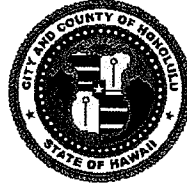


**PLANNING COMMISSION
KOMIKINA HO'OLĀLĀ
CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
WEBSITE: honolulu.gov/dpp



RICK BLANGIARDI
MAYOR
MEIA



PANE MEATOGA, Chair *LĀLA*
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HILARIE ALOMAR
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JOY KIMURA
ELENA BRYANT

2007/SUP-6

July 10, 2024

JARRETT DEMPSEY, ESQ.
Cades Schutte LLP
Cades Schutte Building
1000 Bishop Street, Suite 1200
Honolulu, Hawaii 96813

Attorney for Applicant
GRACE PACIFIC LLC, GRACE PACIFIC

JERROD SCHRECK
President
949 Kamokila Boulevard, Suite 200
Kapolei, Hawaii 96707

Applicant
GRACE PACIFIC LLC, GRACE PACIFIC

DEPARTMENT OF PLANNING AND PERMITTING
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

ANNE E. LOPEZ, ESQ.
Attorney General
BRYAN C. YEE, ESQ.
Deputy Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, Hawaii 96813

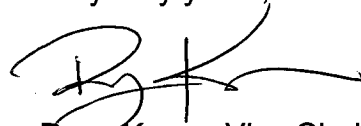
Attorneys for
OFFICE OF PLANNING, STATE OF HAWAII

RE: PLANNING COMMISSION FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND DECISION AND ORDER
APPROVING GRACE PACIFIC LLC'S APPLICATION FOR AN
AMENDMENT TO A STATE SPECIAL USE PERMIT, DOCKET
NO. 2007/SUP-6

Dear Sirs and Madam,

Enclosed is the Planning Commission's Findings of Fact, Conclusions of Law,
and Decision and Order, May 29, 2024, for the above subject Special Use Permit,
Docket No. 2007/SUP-6.

Very truly yours,

A handwritten signature in black ink, appearing to read 'RK', with a long horizontal flourish extending to the right.

Ryan Kamo, Vice Chair
Planning Commission

RK:gt

Enclosure

cc: Rozelle Agag, Deputy Corporation Counsel for the Planning Commission

BEFORE THE PLANNING COMMISSION
CITY AND COUNTY OF HONOLULU
THE STATE OF HAWAII

In The Matter Of The Application OF

GRACE PACIFIC CORPORATION'S
APPLICATION FOR AN AMENDMENT
TO A STATE SPECIAL USE PERMIT

DOCKET NO. 2007/SUP-6

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
DECISION AND ORDER
APPROVING GRACE PACIFIC
LLC'S APPLICATION FOR AN
AMENDMENT TO A STATE
SPECIAL USE PERMIT**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND
ORDER APPROVING GRACE PACIFIC LLC'S APPLICATION FOR AN
AMENDMENT TO A STATE SPECIAL USE PERMIT**

Applicant Grace Pacific LLC (the "**Applicant**") filed an Application proposing an amendment to Special Use Permit File No. 2007/SUP-6¹ (the "**SUP**") to (1) extend the Makakilo Quarry resource extraction and processing operations by 15 years to 2047; (2) reshape the area approved for resource extraction; (3) expand the operation hours of certain activities in the quarry to 24 hours a day, seven days a week; and (4) operate a ready-mix concrete plant in the quarry pit (the "**Application**").² The Application was heard by the Planning Commission (the "**Commission**") on March 6, 2024 at 1:30 p.m.

¹ Also referred to as the State Land Use Commission Docket No. SP73-147. The Planning Commission's SUP File No. 2007/SUP-6 superseded File No. 72/SUP-1. However, the Land Use Commission considered a 2007 request for an amendment to the original SUP and retained the original Docket No. SP73-147. Although the Land Use Commission and Planning Commission have referred to the SUP under different docket numbers, SP73-147 and 2007/SUP-6 refer to the same special use permit.

² The amendments requested in the Application are referred to hereafter as the "**Project**".

The Commission, having heard and examined the testimony, evidence, and arguments of counsel presented during the hearing, along with the Application, Director's Report, written testimony, written comments, and correspondence and pleadings filed herein, makes the following Findings of Fact, Conclusions of Law and Decision and Order. To the extent these Findings of Fact contain Conclusions of Law, they shall be so considered and construed. To the extent these Conclusions of Law contain Findings of Fact, they shall be so considered and construed.

I. FINDINGS OF FACT

A. Procedural History

1. On July 25, 2023, the Department of Planning and Permitting, City and County of Honolulu (the "***Department***"), accepted the Application for processing and assigned it file number 2023/GEN-5.

2. On July 25, 2023, the Department sent a request for comment to local, state, and federal government agencies to evaluate the Application. The Department received comments from five agencies. No agency objected to the Application.

3. On November 16, 2023, the Applicant submitted a written response to agency and public comments received by the Department.

4. The Department and Applicant agreed on several extensions of time for the public hearing before the Commission, which was ultimately set for March 6, 2024.

5. On January 31, 2024, the Department issued its Director's Report recommending approval of the Application subject to conditions set forth therein.

6. Public notice of the March 6, 2024, hearing was published by the Department in the Honolulu Star-Advertiser on February 5, 2024.

7. No petition to intervene in the proceedings was received.

8. The Department and the Applicant negotiated revisions to the recommended Conditions 18, 19, and 20 in the Director's Report. On March 1, 2024, the Applicant sent a letter to the Commission explaining the proposed revisions.

9. The Commission received written testimony from members of the public in support of and in opposition to the Application.

10. On March 6, 2024, the Commission conducted an in-person and remote public hearing at the Fasi Municipal Building, 6th Floor Conference Room, 650 South King Street, Honolulu, Hawaii 96813.

11. At the hearing, the Commission received public testimony from individuals in support of and in opposition to the Application. After due deliberation, the Commission approved the Application subject to the recommended conditions in the Director's Report with modifications to Conditions 18, 19, and 20 as set forth in the Applicant's March 1, 2024, letter to the Commission.

B. Description of the Property

12. The Application area consists of two portions of land separated by the H-1 Freeway. The mauka portion, or "Upper Quarry," is located along the southern slopes of Pu'u Makakilo and consists of two parcels identified by Tax Map Key ("*TMK*") 9-2-003: Portion 074 ("*Parcel 74*") and 9-2-003: Portion 082 ("*Parcel 82*").

13. The portion of the Quarry Pit located on Parcel 82 can be characterized as the processing site for Makakilo Quarry as it contains most of the processing facilities, operations, and ancillary activities.

14. AES Solar Farm, agriculture land, and open space are located to the north of the Upper Quarry. Makakilo residential communities are located to the west.

15. The makai portion of the Application area, or “Lower Quarry,” is located between the H-1 Freeway and Farrington Highway and consists of one parcel of land identified by TMK 9-1-016: 004 (“*Parcel 4*”).

16. Parcel 4 was formerly the primary processing site for the Makakilo Quarry. Following the 2007/SUP-6 approval, the entire 54 acres comprising the Lower Quarry were converted to landscaped open space. The Application does not involve a change in use for the Lower Quarry.

