

EXHIBIT "C"

Third Amendment to SP77-271

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)	DOCKET NO. SP77-271
)	
AMERON HC&D)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW, AND
For A Third Amendment to the)	DECISION AND ORDER
Special Permit Adding Approximately)	
41.2 Acres of Land Situated Within)	
The State Land Use Agricultural)	
District At Puunene, Maui, Hawaii)	
TMK: 3-8-03: portion of 4)	
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FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND DECISION AND ORDER

Ameron HC&D (hereinafter "Applicant") initiated this proceeding pursuant to Section 205-6, Hawai'i Revised Statutes (hereinafter "HRS"), as amended, and Subchapter 12, Chapter 15-15, Hawai'i Administrative Rules (hereinafter "HAR"). The Land Use Commission (hereinafter "LUC"), 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. On December 18, 1996, the County of Maui Planning Department (hereinafter "Planning Department") received a letter from the Applicant requesting an amendment to LUC Docket No. SP77-271 by adding approximately 71.0 acres at Puunene, Maui.

2. The acreage requested to be added was to replace approximately 59.686 acres that were to be deleted (hereinafter

"Second Amendment") from LUC Docket No. SP77-271, and to allow the Applicant to expand its quarrying operations.

3. On January 6, 1997, the Planning Department received a letter form the Applicant clarifying that the acreage to be added involved approximately 41.2 acres (hereinafter "Third Amendment") and not 71.0 acres.

4. On February 25, 1997, the Maui Planning Commission (hereinafter "Planning Commission") conducted a public hearing on the Third Amendment.

5. On February 25, 1997, the Planning Commission recommended approval of the Third Amendment to the LUC subject to twelve (12) conditions.

6. On May 23, 1997, the LUC received a copy of the record for the County's proceedings on the Third Amendment.

DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

7. The area that is the subject of the Third Amendment consists of approximately 41.2 acres situated at Puunene, Maui, and further identified as Tax Map Key No.: 3-8-03: portion of 4 (hereinafter "Property").

8. The Property is located approximately 4 miles southeast of Kahului. The Property is owned by A&B Properties, Inc.

9. Access to the Property is via the existing access road for the Central Maui Sanitary Landfill located off of Pulehu Road.

10. Approximately 10 acres of the Property is currently being utilized for quarry operations, with the remainder occupied by sugarcane.

11. No permits have been issued or obtained for quarrying activity on a portion of the Property.

12. The Property is separated from the existing quarry area under LUC Docket No. SP77-271, which is located east beyond Kaliialinui Gulch.

13. The slope of area in which the Property is situated is approximately 3.5%, and the Property slopes downward towards the northwest.

14. Rainfall in the area is estimated to be approximately 20 inches annually.

15. The U.S. Department of Agriculture Soil Conservation Service classifies the Property as having two types of soil series, Rock Land (rRK) and Waiakoa silty clay loam (WeB).

16. The Land Study Bureau's Detailed Land Classification Report designates the Property as Class "A" lands.

17. The State of Hawaii's Agricultural Lands of Importance to the State of Hawaii (ALISH) system classifies the Property as "Prime."

18. According to the U.S. Army Corps of Engineers Flood Insurance Rate Map (FIRM), the Property is within an area of minimal flooding or Zone "C."

19. Adjacent uses to the Property are primarily agricultural in nature with the proposed expansion to the Central

Maui Sanitary Landfill (LUC Docket No. SP97-390) to the north, the existing Central Maui Sanitary Landfill located east of the Property beyond Kalialinui Gulch, agricultural lands to the south, and Pulehu Road to the west.

SUMMARY OF PROPOSED USE

20. The Applicant is requesting the Third Amendment in order to replace lands being deleted from the subject docket. The addition of approximately 41.2 acres will allow the Applicant to expand and continue its quarrying operations in the immediate area.

21. The lands that were the subject of the Second Amendment (deletion of acreage) are the subject of LUC Docket No. SP86-359/Department of Public Works, County of Maui.

22. The Applicant feels that the Property is a logical expansion area, in light of the County of Maui's intention to eventually utilize the quarry pit that results from quarry operations as an expansion area for the current landfill.

23. The Applicant anticipates to extract approximately 250,000 to 500,000 cubic yards of material per year, subject to market demand.

24. Advancement of quarrying activity on the Property is subject to current sugarcane crop plantation rotation, which is a two-year cycle. The Applicant anticipates that upon harvesting of cane, quarry operations on the Property will advance approximately 10 to 14 acres each two-year cycle.

25. On June 12, 1997, at its meeting in Lihue, Kauai, the LUC approved the Second Amendment for LUC Docket No.

SP77-271. The approval of the Second Amendment resulted in an acreage of approximately 134.814 acres that is the subject of LUC Docket No. SP77-271.

