Stratigraphic Profile of West Wall at TR1

Stratigraphic Profile of East Wall at TR2
Stratigraphic Profile of North Wall at TR3

Stratigraphic Profile of West Wall at TR4
Stratigraphic Profile of West Wall at TR5

Stratigraphic Profile of North Wall at BD1
Stratigraphic Profile of North Wall at BD2

Stratigraphic Profile of South Wall at TR6
Stratigraphic Profile of North Wall at TR7

Stratigraphic Profile of North Wall at TR8
Stratigraphic Profile of North Wall at TR9

Stratigraphic Profile of North Wall at TR10
Stratigraphic Profile of North Wall at TR11
Stratigraphic Profile of North Wall at TR12

Key

Angular basalt rock
Stratigraphic Profile of North Wall at TR13
Stratigraphic Profile of North Wall at TR14

Stratigraphic Profile of North Wall at TR15

Key:
- Angular basalt rock
- Bedrock
- Grass
- Roots
- Sand
- Waterworn rock
Stratigraphic Profile of North Wall at TR16

Stratigraphic Profile of South Wall at TR17
Michele Chouteau McLean, AICP, Director
County of Maui
Department of Planning
Attention: Paul Fasi, Planner
2200 Main Street, Suite 315
Wailuku, Hawai‘i 96793

SUBJECT: County Special Use Permit for the Hawaiian Cement Pu‘unēnē Quarry; Pūlehunui, Kahului, Maui; TMK (2)3-8-004:001(por.); CUP 2006/0002

Dear Ms. McLean:

At is regularly scheduled meeting on May 27, 2014, the Maui Planning Commission (Commission) approved a time extension request for the County Special Use Permit (CUP) (CUP 2006/0002) for the Hawaiian Cement Pu‘unēnē Quarry at Pūlehunui, Kahului, Hawai‘i. The Commission’s approval was subject to six (6) conditions. See Exhibit “A”.

Condition Number 5 of the 2014 CUP time extension approval recommended:

That the Applicant shall submit to the Department two (2) copies of a detailed report addressing its compliance with the conditions established with the County Special Use Permit CUP 2006/0002 and the State Land Use Commission Special Permit SP 92-380. The compliance report shall be submitted to the Department for review and approval prior to a time extension request or an amendment to the existing County Special Use Permit.

On behalf of Hawaiian Cement, we are submitting this compliance report in order to fulfil Condition Number 5 of the CUP time extension approval.

Condition Number 1:

That the County Special Use Permit shall be valid until July 21, 2032 or the expiration date for the State Land Use Commission Special Permit, whichever is longer, subject to extension by the Planning Director upon a
timely request for extension filed at least ninety (90) days prior to its expiration. The Commission may require a public hearing on the time extension.

Response: The Applicant acknowledges this condition. Future time extension requests, if needed, will be submitted in a timely manner as noted in this condition.

Condition Number 2:

That the County Special Use Permit shall not be transferred without the prior written approval of the Planning Director.

Response: The Applicant acknowledges this condition and notes that a transfer of permit is not contemplated.

Condition Number 3:

That the Applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject County Special Use Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this County Special Use Permit, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (1,000,000.00) naming the County of Maui as an additional named insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this permit, including but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this permit. A copy of a policy naming County of Maui as an additional named insured shall be submitted to the Department of Planning (Department) within ninety (90) calendar days from the date of transmittal of the decision and order.

Response: The Applicant acknowledges this condition. A current Certificate of Insurance is provided herein as Exhibit "B".
Condition Number 4:

That full compliance with all applicable governmental requirements shall be rendered; and

Response: The Applicant acknowledges this condition.

Condition Number 5:

That the Applicant shall submit to the Department two (2) copies of a detailed report addressing its compliance with the conditions established with the County Special Use Permit CUP 2006/0002 and State Land Use Commission Special Permit SP 92-380. The compliance report shall be submitted to the Department for review and approval prior to a time extension request or an amendment to the existing County Special Use Permit.

Response: The Applicant acknowledges this condition and notes that this report addresses compliance with the CUP conditions. A report addressing compliance with the State Land Use Commission Special Permit was submitted on January 31, 2020 to the State Land Use Commission and Department of Planning.

Condition Number 6:

That the quarry area is expanded by approximately 42 acres and includes the 9.697-acre portion of the quarry within the permitted area, known as Area “C”.

Response: The Applicant acknowledges this condition relative to a previously approved expansion of the quarry area.
Should you have any questions, or require additional information, please feel free to contact me at (808) 983-1233, or via email at planning@munekiyohioraga.com.

Very truly yours,

Bryan K. Esmeralda, AICP
Senior Associate

BE:la
Attachments
cc:  Dave Gomes, Hawaiian Cement (w/attachments)
EXHIBIT A.

County Special Use Permit Amendment Approval Letter Dated June 18, 2014
Ms. Karlynn Fukuda, Executive Vice President  
Munekiyo & Hiraga, Inc.  
305 High Street, Suite 104  
Wailuku, Hawaii 96793  

Dear Ms. Fukuda:

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

At its regular meeting on May 27, 2014, the Maui Planning Commission (Commission) voted to recommend approval to the State Land Use Commission, the following proposed amendments to State Land Use Commission Special Permit (SP 92-380):

1. To expand the quarry area by approximately 42 acres at TMK: (2) 3-8-004:001 (por.);
2. To include the 9.697-acre portion of the quarry within the permitted area (Area "C");
3. To delete Condition No. 16 of SP 92-380 as the Applicant has submitted said updated map to the Department of Planning; and
4. To approve a 15-year time extension for SP 92-380.