17. The Kapolei Knolls and Kapolei Villages residential communities and the Kapolei Golf Course are located to the south of the Lower Quarry. Farrington Highway, the University of Hawai‘i West O‘ahu Campus, and the Ho‘opili community are located to the east.

18. The Upper Quarry slopes up from an elevation of 240 feet at the H-1 Freeway to 872 feet at the top of Pu‘u Makakilo. Slopes range from about 11 percent at the lower slopes of undisturbed portions of Pu‘u Makakilo to about 40 percent on the highest elevation of the Pu‘u. The existing pit is located between two subtle ridgelines on the southeastern slopes of Pu‘u Makakilo—defining landforms that drain into the non-perennial Kalo‘i and Makakilo Gulches.

19. The Lower Quarry is located at the base of the Pu‘u Makakilo. Portions of the Lower Quarry adjacent to Farrington Highway are level. The remainder of the Lower Quarry slopes up to the H-1 Freeway at about 5 percent to 10 percent.

20. According to the United States Department of Agriculture, Soil Conservation Service, the proposed expansion area consists primarily of Stony steep land (rSY), 40 to 70 percent slope, Mahana Silty Clay Loam (McD2), 12 to 20 percent slopes, Mahana-Badland complex (MBL), and Helemano Silty Clay (HLMG), 30 to 90 percent slopes. These soil types are largely not suitable for crop production but can accommodate bushy pastureland. The rest of the Upper Quarry contains similar soils.

21. On February 28, 1973, the Commission under File No. 72/SUP-1 considered and recommended approval of Pacific Concrete and Rock Company Limited's special use permit application for rock quarrying operations on the southeastern slopes of Pu'u Makakilo to produce basalt aggregate for concrete production and road and fill rock.

22. The Lower Quarry contains soils classified as McD2, 12 to 20 percent slopes, MBL, Moloka'i silty clay loam, 0 to 3 percent slopes, MLRA 158 (MuA), Moloka'i silty clay loam, 7 to 15 percent slopes, MLRA 158 (MuC), Waialua silty clay, 0 to 3 percent slopes (WkA), 'Ewa silty clay loam, 3 to 6 percent slopes (EaB), 'Ewa stony silty clay, 6 to 12 percent slopes (EwC), Kawaihāpai very stony clay loam, 0 to 15 percent slope, MLRA 158 (Klbc), Waialua stony silty clay, 3 to 8 percent slopes (WIB), and stony steep land. These soils are suitable for certain crops, such as irrigated sugarcane.

23. The Agricultural Lands of Importance to the State of Hawai'i ("*ALISH*") Map, prepared by the State Department of Agriculture, classifies agriculturally important lands into three categories: 1) Prime Agricultural Land, 2) Unique Agricultural Land, and 3) Other Important Agricultural Land.

24. According to the ALISH Map, the Upper Quarry is largely unclassified. Portions of the Upper Quarry include lands classified as “Other Important Agricultural Land.” The Lower Quarry includes lands classified as “Prime Agricultural Land” and “Other Important Agricultural Land.”

25. The existing pit and proposed expansion area are rated under the Land Study Bureau (“*LSB*”) Master Productivity as “E”—the lowest agricultural productivity rating. The Lower Quarry contains soils rated “A,” “B,” “D,” and “E” with the majority of this site falling within the “A” and “B” ratings.

26. The Application Area does not include land designated as Important Agricultural Lands (“*IAL*”), as defined by Hawai‘i Revised Statutes (“*HRS*”), Chapter 205, Part III.

C. Permit History

27. The Land Use Commission (“*LUC*”) approved 72/SUP-1 authorizing Pacific Concrete and Rock Company, Ltd. (“*PCR*”) to conduct rock quarrying activities to extract basalt aggregate and produce concrete and other materials at Pu‘u Makakilo.

28. From 1973 to 2007, rock extraction and crushing operations occurred mauka of the H-1 Freeway, while shops, offices, scales, processing, and concrete batching were located makai of the H-1 Freeway. In the same docket, the LUC also approved the conversion of an existing PCR quarry to a 29-acre sanitary landfill at Pu‘u Pālailai.

29. The landfill site is located approximately 1.5 miles to the south of Makakilo Quarry on TMK 9-2-042: portion 011.

30. In 1985, the Grace Pacific Corporation acquired the resource extraction operations at Makakilo Quarry from PCR.

31. On October 5, 2007, the Applicant filed to modify the SUP and extend the life of Makakilo Quarry to 2032 and expand the area approved for excavation into Parcel 74.

32. On November 6, 2008, the LUC under Docket SP73-147 approved the application subject to 16 conditions (the "**2008 D&O**").

33. Grace Pacific Corporation converted into Grace Pacific LLC in 2013.

34. City Council Resolution No. 95 (1973) approved Conditional Use Permit ("**CUP**") File No. 72/CUP-15 relating to Makakilo Quarry, pursuant to the Comprehensive Zoning Code. The CUP conditions and allowances were identical to the SUP.

35. On February 14, 1989, the Department of Land Utilization approved 88/CUP1-30, proposed by Finance Realty, Ltd., for the development of an 18-hole golf course and clubhouse on Parcel 74. The project was 50 percent complete when it was abandoned in 1993. The property was acquired by the Applicant in 1995, and the CUP for the golf course was rescinded in 2006 upon request.

36. On July 17, 2009, 2007/CUP-91 was granted for the Upper Quarry pursuant to the Land Use Ordinance, Chapter 21. Parcel 4 is no longer included in the CUP.

37. On September 13, 2002, Zoning Variance File No. 2002/VAR-51 for asphalt and concrete recycling facilities, along with finish crushing of B-Grade basalt products, was approved for Parcels 4 and 82.

38. On December 27, 2011, Zoning Variance File No. 2011/VAR-28 was approved and allows various structures and equipment approved by 2007/CUP-91 to exceed the height limit of 25 feet.

39. On April 23, 2018, Zoning Variance 2017/VAR-13 was approved to allow a maintenance facility to exceed the height limit on Parcel 82.

40. On January 13, 1973, the Governor accepted the Environmental Impact Statement (“*EIS*”) for the establishment of the quarry and processing facility. As the reasons requiring the EIS in 1973 no longer apply, additional environmental disclosure is not required by Chapter 343. The absence of a trigger was recognized by the Department in 2007 when the Applicant sought extensions of the SUP and the CUP.

D. Quarry Operations

41. The operations of Makakilo Quarry fall into three major categories (a) resource extraction and processing; (b) concrete and asphalt manufacturing and recycling; and (c) support facilities.

42. Resource Extraction and Processing - Resource extraction involves the removal of topsoil (also referred to as “overburden”), averaging 20 feet in depth, with a bulldozer or excavator. Overburden is stockpiled to be used for berms or ramps or sold as general fill. Basalt rock is extracted by drilling 40 to 80 holes in a grid pattern to accept explosives. The explosives are then detonated in a controlled blast that produces around 5,000 to 15,000 tons of large stones or boulders called “shot-rock”. The shot-rock is gathered with an excavator, wheel loaders, and bulldozer and hauled to the Primary Crusher where the shot-rock is crushed to around 12-inches in

diameter. The material is hauled to be further crushed into a four inch “surge” material by a Secondary Crusher. A-Grade surge is then transported to the Finish Crushing Plant where the product is further reduced in size, screened, and stockpiled according to size. A nearby wash plant may create products similar to sand from this material. A comparable process occurs for B-Grade surge at the B Finish Plant.

