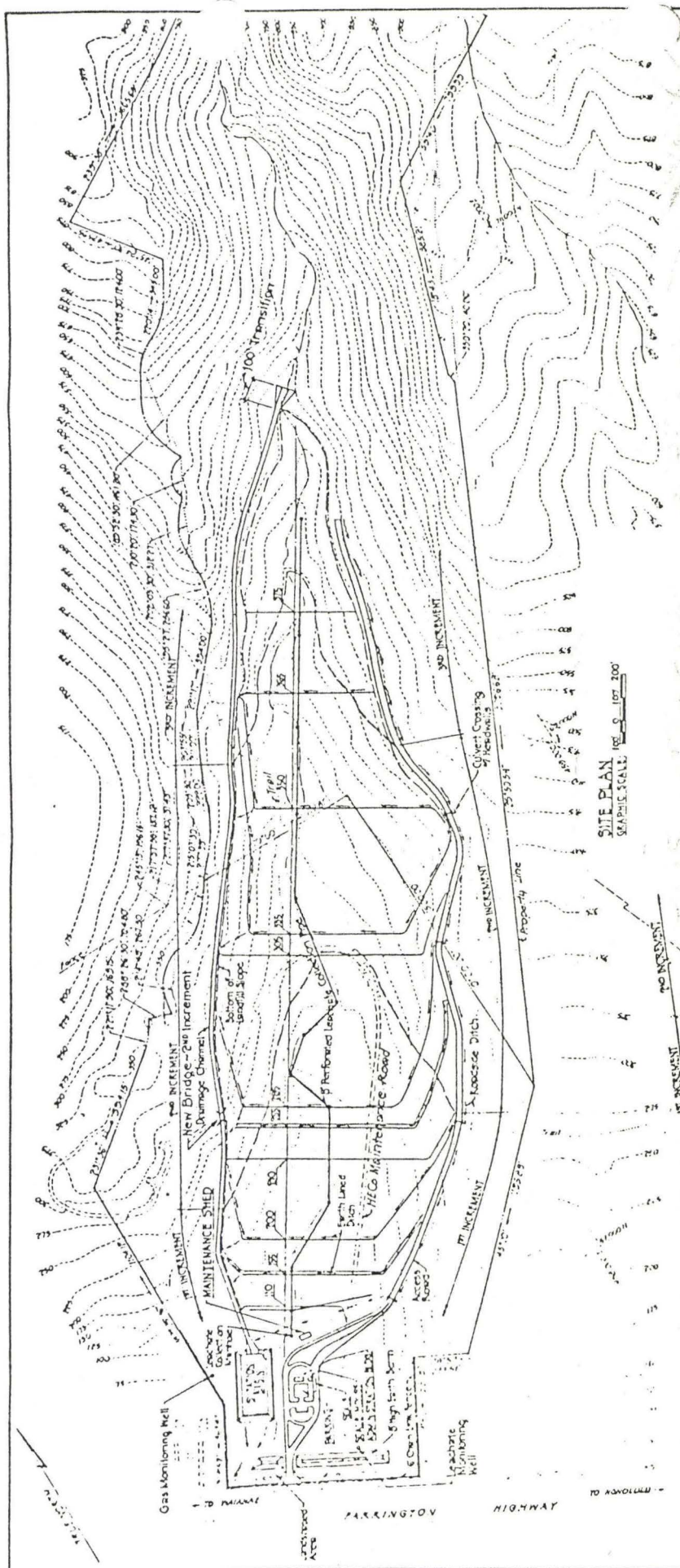




LOCATION MAP







SITE PLAN  
GRAPHIC SCALE 1" = 100'

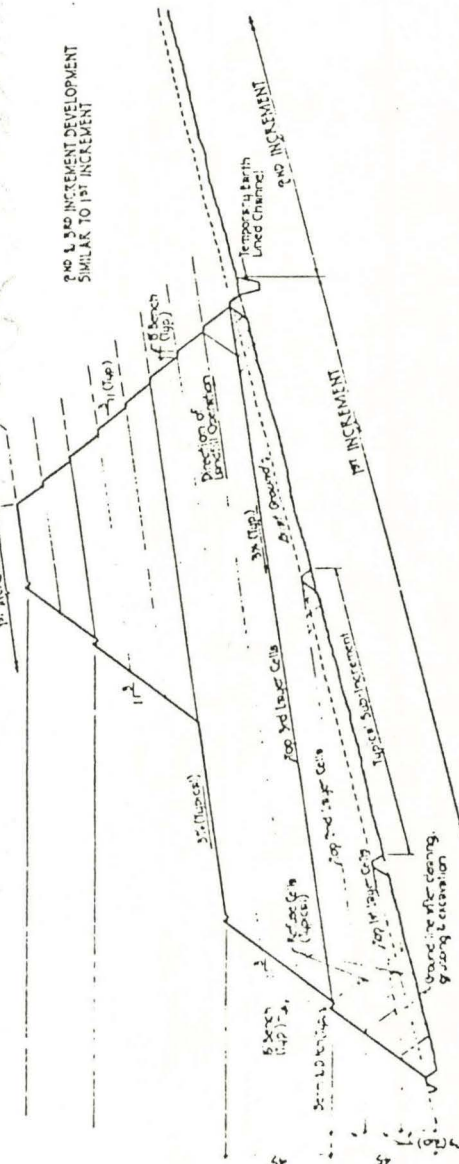
INCREMENTAL DATA			
INCREMENT	AREA (Acres)	HIGHEST ELEVATION (Feet)	VOLUME (Million Cubic Yards)
1ST	25.9	307	2.174
2ND	15.3	343	2.451
3RD	19.4	400	2.022
TOTALS	60.6		6.647

LIFE (Years)
2.61
2.95
2.43
7.99

### EXHIBIT 3

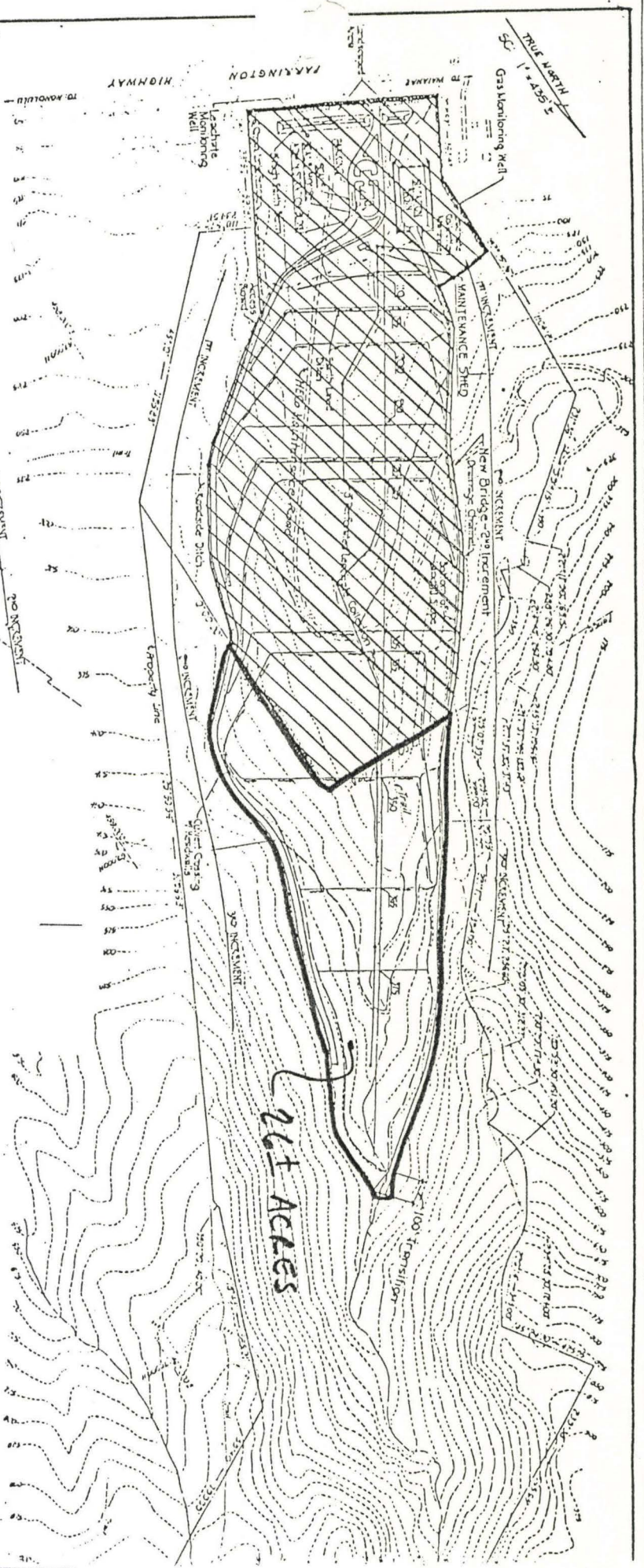
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF REFUSE COLLECTION AND DISPOSAL  
WAMALLO GLAC SANITARY LANDFILL  
SITE PLAN & TYPICAL SECTION OF LANDFILL DEVELOPMENT

