



Actin

Oct 2 - Nov 16

Stud Oct 30
(Hilo)

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission DATE: February 15, 1981

FROM Staff

SUBJECT: SP70-085 - Transcontinental Development Company (formerly
Boise Cascade) Extension of Time Condition

Transcontinental Development Company (TDC) is requesting a time extension to Special Permit 70-085 which was originally approved by the Land Use Commission on December 11, 1970, allowing the operation of two quarry sites and allied uses on approximately 162 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii; Tax Map Key 6-8-02: portions of 15 and 16. For the Commission's information, a location map is appended as Attachment #1.

Site #1, the Pu'u Hinai Quarry, is located on the southwest face of a cinder cone of the same name, which reaches an elevation of 1,439 feet above sea level or approximately 230 feet above the surrounding area. It is located on the south side of the Waikoloa Road, approximately 4.5 miles inland of the Kaahumanu Highway, within the bounds of a rectangular area 1,500 feet by 2,000 feet. This quarry provides heavily burnt 'a'a cinders and ash which is used as bedding material for water and sewer pipes, and as temporary surfacing for roads. These products are also used as a form to topsoil in nurseries and landscaping, and as the cover material at the petitioner's sanitary landfill. Since the special permit was first issued, the tax map key designation for this quarry area of approximately 69 acres has been changed from 6-8-01: portion of 04 to 6-8-02: portion of 16.

Site #2, the Village Quarry, is located within the bounds of a square 2,000 feet on each side, located adjacent and to the south of the Waikoloa Village urban district, at an elevation of approximately 1,000 feet. Encompassing approximately 92 acres, it is on the south side of the Waikoloa Road, approximately 3.0 miles inland of the Kaahumanu Highway. The Village Quarry provides basically blue rock aggregate which is used for road construction and base course material. The screening plant, rock crusher, scales A.C. and concrete batching plants and equipment repair facilities are located on this site. Since the special permit was first issued, the tax map key designation for this quarry area has been changed from 6-8-01: portion of 04 to 6-8-02: portion of 15.

The original petitioner, Boise Cascade, has transferred its development holdings and their related permits to Transcontinental Development Company.

Approval of the original SP70-085 was subject to a condition that it was to expire within 5 years from the date of approval by the State Land Use Commission. In 1975, a request was made for a five-year extension of the special permit. Following the recommendation of the Hawaii County Planning Commission, the Land Use Commission, on December 23, 1975, granted the five (5) year time extension.

By letter dated September 26, 1980, Mr. Willis H. Sanburn, petitioner's Director of Business Relations, has requested that the expiration date for SP70-085 of December 11, 1980 be extended to December 11, 1990. In support of this 10-year extension request, Mr. Sanburn stated the following:

"As you know, we have developed Increment 1 of Waikoloa Village, including some 968 single-family lots, the golf course, commercial sites and multi-family sites. Waikoloa Village is now a reality with approximately 300 single-family homes in place and approximately 160 multi-family units. There remains to be developed in the urban zoned land at Waikoloa Village Units 2,3,4 and 5 of single-family lots (approximately 1300 acres). With the development of the resort areas along the coast and with the build-out at Waikoloa Village, we see a demand for more lots and intend to bring them on in the next few years. In addition to this, there will be at some point in time requirements for employee housing which will require additional (sic) roads and infrastructure. These two quarry sites are essential to provide material for roads, pipe bedding, etc. for the infrastructure which will be required.

"Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate for base course and asphalt for the roads and aggregates for concrete curb, etc.

"Because the two quarries are essential for the continued development of the Waikoloa project, we respectfully (sic) request a 10-year extension of SP70-085, December 11, 1980 to December 11, 1990.

"The conditions established by the Planning Commission at its meeting of September 25, 1980 and adopted by the Land Use Commission at granting the Special Permit are being met in the operation of the two quarries and related facilities."

For the Commission's information, the County Special Permit form which lists the findings and conditions of the original SP70-085 approval is attached (Attachment #2).

At a meeting on November 25, 1980, the Hawaii County Planning Commission voted unanimously to recommend approval of the ten year extension based on the following findings:

"That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. The material from the Village Quarry is basically a blue rock aggregate used for construction and base course material. These materials are essential for the improvements which must be made by the applicant.

