

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



LAND USE COMMISSION
STATE OF HAWAII

COUNTY OF MAUI 2014 OCT 15 A 7:26

DEPARTMENT OF PLANNING

October 9, 2014

Mr. Daniel E. Orodener, Executive Director
State of Hawaii Land Use Commission
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Dear Mr. Orodener:

SUBJECT: AMENDMENTS TO STATE LAND USE COMMISSION SPECIAL PERMIT (SP) FOR THE HAWAIIAN CEMENT PUUNENE ROCK QUARRY, PULEHUNUI, KAHULUI, ISLAND OF MAUI, HAWAII; TMK: (2) 3-8-004:001 (POR.) (SP 92-380) (SUP1 91/0013) (CUP 2006/0002)

The Department of Planning (Department) is transmitting the following items as requested in your letter dated August 14, 2014. This should complete the record for the above captioned matter.

1. Final Maui Planning Commission minutes dated May 27, 2014.
2. E-mail notice to Applicant dated April 17, 2014.
3. Applicant's letter of notification and location map.
4. Actual list of owners and recorded lessees with certified and registered mail receipts.
5. Applicant's notice and location map from the Maui News.
6. Department of Planning's Notice of Hearing from the Maui News. (We do not publish in the Molokai Dispatch for Maui Planning Commission).

Should additional clarification be required, please contact Staff Planner Paul Fasi at paul.fasi@mauicounty.gov or (808) 270-7814.

Sincerely, _

A handwritten signature in black ink, appearing to read "William Spence".

WILLIAM SPENCE
Planning Director

Mr. Daniel E. Orodenker, Executive Director
October 9, 2014
Page 2

Attachments

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
Paul F. Fasi, Staff Planner (PDF)
Dave Gomes, Hawaiian Cement
Karlynn Fukuda, Munekiyo & Hiraga, Inc.
Project File
General File

WRS:PFF:nst
K:\WP_DOCS\PLANNING\SUP1\1991\0013_HawaiianCementQuarry_tx\Quarry Expansion 2014\LUCtransmittal4.doc

2014 OCT 15 A 7:26

Permit and County Special Use Permit amendments to add 51.697 acres to its existing site, obtain a 15-year time extension for the State Special Permit and a 14-year time extension for the County Special Use Permit and request amendments to existing permit conditions and this is at TMK: 3-8-004: 001(por.), in Kahului. Paul Fasi is the Staff Planner.

C. PUBLIC HEARING

2. **MR. DAVE GOMES, General Manager of HAWAIIAN CEMENT requesting amendments to its State Land Use Commission Special Permit (SUP) and County Special Use Permit (CUP) to add 51.697 acres to its existing site, obtain a fifteen (15)-year time extension for the SUP and a fourteen (14)-year time extension for the CUP, and request amendments to the existing permit conditions; subject parcel is 51.7 acres of State Agricultural land at Maui Tax Map Key (2) 3-8-004:001 (por.), Kahului, Maui, Hawaii. (P. Fasi)**

Mr. Paul Fasi: Good afternoon Commissioners. Thank you. We are discussing an amendment to two permits, State Land Use Special Permit and a County Special Use Permit, both are for time extensions, 15 years... 14 years and 15 years respectively. The reason for the one-year difference is so they end at the same time.

The requested amendments are to extend the boundaries of the 24.4-acre quarry site by adding 42 acres. To add 9.6 acres to the existing quarry site. Number 3, to delete Condition No. 16 which relate to an old map. And Number 4, 15-year and 14-year time extension for the two respective permits.

The land use designations are State Land Use District is Ag. On Maui Island Plan it is undesignated. It's in the Wailuku-Kahului Community Plan as Ag, County Zoning is Ag. It is not in the Special Management Area.

As far as government regulations pursuant 205-6, Hawaii Revised Statutes certain unusual and reasonable uses within the Ag District and Rural District other than those for which the district is classified which may be permitted. And this current use right now is operating under a current State Land Use Commission Permit. So today, this body is gonna make a recommendation to the State Land Use Commission. It still needs to get approval from the State Land Use Commission. You will be making a decision on the County Special Use Permit today.

So anyway, getting back to the State Land Use Commission, Section 205-6, this has been deemed an unusual and reasonable use. It has been in existence for 22 years at this site under Hawaiian Cement. It has previously been quarried under another entity previous to the 22 years. So it's been there for quite a while at that site.

The County Special Use Permit requirements within the Ag District as long as they have approved County Special Use Permit, it is listed as a special use with an approved Special Use Permit. And that I believe it is mining and resource extraction, Item No. K, I believe. Okay, mining and resource extraction that's the category it falls under. I'm gonna turn it over to Karlynn Fukuda, Munekiyo & Hiraga, just to save us some time 'cause I don't wanna repeat myself. She's would just gonna be repeating what I say.

As far as other governmental approvals, like I said, it will need a State...approval from the State Land Use Commission. There has been eight letters of support that I passed out earlier. You have in your hand. That was just received by the Department recently. So, I'm gonna turn it over to Karlynn. She has a really good presentation and will probably answer most of your questions. Thank you.

Ms. Karlynn Fukuda: Good afternoon, Chair and Members of the Maui Planning Commission. My name is Karlynn Fukuda of Munekiyo & Hiraga, Inc. We are before you today regarding the request for amendments to the State Special Use Permit and County Special Use Permit for the Hawaiian Cement Puunene quarry. Joining me today are David Gomes, the General Manager of Hawaiian Cement on Maui and Kirk Tanaka of R.T. Tanaka Engineers, the project civil engineer.

As Paul noted, the request we have before you today are amendments to the existing State Special Use Permit and County Special Use Permit. The use permit requests are needed due to the proposed quarry use. The Planning Commission as Paul said will make a recommendation to the State Land Use Commission on the State Special Use Permit while you do have approval authority on the County Special Use Permit.

Generally there are four amendment requests that we have before you today. I'd like to review them briefly here and then go into further detail when we're discussing the request by permit. These requests will provide Hawaiian Cement Puunene quarry with the ability to access additional rock material that is needed to support the construction industry on Maui.

So the first amendment request that we have here is to extend the boundaries of the existing Puunene quarry site by adding 42 acres for quarry use. The second request is to add an approximately 9.7-acre portion to the existing quarry site. The third request is to delete Condition No. 16 of the State Special Use Permit which is related to the submittal of a boundary to reflect the previously permitted 105 or approximately 106-acre quarry site. And the last request is to request a time extension for both the State Special Use Permit and the County Special Use Permit which currently have about a one-year time difference because of I believe the approvals that the permits went through. I would like to also note there were two previous amendments to the permit boundaries, to amend the permit boundaries for the Puunene quarry the last one being issued in 2006.

I have the regional location map here to give you context for the location. So here we have Mokulele Highway, Kahului on this end, Kihei on this end. This is the approximate area of the 100...I'm sorry, approximately 350 acres that Hawaiian Cement has under lease from A&B Hawaii for the quarry. Hawaiian Cement received approvals back in 1992 for the Puunene quarry. And as I previously mentioned they did receive two amendments to extend the boundaries of the quarry. I would also like to note that in their lease agreement with A&B Hawaiian Cement can only have 30 acres at a time in active quarry use.

This next slide is to review the existing permitted lands at the Puunene quarry as noted in yellow. So the 172 acres that I mentioned earlier would make up this area here, this area here, this area here, and this fourth area here. This area noted in green is the approximately 42-acre expansion that they are asking for today. And then this triangular piece in blue is the approximately 9.6-acre portion that was previously quarried. I would also like to note that this 24.4-acre portion is the area

that they are currently quarrying and that this approximately 42 acre portion has not been quarried as of yet although they do have approvals for that.

This aerial map again provides an approximation of the 350-acre boundary area that Hawaiian Cement has with A&B. Again, you can see the existing...this is where they have the concrete aggregate and rock crushing processing and this is the area that they are currently quarrying. And this is the approximate area of the 42-acre expansion site. I would like to note that so access to the quarry is provided off of the signalized intersection here of Kaamaina Road and Mokulele Highway. There is also the Maui Humane Society again to give you reference and the Army National Guard is located here. At its closest point, the quarry is about a little over a mile away from Mokulele Highway. So...