SHIMADZU ELECTRONIC CORP. 10000 N. 10TH AVE. DENVER, CO. 80231



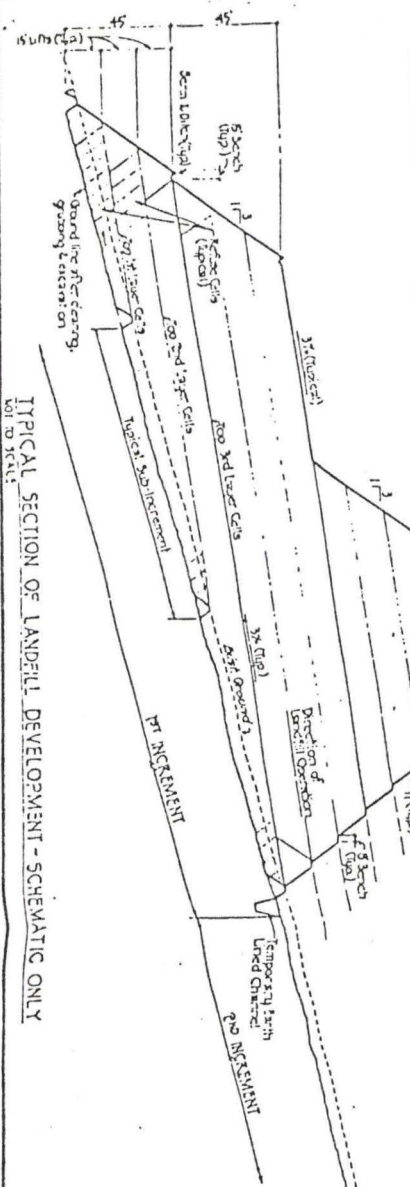
TYPICAL SECTION OF LANDFILL DEVELOPMENT - SCHEMATIC ONLY  
NOT TO SCALE



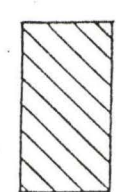


26.1 Acres

2nd to 3rd INCREMENT DEVELOPMENT  
SIMILAR TO 1st INCREMENT



TYPICAL SECTION OF LANDFILL DEVELOPMENT - SCHEMATIC ONLY  
NOT TO SCALE



AREA APPROVED

# LOCATION MAP

TMK. NO. 9-2-03:Por.13  
WAIMANALO GULCH  
HONOLULU, EWA, OAHU

PROPOSAL: The Department of Public Works, City and County of Honolulu, seeks a State Special Use Permit to establish a solid waste landfill in Ewa within a State Agricultural Land Use District. The landfill area is in the Waimanalo Gulch adjacent to and on the Makakilo side of the Kahe Electric Power Plant. (See Location Map.)

The project, encompassing 60 acres, will have a capacity of 6.65 million cubic yards and an operational life of 8 years. Improvement work for the facility includes a paved roadway, administration and maintenance buildings and scalehouse. An 8 foot high earth berm with landscaping for visual screening extending approximately 600 feet will also be provided along the frontage 100 feet mauka of Farrington Highway. The actual landfill area would be located a minimum of 800 feet off the highway.

The facility would operate <sup>seven days a week</sup> Monday through Saturday, between 7:00 a.m. and 4:30 p.m.

PUBLIC AGENCY COMMENTS AND CONCERNS: The agencies contacted indicated no objection to the proposal. The Department of General Planning advised that the project is in keeping with the General Plan policy to "provide safe, efficient, and environmentally sensitive waste collection and waste disposal services."



The Department of Agriculture advised that both the Agricultural Lands of Importance to the State of Hawaii (ALISH) Map and the Land Study Bureau Detailed Land Classification for Oahu indicate poor agricultural productivity potential for agricultural uses. They also do not expect the landfill to adversely affect the area's agricultural resources.

The Department of Health concerns regarding leachates is addressed in the analysis on page 5.

COMMUNITY CONCERNS: Notices of the application were sent to adjoining property owners, community organizations and elected officials. *NH 1500 - Ewa, Waianae.* To date, the department received one letter and two

phone calls from persons living in the Honokai Hale Subdivision. One person objected to the project on the basis of foul odors emanating from such a facility. The other did not object upon confirmation at the public hearing that the highway access would front the project and that it would not be located opposite the Honokai Hale Subdivision.

The letter from a property owner on the Waianae side of the site indicated his concern that access to his property would be affected. A review of the site plans indicate that his access would not be affected.



ANALYSIS: The landfill is allowed as a public use under the provisions of the City and County Land Use Ordinance; however, a Special Use Permit (SUP) is required under the State Land Use Law.

The County Planning Commission may issue Special Use Permits (SUP) for "unusual and reasonable uses" within the Agricultural District which are not classified as permitted uses when such uses would promote the effectiveness and objectives of the Land Use Law and Regulations. The purpose of the SUP is to provide the landowner relief in exceptional situations where the proposed use will not change or be inconsistent with the essential character of the district. The State Land Use District Regulations specify that evaluation of applications for SUPs be evaluated using the following guidelines in determining as "unusual and reasonable use."

Test 1: "Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations." The proposed site is located in a gulch in the Leeward District on generally sloping lands and in an area with a relatively drier climate. The project site does not fall in the prime, unique, or other important agricultural land classifications on the ALISH map. Under the Land Study Agricultural Soils Classification, the site is rated "E"; "A" represents the highest productivity rating and "E" the lowest. On these bases, the project does not appear contrary to the Land Use Law and Regulations objectives.

Test 2: "That the desired use would not adversely affect surrounding property."

Rental units located near the foot of the project area along Farrington Highway may be subject to unpleasant odors and operational noise. The nearest dwelling is located approximately 400 feet from the weigh station and 500 feet from the disposal area. The fill operation would proceed up into the gulch, away from the 15 or 20 units located between the site and the Kahe electric power plant. The earth berm and site landscaping would also serve to provide visual relief. Additional mitigative measures, such as controlling hours of operation, increasing the height of the berm and extending the landscape area, could also be required as a condition of approval to mitigate noise, noxious odors and impacts on the adjoining community.