26. In the event that the Third Amendment is approved by the LUC, the resultant total acreage under LUC Docket No. SP77-271 would be approximately 176.014 acres.

STATE AND COUNTY PLANS AND PROGRAMS

27. The State Land Use District Classification of the Property is Agricultural, as reflected on State Land Use District Boundary Map M-7 (Paia).

28. The Wailuku-Kahului Community Plan designates the area as Agricultural.

29. Current zoning for the Property is County Interim.

30. The Property is not located within the County of Maui Special Management Area.

SUMMARY OF COMMENTS RECEIVED BY PLANNING DEPARTMENT ON THIRD AMENDMENT

31. The County of Maui Department of Public Works and Waste Management commented that new vehicular access on Pulehu Road would be required to be approved by the Engineering Division of the Department of Public Works and Waste Management. Further, it was noted that Pulehu Road is a major collector and has vehicular access restrictions. The agency also commented that a subdivision for the project site may be needed pursuant to the Maui County Code.

32. The County of Maui Department of Fire Control had no objections to the Third Amendment.

33. Other County agencies did not provide comments on the Third Amendment. However, agencies provided comments on the Draft Environmental Impact Statement for the overall expansion of the Central Maui Sanitary Landfill, which includes the Property.

34. The LUC staff commented on the following: a) a map showing the approximately 41.2 acre Property in relation to the current acreage of LUC Docket No. SP77-271 should be included; b) there is an appearance of an overlap between the Property and other Special Permits in the immediate area; c) conditions in LUC Docket No. SP86-359 have not been complied with; d) the LUC staff has an understanding that separate Special Permits would be sought for future landfill expansions on the Property; e) clarification is needed as to the Special Permit that allowed quarrying activity on the Property; and f) clarification is needed on the acreage being deleted from LUC Docket No. SP77-271.

35. The Department of Hawaiian Home Lands (hereinafter "DHHL") commented that the Applicant should provide additional information about the proposed quarry operation for the Property instead of information on the proposed landfill expansion. Additionally, DHHL requested clarification on the continued impacts of the quarry on the Puunene Airport area.

36. The State Historic Preservation Division (hereinafter "SHPD") of the State Department of Land and Natural Resources (hereinafter "DLNR"), commented that the proposed quarry expansion would have no effect on archaeological resources.

37. The State Department of Health (hereinafter "DOH") commented that a National Pollutant Discharge Elimination System (NPDES) permit will be required for discharges into Kaliialinui Gulch. Additionally, DOH commented that compliance with Community Noise Control regulations would be required.

38. The Office of Planning commented on the following: a) requested clarification regarding the extent of quarrying operations on the Property; b) requested clarification of conditions imposed in relation to current lease and license agreements with A&B Hawaii, Inc.; c) suggested that Applicant consult with DOH in regards to conditions currently imposed; and d) requested clarification of the method Applicant will utilize to control runoff of quarrying wastewater and storm water into Kaliialinui Gulch and adjacent properties.

39. Maui Electric Company (hereinafter "MECO") had no objections to the Third Amendment. However, MECO noted that it had recently purchased approximately 67 acres of land along Pulehu Road at its intersection with Waiko Road for future improvements to the utility service.

SOCIO-ECONOMIC IMPACTS

40. Pursuant to the Planning Department's report to the Planning Commission on the Third Amendment, the primary beneficial impacts of the proposed quarry expansion is the extraction of raw material necessary for construction projects, and the continued employment of the labor force.

IMPACTS UPON THE RESOURCES OF THE AREA

Agricultural Resources

41. The Property is located within an area classified as "Prime" agricultural lands under the ALISH classification system. However, the site is already disturbed and will be even more so as quarry operations and landfill operations progress.

42. The proposed expansion is not expected to disturb activities on adjacent agricultural lands.

Flora/Fauna

43. The proposed quarry expansion is anticipated to have similar potential adverse impacts as the existing quarry and Central Maui Sanitary Landfill.

Scenic Resources

44. The proposed quarry expansion will have an adverse impact as the Property is located along Pulehu Road. The proposed quarry expansion will be within view of residents and tourist who utilize Pulehu Road.

Archaeological and Cultural Resources

45. No known significant or historical sites have been found on the Property or the immediate surrounding area, as these areas have been previously disturbed by agricultural activity.

46. The SHPD, has commented that the proposed quarry expansion will have no effect on archaeological resources.

47. The Applicant has noted that in the event archeological resources are found during quarry operations on the Property, SHPD will be contacted immediately.

ADEQUACY OF PUBLIC FACILITIES AND UTILITIES

Highways and Roadway Facilities

48. The Planning Department's Report to the Planning Commission does not discuss the adequacy of highway and roadway facilities in the area based on the proposed quarry expansion.