The proposed amendments to the State Special Use Permit and County Special Use Permit are not anticipated to have additional impacts as the proposed site is located adjacent to the existing quarry sites. As such the existing quarry infrastructure would be utilized to support the new area. The Puunene quarry also plays an important role in supporting the construction industry providing needed materials for roadway paving as well as the construction of buildings. I also like to note as I previously noted that based on their lease agreement, Hawaiian Cement can have no more than 30 acres in active quarry use and that their lease agreement also calls for restoration of lands once the quarry has been completed, quarrying has been completed.

I would now like to go through the amendment request for the State Special Use Permit and County Special Use Permit specifically. I would like to note that the amendment requests are similar for both the State Special Use Permit and the County Special Use Permit and so the proposed amendments under applicability to each permit is noted here in the matrix.

So with the first amendment that we are requesting which is to extend the boundaries of the existing Puunene quarry site approximately 42 acres. That amendment request is being sought for both the State Special Use Permit and the County Special Use Permit. The second request with the addition of the approximately 9.7-acre portion to the project permitted area. In discussions with the State Land Use Commission, it was determined that there was that blue triangular portion that I noted earlier that had accidentally been quarried although it had not been included in their previous permits and it was unclear as to why that area had not been included in the Permit area because it was adjacent to two other quarry sites. And so we are asking for approval of inserting that portion into the permits for both the State and the County.

The State Special Use Permit going onto the third amendment request is that we would like to delete Condition No. 16 of the State Special Use Permit which required Hawaiian Cement to submit an updated map of the boundaries of the previously permitted areas. And as noted in the staff report in December 2007, Hawaiian Cement's civil engineer had actually submitted that to the County of Maui and so we would like to ask for deletion of this condition because we've met the requirements of the condition which was the submittal. That condition or that request is not applicable to the County Special Use Permit because that was not a condition of the County Special Use permit.

The last amendment request that we would like to...that we are seeking today is a 15-time extension to the State Special Use Permit which would allow for the expiration to be in July 2032

and for the County Special Use Permit it would be a 14-year time extension which would also bring it in concurrence with the State Special Use Permit for expiration in July 2032. I would also like to note that Hawaiian Cement's lease with A&B does expire in 2032 with the option for renewal. So there's continuity in the dates there.

We'd like to request that the Commission approve the Planning Department's staff report and recommendations to the State Land Use Commission on the proposed amendments for the State Special Use Permit. And we would also like to respectfully request that the Commission approve the amendments to the County Special Use Permit today. The Puunene quarry plays a vital role in the construction industry for Maui and is needed to support various projects including the one that the Commission just approved this morning, the Makena HM project. So this concludes my presentation and we are available to answer any questions you may have. Thank you very much.

Vice-Chair Ball: Thank you. At this time, we'll open the floor for public testimony. Seeing none, public testimony is closed.

Mr. Freitas: So move to approve.

Vice-Chair Ball: Hold on. Questions for the applicant? Sandra?

Ms. Duvauchelle: Karlynn, what is the closest structure to the quarry with the expansion? Is it like a mile, two miles?

Ms. Fukuda: It's probably at least, at least a mile.

Mr. Freitas: More.

Ms. Fukuda: Actually it's more because if you're talking about the expansion area here--

Ms. Duvauchelle: Moving away.

Ms. Fukuda: Yeah, the nearest structure that I could think of is the National Guard, the Army National Guard buildings that are here. So we're basically moving mauka away.

Mr. Freitas: More than a mile.

Ms. Fukuda: Yeah, so...It's probably more than a mile away because you know, at its closest point here it's...I think we're looking at a little over a mile to Mokulele Highway.

Ms. Duvauchelle: Okay, thank you.

Vice-Chair Ball: Penny?

Ms. Wakida: Karlynn, when the land is depleted...how does the company determine that the land is depleted?

Ms. Fukuda: In terms of the rock material?

Ms. Wakida: Of quarrying, yes.

Ms. Fukuda: I believe that they, you know, are able to test and go down as they are actually quarrying the material and there have been instances where they've come across rock material that's not suitable and so they won't utilize that material.

Ms. Wakida: And that would be, can you give me an idea of how deep we're talking?

Ms. Fukuda: I believe if I'm not mistaken it's about 20 feet, about 25 feet on average going down, about 25 feet.

Ms. Wakida: Okay.

Vice-Chair Ball: Go ahead Penny, you can ask your second question.

Ms. Wakida: Oh, my second question. Has any of the land been depleted, considered depleted so far?

Ms. Fukuda: So there is about 30 acres that based on their lease agreement with A&B they have to restore the lands that are done with quarrying. In some instances like this area here although they've quarried, you know they're moving back towards this way so they can't necessarily return all of this land because they're using their equipment to transport the mined material back to the crushing operation that's here. But there is... and it's kinda hard to see, but there's a portion here about 30 acres that has been restored and returned back to A&B for their use.

Ms. Wakida: And can you briefly tell me what this restoration process involves?

Ms. Fukuda: It essentially involves, they are required to remove the top soil and stockpile it before they actually do the quarry. So then they are required to refill approximately 18 feet, sorry, not 18 feet, 18 inches, put that top soil back in, but Hawaiian Cement has actually been doing more probably about two feet of fill and returning it back to A&B.

Ms. Wakida: Well... may I ask one more? Well, if they're digging down 25 feet and they put in what did you say?

Ms. Fukuda: Two feet.

Ms. Wakida: I mean, then we've got a 23-foot hole. I don't get it as far as restoring the land.

Ms. Fukuda: Well, the soil is returned so that they can utilize it for agricultural purposes and that's the requirement of their lease agreement with A&B.

Ms. Wakida: But they don't fill the hole back up?

Ms. Fukuda: Right, they don't fill it because they've removed the rock that's... that was underneath that soil, so...

Ms. Wakida: So I guess I don't get the picture of how it's being put back into agricultural use then if it's a big hole in the ground?

Ms. Fukuda: Well, they're...you know, that's A&B's or HC&S's option is to be able to utilize that area for, you know, whether it be seed crop, seed cane crop or you know other agricultural use, but that's the requirement that Hawaiian Cement has been asked to do. So once the land is turned back over to A&B or HC&S, I mean that's up to them to utilize how they wish for agricultural use.

Vice-Chair Ball: Wayne?

Mr. Hedani: That actually answers my question I think. During quarrying operations, Karlynn, is there a storm water retention area or is storm water 100 percent retained on site?

Ms. Fukuda: I will defer to Kirk Tanaka, but there are retention basins that they I believe temporarily install so that the water, so if there is a storm event, it's not filling into the quarry hole.

Mr. Hedani: Okay.

Mr. Kirk Tanaka: Good afternoon, Chairman Ball and Members of the Commission. My name is Kirk Tanaka of Tanaka Engineers. We're the project civil engineers. To answer Commissioner Hedani's question, yes there would be surface retention, temporarily to pick up any storm water associated with the quarrying operations or the site itself without having to overflow into the adjacent gulch. On the north side of the expansion area there is... there's also a low spot right here on the north side of the expansion area which tends to pond the runoff even today. But, yeah, I'm sorry, it was confirmed. Last time I was out there they had a crop on it, but so they are still, HC&S are still actively cultivating cane in the 42 acres.

Vice-Chair Ball: Anyone else questions? Seeing none, can we get the recommendation from Paul Fasi?

Mr. Fasi: Thank you, Chair. In consideration of the foregoing, the Planning Department recommends that the Maui Planning Commission adopt the Planning Department's report and recommendation prepared for the May 27, 2014 meeting as its finding of fact, conclusions of law, decision and order and authorize the Director of Planning to transmit said decision and order on behalf of the Planning Commission. Planning Department based on the facts presented in the Department's report finds that the proposed amendments will not have a significant, adverse environmental or ecological effect. And the proposed amendments are consistent with Chapter 205, HRS, the Countywide Policy Plan, the Wailuku-Kahului Community Plan and applicable County Zoning ordinances, in sum the Department recommends a full approval and an approval of recommendation to the State Land Use Commission. Thank you.

Mr. Freitas: So move to approve.

Mr. Hedani: Second.

Vice-Chair Ball: There is a second. Discussion? Did you say... did you remove that 17 or whatever it was, 16, sorry?

Mr. Fasi: You make a recommendation to the State Land Use Commission.

Vice-Chair Ball: Okay, we're taking these together. There was a motion and second. All those in favor?

Ms. Wakida: Wait, could we repeat the motion please?

Vice-Chair Ball: Yes.

Ms. McLean: Okay, the motion would be to recommend to the State Land Use Commission that they make the following amendments to the State Special Use Permit and for the Commission to approve the County Special Use Permit with the additions of adding a new approximately 42 acre site including an already used 9 plus acre site. The two time extensions, the 15 and 14 years, and for the State Land Use Commission Special Permit deleting Condition 16.