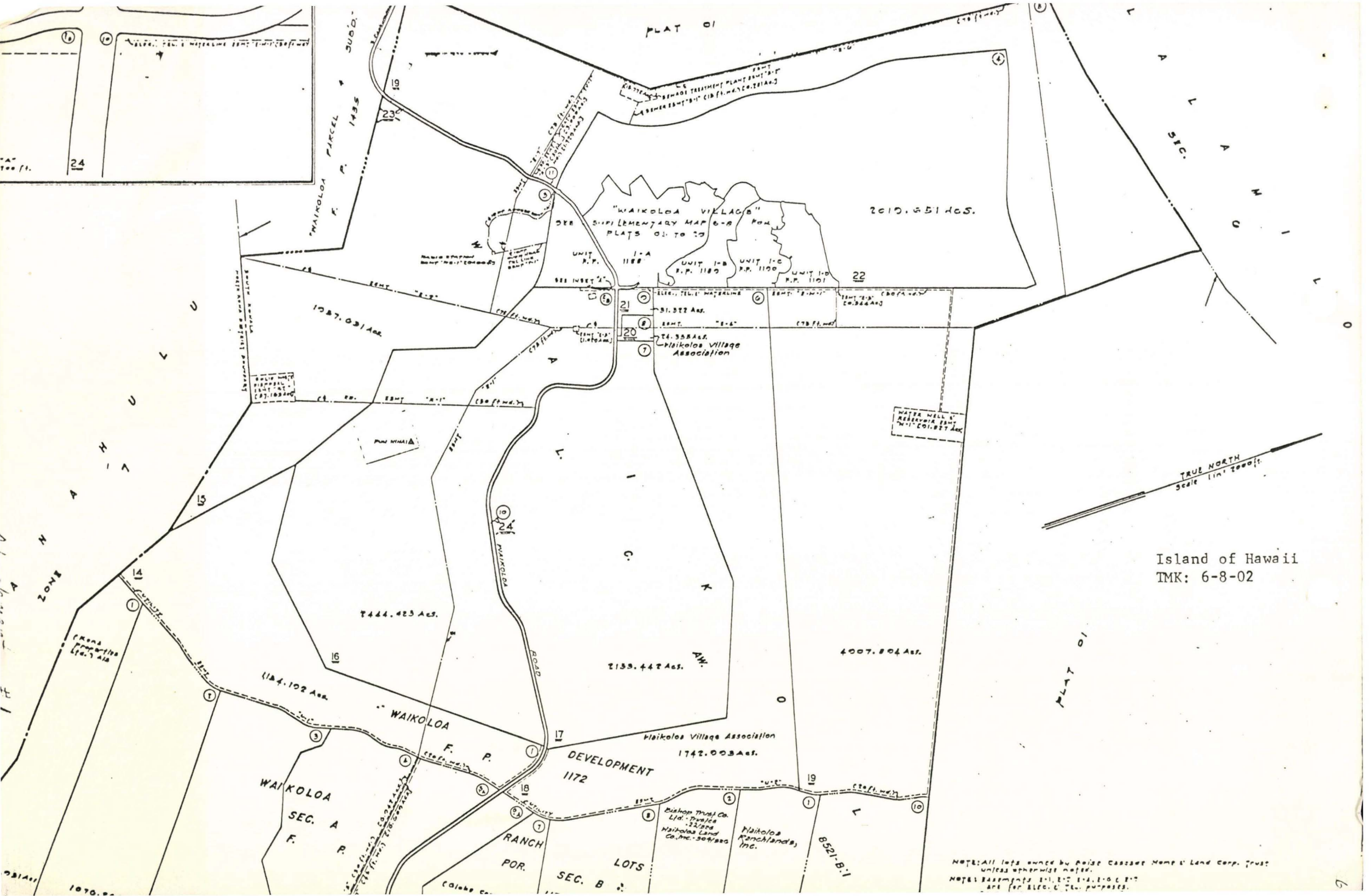
"The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date evidenced by the 968 single-family lots, the golf course, commercial sites and multi-family sites of Waikoloa Village. The quarrying operations have been essential in this development and will continue to be so in the construction of further improvements.

"In addition, it is determined that approval of the continuation of the quarrying operations and related use will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

"It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit including compliance with applicable Department of Health regulations. In addition, every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarry operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked. ✓

"Should the stated conditions not be met, the Special Permit may be deemed null and void."

For the Commission's information, the transcript of the County Planning Commission hearing of November 25, 1980 related to this request is attached (Attachment #3).



PLAT 01

2010.551 Acs.

"WAIKOLOA VILLAGE"
SEE SUPPLEMENTARY MAP 6-8 FOR
PLATS 01 TO 22

UNIT 1-A
R.P. 1188
UNIT 1-B
R.P. 1189
UNIT 1-C
R.P. 1190
UNIT 1-D
R.P. 1191

SEE INSET "A"

ST. 322 AVE.
ST. 358 AVE.

