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

In The Matter Of The Application Of
WILLIAM HORNEMAN ON BEHALF OF
HAWAIIAN CEMENT

To Operate And Expand A Quarry And Base
Course Operation On Approximately 79.2
Acres Of Land Within The State Land Use
Agricultural District At Mā'alaea, Maui,
Hawai'i, Tax Map Key: 3-6-04: 7

DOCKET NO. SP06-400
ORDER AMENDING
DECISION AND ORDER
APPROVING SPECIAL
USE PERMIT

ORDER AMENDING DECISION AND ORDER
APPROVING SPECIAL USE PERMIT

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

DEC 18, 2006
Date
Executive Officer
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWA'I

In The Matter Of The Application Of
WILLIAM HORNEMAN ON BEHALF OF HAWA'IAN CEMENT
To Operate And Expand A Quarry And Base Course Operation On Approximately 79.2 Acres Of Land Within The State Land Use Agricultural District At Mā'alaea, Maui, Hawai'i, Tax Map Key: 3-6-04: 7

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This matter came on for hearing before the Land Use Commission ("LUC") at its meeting on December 8, 2006, at the Hapuna Beach Prince Hotel located on the Kohala Coast, South Kohala, Hawai'i. William Horneman appeared on behalf of Hawaiian Cement ("Applicant"). Eryan C. Yee, Esq., and Abe Mitsuda were also present on behalf of the State Office of Planning.

At the meeting, the LUC, upon its own motion, with no objections from the parties in this proceeding, moved to amend the Decision And Order Approving Special Use Permit dated December 4, 2006, issued in the above-entitled docket by amending Condition Number 1 to read as follows:
1. That the LUC Special Use Permit shall be valid until December 15, 2009, subject to further extensions by the LUC upon a timely request for extension filed at least one-hundred twenty (120) days prior to its expiration. The appropriate Planning Commission shall make a recommendation to the LUC and may require a public hearing on the time extension.

Having been seconded, a vote was taken on this motion. There being a vote tally of 7 ayes and 0 nays, the motion carried.

ORDER

The LUC, having duly considered the entire record in this matter, the oral arguments of the parties in this proceeding, and a motion having been made at its meeting on December 8, 2006, at the Hapuna Beach Prince Hotel located on the Kohala Coast, South Kohala, Hawai‘i, and the motion having received the affirmative votes required by section 15-15-13, Hawai‘i Administrative Rules, and there being good cause for the motion,

HEREBY ORDERS that Condition Number 1 of the Decision And Order Approving Special Use Permit dated December 4, 2006, be amended as follows:

1. That the LUC Special Use Permit shall be valid until December 15, 2009, subject to further extensions by the LUC upon a timely request for extension filed at least one-hundred twenty (120) days prior to its expiration. The appropriate Planning Commission shall make a recommendation to the LUC and may require a public hearing on the time extension.
All other conditions to the Decision And Order Approving Special Use Permit dated December 4, 2006, are hereby reaffirmed and shall continue in effect.
Done at Honolulu, Hawai‘i, this 18th day of December, 2006.

APPROVED AS TO FORM:

LAND USE COMMISSION
STATE OF HAWAI‘I

By: Lisa Judge
LISA JUDGE
Chairperson and Commissioner

Filed and effective on
DEC 18 2006

Certified by:

ANTHONY J. H. CHING, Executive Office

Docket No. SP06-400 William Homeman on Behalf of Hawaiian Cement
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In The Matter Of The Application Of
WILLIAM HORNEMAN ON BEHALF OF HAWAIIAN CEMENT
To Operate And Expand A Quarry And Base Course Operation On Approximately 79.2 Acres Of Land Within The State Land Use Agricultural District At Mā'alaea, Maui, Hawai'i, Tax Map Key: 3-6-04: 7

DOCKET NO. SP06-400
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE
I hereby certify that a copy of the Order Amending Decision And Order Approving Special Use Permit was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

DEL. LAURA THIELEN, Director Office of Planning P. O. Box 2359 Honolulu, Hawaii 96804-2359

BRYAN YEE, Esq.
Deputy Attorney General Hale Auhau, Third Floor 425 Queen Street Honolulu, Hawaii 96813

Docket No. SP06-400 William Horneman on Behalf of Hawaiian Cement 5
MICHAEL FOLEY, Director
County of Maui, Planning Department
250 South High Street
Wailuku, Hawaii 96793

BRIAN MOTO, Esq.
JANE LOVELL, Esq.
Corporation Counsel
County of Maui
250 South High Street
Wailuku, Hawaii 96793

CERT: WILLIAM HORNEMAN
99-130 Halawa Valley Street
Aiea, Hawaii 96701-3289

Honolulu, Hawai’i, DEC 18, 2008

[Signature]
ANTHONY H. CHING
Executive Officer

Docket No. SP06-400 William Horneman on Behalf of Hawaiian Cement