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

In the Matter of the Petition of
WAIKOLOA DEVELOPMENT COMPANY

For a Special Permit to Allow the
Establishment of a Quarry Operation
and Related Uses on Approximately
219.990 Acres on Land Situated
Within the State Land Use
Agricultural District at Waikoloa,
South Kohala, Hawai'i, Tax Map Key
No.: 6-8-01: 5 (por.)

DOCKET NO. SP92-381

ORDER GRANTING
APPLICANT'S REQUEST TO
AMEND CONDITION NO. 3
AND CONDITION NO. 12

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.

FEB 26 1999
Date
by Executive Officer

ORDER GRANTING APPLICANT'S REQUEST TO AMEND
CONDITION NO. 3 AND CONDITION NO. 12
ORDER GRANTING APPLICANT’S REQUEST TO AMEND CONDITION NO. 3 AND CONDITION NO. 12

On September 29, 1998, the County of Hawai‘i Planning Department received a request from Waikoloa Development Company ("Applicant") to 1) amend Condition No. 3 to extend the date on which to commence quarry operations from December 10, 1998, to December 10, 2003; and 2) amend Condition No. 12 to extend the life of the special permit from December 31, 2010, to December 31, 2018.

On December 3, 1998, after due deliberation, the Planning Commission ("Planning Commission") conducted a public hearing on this matter.

On December 3, 1998, after due deliberation, the Planning Commission recommended approval of amendments to Condition Nos. 3 and 12 of the Land Use Commission’s ("Commission") Findings of Fact, Conclusions of Law, and Decision
and Order ("Decision and Order") dated January 19, 1993, as follows:

3. The quarry operations and related activities shall commence on or before December 10, 2003. A letter informing of commencement of operations shall be submitted to the Planning Department.

12. The life of this permit shall be until December 31, 2018; the date of completion of the proposed quarrying; or its abandonment, whichever comes first.

On December 22, 1998, the Commission received the Planning Commission's record in this proceeding.

On January 7, 1999, the Commission received the remaining portion of the record, consisting of the hearing maps.

This Commission, having duly considered the arguments provided by the respective parties at its hearing on January 21, 1999, in Waikapu, Maui, and good cause existing therefrom,

HEREBY ORDERS that Applicant's request be GRANTED.

IT IS FURTHER ORDERED that Condition Nos. 3 and 12 of the Decision and Order dated January 19, 1993, shall be amended to read as follows:

3. The quarry operations and related activities shall commence on or before December 10, 2003. A letter informing of commencement of operations shall be submitted to the Planning Department.

12. The life of this permit shall be until December 31, 2018; the date of completion of the proposed quarrying; or its abandonment, whichever comes first.

All other conditions, as may be amended, to the Decision and Order dated January 19, 1993, are hereby reaffirmed and shall continue in effect.
Done at Honolulu, Hawai‘i, this 26th day of February 1999, per motions on January 21, 1999 and February 25, 1999.

LAND USE COMMISSION
STATE OF HAWAI‘I

By  
MERLE A. K. KELAI
Chairperson and Commissioner

By  
LAWRENCE N. C. YING
Vice Chairperson and Commissioner

By  
P. ROY CATALANI
Commissioner

By  
RUPERT K. CHUN
Commissioner

By  
PRAVIN DESAI
Commissioner

By  
ISAAC FIESTA, JR.
Commissioner

By  
M. CASEY JARMAN
Commissioner

Filed and effective on February 26, 1999

Certified by:

Executive Officer

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

In the Matter of the Petition of

WAIKOLOA DEVELOPMENT COMPANY

For a Special Permit to Allow the Establishment of a Quarry Operation and Related Uses on Approximately 219.990 Acres on Land Situated Within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawai‘i, Tax Map Key No.: 6-8-01: 5 (por.)

DOCKET NO. SP92-381

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Applicant’s Request to Amend Condition No. 3 and Condition No. 12 was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

DEL. DAVID W. BLANE, Director
Office of Planning
P. O. Box 2359
Honolulu, Hawaii 96804-2359

CERT. VIRGINIA GOLDSTEIN, Planning Director
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The Hilo Lagoon Center
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Hilo, Hawaii 96720

CERT. ANN COBB, Planning Coordinator
Waikoloa Development Company
150 Waikoloa Beach Drive
Waikoloa, Hawaii 96783

DATED: Honolulu, Hawaii, this 26th day of February 1999.

ESTHER UEDA
Executive Officer