49. The Planning Department relied upon a State Department of Transportation letter dated October 2, 1996, which comments on the proposed Central Maui Sanitary Landfill expansion located immediately north of the Property. The letter represents that the proposed landfill expansion would not have an adverse impact on State transportation facilities.

Drainage

50. The Property is a part of the drainage area of Kalialinui Gulch, which is one of the major gulch features in Central Maui. Kalialinui Gulch runs in a northwesterly direction, and discharges in the vicinity of Kanaha Beach Park.

51. A perimeter drainage channel will be provided for the proposed quarry expansion on the Property. This channel is to collect runoff from the adjacent watershed and proposed landfill fill slopes. The channel will discharge into a sedimentation pond located approximately 2,200 feet northeast of the Property.

Air Quality/Noise

52. Air quality and noise impacts are expected to be similar to those found in relation to existing quarry operations.

53. Impacts from short-term and long-term dust, hydrocarbon emissions, and noise impacts will primarily affect quarry operators.

54. Construction management measures (i.e., dust control, etc.), and the remote location of the Property are expected to minimize adverse effects.

Water

55. No potable water supply is available on or for the Property. Water requirements for fire and dust control are currently being provided by water trucks, and this method of water service is anticipated to continue for the quarry expansion area.

Sewage

56. No sewer facilities are available at or near the Property. No sewage requirements are needed for the Property.

Electricity/Telephone Service

57. The Property has electrical and telephone services nearby. The Project is not anticipated to have any impact on such services.

Parks

58. The proposed quarry expansion is not anticipated to impact the County's public parks system.

Schools

59. The proposed quarry expansion is not anticipated to impact the public school system.

Solid Waste

60. The nearest existing landfill is the Central Maui Sanitary Landfill located east of the Property beyond Kalialinui Gulch.

Police/Fire/Medical Services

61. The proposed quarry expansion is not expected to adversely impact police and fire services. Further, the proposed quarry expansion is not anticipated to extend current service area limits for emergency services.

CONFORMANCE WITH SPECIAL USE PERMIT TESTS

62. The Planning Department, in its staff report to the Planning Commission, provided the following comments with respect to the Permit's conformance with the Special Use Permit Tests as follows:

- (a) The use shall not be contrary to the objective sought to be accomplished by Chapters 205 and 205A, Hawaii Revised Statutes, as amended, and the rules of the State Land Use Commission.

"The proposed expansion of the Ameron HC&D quarry is not listed as a permitted use within the State Agricultural District, but the use is not contrary to the objectives of the Land Use Law, Chapter 205 and 205A which is to preserve, protect, and encourage the development of lands in the State for those uses to which these lands are best suited in the interest of public health and welfare of the people of the State of Hawaii."

- (B) The desired use would not adversely affect surrounding property.

"The desired use would not adversely affect surrounding property since most surrounding properties are either undeveloped or are being mined or use (sic) as a landfill."

- (C) The use would not unreasonably burden public agencies to provide roads and streets, sewers, water drainage and school improvements, and police and fire protection.

"No burden will be created to public agencies to provide roads, streets, sewers, water, or drainage facilities. No unreasonable burden to police and fire protection agencies is anticipated. There will be no burden on the school system."

- (D) Unusual conditions, trends and needs have arisen since the district boundaries and rules were established.

"The use is in close proximity to other properties with fill and quarrying uses."

- (E) The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

"The land upon which the proposed use is sought is part of a planned mining operation that will return the land to agriculture use following extraction of the natural resource, or provide a suitable location for the expansion of the Central Maui Sanitary Landfill."

PLANNING COMMISSION RECOMMENDATION

63. At its meeting on January 28, 1997, the Planning Commission recommended approval of the Third Amendment to the LUC, subject to the following conditions:

1. That the Land Use Commission Special Use Permit shall be valid until for a period of ten (10) years from the date of its granting, subject to extensions by the Maui Planning Commission and the State Land Use Commission upon a timely request for extension filed at least one-hundred twenty (120) days prior to its expiration. The Maui Planning Commission shall make a recommendation to the State Land Use Commission and may require a public hearing on the time extension.
2. That the conditions of this Land Use Commission Special Use Permit shall be self enforcing and, accordingly, upon due notice by the Planning Department to the permit holder and the Land Use Commission that there is prima facie evidence that a breach has occurred the permit shall be automatically suspended pending action by the Land Use Commission. A hearing on the continuity of such Land Use Commission Special Use

Permit may be held, provided that written request for such a hearing is filed with the Land Use Commission within ten (10) working days of the date of such notice of alleged breach. If no request for hearing is filed within said ten (10) working day period, the Land Use Commission may revoke said Land Use Commission Special Use Permit.