Vice-Chair Ball: Got that? All in favor say, "aye" and raise your hand please?

Commission Members: Aye.

Vice-Chair Ball: Any opposed? Carried. Seven ayes.

Mr. Fasi: Thank you.

Ms. Fukuda: Thank you very much.

It was moved by Mr. Jack Freitas, seconded by Mr. Wayne Hedani, then unanimously

**VOTED: to recommend approval to the State Land Use Commission (LUC) on the proposed amendments to the State Land Use Commission Special Permit; and to approve the proposed amendments to the County Special Use Permit as written and submitted in the Department of Planning's Report and Recommendation report dated May 27, 2014.
(Assenting - S. Duvauchelle, W. Hedani, R. Higashi, J. Freitas, J. Medeiros, M. Tsai, P. Wakida)
(Excused - I. Lay)**

Chairperson Lay: Okay, we are moving on to Item D-1. Director? Deputy Director?

Ms. McLean: Thank you Acting Chair. This next item relates to an Appeal that was filed on the issuance of an SMA Exemption for the milling and resurfacing of Runway 2-20 at the Kahului Airport. I believe the item today even though there are potential action items listed on the agenda today is just to receive an update from the parties. Paul Fasi is the Staff Planner on the project. We also have those representing the appellants, the applicant who is the State Department of Transportation, Airports Division, and the Appellee, the Department of Planning.

D. UNFINISHED BUSINESS

Ms. Karlynn Fukuda
April 17, 2014
Page 2

Also, pursuant to Subsection 19.510.020(A)4(a) iii of the Maui County Code, the Applicant is required to publish a copy of the notice letters with the site location map in a newspaper of general circulation in the County of Maui, State of Hawaii, once a week for three (3) consecutive weeks prior to the scheduled hearing. Upon completion of the published notice, please submit to the Department written verification that the required notice has been fulfilled.

Thank you for your cooperation. If additional clarification is required, please contact Staff Planner Paul Fasi at paul.fasi@mauicounty.gov or at (808) 270-7814.

xc:
Project File
General File
WRS:CIY:PFF:XX
K:\WP_DOCS\PLANNING\SUP1\1991\0013_HawaiianCementQuarry_tx\Quarry Expansion 2014\MPCnotice.doc

April 17, 2014

Ms. Karlynn Fukuda
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fukuda:

SUBJECT: AMENDMENTS TO STATE LAND USE COMMISSION SPECIAL PERMIT AND COUNTY SPECIAL USE PERMIT, FOR HAWAIIAN CEMENT PUUNENE ROCK QUARRY, PULEHUNUI, WAILIKU, MAUI, HAWAII; TMK: (2) 3-8-004:001 (DOCKET NO. SP 92-380, SUP1 91/0013, CUP 2006/0002)

Please be advised that the above-referenced application has been scheduled for public hearing with the following:

Maui Planning Commission

Date: May 27, 2014
Time: 9:00 a.m.
Place: Planning Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

You or your authorized representative(s) are hereby requested to attend the scheduled hearing.

Further, please be advised that you are responsible for the notification of all owners and recorded lessees located within 500 feet of the subject property boundaries of the scheduled hearing. Pursuant to Section 19.510.020(A)4(a) i and ii, the attached Letter of Notice, along with a site location map (preferably 8-1/2 inches by 11 inches), shall be mailed to all listed owners and recorded lessees located within 500 feet of the subject property boundaries notifying them of the scheduled hearing by Certified or Registered mail, Return Receipt requested, not less than thirty (30) days prior to the scheduled hearing. Upon completion, please transmit the following to the Department of Planning (Department) not less than ten (10) business days prior to the hearing:

1. A copy of the Letter of Notice and map;
2. The list of owners/lessees and mail receipts as proof of mailing; and
3. An affidavit certifying that notice, as required, has been provided.

From: Paul Fasi [mailto:Paul.Fasi@co.maui.hi.us]
Sent: Thursday, April 17, 2014 8:33 AM
To: Karlynn Fukuda
Cc: Clayton Yoshida
Subject: H. Cement Notice

K,

Please print this out for your records. Thanks.

LAND USE COMMISSION
STATE OF HAWAII
2014 OCT 15 A 7:27

MAUI PLANNING COMMISSION

TO:

DATE:

Please be informed that the undersigned has applied to the Maui Planning Commission of the County of Maui for a Land Use Commission Special Use Permit Amendment at the following parcel(s):

- 1. Tax Map Key: (2)3-8-004:001 (por.)
- 2. Location: In the vicinity of Mokulele Highway and Kamaaina Road intersection
- 3. State Land Use Designation: Agricultural
- 4. Proposed use Hawaiian Cement seeks to amend the boundaries of its existing Puunene Quarry covered by SP 92-380 by approximately 51.7 acres for quarry use and a 15-year time extension request for the SUP.

THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

Public Hearing Date: MAY 27, 2014

Time: 9:00 AM

Place: Kalani Pakui Bldg. 1st Flr. Conf. RM.
250 S. High Street

Wailuku, HI 96793

Attached please find a map identifying the location of the specific parcel being considered in the request for Land Use Commission Special Use Permit Application.

The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 15 of the Hawaii Administrative rules, and the Maui Planning Commission rules.

Petitioners to intervene will be in conformity with Section 12-201-20 of the Rules of Practice and Procedure for the Maui Planning Commission and shall be filed with the commission and served upon the applicant no less than ten days before the first public hearing date. Filing of all documents to the commission is c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793.

The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal state holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday, or state holiday. When the prescribed period of time is 10 days or less, Saturdays, Sundays, or state holidays within the designated period shall be excluded in the computation.

Testimony relative to this request may be submitted in writing to the Maui Planning Commission, 250 South High Street, Wailuku, Maui, Hawaii 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Planning Department, 250 South High Street, Wailuku, Maui, Hawaii, Telephone (808) 270-7735; toll free from Molokai 1-800-272-0117, Extension 7735; and toll free from Lanai 1-800-272-0125, Extension 7735.

Hawaiian Cement
Name of Applicant

David Gomes
Signature

P. O. Box 488
Kahului, Hawaii 96732
Address

(808) 871-7004
Telephone

2014 OCT 15 A 7 27

LAND USE COMMISSION
STATE OF HAWAII

ATTACHMENT D
FORM 2 (CUP, PMP) PLANNING COMMISSION

TO: Owners/Lessees Date: _____

Please be informed that the undersigned has applied to the Maui
Planning Commission for the following:
 County Special Use (Amendment) Project Master Plan

1. Tax Map Key: (2)3-8-004:001 (por.)
2. Location: In the vicinity of Approximately one (1) mile east of Mokulele Highway and Kamaaina Road intersection.
3. Area of Parcel: 51.7-acre portion of 2,008.69 acres
4. Proposed Development: Hawaiian Cement seeks to amend the boundaries of its existing quarry covered by County Special Use Permit (CUP 2006/0002) by approximately 51.7 acres for quarry use and a 14-year time extension request for the CUP.

THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

PUBLIC HEARING DATE: May 27, 2014

TIME: 9:00 AM

PLACE: Kalani Pakui Bldg. 1st flr. Conf. Rm.
250 S. High Street
Wailuku, HI 96793

Attached please find a map identifying the location of the specific parcel(s) being considered in the above-referenced request.

The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code and the Maui Planning Commission Rules.

Petitions to intervene shall be in conformity with Sections 12-201-20, 12-201-40, and 12-201-43 of the Rules of Practice and Procedure for the Maui Planning Commission and shall be filed with the Maui Planning Commission and served upon the applicant no less than ten (10) days before the first public hearing date. Filing of all documents to the Maui Planning Commission is c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793.

The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal State holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday or State holiday. When the prescribed period of time is ten days or less, Saturdays, Sundays, or State holidays within the designated period shall be excluded in the computation.

Testimony relative to this request may be submitted in writing to the Maui Planning Commission, 250 South High Street, Wailuku, Maui, Hawaii, 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Planning Department, 250 South High Street, Wailuku, Maui, Hawaii; Telephone: (808) 270-7735; toll free from Molokai 1-800-272-0117, Extension 7735; and toll free from Lanai 1-800-272-0125, Extension 7735.