43. Concrete Manufacturing - A ready-mix concrete batch plant on Parcel 82 combines A-Grade aggregate with sand and cement. The compound is loaded into mixing trucks where water is added. The concrete is mixed during transit at different speeds depending on how far the job site is and other factors. Ready-mix concrete should be loaded and mixed within two hours prior to use.

44. Asphalt Manufacturing - The Applicant operates a hot-mix asphalt plant offsite at a property that it leases in Campbell Industrial Park in Kalaeloa. The Applicant intends either to relocate the hot-mix asphalt plant from the Kalaeloa site or install another hot-mix asphalt plant in the quarry pit should the extended hours of operation be approved. Hot-mix asphalt is processed by mixing A-Grade aggregate with other materials. The plant heats and blends the components into usable asphalt. The asphalt is transported to job sites where it must be utilized while it is still hot—typically within a few hours of loading. Operation of a hot-mix asphalt plant (within certain operating hours) is currently a permitted use on Parcel 82 under the SUP.

45. Concrete and Asphalt Recycling - A recycling facility in the quarry pit receives asphalt and concrete rubble from highway and construction projects for processing and resale. Approximately 100,000 tons of asphalt and concrete are

brought to the site annually to be processed at the recycling plant. Closure of Makakilo Quarry would result in such asphalt and concrete waste being deposited in landfills rather than being recycled.

46. Support Facilities - Existing ancillary uses and structures that support the quarrying and manufacturing operations include maintenance shops, administrative offices, testing lab, fuel tanks, storage areas and containers, employee training structure, trucking operation trailer, office for vice president of materials, an employee lounge, aggregate stockpile areas for sale, parking, monitoring stations, water tanks, magazine areas, guard station, and a truck scale.

E. Proposed Amendments and Justification

47. The Applicant proposes an amendment to the SUP to (1) extend the Makakilo Quarry resource extraction and processing operations by 15 years to 2047; (2) reshape the area approved for resource extraction; (3) expand the operation hours of certain activities in the quarry to 24 hours a day, 7 days a week; and (4) operate a ready-mix concrete plant in the quarry pit.

48. The extension of the permit to 2047 and the expansion of the quarry operating hours, which are based on the identification of new resources and changing market demand, would result in continued local production of A-Grade and B-Grade aggregate, thereby reducing the need to import aggregate from other locations (including the mainland) and avoiding transportation and other costs associated with importing aggregate or transporting aggregate from quarries that are situated further from worksites.

49. Good quality rock is available at higher elevations of Pu‘u Makakilo, and extracting this material is more economically feasible than importing from other sites due to transportation costs. If Makakilo Quarry were closed, rock supplies from other quarries (such as Kapa‘a and Hālawā) would need to be dramatically increased at higher costs, as these sources are located farther away from job sites in Ewa, Kapolei, and central O‘ahu. Rock from other local quarries could not economically replace this loss, and there is not another local source that can be timely established to replace Makakilo Quarry.

50. Thus, the Makakilo Quarry plays an important role in supplying local aggregate on O‘ahu. The quarry is in a centralized location and is able to supply aggregate and aggregate products to job sites while incurring lower transportation costs than other local quarries or imported aggregate sources.

Extend the Life of the Makakilo Quarry

51. Condition No. 3 of the 2008 D&O reads:

3. All resource extraction, related aggregate processing and concrete and asphalt production activities, including recycling activities shall cease by December 31, 2032. Final beneficial re-use plans as approved by the Department of Planning and Permitting shall be implemented immediately upon the cessation of said resource extraction and related quarrying activities.

52. The Application involves modifying Condition No. 3 of the D&O to extend the life of resource extraction, aggregate processing, manufacturing of asphaltic concrete, and concrete and asphaltic pavement recycling operations at Makakilo Quarry by 15 years to 2047.

53. The Applicant estimates that as of 2018 around 15 million tons of aggregate exists in the approved excavation area. Based on current market demands and rate of extraction, the Applicant estimates the basalt rock reserve in the currently permitted excavation area will be exhausted between 2040 and 2042—eight to 10-years longer than currently permitted.

54. The new proposed area will add approximately 12,845,000 tons of additional aggregate. Much of this aggregate is Grade-A aggregate, which is used for manufacture of asphalt and concrete products.

55. Current rates of extraction and greater recycling efficiency will likely prolong the life of this resource. To be conservative in their estimate, the Applicant is requesting to extend operations to 2047.

Reshape the Area Approved for Resource Extraction

56. The Applicant proposes reshaping the permitted area approved for mining to better reflect available resources by adding 15.6 acres to the existing footprint along the northwestern and western rim of the quarry pit and removing the same acreage from the existing permitted SUP area along the northern and southwestern rim of the quarry pit. *See Exhibits 1 and 2 (Application Exhibits G-1 and G-3).*

57. This change is to access a seam of high-quality rock for use in the manufacturing of concrete and asphalt paving products.

58. The reshaping of the resource extraction area would not change to the size of the permitted area and would result in a net increase in linear distance of area reserved as a “buffer” from the surrounding community.

59. The following table displays the acreage devoted to each activity in the quarry:

Description of Area	Existing Acreage	Proposed Change (Acres)	Total Acres	TMKs Affected
Buffer (passive open space)	334.9 (comprising 280.6 acres in Upper Quarry and 52 acres in Lower Quarry)	0 (- 15.6 & + 15.6)	334.9	9-2-003: por. 74 & por. 82 and 9-2-016: 004
Berming, Landscaping & Grading (surrounding perimeter of the quarry pit)	103.1	-13.4	89.7	9-2-003: por. 74 & por. 82
Quarry Pit and Processing	99	+ 13.4	112.4	9-2-003: por. 74 & por. 82
Conveyor Tunnel	0.1	0	0.1	9-2-016: por. 004

60. The final grading plan proposed in the Application involves a slimmer northeastern berm (also referred to as the “*Kunia Berm*”). The Kunia Berm is intended to screen views of the northern and western pit walls from the westbound H-1 Freeway approach to Kapolei. The modified Kunia Berm is expected to rise to a height of 725 feet and would connect to the upper slopes of Pu‘u Makakilo to blend into the existing ridgeline. The plans also show slopes steeper than 75 percent (75%) in some areas, along with horizontal benches and vertical cuts in the “Berming, Landscaping, and Grading Area.”

Expand the hours of operation of certain activities to 24 hours, 7 days a week

61. Condition No. 5 of the 2008 D&O reads:

5. "Beginning January 1, 2012, quarry operations shall be limited to the following days/hours:

- a. Quarry excavation, crushing, stockpiling, equipment maintenance, and recycling facility – 6:00 a.m. to 6:00 p.m., Monday to Saturday.
- b. Hot-mix asphalt plant – 6:00 a.m. to 6:00 p.m., Monday to Friday.
- c. Unloading of cold-planed asphaltic concrete during re-paving jobs – 6:00 p.m. to 10:00 p.m., Sunday to Friday."