According to the Department of Public Works, concerns about leachate contamination of off-shore waters from the landfill is unlikely because annual rainfall in Ewa averages only 20 to 30 inches. In addition, the culverts which cross Farrington Highway will not be affected by leachate because they are designed to handle only surface drainage. To further ensure against leachate contamination, the applicant has incorporated

a number of state-of-the art measures in the design of the landfill. These include large <sup>stilling and</sup> silting basins, a perimeter drainage system, the landscaping of graded surfaces and completed sections, grading and compaction of the bottom of the landfill, and the construction of a leachate collection system, monitoring well and an on-site drainage system. Approval of these measures will be required by the Department of Health before a Solid Waste Management Permit to operate the facility can be granted.

Test 3: "Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and school improvements and police and fire protection." The proposal provides a public service which does not unreasonably burden existing public agencies. The Department of Public Works will make the necessary highway improvements, to include a deceleration lane on the off-ramp. On- and off-site improvements for storm drainage and leachate control, water and wastewater disposal will also be provided by the Department of Public Works. In addition, the State Department of Transportation and City Department of Transportation Services are in agreement with the applicant's traffic impact analysis that the project would generate only a slight increase in overall movement on the coast highway.



Test 4: "Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established." The City and County has determined a need for a new Leeward area sanitary landfill and has indicated it on the Development Plan Public Facilities Map (adopted in 1982). The Department of Public Works prepared an Environmental Impact Statement which reviewed various alternative sites and found the project area most feasible to provide this service for a projected full-life of approximately 8 years.

Test 5: "That the land upon which the proposed use is sought is unsuited for the uses permitted within the district." The topography, soil conditions, and general location of the site render the site unfeasible for agricultural applications. As noted in the first test, the area is not suited for agricultural production. A site survey by the Department of Land Utilization indicated that the site is not suited for nearly all other uses which are permitted in the Agricultural District.

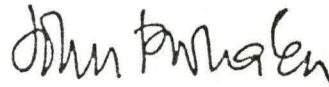
CONCLUSION: The proposal meets all of the "Tests to be Applied" and qualifies as an unusual and reasonable use which may be allowed as a Special Use provided the principles of proper waste disposal are followed. The proposal to establish a solid waste landfill facility at this Waimanalo Gulch is acceptable and will not adversely impact on the surrounding

properties. Approval is recommended with the provisions that the Department of Health, Board of Water Supply and Department of Transportation requirements are met to ensure a safe and efficient proposal to service the community.

RECOMMENDATION: I recommend approval of the request for a State Special Use Permit subject to the following:

1. The earth berm shall be installed prior to commencement of waste disposal operations.
2. A landscape plan, to include plant names, sizes, quantities and location, shall be submitted to the Department of Land Utilization for approval. The plan shall also be implemented within 90 days of completion of the berm work.
3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.
4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.
5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.

6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.



JOHN P. WHALEN  
Director of Land Utilization

JPW:st  
0105N



LU7/87 4167

JOHN WAIHEE  
GOVERNOR OF HAWAII



JOHN C. LEWIN, M.D.  
DIRECTOR OF HEALTH

89 JUL 12 PM 2 06

DEPT. OF LAND UTILIZATION  
HONOLULU

STATE OF HAWAII  
DEPARTMENT OF HEALTH

P. O. BOX 3378  
HONOLULU, HAWAII 96801

In reply, please refer to:  
EPHSD/EPB

June 29, 1989

S0624AD

Mr. John P. Whalen  
Director of Land Utilization  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu, Hawaii 96813

Dear Mr. Whalen:

Subject: Special Use Permit Modification  
Waimanalo Gulch Landfill

Thank you for allowing us to review and comment on the subject modification. Our comments on the proposal to add 26 acres to the landfill are as follows:

The City's Department of Public Works needs to amend its original Solid Waste Management Permit to reflect the modification. Construction plans showing the proposed improvements for the 26 acres are required.

Should you have any questions on the foregoing, please feel free to call Mr. Albert Dung of the Environmental Permits Branch at 548-6410.

Sincerely,

A handwritten signature in cursive script, reading "Bruce S. Anderson".

BRUCE S. ANDERSON, Ph.D  
Deputy Director of Environmental  
Health Administration

AD/rc

EXHIBIT E

W 7/89 4240



'89 JUL 14 PM 1 18

DEPT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

July 12, 1989

City and County of Honolulu  
Department of Land Utilization  
650 South King Street  
Honolulu, Hawaii 96813

Attention: Mr. William Enriques

Gentlemen:

Notice of Application  
State Special Use Permit - Ewa

We have reviewed the Department of Public Works application for modification to an existing Special Use Permit (86-SUP-5). Our engineers have outlined on the attached Notice of Application sketch the approximate alignment of our future and existing 46 and 138 kv lines out of Kahe Power Plant

During construction, adequate safety precaution must be taken to prevent construction equipment from contacting our overhead facilities. In order to work under our lines, the following conditions must be agreed to:

- Hawaiian Electric reserves the right to review and approve any proposed construction work within our easement area.
- No buildings or structures are to be erected within the easement area.
- The minimum clearance from the lowest conductor to ground shall be as specified by General Order No. 6.
- No grading work will be allowed within a 20-foot radius of any poles, structures or anchors without Hawaiian Electric's approval.
- Vehicular access will be required to each easement area for maintenance and for future construction.

City - Department of Land Utilization  
Attn: Mr. William Enriques  
Page 2

July 13, 1989

In addition, the City and contractor must provide us with a Hold Harmless Agreement before any work is done under our overhead lines.

Should you have any questions, please call me at 543-7810.

Sincerely,

  
Charles T. Ane  
Land Agent

Attachment





KAHE SW STA



LOCATION MAP



Meeting of the Planning Commission  
Minutes  
July 26, 1989

The Planning Commission held a meeting on Wednesday, July 26, 1989 at 1:34 p.m. in the Civil Service Conference Room of the City Hall Annex. Commissioner Karen T. Nakamura, Chairman, presided.

PRESENT: Karen T. Nakamura, Chairman  
Robert J. Rawson, Jr., Vice Chairman  
Sesnita Brundage  
Linda Fulgenzi  
Jackson Nakasone  
Randall M. L. Yee (left at 3:00 p.m.)

ABSENT: Linda Boxold  
Arturo Perez  
Thomas N. Yamabe II

COMMISSION STAFF: Bill Medeiros, Acting Executive Secretary  
Patty Kalapa, Secretary-Reporter

CORPORATION COUNSEL: Chris Diebling

DGP REPRESENTATIVES: Donald A. Clegg, Chief Planning Officer  
Clarence Tom, Staff Planner  
Randy Hara, Staff Planner

DLU REPRESENTATIVE: Bill Enriques, Staff Planner

MINUTES: The minutes of July 12, 1989 were approved, as circulated, on motion by Mr. RAWSON, seconded by Mrs. FULGENZI and carried.

PUBLIC HEARING  
EWA--STATE SPECIAL  
USE PERMIT  
(FILE 86/SUP-5(WE)) A public hearing was held to consider a State Special Use Permit to modify an existing State Special Use Permit (86/SUP-5 and docket no. SP87-362) in order to include an additional 26.0 acres of land at the Waimanalo Gulch Landfill.

Publication was made in The Honolulu Advertiser and Star Bulletin on Friday, June 30, 1989.

BILL ENRIQUES made the staff presentation recommending approval of the modification of the State Special Use Permit subject to conditions imposed by the existing permit.

Public testimony:

1. JANE ROSS, Chairman of Neighborhood Board #23, gave the following testimony:



"My name is JANE ROSS. I'm the Chairperson of Neighborhood Board #23. I believe you know what the Board recommended. They really do not support or oppose. They just feel that since there is a landfill there, it is appropriate to go ahead and extend it back. I think if it had been more towards the public view, there would have been some opposition. There were some concerns expressed during the discussion of what we should do about this so that the City is very careful to observe all necessary precautions to keep the environment safe with liners and also the matter of flies. Odors may not exist that far back, but there's concern that there may be percolation down through the ground. With that caution, we say we don't oppose it, go ahead."

