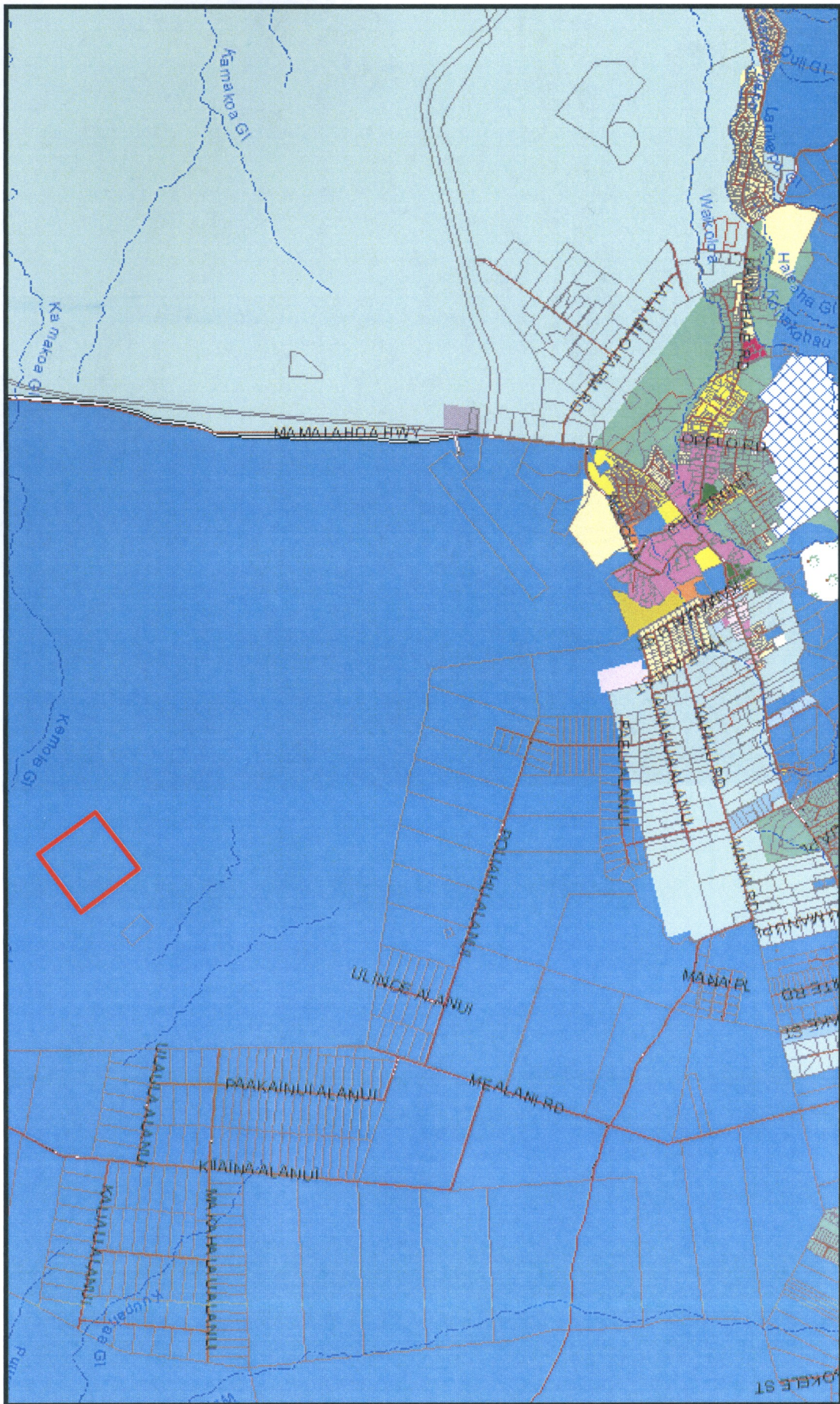


PR MAUNA KEA LLC

AMENDMENT TO SPECIAL PERMIT NO. 724
(LUC DOCKET NO. 90-374)



LOCATION MAP

THE APPLICANT IS REQUESTING:

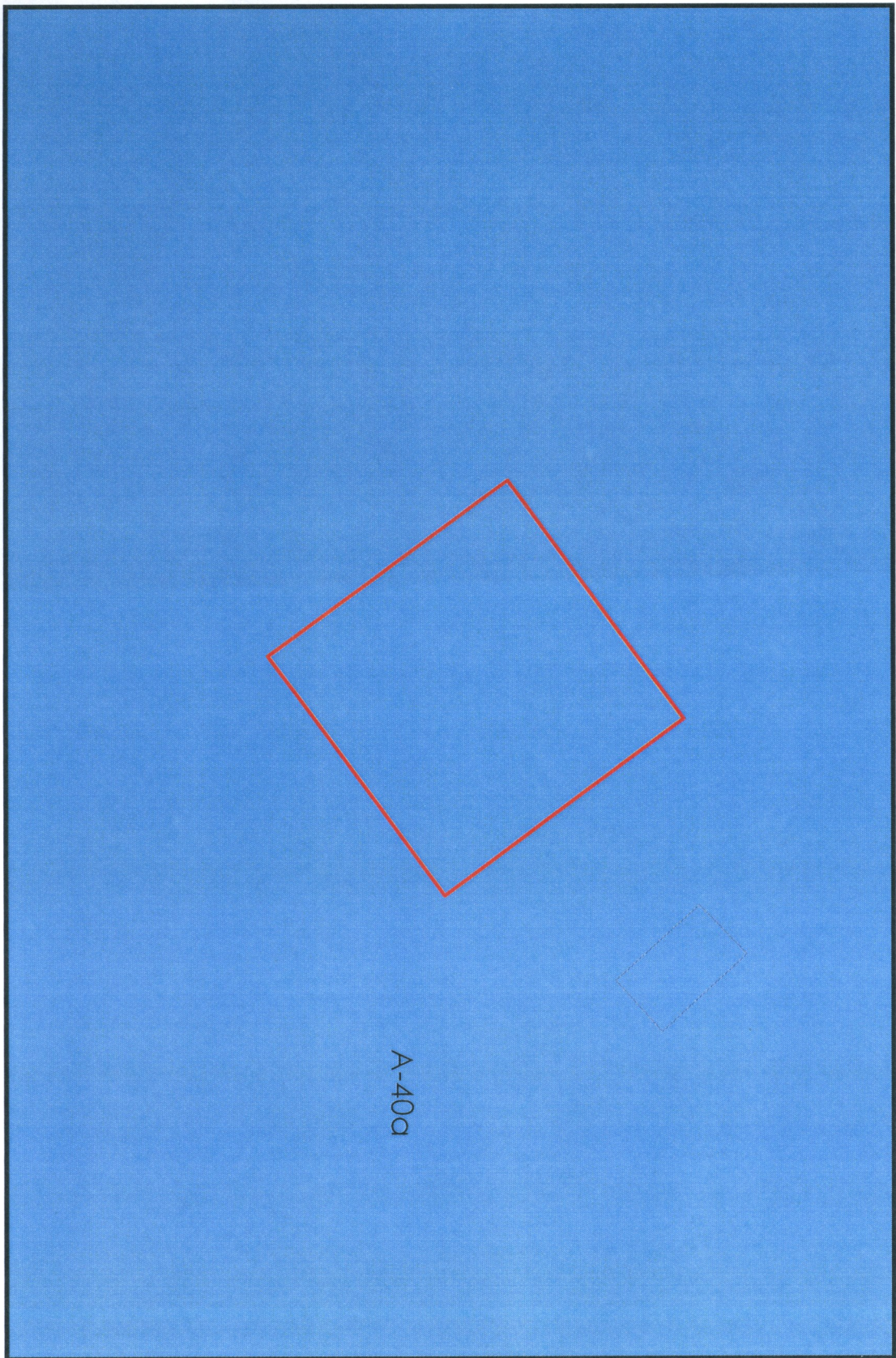
- AN AMENDMENT TO SPECIAL PERMIT NO. 724 (LUC DOCKET NO. 90-374), WHICH WAS ORIGINALLY APPROVED IN 1990 AND AMENDED IN 2000 TO ALLOW FOR THE OPERATION OF A QUARRY AND RELATED USES ON APPROXIMATELY 143.48 ACRES OF LAND SITUATED WITHIN THE STATE LAND USE AGRICULTURAL DISTRICT. THE APPLICANT IS REQUESTING A TIME EXTENSION TO RUN COTERMINOUS WITH THE LEASE BETWEEN THE APPLICANT AND WHC, LTD., DBA WEST HAWAII CONCRETE (WHC), WHICH EXPIRES ON SEPTEMBER 3, 2037.
- WHC HAS BEEN SUCCESSFULLY OPERATING A QUARRY ON THE PROPERTY SINCE 1972 AND WISHES TO CONTINUE THOSE OPERATIONS AT LEAST UNTIL 2037.
 - THERE ARE APPROXIMATELY EIGHT (8) MILLION TONS OF MATERIAL REMAINING IN THE QUARRY TO BE MINED.
 - WHC CURRENTLY SUPPLIES ALL THEIR CONCRETE AGGREGATES OUT OF THE QUARRY ON THE PROPERTY, THEREFORE CEASING OPERATION WOULD CAUSE DISRUPTION TO THE LOCAL CONSTRUCTION MARKET.
 - ADDITIONALLY, THE ROCK SOURCE ON THE PROPERTY IS UNIQUE, AS IT IS THE ONLY QUARRY THAT WHC UTILIZES WHICH PRODUCES ROCK AGGREGATE THAT DOES NOT RESULT IN ALKALI SILICA REACTIVITY IN THE FINISHED CONCRETE PRODUCTS. THIS IS A CONDITION WHICH OCCURS WHEN CONCRETE IS EXPOSED OVER TIME TO WET CONDITIONS CAUSING IT TO EXPAND, AND RESULTS IN PREMATURE CONCRETE FAILURE.