62. Currently, the Applicant operates a ready-mix concrete batching plant on Parcel 82 of the quarry during the permitted hours of operation and a hot-mix asphalt plant on leased property at Campbell Industrial Park in Kalaeloa.

63. Operating the ready-mix concrete batching plant in the quarry pit on Parcel 82 and relocating the hot-mix asphalt to the quarry, along with sales, maintenance, and the unloading of permitted recycle materials on a 24 hours a day, seven days a week (24/7) basis would allow the Applicant to better meet O'ahu's demand for ready-mix concrete and hot-mix asphalt.

64. Since approximately 50 percent of the paving materials supplied by the Makakilo Quarry occurs for road work done between 6:00 p.m. and 6:00 a.m., expanding their hours of operation to 24/7 will have less impact on O'ahu's roads and reduce overall operational costs. Timing is critical, as ready-mix concrete and hot-mix asphalt must be utilized within a narrow timeframe after processing. Therefore, it is necessary to manufacture the hot-mix asphalt and ready-mix concrete beyond the existing operating hours of 6:00 a.m. to 6:00 p.m.

65. Currently, the Applicant leases land at Campbell Industrial Park to operate a 24-hour, hot-mix asphalt plant. In order to manufacture hot-mix asphalt and ready-

mix concrete outside the quarry's permitted hours, aggregate from the quarry is loaded into dump trucks and transported to the off-site facility at Campbell Industrial Park. There, the aggregate is processed closer in time to when it will be used. Expanding the operating hours would eliminate the need to transport aggregate off-site for processing. This would lead to cost savings for the City and County and the State on road and highway paving work and public and private construction jobs.

66. The following table summarizes the existing and proposed hours of operation along with the associated activities:

Parcel	Activity	Existing Hours	Proposed Hours
82 (Processing Site)	Crushing (including transporting rock in-quarry for crushing)	6:00 a.m. to 6:00 p.m., Monday to Saturday	Unchanged
	Recycling	6:00 a.m. to 6:00 p.m., Monday to Saturday	Unchanged
	Sales	7:00 a.m. to 4:30 p.m., Monday to Saturday	24 hours a day, 7 days a week
	Maintenance	3:00 p.m. to 6:00 p.m., Monday to Saturday	24 hours a day, 7 days a week
	Receiving of permitted recycle materials	6:00 p.m. to 10:00 p.m., Sunday to Friday	24 hours a day, 7 days a week
	Operation of hot-mix asphalt plant	6:00 a.m. to 6:00 p.m., Monday to Friday	24 hours a day, 7 days a week
82	Operation of ready-mix concrete	Not Listed in Condition No. 5 of D&O and Modification No. 4 of this Application	24 hours a day, 7 days a week

74 (Excavation Area)	Excavation	6:00 a.m. to 6:00 p.m., Monday to Saturday	Unchanged
	Blasting	6:00 a.m. to 6:00 p.m., Monday to Saturday	Unchanged

Operate a Ready-Mix Concrete Batching Plant in the Quarry Pit

67. Condition Nos. 15 and 16 of the 2008 D&O reads:

15. "The uses in the quarry excavation area shall be limited to rock excavation, crushing, stockpiling, a new hot-mix asphalt plant, recycling of concrete rubble, glass, and asphaltic concrete pavement, equipment maintenance, employee support, parking, administration, and a water well and pump. No other uses shall be permitted without the approval of the Land Use Commission.

16. The Applicant shall establish the quarry expansion in substantial compliance with the representations made to the Land Use Commission in obtaining the Land Use Commission Special Use Permit. Failure to do so may result in the revocation of the permit."

68. The Applicant is requesting that the placement and operation of a ready-mix concrete batch plant be allowed inside the pit on Parcel 82.

F. Impacts to Resources of the Area

69. The Application contains various studies that analyze the potential additional impacts that might be caused by the proposed action. The studies conclude that with certain recommended mitigation measures, the additional operations at the quarry would not have adverse impacts to the surrounding area.

Natural Views and Final Grading Plans

70. A View Planes Analysis was prepared by Bowers + Kubota Consulting . The analysis is included in the Application as Exhibit P. The View Planes Analysis assesses the visual impact of the Project on the surrounding environment. This study

evaluated the aesthetic effects of the proposed changes to the extent of quarry excavation, berming, and operations areas.

71. Five prominent lines of sight were selected due to their visual relationship with the quarry and frequency they may be viewed by the public. They are:

- a. H-1 Westbound
- b. University of Hawai'i at West O'ahu/(Skyline guideway)
- c. The Salvation Army Kroc Center
- d. Kanehili subdivision
- e. Kealanani Avenue

72. Overall, the implementation of the final grading plan will mitigate the adjusted footprint of the quarry operations by matching the topography adjacent to the site. Visible portions of the excavated hillside and exposed rock faces will be blended by matching the natural appearance of the surrounding slopes and adjacent hillsides. The implementation of the final grading plan will eliminate the steep faces of the hillside within the quarry by replacing them with more gradual slopes matching those of Pu'u Makakilo to provide a more consistent appearance.

73. Renaturalization of the quarry site will consist of planting of native shrubs such as ma'o, 'iliahi, naio, 'a'ali'i, and pōhinahina, as well as a hydroseed mix composed of common bermuda, buffel grass, and annual rye on the finished slopes of the site. Temporary irrigation fixtures may be used to establish the vegetation. The renaturalization will integrate the slopes of the quarry into the surrounding hillside due to the similar vegetation.

74. Along with 303 acres of buffer area surrounding the operational quarry area, softening the mounds of overburden, and implementing the final grading plan, the quarry site will have minimal visual impact from the areas where it can be seen.

Noise

75. A Noise Impact Study was prepared by Censeo AV+Acoustics and is included in the Application as Exhibit U. The study provides an assessment of existing and predicted noise levels at the quarry for surrounding residential neighborhoods.

76. The Noise Impact Study concludes that the Project will comply with the Department of Health maximum permissible noise limits under Hawai'i Administrative Rules, Title 11, Chapter 46. It also concludes that any noise generated by the proposed uses will be quieter than the existing ambient noise in surrounding residential areas and, therefore, noise from the proposed uses will not be audible from these residential areas. It further concludes that Pu'u Makakilo provides the neighborhoods to the north and northwest with a natural barrier that blocks audible noises emanating from the quarry. The Department conducted phone conversations with residents from the Wai Kalo'i and Anuheha subdivisions and reported that these conversations validate the Noise Impact Study's conclusion that Pu'u Makakilo serves as an effective noise barrier for residential subdivisions to the north and northwest.

77. Residential and commercial areas to the south and southwest are exposed to H-1 vehicular traffic, which likely masks operational noise of the quarry. In

addition, if the request to modify quarry operations is approved, the reduction of an estimated 900 fewer round-trip truck trips on H-1 between the quarry and Campbell Industrial Park will lessen noise impacts, especially late at night. The Kahiwelo Subdivision is closer to the H-1 Freeway, so fewer truck trips will benefit that subdivision.