David Gomes
Hawaiian Cement

Name of Applicant- Please print

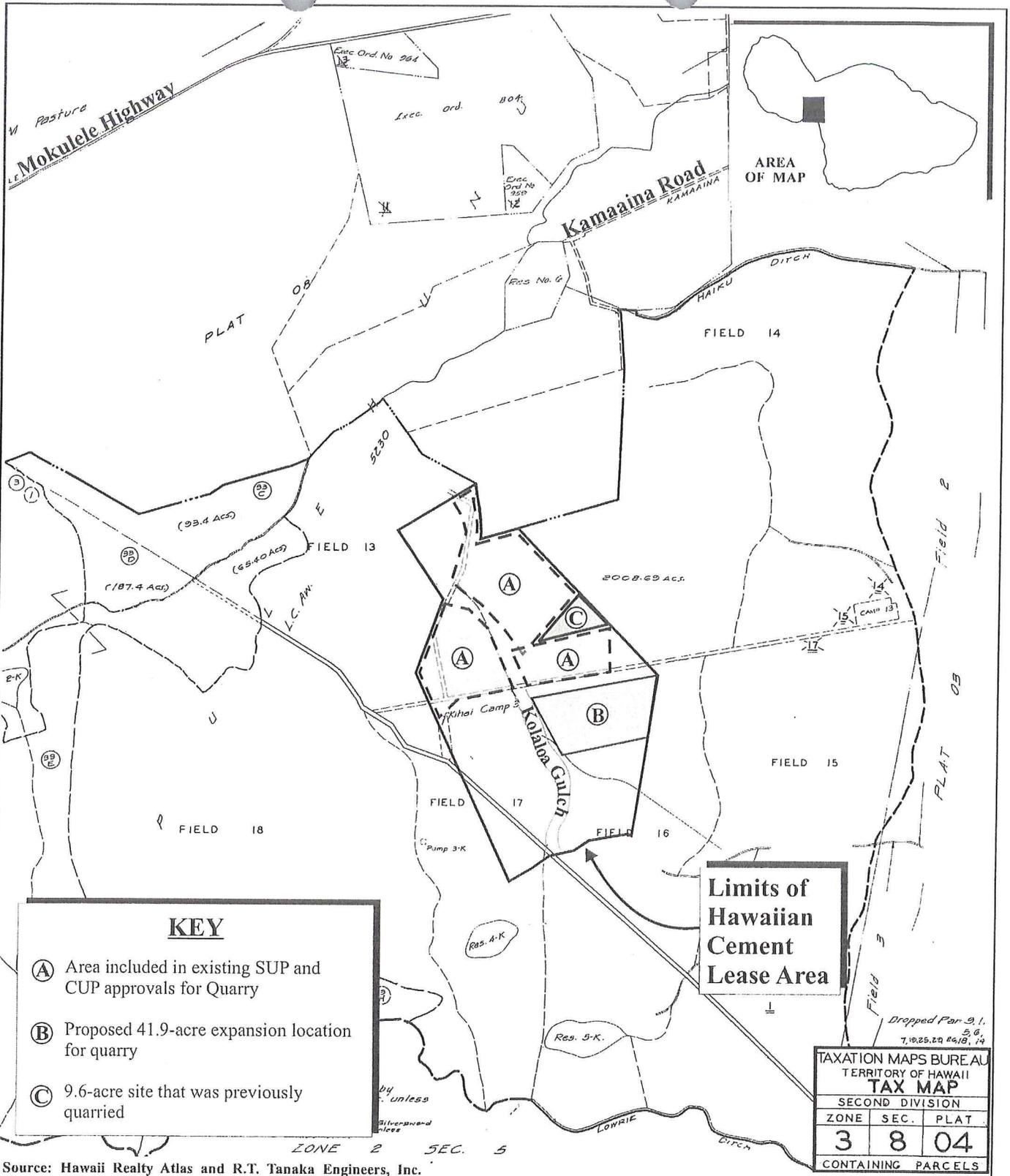
David Gomes

Signature

P. O. Box 488

Kahului, Hawaii 96732
Address

(808)871-7004
Telephone



- KEY**
- Ⓐ Area included in existing SUP and CUP approvals for Quarry
 - Ⓑ Proposed 41.9-acre expansion location for quarry
 - Ⓒ 9.6-acre site that was previously quarried

Limits of Hawaiian Cement Lease Area

TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
SECOND DIVISION

ZONE	SEC.	PLAT
3	8	04

CONTAINING PARCELS

Source: Hawaii Realty Atlas and R.T. Tanaka Engineers, Inc.

Hawaiian Cement Puunene Quarry Amendment Property Location Map

NOT TO SCALE



Prepared for: Hawaiian Cement

MUNEKIYO & HIRAGA, INC.

HawnCemt/PuuneneQuarry/LocationMap

NOTARIZED AFFIDAVIT OF MAILING

I, Karlynn Fukuda, being first duly sworn on oath, deposes and says that:

1. Affiant is the applicant for a Land Use Commission Special Use Permit for land situated at Puunene, Maui, Hawaii TMK: (2)3-8-004:001 (por.)
2. Affiant did on April 15, 2014, deposit in the United States mail, post paid, by certified or registered mail and delivery to addressee, a copy of a Notice of Hearing, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified on "Exhibit B," attached hereto and made a part hereof.
3. Thereafter there was returned to the Office of Affiant the United States Post Office Certified or Registered Mail Receipts, which are attached hereto as "Exhibit C" and made a part hereof.

Further Affiant sayeth naught:

Karlynn Fukuda

Karlynn Fukuda

2014 OCT 15 A 7:27

LAND USE COMMISSION
STATE OF HAWAII

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 1st day of May, 2014, before me personally appeared Karlynn Fukuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Tracy Nakamoto
NOTARY PUBLIC, State of Hawaii.
Print Name Tracy Nakamoto
My commission expires: 10/15/16

NOTARY PUBLIC CERTIFICATION

Doc. Date: 4/15/14 # Pages: 12

Notary Name: Tracy Nakamoto Judicial Circuit: Second

Doc. Description: Notarized Affidavit of
Mailing

Notary Signature: Tracy Nakamoto

Date: 5/1/14

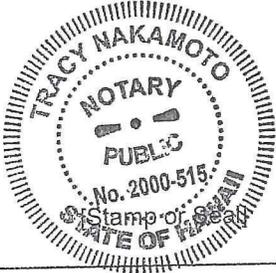
A circular notary seal for Tracy Nakamoto, Notary Public, State of Hawaii. The seal contains the text "TRACY NAKAMOTO", "NOTARY PUBLIC", "No. 2000-515", and "Stamp of Seal STATE OF HAWAII".

EXHIBIT "A"

Notice of Hearing

4/15/14

MAUI PLANNING COMMISSION

TO: Owners/Lessees

DATE: April 15, 2014

Please be informed that the undersigned has applied to the Maui Planning Commission of the County of Maui for a Land Use Commission Special Use Permit Amendment at the following parcel(s):

- 1. Tax Map Key: (2)3-8-004:001 (por.)
- 2. Location: In the vicinity of Mokulele Highway and Kamaalna Road intersection
- 3. State Land Use Designation: Agricultural
- 4. Proposed use Hawaiian Cement seeks to amend the boundaries of its existing Puunene Quarry covered by SP 92-380 by approximately 51.7 acres for quarry use and a 15-year time extension request for the SUP.