APPLICANT'S REQUEST / REASON

APPLICANT'S PROPOSED LANGUAGE FOR CONDITION NO. 7:

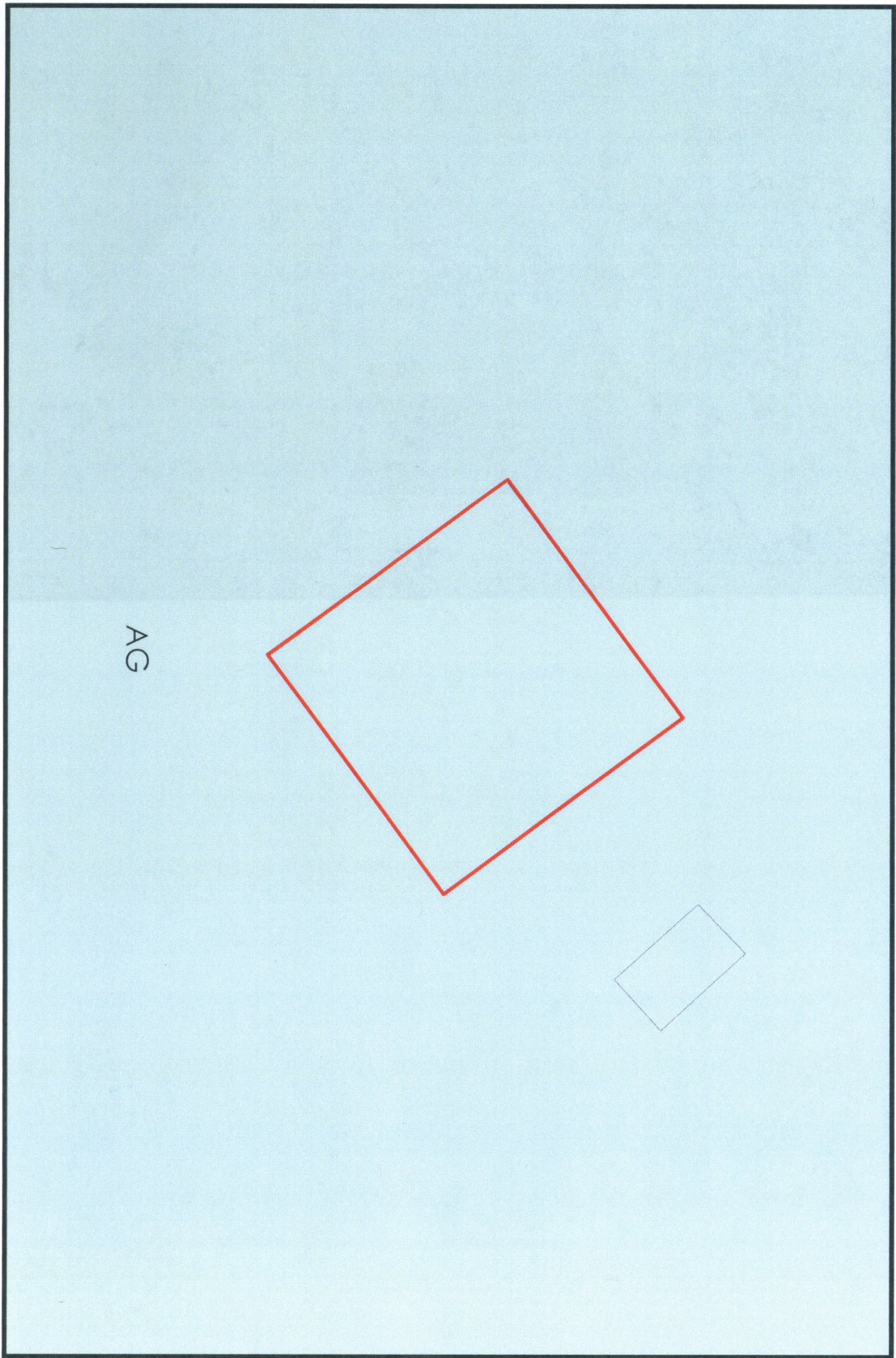
- THE LIFE OF THIS SPECIAL PERMIT SHALL RUN CO-TERMINUS [~~(\$IC)~~] WITH THE PARKER RANCH LEASE, WHICH TERMINATES ON SEPTEMBER 30, 2037. ANY AMENDMENTS TO THE TERMS OF THE LEASE WITH PARKER RANCH WHICH EXTEND THE TERM OF THE LEASE BEYOND SEPTEMBER 30, 2037, SHALL BE SUBMITTED TO THE PLANNING [DIRECTOR] COMMISSION AND THE STATE LAND USE COMMISSION FOR APPROVAL.
- THE APPLICANT ALSO PROPOSES DELETING THE FOLLOWING FOOTNOTE FROM CONDITION NO. 7 AS THE PROPOSED LANGUAGE ABOVE ADDRESSES THE FOOTNOTE REQUIREMENTS:
 - ANY EXTENSION TO THE LIFE OF THE SPECIAL PERMIT BEYOND THE TERM OF THE CURRENT LEASE, WHICH EXPIRES ON SEPTEMBER 30, 2017, WOULD REQUIRE THE APPROVAL OF BOTH THE PLANNING DIRECTOR AND THE STATE LAND USE COMMISSION. SEE ATTACHED LETTER DATED MAY 1, 2000, FROM THE APPLICANT TO ESTHER UEDA, EXECUTIVE OFFICER, STATE LAND USE COMMISSION.