3. That the subject Land Use Commission Special Use Permit shall not be transferred without the prior written approval of the Land Use Commission. The appropriate Planning Commission shall make a recommendation to the Land Use Commission. However, in the event that a contested case hearing preceded issuance of said Land Use Commission Special Use Permit, a public hearing shall be held by the appropriate Planning Commission upon due published notice, including actual written notice to the last known addresses of parties to said contested case and their counsel.
4. The Applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject Land Use Commission Special Use Permit and shall defend, indemnify and hold the County of Maui and State of Hawaii harmless from and against any loss, liability, claim or demand arising out of this permit.
5. That full compliance with all applicable governmental requirements shall be rendered.
6. That the Applicant shall submit to the Land Use Commission and Maui Planning Department copies of a detailed report addressing its compliance with the conditions established with the subject Land Use Commission Special Use Permit. The compliance report shall be reviewed and approved by the Land Use Commission and Maui Planning Department prior to the establishment of the Special Use.
7. That the Applicant shall begin construction of the quarry expansion within 6 months from issuance of the Land Use Commission's decision and order. Construction shall include any improvements necessary to operate the quarry pursuant to all applicable laws and regulations.
8. That the applicant shall take appropriate mitigative measures to minimize erosion, and prevent cement products, oil, fuel, and other toxic substances associated with the use of heavy machinery from spilling or leaching into the ground.

9. That the applicant shall provide adequate dust control measures during all phases of quarry operations in accordance with the provisions of Chapter 11-60.1, Hawaii Administrative Rules, Section 11-60.1-33 on Fugitive Dust.
10. That the Applicant shall utilize non-potable water, to the extent possible, for grading and dust control of the quarry.
11. That the Applicant shall immediately stop work and contact the State Historic Preservation Division, Department of Land and Natural Resources should any previously unidentified archaeological resources such as artifacts, shell, bone, charcoal deposits, human burial, rock or coral alignments, pavings or wall be encountered during development of the Special Permit area.
12. That the Applicant shall obtain a County Use Variance for the operation of the quarry in the Interim Zoning District, within two years of approval date by the Land Use Commission.
13. That the Applicant shall plant and maintain a windbreak belt, along with landscaping plants, along Pulehu Road. The plantings shall be installed concurrently as quarrying operations progress through Phase V and Phase VI as illustrated in Exhibit 3 of the February 25, 1997 Planning Department Report.

64. The Planning Department has clarified that the conditions recommended by the Planning Commission to the LUC cover only the acreage that is the subject of the Third Amendment, and do not supersede conditions previously imposed for lands that are the subject of LUC Docket No. SP77-271 located east of Kalialinui Gulch.

65. Any findings of fact that may be a conclusion of law shall be deemed a conclusion of law.

CONCLUSIONS OF LAW

The Special Permit request to allow establishment and operation of an expansion of the existing quarry operation of

Ameron HC&D in Puunene, Maui constitutes an "unusual and reasonable" use as defined in Section 205-6, Hawaii Revised Statutes, as amended, and the proposed use is not contrary to the objectives sought to be accomplished by the State Land Use Law to preserve, protect, and encourage 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 the Third Amendment to the Special Permit under LUC Docket No. SP77-271 to allow an expansion to the existing quarry operations on approximately 41.2 acres of land designated within the State Land Use Agricultural District, Tax Map Key No.: 3-8-03: portion of 4 at Puunene, Maui, and approximately identified on Exhibit "A" attached hereto and incorporated by reference herein, is hereby approved and subject to the following conditions:

1. The Property shall be used for the establishment and operation of an expansion to the current quarry located east of the Property. No other use shall be permitted. If another use is proposed for the Property, the Applicant or landowner shall timely file a motion or petition for Special Permit with the Maui Planning Commission to allow such other use.

2. This amendment to Land Use Commission Special Permit under LUC Docket No. SP77-271, shall be valid for a period of ten (10) years from the date of the issuance of the Land Use Commission's decision and order on this amendment, subject to further extensions by the Maui Planning Commission and the State

Land Use Commission upon a timely request for extension filed at least one-hundred twenty (120) days prior to its expiration. The Maui Planning Commission shall make a recommendation to the State Land Use Commission and may require a public hearing on the time extension.

3. The conditions imposed herein shall be self enforcing and, accordingly, upon due notice by the Planning Department to the permit holder and the Land Use Commission that there has been a prima facie evidence that a breach has occurred the permit shall be automatically suspended pending a prompt hearing on the continuity of such Land Use Commission Special Permit, provided that written request for such a hearing is filed with the Maui Planning Commission within ten (10) working days of the date of such notice of alleged breach. If no request for hearing is filed within the ten (10) working day period, the Maui Planning Commission may recommend the revocation of said Land Use Commission Special Permit. The Maui Planning Commission's recommendation shall be promptly transmitted to the State Land Use Commission for appropriate action.