78. The Noise Impact Study concludes that the hot-mix asphalt and concrete batch plants are not expected to significantly contribute to the overall quarry operational noise levels. The Applicant intends to implement additional noise mitigation measures, including the use of white noise reversing alarms on all trucks and management of traffic through the quarry to avoid the need to reverse.

Lighting at Night

79. The proposed expansion of quarry hours of operation will require nighttime outdoor lighting for 24-hour operations. Exhibit V of the Application is a Light Assessment Report, conducted by Ronald N. S. Ho & Associates, Inc., which evaluated the impacts of added illumination necessary to support night operations.

80. The Light Assessment Report concludes that nighttime operations only have the potential to increase spillover light to surrounding properties from two limited situations. The first involves refraction of light off rain fall, which may cause illumination over the quarry. The second situation involves the use of portable generator lighting systems. These systems currently involve high-intensity discharge flood lights that are unshielded and capable of being aimed along the horizontal and vertical axis.

81. The Light Assessment Report concludes that any impact from these limited situations can be effectively mitigated by ensuring that (a) all exterior light fixtures have correlated light temperatures of 3,000 degrees Kelvin or less with full cutoff of light fixtures to prevent illumination above the horizontal plane and (b) portable generator lighting systems are located on the southern side of each work area so floodlights will only be pointed towards berms or walls in the north, east, and west, which are away from Kapolei.

Dust and Odors

82. The Applicant is subject to State Department of Health regulations governing air quality. On a site visit, Department staff observed the standard practice of spraying the blast area with water before and after a blast. Staff also observed a water truck spraying internal roads and the watering of stockpiled aggregate.

83. A Dust Evaluation Report prepared by Environmental Risk Analysis LLC was attached as Exhibit W to the Application. The report concluded that with the proposed changes to the Project, dust concentrations at 1/4 mile away, which is the distance to the closest residence, would not exceed National Ambient Air Quality Standards.

Stormwater

84. All stormwater will continue to be retained on-site. A Drainage Report conducted by Wilson Okamoto Corporation was included as Exhibit R-2 in the Application. The Upper Quarry has two major retention basins, identified as the Kunia basin and the Wai'anae basin. The hydrology of the quarry is designed so that

the Kunia basin collects runoff from approximately 163 acres, fills up, and spills into the Wai‘anae basin. The Wai‘anae basin will eventually fill up and spill out of the project parcel. The Drainage Report concludes that the Kunia basin alone has capacity to accommodate water flows from a 1,000-year storm event. A Stormwater Pollution Prevention Plan was provided in the Application as Exhibit R-3, even though stormwater discharge from the quarry is not anticipated.

Vibrations and Rockfall Hazards

85. There have been no reported rockfall events associated with vibrations from drilling, blasting, or other quarry operations that have affected the surrounding residential properties during the life of the quarry.

86. A Vibration Monitoring Summary prepared by Detecht LLC was attached to the Application as Exhibit X. The report contained conservative guidelines for blasting charge weight that scales depending on the distance to the closest residence. Those guidelines allow blasters at the quarry to adjust charge weights to ensure that there is no risk of damage to property.

Cultural and Historical Impacts

87. In order to fulfill its duty to preserve and protect customary and traditional Native Hawaiian rights to the extent feasible, pursuant to the Hawai‘i Supreme Court's holding in *Ka Pa‘akai O Ka‘Āina v. Land Use Com’n, State of Hawai‘i*, 94 Hawai‘i 31, 7 P.3d 1068 (2000), the Commission must make specific findings and conclusions as to the following:

- a. The identity and scope of "valued cultural, historical, or natural resources" in the Application area, including the extent to which traditional and customary Native Hawaiian rights are exercised in the Application area;
- b. The extent to which those resources—including traditional and customary Native Hawaiian rights—will be affected or impaired by the proposed action; and
- c. The feasible action, if any, to be taken by the Commission to reasonably protect Native Hawaiian rights if they are found to exist.

88. A Cultural Impact Analysis ("*CIA*") was prepared by Pacific Legacy and included as Exhibit "S" of the Application.

89. The *CIA* is an update to a 2008 *CIA* prepared by Pacific Legacy in connection with the prior 34-acre expansion of the Makakilo Quarry footprint. The *CIA* involved archival and documentary research as well as interviews of persons knowledgeable about traditional practices that took place in the past, or that are currently taking place, in the area potentially impacted by the project. Pacific Legacy conducted a literature review and field inspection of the proposed expansion area in conjunction with the *CIA*.

90. The *CIA* concluded that the uplands of Honouliuli were likely an important area for pre-contact activities that included the gathering of traditional plants for medicinal and other uses, catching birds for feather work, and hunting pigs in the uplands. However, the area became restricted starting in the 19th century, and the

impacts of cattle grazing and intensive sugarcane cultivation likely denuded the landscape of many traditional resources.

91. Those interviewed for the analysis did not identify on ongoing cultural practices in the proposed Project area. However, several participants emphasized the cultural importance of the area, including spiritual activities and the role of Pu‘u Makakilo in celestial observations and as a navigational landmark. The analysis identified no potential impact to resources or traditional and customary Native Hawaiian rights but recommended that the Applicant maintains positive relationships with communities of Makakilo and the wider region encompassing the Honouliuli Ahupua‘a.

92. The Commission has reviewed the CIA and finds that the proposed use will not have any adverse impacts on the exercise of native Hawaiian traditional and customary practices in the area.

Archaeological Resources

93. A Literature Review and Field Inspection for the proposed 15.6-acre expansion area was conducted by Pacific Legacy and included as Exhibit T to the Application. The literature review found there had already been significant disturbance within the Application Area from agricultural and quarrying activities, as well as the modern development of a golf course in the 1990s.

94. The field inspection identified five potential historic properties: a concrete ditch, two modified outcrops, and two terrace/wall segments, all with likely post-

contact associations related to soil retention and water drainage along the lower slopes of Pu‘u Makakilo.

95. A draft Archaeological Inventory Survey (“*AIS*”) was included in the Application as Exhibit Z and submitted to the State Historic Preservation Division (“*SHPD*”) for review and approval. The *AIS* concluded that all five component features have been thoroughly documented and further archaeological testing does not have potential to reveal additional information about the past. No further work is recommended.

Endangered Species

96. A Biological Survey Report, conducted by Ko‘olau Ecological Services, LLC, was included as Exhibit Q to the Application. The Biological Survey Report concluded that no threatened or endangered plants or animals were observed during field investigation and that the degraded habitats in the Application Area are unlikely to support populations of threatened or endangered species.

97. According to the U.S. Department of the Interior, U.S. Fish and Wildlife Service, the endangered ‘ōpe‘ape‘a (Hawaiian hoary bat); endangered ‘ua‘u (Hawaiian petrel), endangered Hawai‘i distinct population of the ‘akē‘akē (band-rumped storm-petrel), and threatened ‘a‘o (Newell’s shearwater) may traverse the Application area. Endangered or threatened Hawaiian seabirds may also traverse the Project area at night during breeding season. No seabird nestings are located within the proposed Project site, but the use of outdoor lights could have a potential impact to birds, as lighting can disorient seabirds which can result in their downing and cause harm.