Written testimony:

1. WILLIAM W. PATY, State of Hawaii Department of Land and Natural Resources, submitted testimony stating he had no objection to the proposed State Special Use Permit modification. (testimony attached)

MOTION: It was moved to close the public hearing and recommend approval of the recommendation of the Director of Land Utilization, on motion by Mr. YEE, seconded by Mr. RAWSON and carried.

AYES: NAKAMURA, BRUNDAGE, FULGENZI, NAKASONE, RAWSON, YEE  
NOES: NONE  
ABSENT: BOXOLD, PEREZ, YAMABE

PUBLIC HEARING	A public hearing was held to consider
NORTH SHORE--DEVELOPMENT	amending the North Shore Development Plan
PLAN PUBLIC FACILITIES MAP	Public Facilities Map by changing the
(FILE 88/NS-1006(IC))	symbol for a publicly funded park from
	site undetermined, beyond 6 years, to
	site determined, within 6 years.

Publication was made in The Honolulu Advertiser and Star Bulletin on Friday, July 14, 1989.

CLARENCE TOM made the staff presentation recommending approval of the proposed amendment to the North Shore Public Facilities Map.

#### QUESTIONS FROM THE COMMISSION

RAWSON: You say there are no objections. The owner has some objections. Did you discuss it with him?

TOM: The owner came in in 1984 and suggested a tradeoff by expanding Mokuleia Beach Park and reducing the area of this particular site. That was dropped because he withdrew his plans. Since then, there is a new owner.



JOHN WAIHEE  
GOVERNOR OF HAWAII

RECEIVED

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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621  
HONOLULU, HAWAII 96809

WILLIAM W. PATY, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

LIBERT K. LANDGRAF  
MANABU TAGOMORI  
RUSSELL N. FUKUMOTO

AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

REF:OCEA-vin

JUL 18 1989

FILE NO.: 89-775  
DOC. NO.: 6107E

The Honorable John P. Whalen, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street  
Honolulu, HI 96813

Dear Mr. Whalen:

SUBJECT: Special Use Permit Modification  
Waimanalo Gulch Sanitary Landfill  
TMK: 9-2-3: 2 and 13

Thank you for giving our Department the opportunity to comment on this matter. We have reviewed the materials you submitted and have the following comments.

Our Department's Historic Sites Section points out that an archaeological survey for the entire gulch, including the subject 26 acres, was completed in 1977, and no archaeological sites were found. Construction workers for the initial phase of work at the landfill discovered three small petroglyphs early this year. While the survey clearly missed these petroglyphs, we believe that no major sites have been overlooked. Therefore, we believe that the project will have "no effect" on significant historic sites.

Please feel free to contact Roy Schaefer of our Office of Conservation and Environmental Affairs, at 548-7837, if you have any questions.

Very truly yours,

WILLIAM W. PATY

PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

LAND USE COMMISSION  
STATE OF HAWAII  
Aug 9 12 26 PM '89

IN THE MATTER OF THE PETITION )  
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OF THE )  
 )  
CITY AND COUNTY OF HONOLULU )  
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FOR A )  
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MODIFICATION OF AN EXISTING )  
 )  
STATE LAND USE COMMISSION )  
 )  
SPECIAL USE PERMIT )  
 )  
FOR THE )  
 )  
WAIMANALO GULCH LANDFILL )  
 )  
IN EWA, OAHU )  
 )

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REF NO. 86/SUP-5  
(MODIFICATION)

FINDINGS OF FACT AND CONCLUSIONS

I. PROPOSAL

The Planning Commission, at its meeting on July 26, 1989, considered the proposal to modify an existing State Special Use Permit for a solid waste disposal facility (landfill) in Waimanalo Gulch, Ewa, Oahu. The request involves a 26-acre expansion of the project's land area beyond the 60.5 acres previously approved by the State Land Use Commission on April 20, 1987.

The subject site is identified by Tax Map Key 9-2-3: 2 and 13. The initial inquiry for this change in designation was submitted by the City Department of Public Works.

A public hearing was held on this matter by the Planning Commission on July 26, 1989, in accordance with Section 5-4 of the Rules Relating to Administrative Procedure. No petitions were received from any person requesting to be made a party to the proceedings.

## II. FINDINGS OF FACT

On the basis of the evidence presented, the Commission hereby finds:

1. The property in question is identified by Tax Map Key 9-2-3: 2 and 13. The property owner is the City and County of Honolulu.
2. The subject site is located mauka of Kamehameha Highway adjacent to the existing Waimanalo Gulch Landfill in Ewa, Oahu. The site consists of approximately 26 acres.
3. The property is designated for Agricultural Use on the Development Plan Land Use Map for Ewa. The State Land Use District designation is Agriculture and its present zoning is AG-2 General Agricultural District. The property is presently vacant and is rated "E" under the Land Study Bureau's Agricultural Soils Classification. The site is not classified as Prime, Unique or Other Important agricultural lands on the ALISH Map.
4. The applicant's request is for a modification of an existing State Special Use Permit in order to include an additional 26 acres of land with the previously approved 60.5-acre



Waimanalo Gulch Landfill in Ewa. The additional acreage will be used for disposal of ash from the H-POWER garbage-to-energy plant and for other uses directly related to the operation of the landfill. The initial inquiry was made by the City Department of Public Works. The information that was supplied and the comments of public agencies are attached.

5. The Commission received the Director's Report from the Department of Land Utilization analyzing the request and proposal. Included in the report is a letter from the Hawaiian Electric Company indicating the existence of an easement for electrical power lines in the area of the landfill. A series of provisions on the construction and operation of the landfill was outlined. In the attached analysis and proposal, the director recommended that an additional condition be placed on the permit which would require coordination between the Department of Public Works and the Hawaiian Electric Company.
6. During the Planning Commission public hearing held on July 26, 1989, one person testified regarding this request. The full testimony is recorded in the Planning Commission Minutes of July 26, 1989.

### III. CONCLUSIONS

The Planning Commission hereby concludes that:

1. The request for the modification of the existing State Special Use Permit for an expansion of a solid waste disposal

facility (landfill) constitutes an unusual and reasonable use within the State Agricultural District.

2. The request for modification is consistent with the objectives of the Land Use Law and Regulations.
3. The landfill site, if expanded, would not adversely affect surrounding property.
4. The proposed use would not unreasonably burden public infrastructure.
5. Unusual conditions, trends and needs have arisen since the establishment of the district boundaries and regulations.
6. The land in question is unsuited for the uses permitted within the Agricultural District.

THEREFORE, the Planning Commission of the City and County of Honolulu recommends to the State Land Use Commission that the modification of the existing State Special Use Permit for the Waimanalo Gulch Landfill be approved in order to include an additional 26 acres, effective on the date of approval by the State Land Use Commission and subject to all conditions of the original permit as well as to an additional condition, as recommended by the Director of the Department of Land Utilization, requiring coordination between the Department of Public Works and the Hawaiian Electric Company during the construction and operation of the landfill.

Dated at Honolulu, Hawaii this 3rd day of August, 1989.