4. The subject Land Use Commission Special Permit shall not be transferred without the prior written approval of the Land Use Commission. The Maui Planning Commission shall make a recommendation to the Land Use Commission. However, in the event that a contested case hearing preceded issuance of said Land Use Commission Special Permit, a public hearing shall be held by the Maui Planning Commission upon due published notice,

including actual written notice to the last known addresses of parties to said contested case and their counsel.

5. Applicant, its successors or permitted assigns, shall exercise reasonable due care as to third parties with respect to all areas affected by subject Land Use Commission Special Permit and shall defend, indemnify and hold the County of Maui and State of Hawaii harmless from and against any loss, liability, claim or demand arising out of this permit.

6. That full compliance with all applicable governmental requirements shall be rendered.

7. Applicant, its successors or permitted assigns, shall timely provide without any prior notice, annual reports to the Land Use Commission and the County of Maui Planning Department in connection with the status of the subject project and Applicant's progress in complying with the conditions imposed herein. The annual report shall also include the amount of resources mined from the Property and the projected amount of resource remaining at the time of submissions of the annual report. The annual report shall be submitted in a form prescribed by the Executive Officer of the Land Use Commission.

8. Applicant shall begin construction of the quarry expansion within 6 months from issuance of the Land Use Commission's decision and order. Construction shall include any improvements necessary to operate the quarry pursuant to all applicable laws and regulations.

9. Applicant, its successors or permitted assigns, shall take appropriate mitigative measures to minimize erosion,

and prevent cement products, oil, fuel, and other toxic substances associated with the use of heavy machinery from spilling or leaching into the ground.

10. Applicant, its successors or permitted assigns, shall provide adequate dust control measures during all phases of quarry operations in accordance with the provisions of Chapter 11-60.1, Hawaii Administrative Rules, Section 11-60.1-33 on Fugitive Dust.

11. Applicant, its successors or permitted assigns, shall utilize non-potable water, to the extent possible, for grading and dust control of the quarry.

12. Applicant, its successors or permitted assigns, shall immediately stop work and contact the State Historic Preservation Division, Department of Land and Natural Resources should any previously unidentified archaeological resources such as artifacts, shell, bone, charcoal deposits, human burial, rock or coral alignments, pavings or wall be encountered during development of the Special Permit area.

13. Applicant, its successors or permitted assigns, shall obtain a County Use Variance for the operation of the quarry in the Interim Zoning District, within two years of the date of issuance of the decision and order for this amendment by the Land Use Commission.

14. Applicant, its successors or permitted assigns, shall plant and maintain a windbreak belt, along with landscaping plants, along Pulehu Road. The plantings shall be installed concurrently as quarrying operations progress through Phase V and

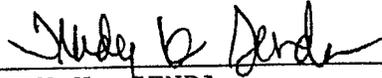
Phase VI as illustrated in Exhibit 3 of the February 25, 1997 Planning Department Report.

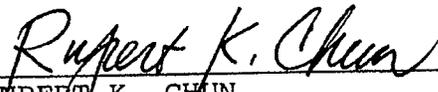
15. Applicant shall clarify the entire acreage that is the subject of LUC Docket No. SP77-271 within six months of the date of issuance of the decision and order for this amendment. Applicant shall file appropriate motions to the Maui Planning Commission and the Land Use Commission to remove any discrepancies in terms of acreage or areas of overlap with other Special Permits in the immediate area. Upon clarification of the entire acreage under LUC Docket No. SP77-271, Applicant shall file a metes and bounds map and description with the County of Maui Planning Department and the Land Use Commission clearly depicting the proper acreage of SP77-271.

DOCKET NO. SP77-271 - AMERON HC&D (3RD AMENDMENT)

Done at Honolulu, Hawai'i, this 5th day of August 1997,
per motions on June 12, 1997 and July 31, 1997.