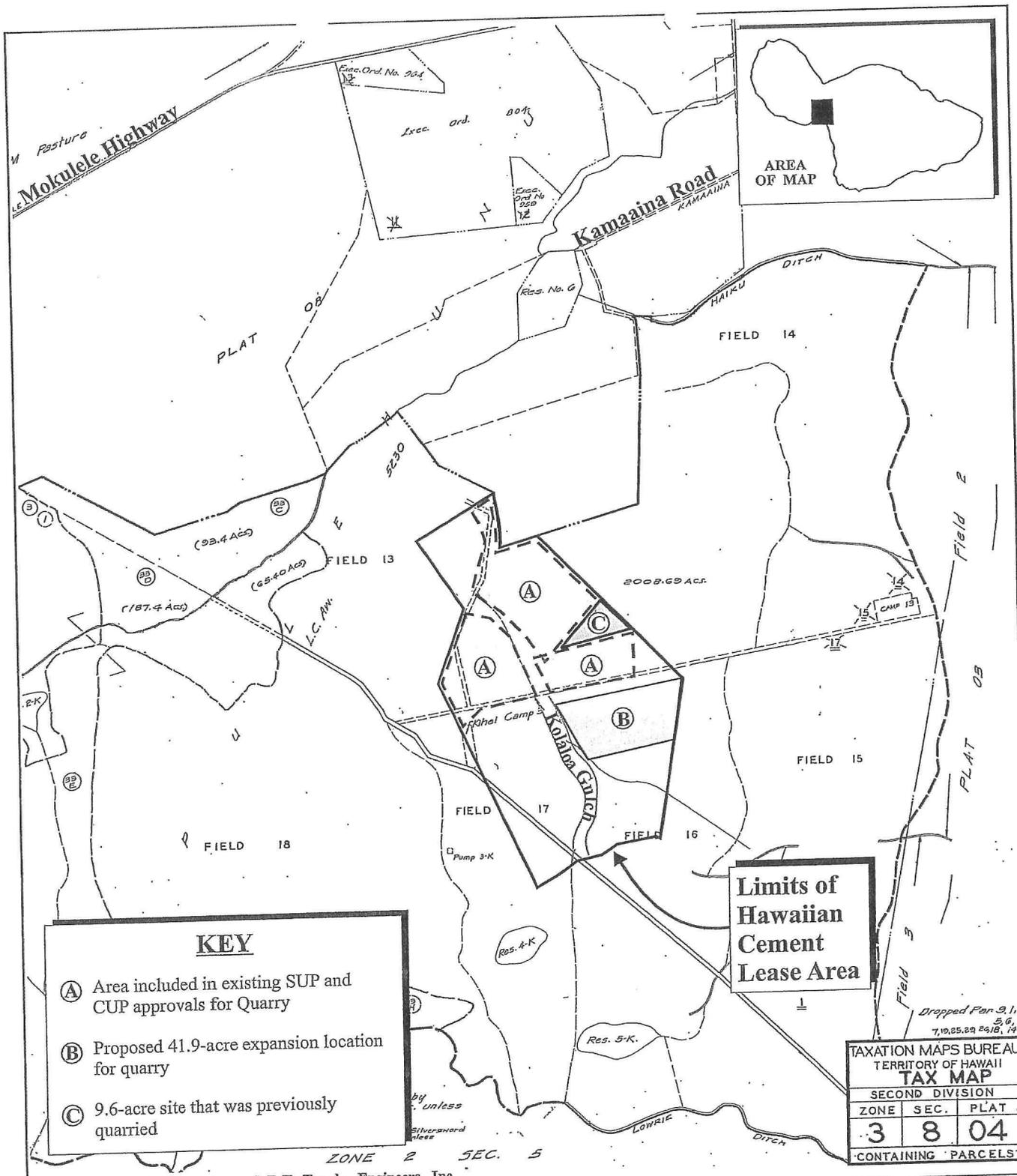
THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

Public Hearing Date: MAY 27, 2014
 Time: 9:00 AM
 Place: Kalani Pakui Bldg. 1st Flr. Conf. RM.
250 S. High Street
Wailuku, HI 96793

Attached please find a map identifying the location of the specific parcel being considered in the request for Land Use Commission Special Use Permit Application.
 The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 15 of the Hawaii Administrative rules, and the Maui Planning Commission rules.
 Petitioners to Intervene will be in conformity with Section 12-201-20 of the Rules of Practice and Procedure for the Maui Planning Commission and shall be filed with the commission and served upon the applicant no less than ten days before the first public hearing date. Filing of all documents to the commission is c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793.
 The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal state holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday, or state holiday. When the prescribed period of time is 10 days or less, Saturdays, Sundays, or state holidays within the designated period shall be excluded in the computation.
 Testimony relative to this request may be submitted in writing to the Maui Planning Commission, 250 South High Street, Wailuku, Maui, Hawaii 96793, or presented in person at the time of the public hearing.
 Information relative to the application is available for review at the Planning Department, 250 South High Street, Wailuku, Maui, Hawaii, Telephone (808) 270-7735; toll free from Molokai 1-800-272-0117, Extension 7735; and toll free from Lanai 1-800-272-0125, Extension 7735.

ADDRESS CHANGE PLEASE NOTE:
 COUNTY OF MAUI
 DEPARTMENT OF PLANNING
 2200 MAIN STREET, SUITE 315
 WAILUKU, MAUI, HAWAII 96793

Hawaiian Cement
 Name of Applicant
Neil Gomes
 Signature
P. O. Box 488
Kahului, Hawaii 96732
 Address
(808) 871-7004
 Telephone



Source: Hawaii Realty Atlas and R.T. Tanaka Engineers, Inc.

Hawaiian Cement Puunene Quarry Amendment Property Location Map

NOT TO SCALE



Prepared for: Hawaiian Cement

MUNEKIYO & HIRAGA, INC.
HawnCem/PuuneneQuarry/LocationMap

EXHIBIT "B"

List of Owners/Lessees

*TMK LIST OF OWNERS/LESSEES
HAWAIIAN CEMENT - PUUNENE (SUP/CUP AMEND)*

1	2380030020000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
2	2380030030000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
3	2380040020000	ALEXANDER & BALDWIN INC		P O BOX 156	KAHULUI HI 96733
4	2380040020000	MONSANTO COMPANY		800 N LINDBERGH BLVD	SAINT LOUIS MO 63167
5	2380040220000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
6	2380050010000	ALEXANDER & BALDWIN, LLC		PO BOX 156	KAHULUI HI 96733
7	2380080010000	ALEXANDER & BALDWIN LLC ETAL		PO BOX 266	PUUNENE HI 96784
8	2380080010000	DEPT OF AGRICULTURE, SOH			
9	2380080010000	DEPT OF DEFENSE, SOH ETAL			
10	2380080050000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
11	2380080060000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
12	2380080190000	CMBY 2011 INVESTMENT LLC		PO BOX 220	KIHEI HI 96753
13	2380080200000	ALEXANDER & BALDWIN, LLC ETAL		PO BOX 266	PUUNENE HI 96784
14	2380080200000	STATE OF HAWAII			
15	2380080310000	HAWAIIAN CEMENT (OVER 45.957 AC) (G.L. S-5284-A) ETAL		P O BOX 488	KAHULUI HI 96733
16	2380080310000	STATE OF HAWAII			
17	2380080340000	ALEXANDER & BALDWIN, LLC ETAL		PO BOX 3440	HONOLULU HI 96801

EXHIBIT "C"

**Original Certified or Registered
Mail Receipts Filed with County
Special Use Permit Amendment
Affidavit of Mailing on May 1, 2014**

7003 1680 0000 5101 6497

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2380040220000, 2380080050000
Street, A or PO Box: AND 6
City, State: A & B - HAWAII INC
PO BOX 156
KAHULUI HI 96732

7002 1681 0000 5105 6496

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Street, A or PO Box: ALEXANDER & BALDWIN INC
City, State: P O BOX 156
KAHULUI HI 96733

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City, State: 800 N LINDBERGH BLVD
SAINT LOUIS MO 63167

7002 1681 0000 5105 6480

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Street, A or PO Box: ALEXANDER & BALDWIN, LLC
City, State: PO BOX 156
KAHULUI HI 96733

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Street, A or PO Box: ALEXANDER & BALDWIN LLC
City, State: ETAL
PO BOX 266
PUUNENE HI 96784

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Street, A or PO Box: DEPT OF AGRICULTURE, SOH
City, State: 1428 SOUTH KING STREET
HONOLULU HI 96814

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Sent To: DEPT OF DEFENSE, SOH ETAL
MAUI ARMY NATIONAL GUARD
PUUNENE ARMORY
2701 MOKULELE HWY
KIHEI HI 96753

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PO BOX 220
KIHEI HI 96753

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9 2380080200000

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ETAL
PO BOX 266
PUUNENE HI 96784

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10 2380080200000 AND 31

Sent To: STATE OF HAWAII
DLNR
54 S HIGH STREET
WAILUKU HI 96793

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11 2380080310000

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(G.L. S-5284-A) ETAL
P O BOX 488
KAHULUI HI 96733

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12 2380080340000

Sent To: ALEXANDER & BALDWIN, LLC
ETAL
PO BOX 3440
HONOLULU HI 96801

Postmark Here: WAILUKU HI 96753 APR 15 2014 USPS

APR 09 2014

MICHAEL M. MUNEKIYO
PRESIDENT

TARDYAN FOKUDA
EXECUTIVE VICE PRESIDENT

SWEN CHASHI YIPEDA
SENIOR VICE PRESIDENT

MITCHELL "MICK" CHANCO
SENIOR VICE PRESIDENT

MARK ALEXANDER FLY
VICE PRESIDENT

April 7, 2014

COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED

'14 APR -7 P3 30

William Spence, Director
Department of Planning
Attention: Paul Fasi
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

SUBJECT: Public Hearing Notification – Hawaiian Cement Puunene Quarry at
Puunene, Maui (TMK (2)3-8-004:001 (por.) (SP92-380 and CUP
2006/002)

Dear Mr. Spence:

Pursuant to the rules and policies of the Maui Planning Commission, the notification of the public hearing date for the subject hearing will be transmitted by certified mail to owners/lessees within 500-feet of the proposed project for the County Special Use Permit (CUP) application and owners/lessees abutting and across the street for the State Special Use Permit (SUP) application.