PLANNING COMMISSION

CITY AND COUNTY OF HONOLULU

By Karen T. Nakamura  
KAREN T. NAKAMURA  
CHAIRMAN

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
)  
DEPARTMENT OF PUBLIC WORKS, )  
CITY AND COUNTY OF HONOLULU )  
)  
For a Special Use Permit to )  
Establish a Sanitary Landfill on )  
Approximately 60.5 Acres of Land )  
Situate Within the Agricultural )  
District at Waimanalo Gulch, )  
Honouliuli, Ewa, Oahu, Tax Map )  
Key No.: 9-2-03: Portion of )  
Parcel 2 and Portion of Parcel 13 )  
\_\_\_\_\_ )

DOCKET NO. SP87-362

DEPARTMENT OF PUBLIC WORKS,  
CITY AND COUNTY OF HONOLULU

**This is to certify that this is a true and correct  
copy of the Decision and Order on file in the office  
of the State Land Use Commission, Honolulu Hawaii.**

APR 20 1987

Date

by

*Esther Lunde*  
Executive Officer

APR 20 2 05 PM '87

LAND USE COMMISSION  
STATE OF HAWAII

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION AND ORDER



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	DOCKET NO. SP87-362
)	)
DEPARTMENT OF PUBLIC WORKS, )	DEPARTMENT OF PUBLIC WORKS,
CITY AND COUNTY OF HONOLULU )	CITY AND COUNTY OF HONOLULU
)	)
For a Special Use Permit to )	
Establish a Sanitary Landfill on )	
Approximately 60.5 Acres of Land )	
Situate Within the Agricultural )	
District at Waimanalo Gulch, )	
Honouliuli, Ewa, Oahu, Tax Map )	
Key No.: 9-2-03: Portion of )	
Parcel 2 and Portion of Parcel 13 )	
)	

FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DECISION AND ORDER

The Department of Public Works, City and County of Honolulu (hereinafter the "Petitioner") initiated this proceeding pursuant to Section 205-6, Hawaii Revised Statutes, as amended, and Subchapter 12 of the Hawaii Land Use Commission Rules. The Land Use Commission (hereinafter the "Commission") having considered the entire record on this matter, hereby makes the following findings of fact and conclusions of law and decision and order:

FINDINGS OF FACT

Procedural Matters

1. The Petitioner filed the Special Permit application with the Department of Land Utilization on October 1, 1986. Public hearings were conducted by the Planning

Commission on January 21, 1987 and continued on February 4, 1987. No public testimony was received at either of these hearing dates.

2. On January 16, 1987, the Land Use Commission received a copy of the Planning Commission's agenda for the January 21, 1987 hearing date.

3. On February 4, 1987, the Planning Commission approved the Special Permit, with six conditions. The Special Permit was received by the Land Use Commission on February 23, 1987.

Description of Property

4. The proposed landfill site is in Waimanalo Gulch adjacent to and on the Makakilo side of the Kahe Electric Power Plant, abutting the mauka side of Farrington Highway and mauka of the proposed Ko Olina Resort (formerly known as the West Beach Resort) and approximately one mile west of the Honokai Hale residential subdivision.

5. The landfill site is approximately 60.5 acres and is identified as Oahu Tax Map Key No.: 9-2-03: portion of parcel 2 and portion of parcel 13 (hereinafter the "Property").

6. According to the Real Property Assessment of the City Department of Finance, the present owners of the Property are as follows:

TMK: 9-2-03:2 James Campbell Trust Estate  
TMK: 9-2-03:13 Robert H. K. Au & Wife Audrey F.  
Betsy F. S. Au Lum  
Betty L. W. Au

7. The County is in the process of condemning portions of parcels 2 and 13 totaling approximately 200.622 acres of which 60.5 acres will be used for the proposed landfill.

8. The Property, which is currently vacant, is located adjacent to 13 single-family dwellings. Prior to 1960, the site was used for cattle grazing.

9. Soils found on the Property are classified as Lualualei extremely stony clay 3 to 5% slope (LPE) and Rock Land (rRK).

10. The Property is located in an area that receives between 20 and 30 inches of rainfall per year. Groundwater found below the Property is brackish with a salinity range of 250 to 19,000 parts per million chloride content.

11. The Property is not classified by the Agricultural Lands of Importance to the State of Hawaii (ALISH) system.

12. No endangered plants and animals were found on the Property.

13. There are no known significant archaeological sites on the Property.

#### Summary of Proposed Use

14. Petitioner is requesting the Special Permit to allow the establishment of a sanitary landfill including highway and roadway improvements, administration building, scale and scalehouse, maintenance shed, drainage system,



leachate collection system, leachate and gas monitoring wells, landscaping and irrigation, security fencing and utilities on approximately 60.5 acres of land. (The Property as described in Petitioner's Exhibit 3 reflects an area of approximately 80 plus acres although the Planning Commission's recommendation for approval was for only 60.5 acres.)

15. Petitioner proposes the new landfill to initially serve the Leeward Communities for disposing raw refuse and is projected to have an eight year life and a capacity of 6.65 million cubic yards. Petitioner anticipates that when the proposed H-POWER (Honolulu Resource Recover Project) facility becomes operational in 1988, most of the raw refuse will be diverted to this facility and the Property will be used for the disposal of ash from H-POWER and other non-combustibles.

16. Petitioner proposes to operate the proposed landfill from 7:00 a.m. to 4:30 p.m., seven days per week. In addition, contractors with the County will be allowed 24-hour access to the landfill to dispose of ash from the operation of H-POWER once every hour. The accumulated ash will be spread and compacted the next day during normal working hours.

17. Petitioner states that the current sanitary landfills at Kapaa, Kawaiiloa and Waianae are rapidly approaching capacity. Even with a resource recovery project, the ash waste from H-POWER will still need a site for final disposal. However, with a resource recovery facility in place, the useful life of the proposed landfill may be doubled.

18. Access to the Property is currently provided by Farrington Highway, a four lane divided highway. Petitioner proposes to improve Farrington Highway by constructing exclusive turning lanes connecting to a 2000 lineal foot access roadway on the Property.

#### State and County Plans and Programs

19. The subject Property is located in the State Agricultural District as designated on State Land Use District Boundary Map O-6 Ewa, Hawaii.

20. The City and County of Honolulu Ewa Development Plan designates the Property as Agriculture. Zoning for the Property is AG-2 General Agriculture. The current zoning allows the use of the Property for sanitary landfill.

21. The Property is not located within the Special Management Area.

22. The Property lies below the UIC (Underground Injection Control) line for the area.

#### Environmental Concerns

23. Major concerns are the possible contamination of offshore waters from leachates generated at the Property, visual, noise, dust, odor and traffic impacts on surrounding existing and proposed communities.

24. The Final Environmental Impact Statement (EIS) was submitted and was accepted by the Director of Land Utilization on October 17, 1985. The EIS included a summary of probable

impacts, probable adverse environmental effects and proposed mitigation measures, alternatives to the proposed action, irreversible and irretrievable commitments of resources, summary of unresolved issues, and other matter as required by Chapter 343, HRS.

Conformance with Special Permit Guidelines

25. The project does not appear contrary to the Land Use Law. The proposed site is located in a gulch in the Leeward District on generally sloping lands and in an area with a relatively drier climate. The project site does not fall in the prime, unique, or other important agricultural land classifications on the ALISH map. Under the Land Study Bureau Agricultural Soils Classification, the site is rated "E"; where "A" represents the highest productivity rating and "E" the lowest.

26. The desired use would not adversely affect surrounding property. The nearest dwelling is located approximately 400 feet from the weigh station and 500 feet from the disposal area. According to the Petitioner, leachate contamination of off-shore waters from the landfill is unlikely because annual rainfall in Ewa averages only 20 to 30 inches. To ensure against leachate contamination, the Petitioner has incorporated a number of state-of-the art measures in the design of the landfill. These include large silting basins, a perimeter drainage system, the landscaping of graded surfaces



and completed sections, grading and compaction of the bottom of the landfill, and the construction of a leachate collection system, monitoring well and an on-site drainage system.

27. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and school improvements and police and fire protection. Petitioner will make the necessary highway improvements, to include a deceleration lane on the off-ramp. On- and off-site improvements for storm drainage and leachate control, water and wastewater disposal will also be provided by the Petitioner. The proposed projects' traffic impact would generate only a slight increase in overall traffic on the coast highway.

28. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. Petitioner has determined a need for a new Leeward area sanitary landfill and has indicated it on the Development Plan Public Facilities Map (adopted in 1982). Petitioner prepared an EIS which reviewed various alternative sites and found the project area most feasible to provide this service for a projected full-life of approximately 8 years.

29. The land upon which the proposed use is sought is unsuited for the uses permitted within the district. The topography, soil conditions, and general location of the site render the site unfeasible for agricultural applications.

### Planning Commission Recommendation

30. At its meeting of February 4, 1987, the City and County of Honolulu Planning Commission voted to recommend approval of the subject permit for the establishment of the sanitary landfill facility subject to the following conditions:

- "1. The earth berm shall be installed prior to commencement of waste disposal operations.
- "2. A landscape plan, to include plant names, sizes, quantities and location, shall be submitted to the Department of Land Utilization for approval. The plan shall also be implemented within 90 days of completion of the berm work.
- "3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.
- "4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.
- "5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.
- "6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit."

### CONCLUSIONS OF LAW

The proposed use is an "unusual and reasonable" use as defined in Chapter 205-6, Hawaii Revised Statutes and the proposed use is not contrary to the objectives to be accomplished by the State Land Use Law to preserve, protect and encourage the development of lands in the State for those uses

to which they are best suited in the interest of the public health and welfare.

ORDER

IT IS HEREBY ORDERED that Special Permit Docket Number 86-362 to establish a sanitary landfill including highway and roadway improvements, administration building, scale and scalehouse, maintenance shed, drainage system, leachate collection system, leachate and gas monitoring wells, landscaping and irrigation, security fencing and utilities, on approximately 60.5 acres, consisting a portion of the Property, situate within the State Land Use Agricultural District at Waimanalo Gulch, Honouliuli, Ewa, Oahu, Tax Map Key Number: 9-2-03: portion of parcel 13, and approximately identified on Exhibit A attached hereto and incorporated by reference herein be approved subject to the following conditions:

1. That an earth berm shall be installed prior to the commencement of any waste disposal operations.

2. The landscaping plans which would include plant names, sizes, quantities and location shall be submitted to the Department of Land Utilization for approval and shall be implemented within 90 days of completion of the berm work.

3. The facility shall be operational between the hours of 7:00 a.m. and 4:30 p.m. daily.

4. The applicant shall obtain all necessary approvals from the State Department of Health, Department of



Transportation, and Board of Water Supply for all on-site and off-site improvements involving access, storm drainage, leachate control, water and wastewater disposal.

5. The Planning Commission or Director of Land Utilization may at any time impose additional conditions when it becomes apparent that a modification is necessary and appropriate.

6. The applicant shall notify the Planning Commission of termination of use for appropriate Planning Commission action or disposition of the permit.

7. That the project be completed and operating within 3 years of the approval of the special use permit.

8. That the City and County of Honolulu indemnify and hold harmless the State of Hawaii and all of its agencies and/or employees for any lawsuit or legal action relating to any groundwater contamination or noise, odor pollution relative to the operation of the landfill.

DOCKET NO. SP87-362 - CITY AND COUNTY OF HONOLULU, DEPARTMENT  
OF PUBLIC WORKS

Done at Honolulu, Hawaii, this 20th day of April 1987,  
per motions on March 17, 1987 and April 15, 1987.

LAND USE COMMISSION  
STATE OF HAWAII

By *T. P. Tacbian*  
TEOFILO PHIL TACBIAN  
Chairman and Commissioner

By *Frederick P. Whittemore*  
FREDERICK P. WHITTEMORE  
Vice Chairman and Commissioner

By *Everett Cuskaden*  
EVERETT L. CUSKADEN  
Commissioner

By *Robert S. Tamaye*  
ROBERT S. TAMAYE  
Commissioner

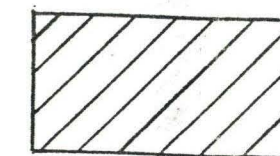
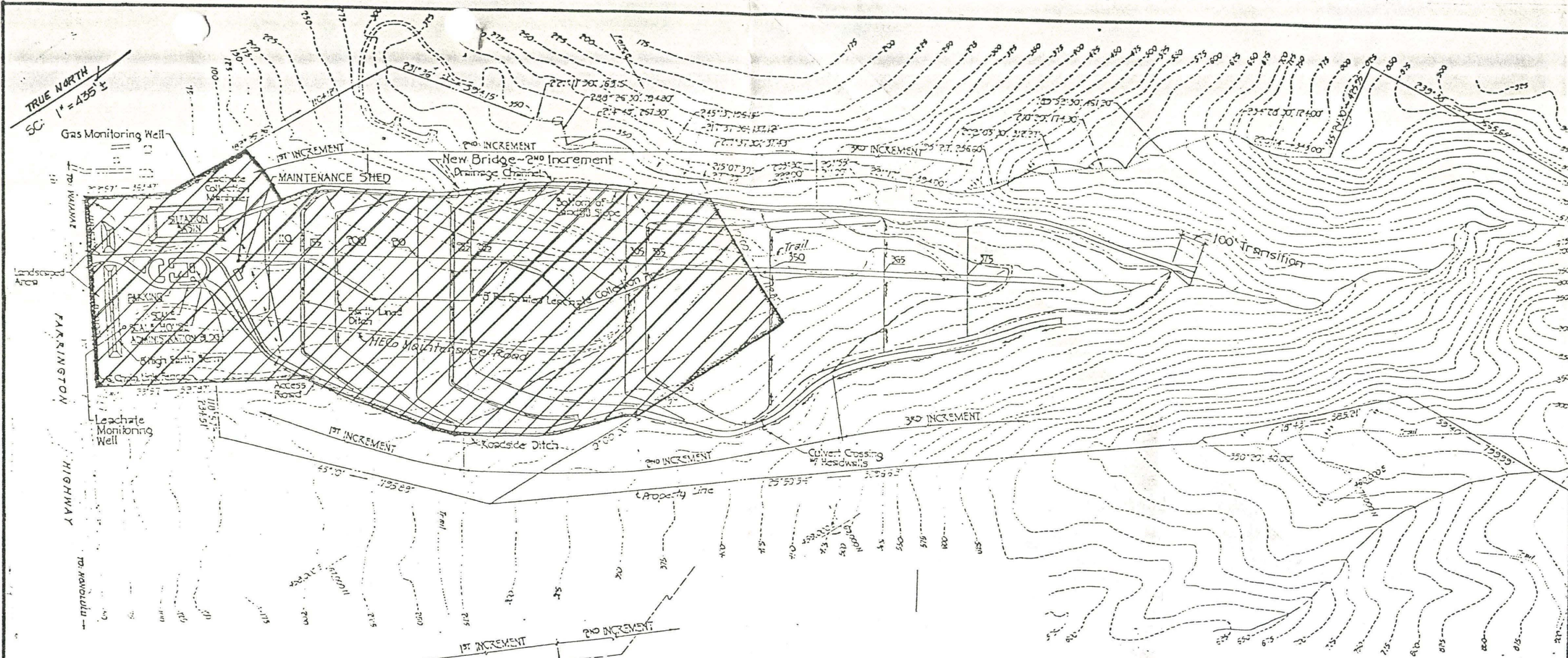
By *William W. L. Yuen*  
WILLIAM W. L. YUEN  
Commissioner