LAND USE COMMISSION
STATE OF HAWAI'I

By 
TRUDY K. SENDA
Chairperson and Commissioner

By 
RUPERT K. CHUN
Vice Chairperson and Commissioner

By 
LAWRENCE N.C. ING
Commissioner

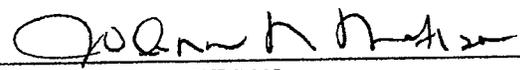
By 
M. CASEY JARMAN
Commissioner

By (absent)
HERBERT S.K. KAOPUA, SR.
Commissioner

By (absent)
LLOYD F. KAWAKAMI
Commissioner

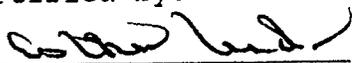
By 
MERLE A. K. KELAI
Commissioner

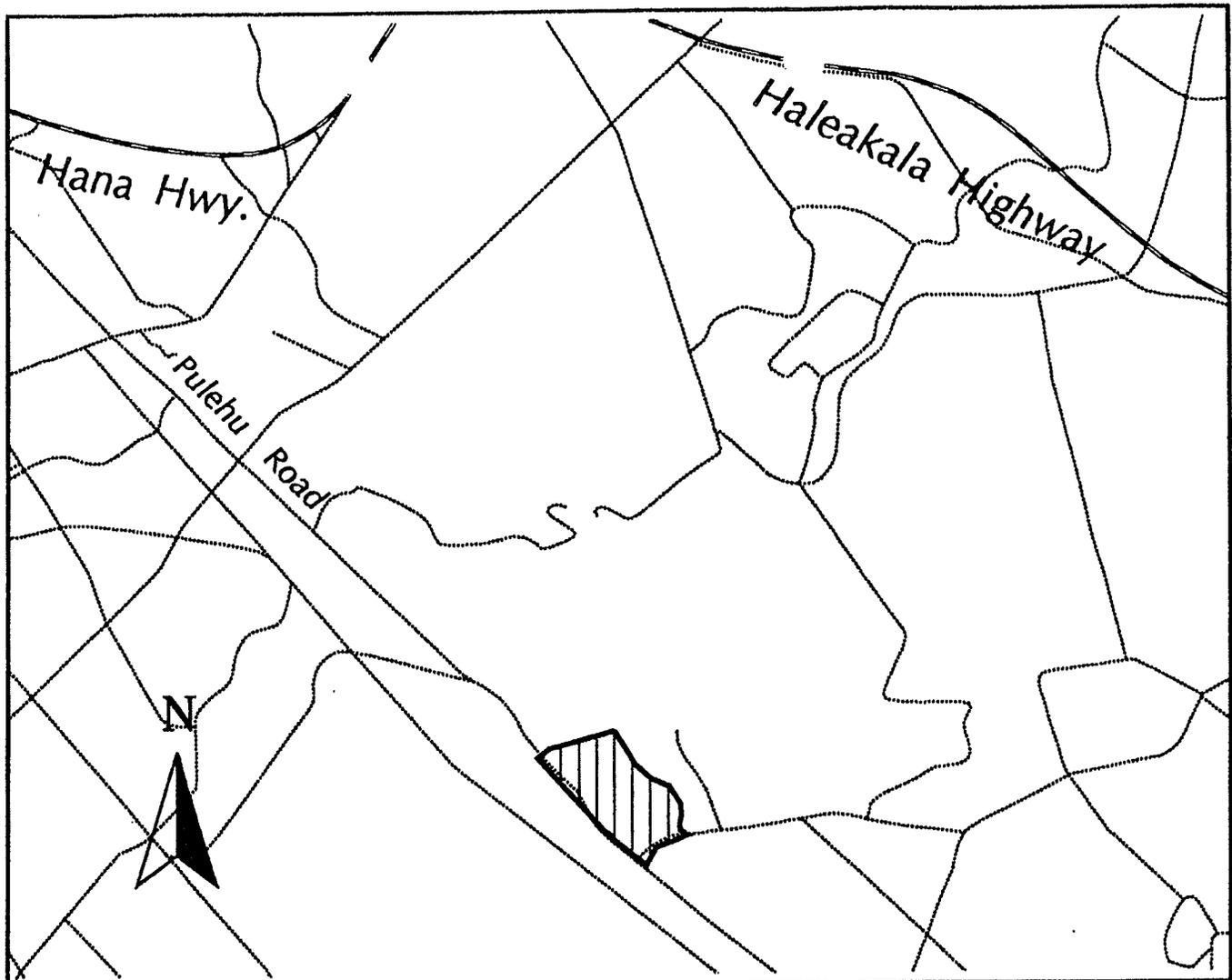
By (absent)
EUSEBIO LAPENIA, JR.
Commissioner

By 
JOANN N. MATTSON
Commissioner

Filed and effective on
August 5, 1997

Certified by:


Executive Officer



SP77-271 / AMERON H C & D

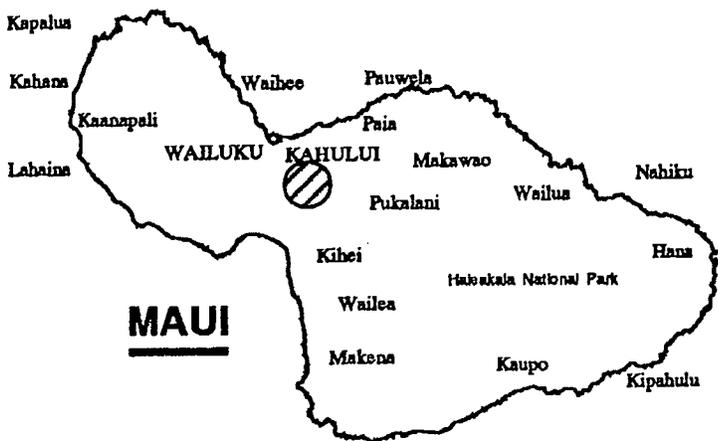
LOCATION MAP

TAX MAP KEY: 3-8-03: por. 4

Puunene, Maui, Hawaii

 PERMIT AREA (APPROXIMATE)

EXHIBIT "A"



BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

LAND USE COMMISSION

P.O. Box 2359
Honolulu, HI 96804-2359
Telephone: 808-587-3822
Fax: 808-587-3827

August 14, 1997

NOTIFICATION OF SPECIAL PERMIT
DECISIONS 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 have been filed by the Land Use Commission:

<u>Petition Docket No.</u>	<u>Special Permits Requested</u>	<u>LUC Action on June 12, 1997</u>	<u>Date of Decision and Order</u>
SP77-271 AMERON HC&D	For a Second Amendment to the Special Permit Which Establishes A Rock Quarry Operation and Related Uses on Approximately 194.5 of Land Within the State Land Use Agricultural District at Puunene, Maui, Hawaii	Approved Amendment to delete approximately 59.686 acres at Puunene, Maui, TMK No.: 3-8-03: 19 (formerly 3-8-03: portion of 4 and portion of 18)	June 27, 1997
SP77-271 AMERON HC&D	For a Third Amendment to the Special Permit Adding Approximately 41.2 Acres of Land Situated Within the State Land Use Agricultural District at Puunene Maui, Hawaii	Approved Amendment to add approximately 41.2 acres at Puunene, Maui, TMK No.: 3-8-03: portion of 4 (see map attached)	August 5, 1997
SP97-391 STATE OF HAWAII, DEPARTMENT OF ACCOUNTING AND GENERAL SERVICE	For a Special Permit to Establish and Operate a High School on Approximately 38.00 Acres Within the State Land Use Agricultural District at Keaau, Puna, Hawaii	<u>LUC Action on June 26, 1997</u> Approved approximately 37.24 acres at Keaau, Puna, Hawaii, TMK No.: 1-6-03: portion of 3, portion of 15, and portion of 68 (see map attached)	August 5, 1997

The above special permits may include conditions which affect your agency. If you would like a copy of the conditions or more information on this matter, please contact our office at 587-3822.

Sincerely,


for ESTHER UEDA
Executive Officer

EU:th

Att.

NOTIFICATION OF SPECIAL PERMIT DECISIONS BY LUC

STATE/FEDERAL AGENCIES (All Petitions)

- Office of State Planning
 - 1) Rick Egged
 - 2) LUD - Abe Mitsuda
- Department of Education
 - 1) Mr. Alfred K. Suga
 - 2) Facilities & Support Services Branch
Mr. Lester Chuck
- Department of Health
 - 1) Dr. Lawrence Miike
 - 2) Office of Environmental Quality Control
- Department of Land and Natural Resources
Office of the Chairperson
- Department of Transportation
 - 1) Mr. Kazu Hayashida
 - 2) Statewide Transportation Planning Office
- USDA Soil Conservation Service
Attn.: Ms. Nicole Simmons
- City and County of Honolulu
Department of Finance - Mapping Section
- Department of Agriculture
Office of the Chairperson
- Department of Defense
Office of the Adjutant General
- Housing Finance and Development Corporation
- DOH - Clean Air Branch
- DOH - Clean Water Branch
- DOH - Solid & Hazardous Waste Branch
- DOH - Wastewater Branch
- DLNR - Land Management Division
- DLNR - Aquatic Resources Division
- DLNR - Division of Forestry & Wildlife
- DLNR - Historic Preservation Division
- DLNR - Division of Water Resource Management
- DOT - Airports Division
- DOT - Harbors Division
- DOT - Highways Division
- _____
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City & County of Honolulu (Oahu Petitions Only)

- Planning Department
 - 1) Chief Planning Officer
 - 2) Division Head, Policy Analysis Division
- Department of Land Utilization - Director
- Planning Commission - Executive Secretary
- Board of Water Supply
Manager and Chief Engineer
- Department of Public Works - Director
- Department of Wastewater Management - Director
- Department of Transportation Services - Director
- Department of Housing and Community Development
Director
- Department of Finance - Property Assessment
Section
- Department of Finance - Property Technical Office