98. Exterior facility lighting will be shielded to reduce the potential for interactions of nocturnally flying seabirds with external lights or other structures. Impact on transitory 'ōpe'ape'a can be mitigated by refraining from disturbing, removing or trimming woody plants greater than 15 feet tall during bat birthing and pup rearing season (June 1 through September 15) and not using barbed wire for fencing.

Social Impacts

99. A Socio-Economic Impact Assessment is included in the Application as Exhibit Y. The Project will have minimal impact on population increases or decreases in the area and minimal adverse impact, if any, on the area's farming community. Positive impacts of the Project include: (a) less truck traffic between the quarry and Kalaeloa; (b) reduced construction costs and (c) maintaining jobs. The assessment mentions Makakilo Quarry provides around 45 jobs. It is estimated that approximately 12 additional staff will be relocated to the Upper Quarry for the operation of the hot-mix asphalt plant if the Application is approved.

100. The recycling plant in operation at the Makakilo Quarry processes salvaged concrete and asphalt from construction sites into recycled material that are then sold to customers. From 2017-2021, more than 110,000 tons of concrete and asphalt were accepted at the plant resulting in nearly 87,000 tons of recycled material sold to customers.

G. Impact on Public Services

Roads and Streets

101. The Department of Transportation, State of Hawai‘i and Department of Transportation Services, State of Hawai‘i did not have objections to the Application.

102. A Mobility Analysis Report, prepared by Fehr and Peers, was included in the Application as Exhibit N. The mobility analysis determined that the Project will have no significant impact to any roadway segments or intersections. Based on a multimodal evaluation of mobility effects from the project, no potential impacts to pedestrian facilities, bicycle facilities, and transit facilities are anticipated.

Wastewater

103. The Makakilo Quarry is not connected to the City’s wastewater system.

Water Supply

104. Non-potable water is available to Parcel 74 and Parcel 82 via a water line from a well in the Upper Quarry. The well is designated State Well #3-2103-006 and the Applicant is allowed to extract 256,000 gallons per day or 7,680,000 per month. In 2022, the Applicant’s monthly average water usage was 4,400,000 gallons. The water is used on Parcel 82 for dust control, concrete batching, and landscaping. Dust control is accomplished using water tank trucks, which spray water on the roadways, stockpiles, and excavated areas.

105. The existing placement of the ready-mix concrete plant in the quarry has resulted in water usage of 25,480 gallons per month. Taking this current use into account, the Applicant expects that the plant’s annual water usage will be 305,770 gallons. If the requested expansion of hours is approved, the Applicant anticipates

that the concrete plant will be operated primarily at night instead of during the day, which would focus the plant's water usage to the evening hours and would not result in a net change in water usage.

106. The remaining SUP amendments are not anticipated to materially affect the water usage on Parcel 82.

School Improvements

107. The proposed action is not anticipated to have an adverse impact on public school capacity. The State Department of Education did not provide comments on the Application.

Police

108. There are no expected adverse impacts on police services due to the proposed SUP amendment. Honolulu Police Department provided comments and expressed no concerns with the proposed Project.

Fire Protection

109. Condition No. 1.b. of 2007/SUP-6 requires the submission and approval of a Fire Protection and Control Plan. The plan was approved in 2010 and the Applicant actively maintains firebreaks in the "buffer area." A map showing existing firebreak roads is included in the Application as Exhibit O. No impacts on Fire Protection services are anticipated.

H. Conformity with Hawai'i State Plan

110. The Hawai'i State Plan, HRS ch. 226, provides the overall theme, goals, objectives, policies, and priority guidelines for statewide planning. The proposed

Project is consistent with the following objectives and policies of the Hawai'i State

Plan:

Section 226-6, HRS. Objective and policies for the economy – in general.

(a) Planning for the State's economy in general shall be directed toward achievement of the following objectives:

* * *

(b)(6) Strive to achieve a level of construction activity responsive to, and consistent with, state growth objectives.

Section 226-11, HRS. Objectives and policies for the physical environment-land-based, shoreline, and marine resources.

(a) Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the following objectives:

* * *

(b)(8) Pursue compatible relationships among activities, facilities, and natural resources.

Section 226-103, HRS. Economic priority guidelines.

(a) Priority guidelines to stimulate economic growth and encourage business expansion and development to provide needed jobs for Hawaii's people and achieve a stable and diversified economy:

* * *

(8) Provide public incentives and encourage private initiative to develop and attract industries which promise long-term growth potentials and which have the following characteristics:

(A) An industry that can take advantage of Hawai'i's unique location and available physical and human resources.

111. The proposed modification of 2007/SUP-6 would allow the continued extraction of local aggregate to support a wide variety of Hawai‘i’s industries through the creation and maintenance of infrastructure such as roads and airport runways

I. Conformity with O‘ahu General Plan (“GP”)

112. The GP was adopted in 1977 and most recently amended in 2022. The GP provides long-range social, economic, environmental, and design objectives for the general welfare and prosperity of the people of O‘ahu. The GP also provides the most desirable population distribution and regional development pattern to guide all of the regional plans for each of the eight regions of O‘ahu.

113. The following objectives of the GP are applicable:

Part I. Population

Objective A: To promote diversified economic opportunities that enable all the people of O‘ahu to attain meaningful employment and a decent standard of living.

* * *

Part II. Balanced Economy

Objective A: To promote diversified economic opportunities that enable all the people of O‘ahu to attain meaningful employment and a decent standard of living.

* * *

Part IV. Housing and Communities

Objective A: To ensure a balanced mix of housing opportunities and choices for all residents at prices they can afford.

* * *

Objective C: To provide residents with a choice of living environments that are reasonably close to employment, schools, recreation, and

commercial centers, and that are adequately served by transportation networks and public utilities.

114. The Makakilo Quarry provides an important source of local aggregate for O‘ahu to support Hawai‘i’s housing, infrastructure, economic, and recreational needs, among others. Local sources of aggregate are important to Hawai‘i as they limit the need to import aggregate from nonlocal sources, which would result in increased costs to residents and the government, increased stress and burden on Hawai‘i’s local transportation systems (harbors and highways), and increased fuel consumption and emissions associated with the importation of goods to Hawai‘i.

J. Conformity with ‘Ewa Development Plan (“‘Ewa DP”)

115. The Project area is located within the ‘Ewa DP planning region. The most recent comprehensive review of the ‘Ewa DP was conducted in 2013. In 2020, the ‘Ewa DP was further amended to create consistency with the development guidelines envisioned in the draft version of the East Kapolei Neighborhood Transit-Oriented Development Plan.

116. The ‘Ewa DP recognizes the presence of the quarry with a symbol on the Urban Land Use Map. The land comprising the Upper Quarry is also designated as an “Agricultural and Preservation Area” in the Urban Land Use Map. The lands comprising the Lower Quarry is designated as “Residential and Low-Density Apartment” in the Urban Land Use Map.