In connection with the notification process, we would appreciate your assistance in providing us with a list of individuals who have requested in writing that they be informed of the subject hearing for the proposed project. In the event there are no individuals that have submitted written requests to the Maui Planning Commission to be notified of the subject hearing, please acknowledge this by signing and inserting the date on the line provided below.

William Spence, Director
April 7, 2014
Page 2

Thank you very much. Your assistance in this matter is greatly appreciated.

Very truly yours,



Karlynn Fukuda
Executive Vice President

KF:yp

Acknowledgement:

There are no individuals that have submitted written requests to the Maui Planning Commission to be notified of the above-referenced public hearings.



Name PAUL FASI

4/9/14

Date

ATTACHMENT E

NOTARIZED AFFIDAVIT OF MAILING OF
NOTICE OF PUBLIC HEARING

I, Karlynn Fukuda, being first duly sworn, on oath, deposes and says:

1. Affiant is the applicant for a County Special Use Permit Amendment for land situate at Puunene, Maui, Hawaii, TMK No.: (2)3-8-004:001 (por.).
2. Affiant did on April 15, 2014, deposit in the United States mail, postage prepaid, by certified or registered mail, return receipt requested, a copy of a Notice of Hearing with location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.
3. Thereafter, there was returned to the office of Affiant, the United States Post Office certified or registered mail receipts and return receipts which are attached hereto as "Exhibit C" and made a part hereof.

Further, Affiant sayeth naught.

Karlynn Fukuda

Karlynn Fukuda

Subscribed and sworn to before me
this ___ day of _____.

Notary Public, State of Hawaii
My commission expires: _____

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 1st day of May, 20¹⁴, before me personally appeared Karlynn Fukuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.



Tracy Nakamoto
NOTARY PUBLIC, State of Hawaii.
Print Name Tracy Nakamoto
My commission expires: 10/15/16

NOTARY PUBLIC CERTIFICATION	
Doc. Date: <u>4/15/14</u>	# Pages: <u>12 + envelope</u>
Notary Name: <u>Tracy Nakamoto</u>	Judicial Circuit: <u>second</u>
Doc. Description: <u>Notarized Affidavit of Mailing</u> <u>of Notice of Public Hearing</u>	
Notary Signature: <u>Tracy Nakamoto</u>	
Date: _____	



EXHIBIT "A"

Notice of Hearing

ATTACHMENT D
FORM 2 (CUP, PMP) PLANNING COMMISSION

Date: April 15, 2014

TO: Owners/Lessees

Please be informed that the undersigned has applied to the Maui
Planning Commission for the following:

- County Special Use (Amendment) Project Master Plan
- 1. Tax Map Key: (2)3-8-004:001 (por.)
- 2. Location: In the vicinity of Approximately one (1) mile east of Mokulele Highway and Kamaaina Road Intersection.
- 3. Area of Parcel: 51.7-acre portion of 2,008.69 acres
- 4. Proposed Development: Hawailan Cement seeks to amend the boundaries of its existing quarry covered by County Special Use Permit (CUP 2006/0002) by approximately 51.7 acres for quarry use and a 14-year time extension request for the CUP.

THIS SECTION TO BE COMPLETED BY THE PLANNING DEPARTMENT:

PUBLIC HEARING DATE: May 27, 2014
 TIME: 9:00 AM
 PLACE: Kalani Pakui Bldg. 1st flr. Conf. Rm.
250 S. High Street
Wailuku, HI 96793

Attached please find a map identifying the location of the specific parcel(s) being considered in the above-referenced request.

The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code and the Maui Planning Commission Rules.

Petitions to Intervene shall be in conformity with Sections 12-201-20, 12-201-40, and 12-201-43 of the Rules of Practice and Procedure for the Maui Planning Commission and shall be filed with the Maui Planning Commission and served upon the applicant no less than ten (10) days before the first public hearing date. Filing of all documents to the Maui Planning Commission is c/o the Maui Planning Department, 250 South High Street, Wailuku, Maui, Hawaii 96793.

The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal State holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday or State holiday. When the prescribed period of time is ten days or less, Saturdays, Sundays, or State holidays within the designated period shall be excluded in the computation.

Testimony relative to this request may be submitted in writing to the Maui Planning Commission, 250 South High Street, Wailuku, Maui, Hawaii, 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Planning Department, 250 South High Street, Wailuku, Maui, Hawaii; Telephone: (808) 270-7735; toll free from Molokai 1-800-272-0117, Extension 7735; and toll free from Lanai 1-800-272-0125, Extension 7735.

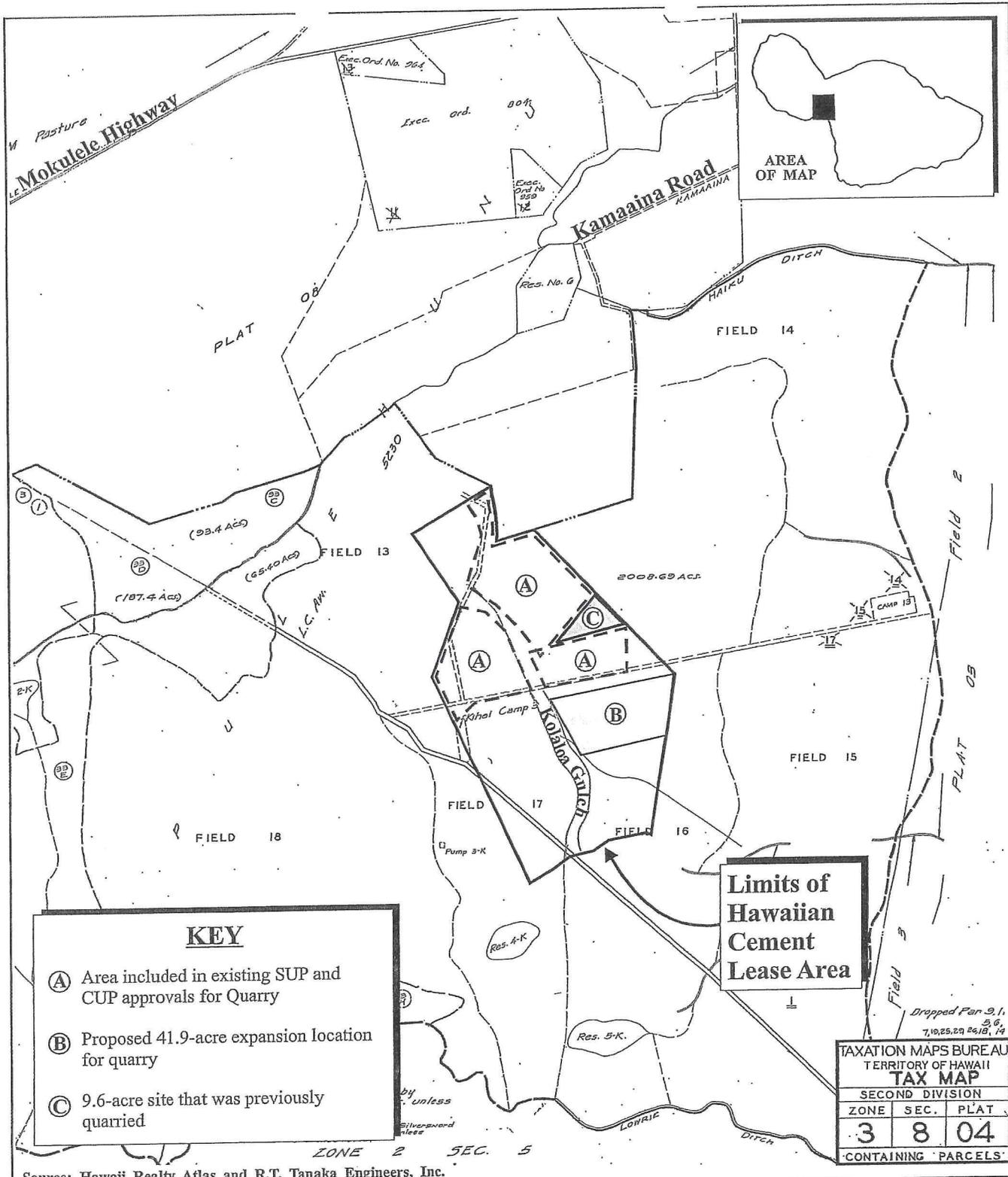
David Gomes
Hawaiian Cement
Name of Applicant- Please print

David Gomes
Signature

P. O. Box 488
Kahului, Hawaii 96732
Address

(808)871-7004
Telephone

ADDRESS CHANGE PLEASE NOTE:
COUNTY OF MAUI
DEPARTMENT OF PLANNING
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793



Hawaiian Cement Puunene Quarry Amendment Property Location Map

NOT TO SCALE



Prepared for: Hawaiian Cement

MUNEKIYO & HIRAGA, INC.