County of Hawaii (Hawaii Petitions Only)

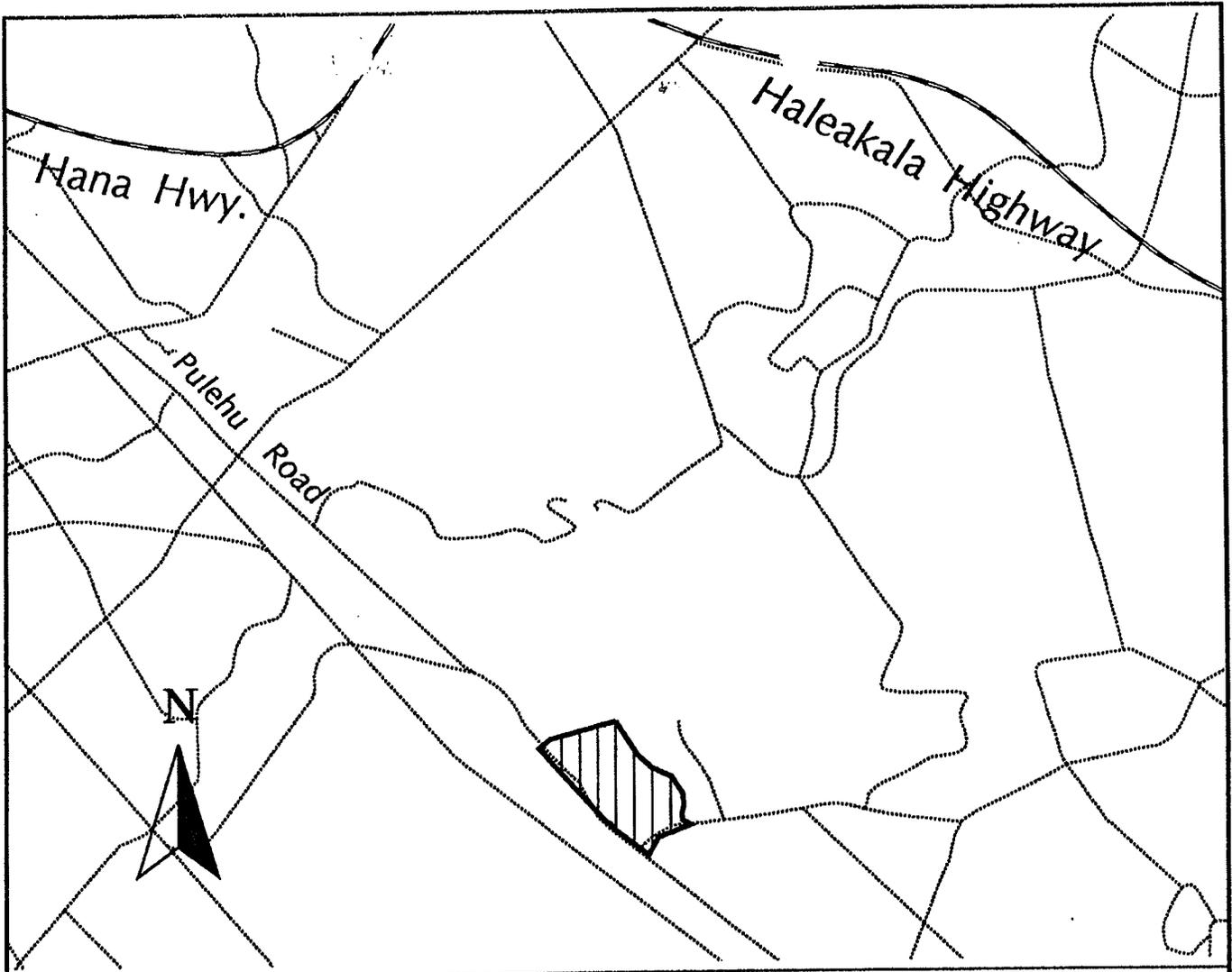
- Planning Department - Director
- Planning Commission - Chairperson
- Department of Water Supply
- Department of Public Works
- Real Property Tax Office

County of Maui (Maui Petitions Only)

- Planning Department - Director
- Planning Commission - Chairperson
- Department of Water Supply
- Department of Public Works & Waste Management
- Real Property Tax Division
- Department of Fire Control

County of Kauai (Kauai Petitions Only)

- Planning Department - Director
- Planning Commission - Chairperson
- Department of Water Supply
- Department of Public Works
- Real Property Tax Division



SP77-271 / AMERON H C & D

LOCATION MAP

TAX MAP KEY: 3-8-03: por. 4

Puunene, Maui, Hawaii

 PERMIT AREA
(APPROXIMATE)

EXHIBIT "A"