117. The Application Area is located within the ‘Ewa DP Community Growth Boundary (“CGB”). The CGB defines and contains the intended extend of developed areas of urban and urban fringe communities.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to HRS § 205-6, Hawaii Administrative Rules, Title 15, Chapter 15, Subchapter 12 and Subchapter 4 of the Rules of the Planning Commission.

2. HRS § 205-6 allows the “county planning commission to permit certain unusual and reasonable uses within the agricultural and rural districts other than those for which the district is classified. The county planning commission may, under such protective restrictions as may be deemed necessary, permit the desired use, but only when the use would promote the effectiveness and objective of this chapter.”

3. Rules of the Planning Commission § 2-49 (a) provides that “[a] petitioner who desires a modification or deletion of a condition imposed by the commission shall make such a request to the commission in writing. This request shall be processed in the same manner as the original petition for a SUP.”

4. The Commission processed the Application in the same manner as the original petition for the SUP.

5. Rules of the Planning Commission, Section 2-45, establishes five guidelines to be applied to determine if a proposed use is reasonable and unusual. An analysis of the five guidelines is provided below.

6. Guideline 1: Such use shall not be contrary to the objectives sought to be accomplished by the state land use law and regulations: Based on the evidence presented before the Commission, the preponderance of the evidence establishes that the proposed use would not be contrary to the objectives sought to be accomplished by the state land use law and regulations. Specifically, HRS ch. 205 seeks to ensure

continued availability of land for agricultural use. It also recognizes some lands in the state Agricultural district may not be suitable for the uses permitted in the district and provides relief through the special permit process. The area proposed for expansion of resource excavation does not exhibit a high capacity for intensive agricultural cultivation due to unfavorable soil classifications, topography, climate, and water availability.

7. Guideline 2: The desired use would not adversely affect surrounding property: Based on the evidence presented before the Commission, the preponderance of the evidence establishes that the desired use would not adversely affect surrounding properties. As noted above, the Application included numerous studies relating to potential effects on surrounding properties. The studies evaluated the potential impacts that are typically associated with quarry activity, including dust, noise, vibrations, lighting, traffic, and view planes. The Commission determines that the proposed Project, with mitigative conditions in place, would not adversely affect surrounding property.

8. Guideline 3: The proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection: Based on the evidence presented before the Commission, the preponderance of the evidence establishes that the proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.

9. Guideline 4: Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established: Based on the evidence presented before the Commission, the preponderance of the evidence establishes that unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. As noted above, Makakilo Quarry plays an important role in supplying local aggregate on O'ahu. The quarry is in a centralized location and is able to supply aggregate and aggregate products to job sites while incurring lower transportation costs than other local quarries or from imported aggregate sources. With approximately 50 percent of paving work done on O'ahu occurring between 6:00 p.m. and 6:00 a.m., expanding quarry operations, including the production of ready-mix concrete and hot-mix asphalt, to 24 hours a day to accommodate this timeframe would result in: (a) eliminating dump truck trips between the quarry and Campbell Industrial Park and (b) lower asphalt and concrete costs for road and building projects. These conditions, trends, and needs have arisen since the district boundaries and regulations were established.

10. Guideline 5: The land upon which the proposed use is sought is unsuited for the uses permitted within the district: Based on the evidence presented before the Commission, the preponderance of the evidence establishes that the land on which the proposed use is sought is unsuited for the uses permitted within the district. The State Department of Agriculture did not provide comments on the Application. Expansion of the excavation area further up Pu'u Makakilo would not have an adverse impact on the agricultural industry as the Project site and expansion area's

soils have poor crop productivity ratings. Lands to the east of the pit and along the lower slopes of the Pu'u continue to be available for cattle grazing. It is likely that intensive agricultural use of the mauka site is no longer possible due to a significant disturbance of topsoil due to resource extraction and processing activities. Thus, the proposal would have little to no adverse effect on the agricultural suitability of the site as it has poor potential for agricultural uses.

11. Special permits for land the area of which is greater than fifteen acres or for lands designated as important agricultural lands are subject to further approval by the Land Use Commission.

12. Any of the proposed findings of fact or conclusions of law submitted by any of the parties not already ruled on by the Commission by adoption or rejected by clearly contrary findings of fact or conclusions of law are hereby denied and rejected. Any conclusion of law that is or should be a finding of fact is to be taken as such notwithstanding its denomination as a conclusion of law; any finding of fact that is or should be a conclusion of law is to be taken as such notwithstanding its denomination as a finding of fact.

III. DECISION AND ORDER

IT IS HEREBY ORDERED that the Application is APPROVED. Based on the findings of fact and conclusions of law stated herein, it is determined that the amendments to the SUP sought by the Application are "unusual and reasonable."

IT IS FURTHER ORDERED that the approval of the Application shall be subject to all Conditions of the 2008 D&O, which shall continue in full force and effect except as AMENDED as follows using the Ramseyer format for existing conditions where

added language will be underlined, and deleted language will be shown in strikethrough font:

1. Within six (6) months of the Land Use Commission's Decision and Order approving the Special Use Permit, the Applicant shall submit:
 - a. A new site plan with metes and bounds map and description delineating the approximately ~~536.9541~~-acre Property, including the boundaries of the quarry excavation and berming areas, the processing site and conveyor tunnel, and the buffer area to the Director of Planning and Permitting for review and approval. The site plan shall also be submitted to the Land Use Commission.
2. Within one (1) year of the Land Use Commission's Decision and Order approving the Special Use Permit, the Applicant shall submit to the Director of Planning and Permitting for review and approval a renaturalization plan in coordination with ~~the proposed Closure Grading Plan for the quarry site and buffer area mauka of the H-1 Freeway showing~~ a revised final Closure Grading Plan, showing a visual model of quarry activity in five-year stages from all four approaches to the quarry. The revised grading plan should provide cross-sections of the pit displaying slopes and elevations. The grading plan should also show landscaping details including plant types, sizing and spacing, irrigation facilities, and distribution systems.
3. All resource extraction, related aggregate processing and concrete and asphalt production activities, including recycling activities shall cease by December 31, ~~2032~~ 2047. Final beneficial re-use plans as approved by the DPP shall be implemented immediately upon the cessation of said resource extraction and related quarrying activities.
5. Beginning January 1, 2012, quarry operations shall be limited to the following days/hours:
 - a. Quarry excavation, crushing, stockpiling, ~~equipment maintenance~~, and recycling facility- 6:00 a.m. to 6:00 p.m., Monday to Saturday.
 - b. ~~Hot mix asphalt plant - 6:00 a.m. to 6:00 p.m., Monday to Friday.~~ Operation of ready-mix concrete and hot-mix asphalt plants, receiving recycled materials, equipment maintenance, and sales - 24 hours a day, 7 days a week.