Further, the Commission also approved the proposed amendments to the County Special Use Permit (CUP 2006/0002) as follows:

Note: New material underlined; deleted material [bracketed]

1. That the County Special Use Permit shall be valid until July 21, 2032 [July 31, 2018], or the expiration date for the State Land Use Commission Special Permit, whichever is longer, subject to extension by the Planning Director [Maui Planning Commission] upon a timely request for extension filed at least ninety (90) days prior to its expiration. The Commission may require a public hearing on the time extension.
2. That the County Special Use Permit shall not be transferred without the prior written approval of the **Planning Director** [Maui Planning Commission].

3. That the Applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject County Special Use Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this County Special Use Permit, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (1,000,000.00) naming the County of Maui as an additional named insured, insuring and defending the Applicant and County of Maui against any and all claims or demands for property damage, personal injury and/or death arising out of this permit, including but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the non-observance or non-performance of any of the terms and conditions of this permit. A copy of a policy naming County of Maui as an additional named insured shall be submitted to the Department of Planning (Department) within ninety (90) calendar days from the date of transmittal of the decision and order.

4. That full compliance with all applicable governmental requirements shall be rendered; and

5. That the Applicant shall submit to the Department two (2) copies of a detailed report addressing its compliance with the conditions established with the County Special Use Permit CUP 2006/0002 and State Land Use Commission Special Permit SP 92-380. The compliance report shall be submitted to the Department for review and approval prior to a time extension request or an amendment to the existing County Special Use Permit.

6. That the quarry area is expanded by approximately 42 acres and includes the 9,697-acre portion of the quarry within the permitted area, known as Area "C".

The Commission adopted the Report and Recommendation prepared by the Department of Planning for the May 27, 2014, meeting as its Findings of Fact, Conclusions of Law, and Decision and Order. Parties to proceedings before the Commission may obtain Judicial Review of Decision and Orders issued by the Commission in the manner set forth in Chapter 91-14, Hawaii Revised Statutes (HRS).
Ms. Karlynn Fukuda, Executive Vice President  
June 18, 2014  
Page 3

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.

Sincerely,

WILLIAM SPENCE  
Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)  
Paul F. Fasi, Staff Planner (PDF)  
Development Services Administration  
William Alla, Jr., Chairperson, Department of Land and Natural Resources  
State of Hawaii Land Use Commission  
CZM File (SUP)  
Project File  
General File

WRMS:PFNsnt
K:\WP_DOCS\PLANNING\SUP\1991\0013_HawaiianCementQuarry Txt\Quarry Expansion 2014\MPCappvl.doc
EXHIBIT B.

Certificate of Insurance
# Certificate of Liability Insurance

**Date (MM/DD/YYYY):** 10/19/2019

**Producer:** Marsh USA Inc.
333 South 7th Street, Suite 1400
Minneapolis, MN 55402-2400

**Inured:** Hawaiian Cement
99-1300 Halawa Valley Street
Aiea, HI 96701

**Coverages Certificate Number:** CH-007164517-56

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**Inscr Ltr** | Type of Insurance | Addendum | Insd Wd | Policy Number | Policy Eff Date | Policy Exp Date | Limits |
--- | --- | --- | --- | --- | --- | --- | --- |
A | Commercial General Liability | CLAIMS-MADE | X | OCCUR | T92-641-005097-040 | 01/01/2020 | 01/01/2021 | EACH OCCURRENCE: $2,000,000 |
--- | | | | | | | | DAMAGE TO RENTED PREMISES (S2 occurrence) | $1,000,000 |
--- | | | | | | | | MED EXP (Any one person) | $10,000 |
--- | | | | | | | | PERSONAL & ADV INJURY | $2,000,000 |
--- | | | | | | | | GENERAL AGGREGATE | $4,000,000 |
--- | | | | | | | | PRODLS - COMPLPD AGG | $4,000,000 |
A | Automobile Liability | ANY AUTO | OWNED AUTOS ONLY | X | SCHEDULED AUTOS | AI2-641-005097-050 | 01/01/2020 | 01/01/2021 | COMBINED SINGLE LIMIT (Be assigned) | $2,000,000 |
--- | | | | | | | | BODILY INJURY (Per person) | $50,000 |
--- | | | | | | | | BODILY INJURY (Per accident) | $100,000 |
--- | | | | | | | | PROPERTY DAMAGE (Per accident) | $200,000 |
B | Umbrella Liability | EXCESS LB | OCCUR | CLAIMS-MADE | XL5083408P | 01/01/2020 | 01/01/2021 | EACH OCCURRENCE: $5,000,000 |
--- | | | | | | | | AGGREGATE | $5,000,000 |
C | Workers Compensation and Employers' Liability | ANY PROPRIETOR PARTNER EXECUTIVE OFFICER MEMBER EXCLUDED (Mandated in NH) | Y | N | N | WA7-640-005097-020 (Regulated) | 01/01/2020 | 01/01/2021 | X | PERSONAL INJURY | | | B. L. EACH OCCIDENT | $1,000,000 |
--- | | | | | | | | B. L. DISEASE - EA EMPLOYEE | $1,000,000 |
--- | | | | | | | | B. L. DISEASE - POLICY LIMIT | $1,000,000 |

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**Description of Operations/Locations/Vehicles:**

Note: Operations are described under the respective sections and may include details on property damage exclusions, occurrences, and limits.

**Certificate Holder:**

County of Maui
Department of Planning
200 S. High Street
Wailuku, Maui, HI 96793

**Cancellation Request:**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**Authorized Representative:**

Manashi Mukherjee

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