HawaCem/PuuneneQuarry/LocationMap

EXHIBIT "B"

List of Owners/Lessees

**TMK LIST OF OWNERS/LESSEES
HAWAIIAN CEMENT - PUUNENE (SUP/CUP AMEND)**

1	2380030020000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
2	2380030030000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
3	2380040020000	ALEXANDER & BALDWIN INC		P O BOX 156	KAHULUI HI 96733
4	2380040020000	MONSANTO COMPANY		800 N LINDBERGH BLVD	SAINT LOUIS MO 63167
5	2380040220000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
6	2380050010000	ALEXANDER & BALDWIN, LLC		PO BOX 156	KAHULUI HI 96733
7	2380080010000	ALEXANDER & BALDWIN LLC ETAL		PO BOX 266	PUUNENE HI 96784
8	2380080010000	DEPT OF AGRICULTURE, SOH			
9	2380080010000	DEPT OF DEFENSE, SOH ETAL			
10	2380080050000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
11	2380080060000	A & B - HAWAII INC		PO BOX 156	KAHULUI HI 96732
12	2380080190000	CMBY 2011 INVESTMENT LLC		PO BOX 220	KIHEI HI 96753
13	2380080200000	ALEXANDER & BALDWIN, LLC ETAL		PO BOX 266	PUUNENE HI 96784
14	2380080200000	STATE OF HAWAII			
15	2380080310000	HAWAIIAN CEMENT (OVER 45.957 AC) (G.L. S-5284-A) ETAL		P O BOX 488	KAHULUI HI 96733
16	2380080310000	STATE OF HAWAII			
17	2380080340000	ALEXANDER & BALDWIN, LLC ETAL		PO BOX 3440	HONOLULU HI 96801

EXHIBIT "C"

**Certified or Registered
Mail Receipts and Return Receipts**

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1 2380030020000 AND 3,
 2380040220000, 2380080050000
 AND 6
 A & B - HAWAII INC
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 KAHULUI HI 96732

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 SAINT LOUIS MO 63167

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 ALEXANDER & BALDWIN, LLC
 PO BOX 156
 KAHULUI HI 96733

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 ETAL
 PO BOX 266
 PUUNENE HI 96784

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 1428 SOUTH KING STREET
 HONOLULU HI 96814

Postmark: WAILUKU HI 96733, APR 15 2014, USPS

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 KIHAI HI 96753

PS Form 3800

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here: WAILUKU HI 96733 APR 15 2014 USPS

Sent To: 8 2380080190000
 CMBY 2011 INVESTMENT LLC
 PO BOX 220
 KIHAI HI 96753

PS Form 3800

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here: WAILUKU HI 96733 APR 15 2014 USPS

Sent To: 9 2380080200000
 ALEXANDER & BALDWIN, LLC
 ETAL
 PO BOX 266
 PUUNENE HI 96784

PS Form 3800

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CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here: WAILUKU HI 96733 APR 15 2014 USPS

Sent To: 10 2380080200000 AND 31
 STATE OF HAWAII
 DLNR
 54 S HIGH STREET
 WAILUKU HI 96793

PS Form 3800

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here: WAILUKU HI 96733 APR 15 2014 USPS

Sent To: 11 2380080310000
 HAWAIIAN CEMENT (OVER 45.957 AC)
 (G.L. S-5284-A) ETAL
 P O BOX 488
 KAHULUI HI 96733

PS Form 3800

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48

Postmark Here: WAILUKU HI 96733 APR 15 2014 USPS

Sent To: 12 2380080340000
 ALEXANDER & BALDWIN, LLC
 ETAL
 PO BOX 3440
 HONOLULU HI 96801

PS Form 3800

Original Return Receipts
(Hawaiian Cement - Puunene Quarry)
County Special Use Permit Amendment

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 10 238008020000 AND 31
 APR 18 2014
 STATE OF HAWAII
 DLNR
 54 S HIGH STREET
 WAILUKU HI 96793

HAWAIIAN CEMENT - PUMMERS

2. Article Number
 (Transfer from service label) 7003 1680 0000 5101 6756
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X *AWUP* Addressee
 B. Received by (Printed Name) Date of Delivery
Devo Yoshimi *4.10.14*
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 11 2380080310000
 APR 17 2014
 HAWAIIAN CEMENT
 (OVER 45.957 AC) (G.L. S-5284-A)
 ETAL
 P O BOX 488
 KAHULUI HI 96733

HAWAIIAN CEMENT - PUMMERS

2. Article Number
 (Transfer from service label) 7003 1680 0000 5101 6763
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X *R. K. Yee* Addressee
 B. Received by (Printed Name) C. Date of Delivery
Roger K YAMASAKI *4/16/14*
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 10 238008020000 AND 31
 APR 18 2014
 STATE OF HAWAII
 DLNR
 54 S HIGH STREET
 WAILUKU HI 96793

HAWAIIAN CEMENT - PUMMERS

2. Article Number
 (Transfer from service label) 7003 1680 0000 5101 6763
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X *[Signature]* Addressee
 B. Received by (Printed Name) C. Date of Delivery
[Signature]
 D. Is delivery address different from item 1? Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

APR 09 2014

MICHAEL D. KAMBEKIYI
PRESIDENT

TAKUWA TAKUWA
EXECUTIVE VICE PRESIDENT

DAVID O'HANNA HIRAGA
SENIOR VICE PRESIDENT

MATTHEW HUGHES HIRAGA
SENIOR VICE PRESIDENT

MARK ALEXANDER TAYLOR
VICE PRESIDENT

April 7, 2014

COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED

'14 APR -7 P3:30

William Spence, Director
Department of Planning
Attention: Paul Fasi
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

SUBJECT: Public Hearing Notification – Hawaiian Cement Puunene Quarry at Puunene, Maui (TMK (2)3-8-004:001 (por.) (SP92-380 and CUP 2006/002)

Dear Mr. Spence:

Pursuant to the rules and policies of the Maui Planning Commission, the notification of the public hearing date for the subject hearing will be transmitted by certified mail to owners/lessees within 500-feet of the proposed project for the County Special Use Permit (CUP) application and owners/lessees abutting and across the street for the State Special Use Permit (SUP) application.

In connection with the notification process, we would appreciate your assistance in providing us with a list of individuals who have requested in writing that they be informed of the subject hearing for the proposed project. In the event there are no individuals that have submitted written requests to the Maui Planning Commission to be notified of the subject hearing, please acknowledge this by signing and inserting the date on the line provided below.

William Spence, Director
April 7, 2014
Page 2

Thank you very much. Your assistance in this matter is greatly appreciated.

Very truly yours,



Karlynn Fukuda
Executive Vice President

KF:yp

Acknowledgement:

There are no individuals that have submitted written requests to the Maui Planning Commission to be notified of the above-referenced public hearings.