By *Toru Suzuki*  
TORU SUZUKI  
Commissioner

By *Richard B. F. Choy*  
RICHARD B. F. CHOY  
Commissioner

By *Lawrence F. Chun*  
LAWRENCE F. CHUN  
Commissioner

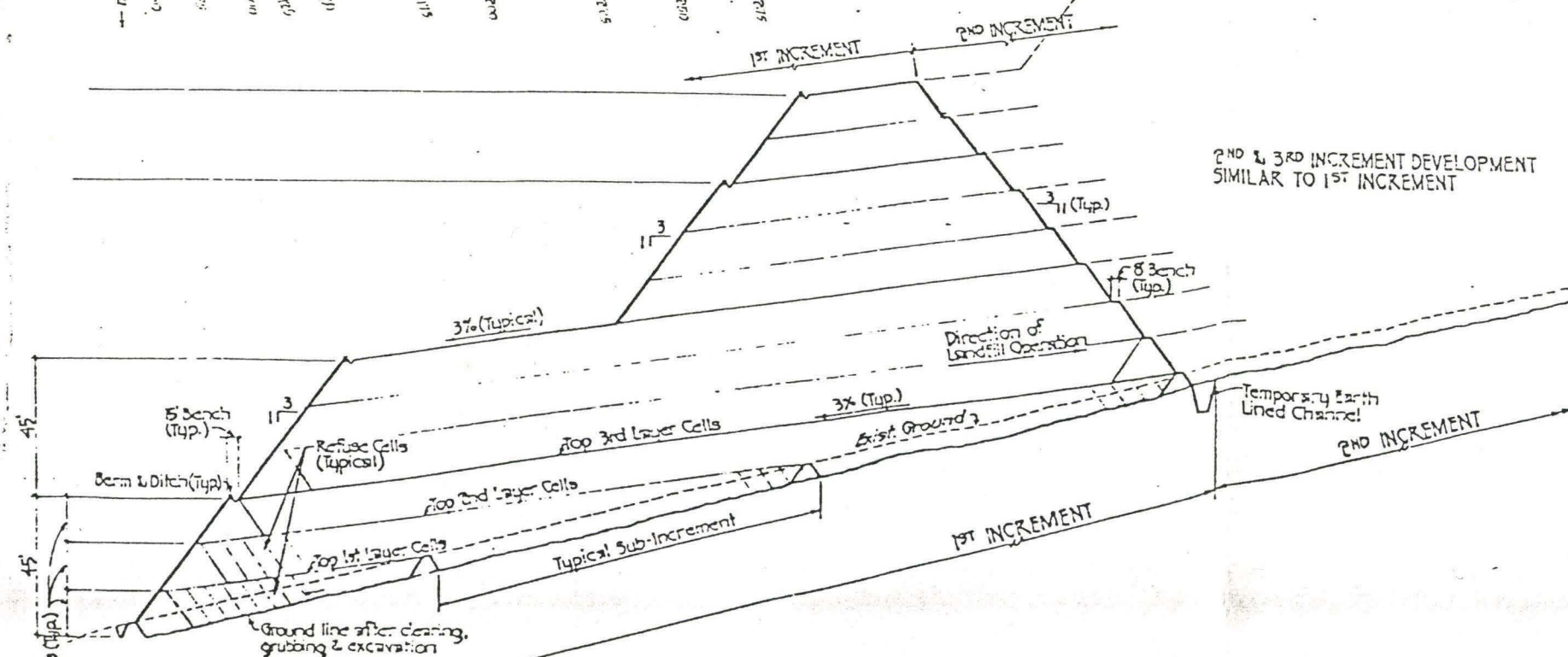




AREA APPROVED

## LOCATION MAP

TMK. NO. 9-2-03:Por.13  
WAIMANALO GULCH  
HONOLULU, EWA, OAHU



TYPICAL SECTION OF LANDFILL DEVELOPMENT - SCHEMATIC ONLY  
NOT TO SCALE



SP87-362 C&C OF HONOLULU, DEPT. OF PUBLIC WORKS

(MAP of Leeward Sanitary Land Fill)

REFUSE COLLECTION AND DISPOSAL MEMO

Date 8/30/89

TO: Ray Young

SUBJECT: \_\_\_\_\_

As requested, attached is  
the map showing the metes  
and bounds of the Campbell property.

M. Lee

Not part  
of record  
rec'd from DGP

LAND USE COMMISSION  
STATE OF HAWAII  
AUG 30 3 11 PM '89

FROM \_\_\_\_\_



LAND USE COMMISSION  
STATE OF HAWAII

Aug 30 3 41 PM '93



NOTE:  
--- Denotes no vehicle access permitted  
--- Denotes vehicle access permitted

Work Order No. 107  
Control No. 884X0115

OWNERS OF LOT 358-B-1-A-1-A  
Robert H. K. Au & W. Audrey - 10/85 Int.  
Edward S. H. Au - 1/85 Int.  
Betty L. W. Au - 1/85 Int.  
Robert H. K. Au - 12/85 Int.

SUPERSEDES 17-10-G-93  
PARCELS 1 & 2  
PARCEL MAP

DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF HONOLULU  
DIVISION OF LAND SURVEY AND ACQUISITION

LEEWARD SANITARY LAND FILL  
(WAIMANALO GULCH SITE)

At Honolulu, Ewa, Oahu, Hawaii

SURVEYOR: C. T. Onaga  
PROJ. SURV.: C. T. Onaga  
SCALE: 1 in. = 600 ft.  
APPROVED: [Signature]  
DIRECTOR AND CHIEF ENGINEER

DATE: September 20, 1993  
CHECKED BY: M. Fukushima  
TRACER: D. Chong  
APPROVED: [Signature]  
CHIEF

W.S.	F.B.	C.B. 810:68	C.B. 817:70
W.S. BY	F.W. BY	CALC. BY C.T.O.	CALC. BY M.F.

DLU 1986 (150)

TAX MAP KEY: 7-2-03:2213

Sheet No. of Sheets

FILE	POCKET	FOLDER	NO.
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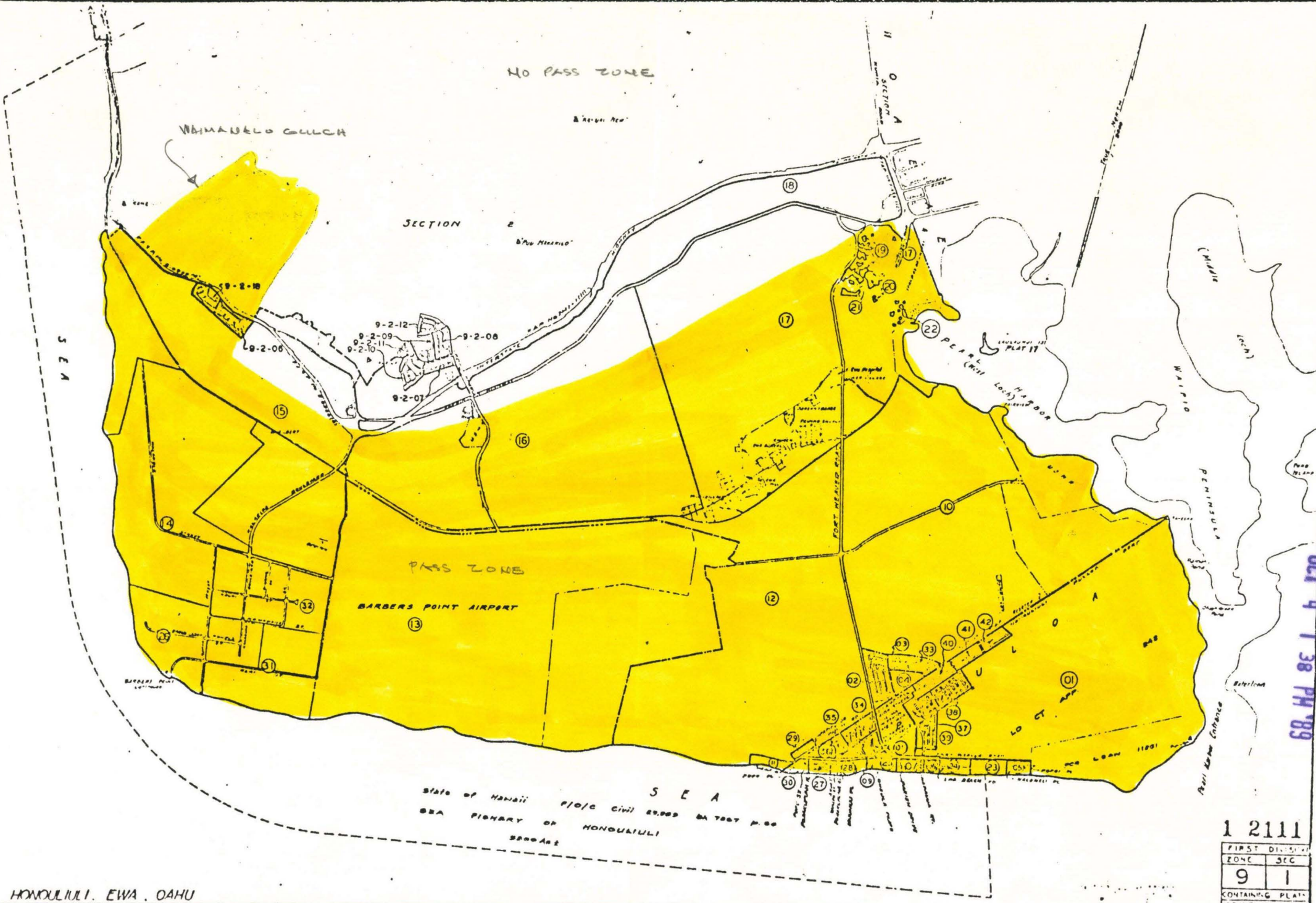