PROPOSED CONDITION LANGUAGE

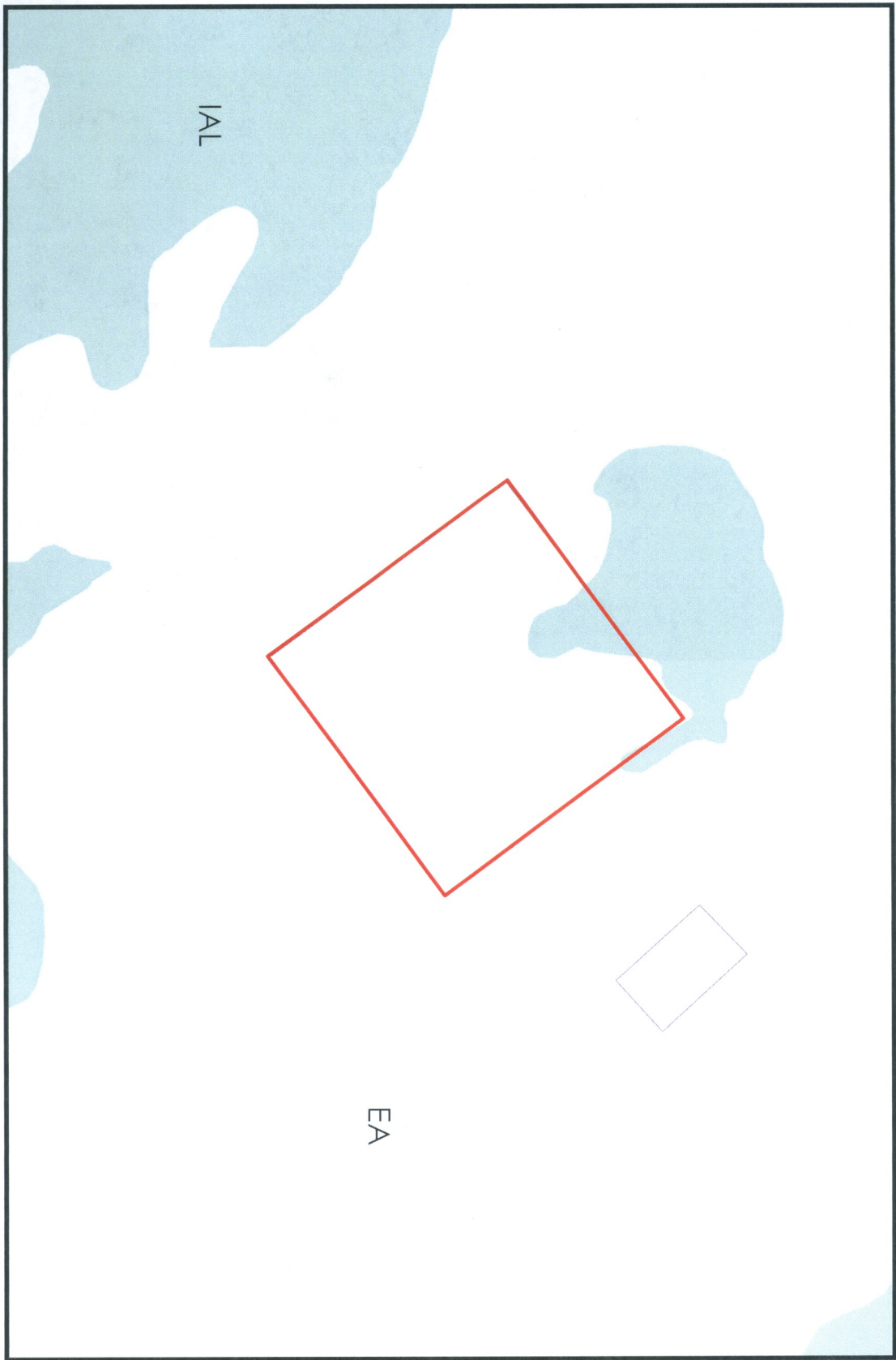


A-40a

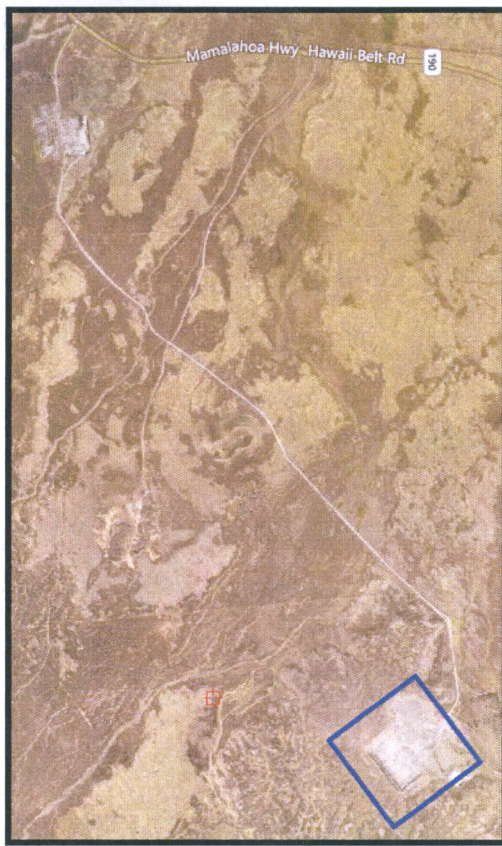
COUNTY ZONING



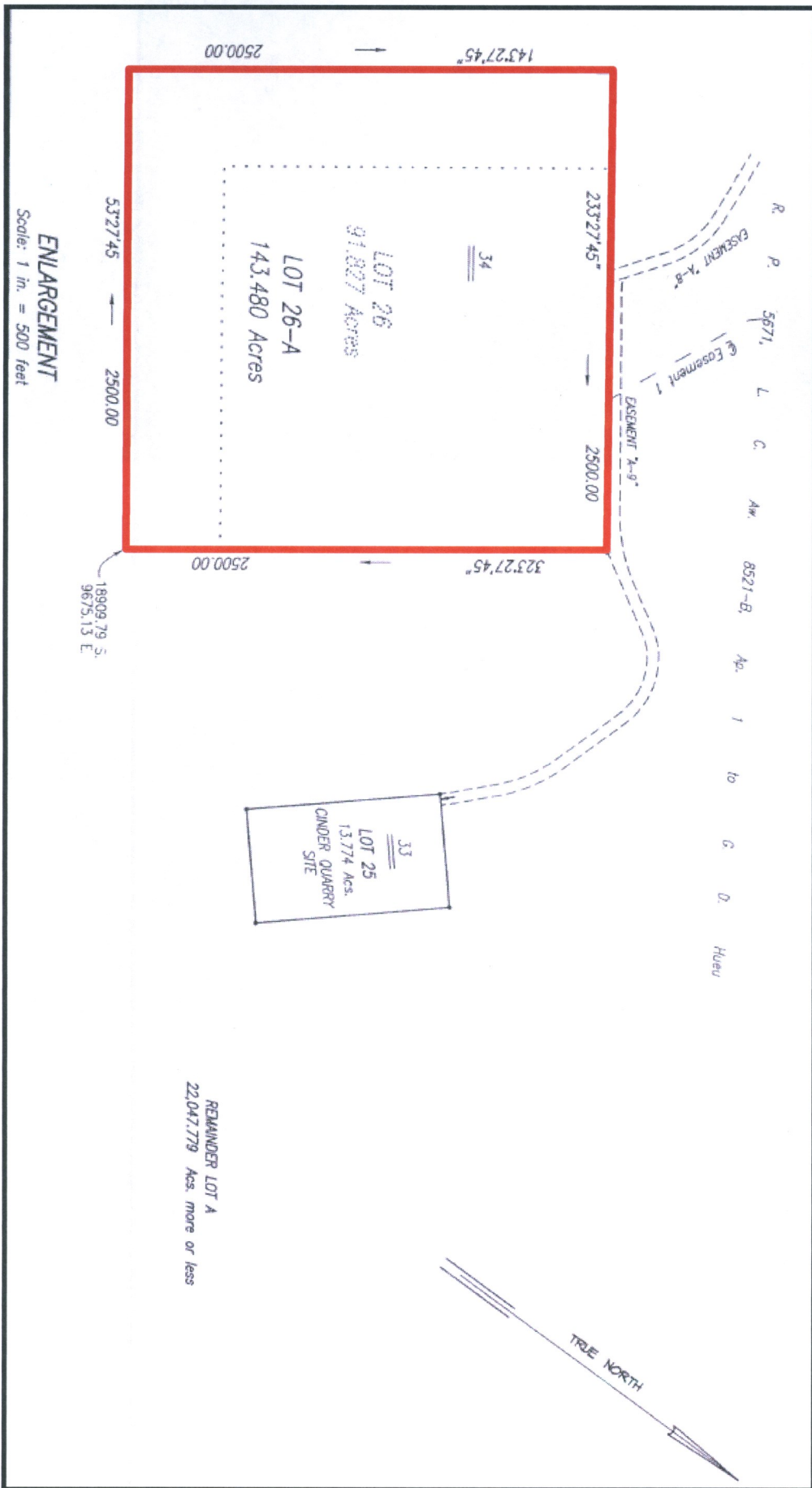
STATE LAND USE BOUNDARY MAP



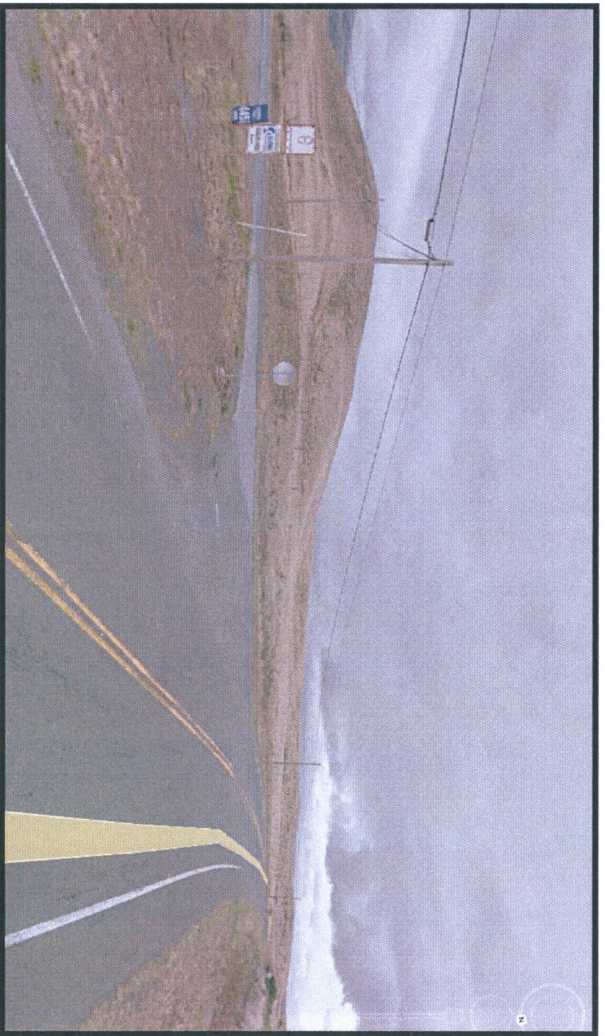
GENERAL PLAN (LUPAG) MAP



AERIAL PHOTOGRAPH



APPLICANT'S SITE PLAN



INTERSECTION OF MĀMĀLAHOA HIGHWAY &
QUARRY ACCESS ROAD LOOKING SOUTH



INTERSECTION OF MĀMĀLAHOA HIGHWAY &
QUARRY ACCESS ROAD LOOKING NORTH

SITE PHOTOS

AUTHORITY