Name PAUL FASI

4/9/14

Date

Paul

AFFIDAVIT OF PUBLICATION

LAND USE COMMISSION
STATE OF HAWAII
STATE OF HAWAII, } ss.
County of Maui, } A 7:28

Rhonda M. Kurohara being duly sworn
deposes and says, that he is in Advertising Sales of
the Maui Publishing Co., Ltd., publishers of THE MAUI NEWS, a
newspaper published in Wailuku, County of Maui, State of Hawaii;
that the ordered publication as to

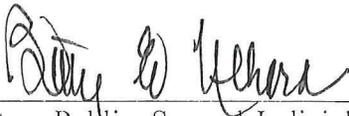
NOTICE OF PUBLIC HEARING

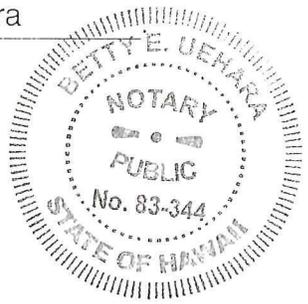
of which the annexed is a true and correct printed notice, was
published 1 times in THE MAUI NEWS, aforesaid, commencing
on the 25th day of April, 2014, and ending
on the 25th day of April, 2014, (both days
inclusive), to-wit: on April 25, 2014

and that affiant is not a party to or in any way interested in the above
entitled matter.



This 1 page Notice of Public Hearing, dated
April 25, 2014, was sub-
scribed and sworn to before me this 25th day of
April, 2014, in the Second Circuit of the State of Hawaii,
by Rhonda M. Kurohara


Notary Public, Second Judicial
Circuit, State of Hawaii



BETTY E. UEHARA
My Commission expires 09-26-15

**NOTICE OF PUBLIC HEARING
MAUI PLANNING COMMISSION**

The Maui Planning Commission for the County
of Maui hereby gives notice that it will conduct
a hearing on May 27, 2014 commencing at
9:00 a.m. or as soon thereafter as is practicable in
the Planning Department Conference Room,
1st Floor, Kalana Pakui Building, 250 S. High
Street, Wailuku, Maui, Hawaii 96793 on the
following:

SPECIAL MANAGEMENT AREA USE
PERMIT

I. ATC MAKENA HOLDINGS, LLC request-
ing a Special Management Area Use Permit
for the proposed Makena Resort H-M Pro-
ject consisting of 148 total units. The pro-
ject will include the redevelopment of the
Makena Beach and Golf Resort into a new
resort community including the renovation
of the existing 310-room hotel into forty-six
(46) fee simple units and the addition of
twelve (12) multi-family units, five (5) spa
hales, nine (9) beach cottages, and a new
hotel with seventy-six (76) units and related
improvements; also proposed is a new club
consisting of a new spa facility, fitness cen-
ter, a restaurant, and other accessory ameni-
ties on a 23.89 acre portion of the Makena
Beach and Golf Resort property located at
5400 Makena Alanui Road, TMK: 2-1-005:
086 (por.), Makena, Island of Maui. (SM
2013/0013) (A. Cua)

AMENDMENTS TO STATE LAND USE
COMMISSION SPECIAL USE AND
COUNTY SPECIAL USE PERMIT

I. MR. DAVE GOMES, General Manager of
HAWAIIAN CEMENT requesting amend-
ments to its State Land Use Commission
Special Permit (SUP) and County Special
Use Permit (CUP) to add 51.697 acres to its
existing site, obtain a fifteen (15)-year time
extension for the SUP and a fourteen (14)-
year time extension for the CUP, and request
amendments to the existing permit con-
ditions; subject parcel is 51.7 acres of State
Agricultural land at Maui Tax Map Key (2)
3-8-004:001 (por.), Kahului, Maui, Hawaii.
(P. Fasi)

The subject public hearings will be conducted in
accordance with the Hawaii Revised Statutes, the
Maui County Code and the Rules of the Maui
Planning Commission. Information pertaining to
the subject applications may be obtained from the
Maui County Planning Department, 2200 Main
Street, Suite 619, Wailuku, Maui.

Petitions to intervene shall be in conformity with
Section 12-201-20 of the Rules of Practice and
Procedure for the Maui Planning Commission and
shall be filed with the Commission and served
upon the applicant no less than ten (10) days
before the first public hearing date. Filing of all
documents to the Commission is c/o the Maui
Planning Department, 2200 Main Street, Suite
315, Wailuku, Maui, Hawaii 96793. The deadline
for the filing of a timely petition to intervene is
May 12, 2014.

All testimony regarding the subject applications
may be filed prior to the date of the hearing by
providing 15 copies of said written testimony to
the Department of Planning or may be presented at
the time of the hearing.

Those interested persons requesting accommoda-
tion due to disabilities, please call the Department
of Planning at (808) 270-7735 or notify the
Department of Planning in writing at 2200 Main
Street, Suite 315, Wailuku, Maui, Hawaii 96793,
or fax number (808) 270-7634 at least six (6) days
before the scheduled meeting.

MAUI PLANNING COMMISSION
by WILLIAM SPENCE
Planning Director

(MN: April 25, 2014)

MAUI 3.3.2014

AFFIDAVIT OF PUBLICATION

LAND USE COMMISSION
STATE OF HAWAII

STATE OF HAWAII, } ss.
County of Maui } 2014 OCT 15 A 7:28

Rhonda M. Kurohara being duly sworn

deposes and says, that she is in Advertising Sales of the Maui Publishing Co., Ltd., publishers of THE MAUI NEWS, a newspaper published in Wailuku, County of Maui, State of Hawaii; that the ordered publication as to

TO: Owners/Lesseees

of which the annexed is a true and correct printed notice, was published 3 times in THE MAUI NEWS, aforesaid, commencing on the 22nd day of April, 2014, and ending on the 6th day of May, 2014, (both days inclusive), to-wit: on April 22, 29; May 6, 2014

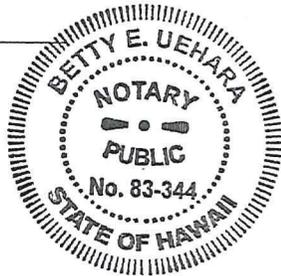
and that affiant is not a party to or in any way interested in the above entitled matter.

[Signature]

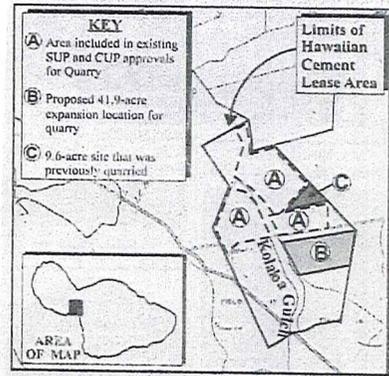
This 1 page TO: Owners/Lesseees, dated April 22, 29; May 6, 2014, was subscribed and sworn to before me this 6th day of May, 2014, in the Second Circuit of the State of Hawaii, by Rhonda M. Kurohara

[Signature]

Notary Public, Second Judicial Circuit, State of Hawaii



BETTY E. UEHARA
My Commission expires 09-26-15



**ATTACHMENT D
FORM 2 (CUP, PMP) PLANNING
COMMISSION**

Date: April 15, 2014

TO: Owners/Lesseees

Please be informed that the undersigned has applied to the Maui Planning Commission for the following:

County Special Use (Amendment)
 Project Master Plan

1. Tax Map Key: (2) 3-8-004:001 (por.)
2. Location: In the vicinity of approximately one (1) mile east of Mokulele Highway and Kamaaina Road intersection.
3. Area of Parcel: 51.7-acre portion of 2,008.69 acres
4. Proposed Development: Hawaiian Cement seeks to amend the boundaries of its existing quarry covered by County Special Use Permit (CUP 2006/0002) by approximately 51.7 acres for quarry use and a 14-year time extension request for the CUP.

**THIS SECTION TO BE COMPLETED
BY THE PLANNING DEPARTMENT:**

Public Hearing

Date: May 27, 2014
Time: 9:00 A.M.
Place: Kalani Pakui Bldg. 1st fl.
Conf. Rm.
250 S. High Street
Wailuku, HI 96793

Attached please find a map identifying the location of the specific parcel(s) being considered in the above-referenced request.

The hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code and the Maui Planning Commission Rules.

Petitions to intervene shall be in conformity with Sections 12-201-20, 12-201-40, and 12-201-43 of the Rules of Practice and Procedure for the Maui Planning Commission and shall be filed with the Maui Planning Commission and served upon the applicant no less than ten (10) days before the first public hearing date. Filing of all documents to the Maui Planning Commission is c/o the Maui Planning Department, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii, 96793.

The computation of time begins with the day following the act, event, or default, and includes the last day of the period unless it is a Saturday, Sunday or legal State holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday, or State holiday. When the prescribed period of time is ten days or less, Saturdays, Sundays, or State holidays within the designated period shall be excluded in the computation.