~~e. Unloading of cold planed asphaltic concrete during re-paving jobs
-6:00 p.m. to 10:00 p.m., Sunday to Friday.~~

9. On each anniversary date of the Land Use Commission's Decision and Order, the Applicant or its successor shall file with the Department of Planning and Permitting and the Land Use Commission a report and supporting documentation demonstrating the status of compliance with each of the conditions of the Special Use Permit approval. The Applicant will report in-person to the City and County of Honolulu Planning Commission quarterly during the first year, annually during the second and third year, and annually thereafter if requested by the Planning Commission. The following items shall also be a part of the supporting documentation:
- a. Observations of fugitive dust, night-time operations of lighting, noise, and odors.
 - b. A report on replanting activities, including the areas replanted, and the type of vegetation planted.
 - c. A report of any citizen's complaints relating to the operation along with the actions taken to ameliorate those complaints.
 - d. An updated rectified aerial imagery of the quarry, buffer area and processing site and dust control management plan.

The Director may present its analysis and recommendations on the annual report to the Planning Commission and the State Department of Health for further action pursuant to the Rules of the Planning Commission.

15. The uses in the quarry excavation area shall be limited to rock excavation, crushing, stockpiling, a new hot-mix asphalt plant, a ready-mix concrete batching plant, recycling of concrete rubble, glass, and asphaltic concrete pavement, equipment maintenance, employee support, parking, administration, and a water well and pump. No other uses shall be permitted without the approval of the Land Use Commission.

IT IS FURTHER ORDERED that the approval of the Application shall be subject to the following additional conditions:

16. The Applicant shall submit for review and approval from the Director of the DPP, an outdoor lighting plan showing all existing and proposed outdoor lighting fixtures and their correlated color temperature being at or below 3000 Kelvin. The portable generator lighting systems are to be located on the southern side of each work area so floodlights will only be pointed towards berms or walls in the north, east, and west direction, away from Kapolei. The outdoor lighting plan shall also include a photometric plan showing that the spread of light from the exterior lighting in the quarry is fully shielded to prevent glare and light spillage onto surrounding lots and public rights-of-way. Lighting for night time operations shall be directed away from adjoining residential uses and be turned off upon completion. The outdoor lighting plan shall apply that night-time lighting, when not in use, shall be turned off.
17. The Applicant shall take sufficient measures to protect 'ōpe'ape'a that include refraining from disturbing, removing or trimming woody plants greater than 15 feet tall during bat birthing and pup rearing season (June 1 through September 15) and not using barbed wire for fencing.
18. The Applicant shall submit a traffic circulation plan for review and approval by the Director of the DPP to ensure that all truck loading and truck circulation in the quarry pit and throughout the quarry operational area need not reverse, thereby triggering their safety alarms during night time (dusk to dawn) operations. Trucks with safety alarms will be outfitted with the "white noise" sounding alarms.
19. Prior to conducting quarry excavations in the proposed excavation expansion area, the Applicant shall submit written correspondence to the DPP that an archaeological inventory survey ("AIS") has been accepted in writing by the State Historic Preservation Division ("SHPD") which indicates that the quarry excavation process in the proposed excavation expansion area may proceed. The Applicant shall implement the approved mitigation protocols identified in the AIS as well as comply with all relevant provisions of the Hawaii Revised Statutes, Hawaii Administrative Rules, and other laws applicable to historic properties, including burials, identified within the proposed excavation expansion area.
20. Applicant shall comply with all relevant provisions of the Hawaii Revised Statutes, Hawaii Administrative Rules, and other laws applicable to historic properties, including burials, identified within the proposed excavation expansion area. Include dissemination of information to community members regarding other required environmental testing (and their results) in normal due diligence within

the proposed expansion area as they relate to identified historic properties for the proposed expansion and planned changes to operations during annual reports and PC presentations pursuant to Condition No. 9 above. The Applicant shall continue community consultation regarding potential impacts and mitigation plans for any identified historic properties throughout the duration of the Project and convey information about impacts to any identified historic properties in annual reports and PC presentations pursuant to Condition No. 9 above.

IT IS FURTHER ORDERED that the approval of the Application shall be subject to the approval of the State Land Use Commission.

IT IS FURTHER ORDERED that this decision and fifteen copies of the complete record herein shall be transmitted to the Land Use Commission pursuant to Rules of the Planning Commission § 2-47(b).

PLANNING COMMISSION,
CITY AND COUNTY OF HONOLULU

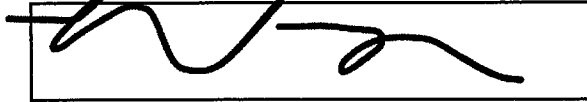
Dated: May 29, 2024

Excused

PANE MEATOGA III, Chairperson

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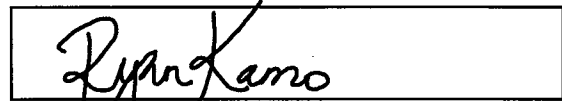
MELISSA MAY

Excused

NATHANIEL KINNEY



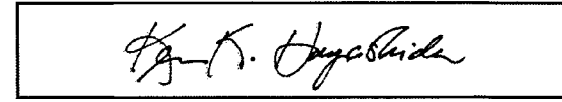
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RYAN KAMO, Vice Chair

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KEN HAYASHIDA

Excused

JOY KIMURA

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PLANNING COMMISSION,
CITY AND COUNTY OF HONOLULU

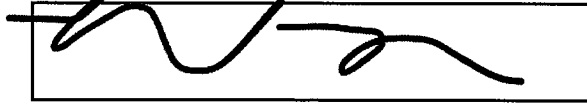
Dated: May 29, 2024

Excused

PANE MEATOGA III, Chairperson

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MELISSA MAY

Excused

NATHANIEL KINNEY



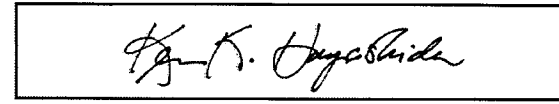
ELENA BRYANT



RYAN KAMO, Vice Chair

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KAI NANI KRAUT



KEN HAYASHIDA

Excused

JOY KIMURA

Exhibit 1










LEGEND

- | | | | |
|---|------------------------------------|--|----------------|
|  | Special Use Permit Area |  | Expansion Area |
|  | Permitted Quarry Pit and Berm Area |  | Removal Area |

Exhibit "G-1"

Exhibit 2



-  Approved special use permit area "Mauka" of H-1 is 482.8 Acres, "Makai" of H-1 is 54.0 Acres and conveyor tunnel easement is 0.1 Acre. The overall area total is 536.9 Acres.
-  Delineation of Buffer Area" Mauka: of H-1 is 280.6 Acres and "Makai" of H-1 is 54.0 Acres, Overall Area Total is 334.9 Acres.
-  Proposed New Delineation of Berming, Landscape and Grading area Total is 89.7 Acres
-  Delineation of existing Quarry and processing Area Total is 78.4 Acres
-  Proposed New Delineation of Quarry Pit Excavation Expansion Area Total is 34.0 Acres
-  Proposed Areas to be converted to Buffer Total is 15.6 Acres
-  Proposed New Expansion Area Total is 15.6 Acres

Aerial Imagery date: September 29, 2022

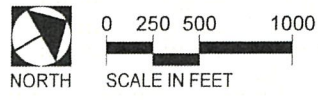


Exhibit "G-3"

Makakilo Quarry
 PROPOSED EXPANSION AREA
 January 2023