- THE REQUESTED AMENDMENT TO SPECIAL PERMIT NO. 724 (LUC DOCKET NO. 90-374) AFFECTS USES ON LANDS GREATER THAN 15 ACRES, WHICH REQUIRE THE APPROVAL OF BOTH THE PLANNING COMMISSION AND STATE LAND USE COMMISSION (LUC). THEREFORE, THE PLANNING COMMISSION'S ACTION WILL BE TO APPROVE OR DENY THE REQUEST.
- SHOULD THE PLANNING COMMISSION APPROVE THE SPECIAL PERMIT, THE REQUESTED AMENDMENT WILL GO TO LUC WHO WILL THEN RENDER A FINAL DECISION. SHOULD THE PLANNING COMMISSION DENY THE REQUEST, THE AMENDMENT IS CONSIDERED DENIED.

AUTHORITY

PLANNING DIRECTOR'S RECOMMENDATION

APPROVAL OF AMENDMENT REQUEST

PLANNING DIRECTOR'S PROPOSED CONDITION LANGUAGE:

- THE LIFE OF THIS SPECIAL PERMIT SHALL RUN COTERMINOUS WITH THE CURRENT LEASE BETWEEN PR MAUNA KEA LLC AND WHC, LTD., WHICH TERMINATES ON SEPTEMBER 30, 2037. ANY EXTENSION TO THE LIFE OF THIS SPECIAL PERMIT BEYOND THE CURRENT LEASE SHALL REQUIRE THE APPROVAL OF THE PLANNING COMMISSION AND THE STATE LAND USE COMMISSION.