SP87-362 - DEPT. OF PUBLIC WORKS, CITY AND COUNTY OF HONOLULU  
(First Amendment)

M A P S



Div No. 1248  
 Revised by 29-July-58  
 By: H.N. May 1953  
 Source: San Francisco Map, 1st Rev. Edition



LAND USE COMMISSION  
 STATE OF HAWAII

Oct 4 1 38 PH 89

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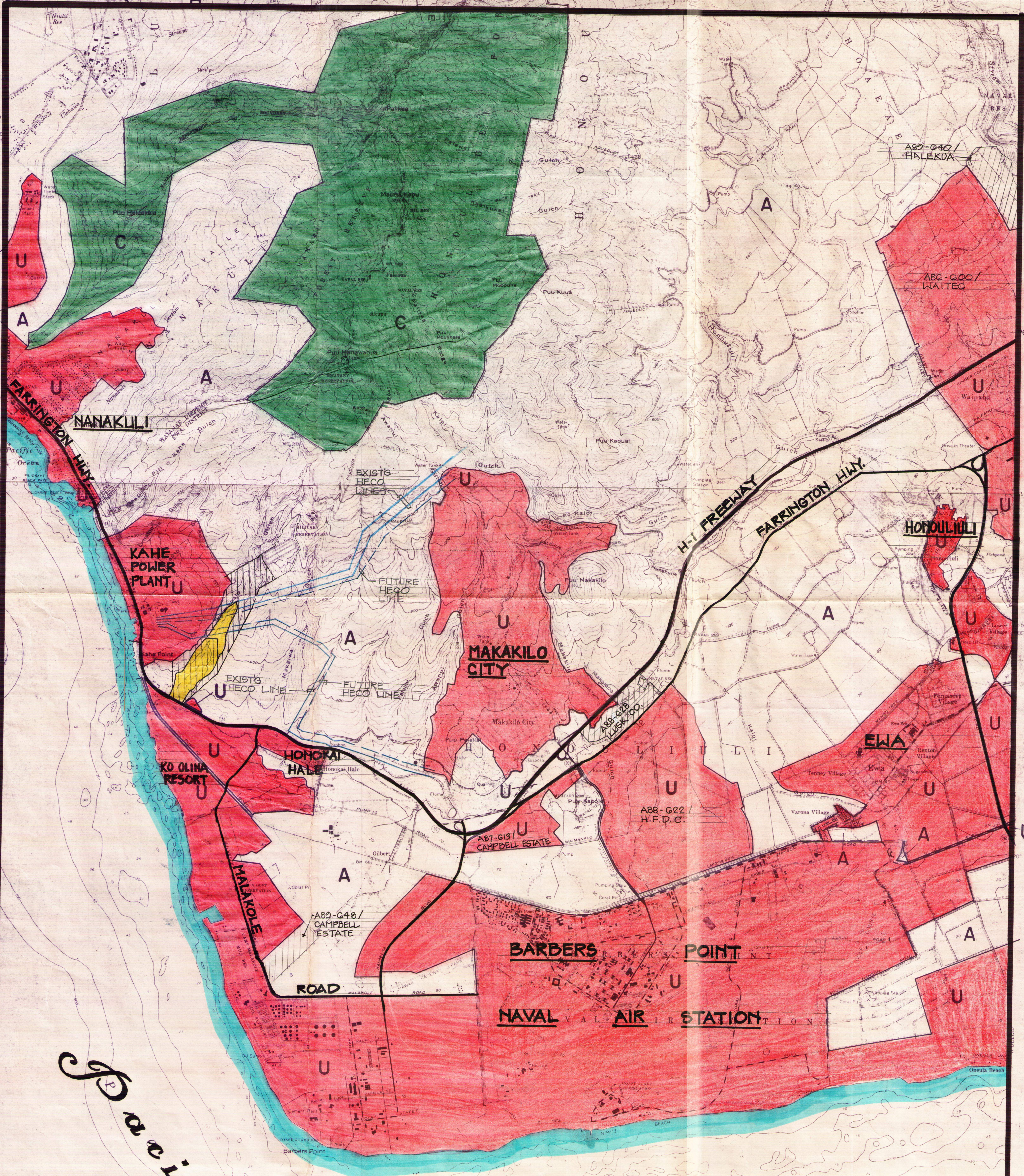
FIRST DIVISION	ZONE	SEC
9	1	
CONTAINING PLAT	SCALE 1:10,000	

PRINTED

from Larry Whang BWS Pass/No Pass Zone NOT Part of Record



# SP87-362 / CITY & COUNTY OF HONOLULU, DEPARTMENT OF PUBLIC WORKS



## PERMIT AREA KEY

- CONDEMNATION AREA
- EXPANSION AREA
- APPROVED AREA

MAP NO. 1

BOUNDARY AMENDMENTS	
DOCKET NO.	DATE
A88-627 SENTINEL DEVELOPMENT CO.	A to U MAY 8, 1989
A87-613 CAMPBELL ESTATE	A to U MAY 3, 1989

BOUNDARY AMENDMENTS	
DOCKET NO.	DATE
A76-421 WEST BEACH	A to U OCT. 25, 1977
A78-449 HARBOR	A to U NOV. 21, 1979
A79-469 MSM & ASSOC. INC.	A to U MAY 5, 1981
A80-485 FINANCE REALTY	A to U AUG. 13, 1981
A79-469 CIVIL NO. 66168	REVERSAL MAY 3, 1982
A83-558 MSM & ASSOC. INC.	A to U SEPT. 21, 1984
A83-562 WEST BEACH	A to U SEPT. 12, 1985
A84-582 ESTATE OF JAMES CAMPBELL	A to U OCT. 10, 1985
A87-616 D.G.P.	A to U MAY 2, 1988
A88-622 H.F.D.C.	A to U AUG. 23, 1988

0-6