Waikoloa Village Association

1747.031 Acs.

2444.423 Acs.

2133.442 Acs.

4007.804 Acs.

WAIKOLOA
F. P.
DEVELOPMENT
1172

Waikoloa Village Association
1742.003 Acs.

WAIKOLOA
SEC. A
F. P.

RANCH
POR.

LOTS
SEC. B

Bishop Trust Co.
Ltd. Trustee
Waikoloa Land
Co., Inc. 304/880

Waikoloa
Ranchlands,
Inc.

8521-B-1

Island of Hawaii
TMK: 6-8-02

TRUE NORTH
Scale 1 in = 2000 ft.

NOTE: All info. owned by Aloha Eastward Home & Land Corp. Trust
unless otherwise noted.
Notes: Basements 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7
are for S.L.C. & T.L. purposes.

County of Hawaii

County Planning Commission

2,1970

Applicant Boise Cascade Properties, Inc

Date of Public Hearing August 20, 1970

Date of Decision September 25, 1970

Meeting Place Hale Halawai, Kailua, Kona

Date Decision and Findings Forwarded
to LUC September 30, 1970

S P E C I A L P E R M I T

The Planning Commission of the County of Hawaii pursuant to consideration required by the provisions of Act 204, SLH 1963, hereby transmits the decision and findings of the above special permit request to use the following described property:

Portion of the 31,000 acre development located in Waikoloa, South Kohala, Hawaii, Tax Map Key 6-8-01:4

for the following purpose(s):

To allow the operation of a quarry site together with allied uses such as a screening plant, rock crusher, scales, AC batching plant, concrete batching plant and equipment repair facilities.

The Commission decided to: Recommend approval of the special permit request.
on the basis of the following findings:

1. That the desired use would not adversely affect surrounding property. The proposed uses although requested to operate for a 5-year period may be looked upon as not being of a permanent nature and essential to the development of the entire project.
2. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required by any public agency. As a condition for approval, the applicant would be required to take all necessary precautions so as not to interfere with whatever vehicular traffic exists.
3. That the proposed use will not substantially alter or change the essential character of the land and the present use. Although the quarry operation and allied uses would somewhat alter the physical character of the land, the present use as open space would not be changed nor upon termination of the quarry operation would the land be rendered unsuited for the open space designation.
4. That the proposed use will make the highest and best use of the land involved for the public welfare. The quarry operation and allied uses are essential to the development of the Waikoloa project.

subject to the following conditions:

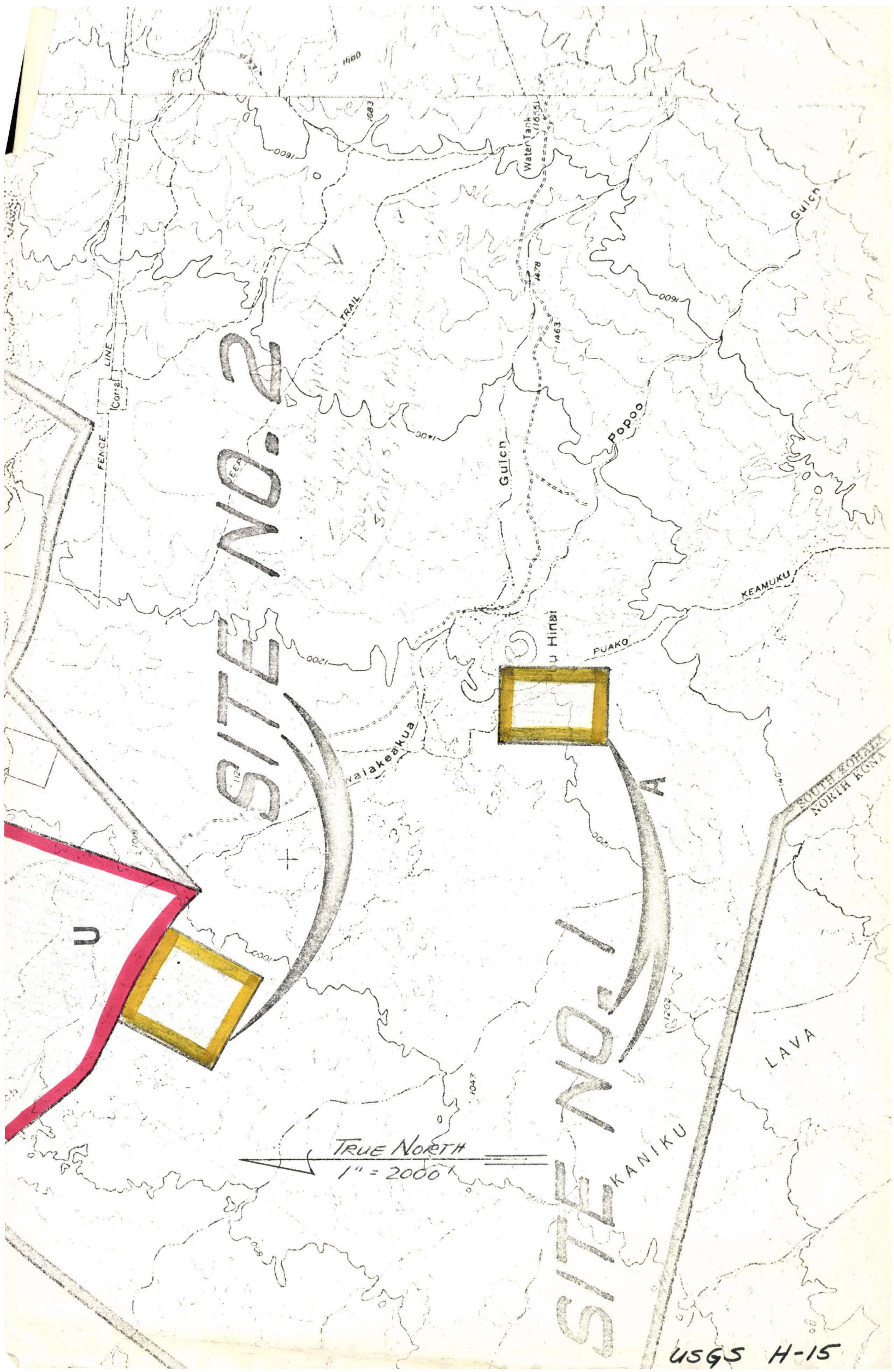
1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire operation, 24 hours per day.
2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
3. Upon completion of the operations, all temporary support facilities i.e. rock crusher, A.C. batching plant, steel repair facility, and concrete

(Cont'd on next sheet)

(Signed)

Masanori Kushi
Vice Chairman, Planning Commission

cc Boise Cascade Properties
Masanori Kushi



SITE NO. 2

SITE NO. 1

Water Tank

Gulch

Gulch

Popoo

KAMUKU

u Hinai

PUAKO

vakaekua

LAVA

SOUTH KONA
NORTH KONA

KANIKAU

TRUE NORTH
1" = 2000'

USGS H-15

subject to the following conditions: (Continued)

batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydromulcher. At the end of construction activities, the quarry site shall appear as natural open space, and not as a scar on the landscape.

4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request.
5. That the operation be confined within the metes and bounds description as submitted.

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
November 25, 1980

A regularly advertised public hearing on the application of Transcontinental Development Company was called to order at 4:00 p.m. in the Kona Surf Hotel, Mauna Loa Conference Room, Keauhou, North Kona, Hawaii, with Chairman William J. Paris, Jr. presiding.

PRESENT:	William J. Paris, Jr.	ABSENT:	Ex-officio Member
	Glenn Frias		H. William Sewake
	Clyde Imada		
	Roy Kagawa		
	Bert H. Nakano		
	Alfredo Orita		
	George Ponte		
	Charles H. Sakamoto		
	Tina Whitmarsh		

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

Robert Yanabu, representing Ex-officio Member Edward Harada
Ben Tsukazaki, Deputy Corporation Counsel

and approximately 7 people in attendance

CHAIRMAN: We'll go to the next item of business which is a public hearing on the request by Transcontinental Development Company for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on lands situated within the State Land Use Agricultural District. The areas involved are situated in the vicinity of the Waikoloa Village, Waikoloa, South Kohala, TMK: 6-8-01:Portion of 4. Staff?

NISHIMURA: Mr. Chairman and Commissioners, for orientation purposes, the quarry sites in question are those delineated here. And this is the Waikoloa Village area, the Waikoloa roadway, and they're both located on the south side of the road. Staff would like to request the waiving of the reading of the background and recommendation for this application in that its content is similar to that which was read previously for the previous item on the agenda.

CHAIRMAN: The time period is what?

NISHIMURA: The time period is for also ten years, except that the specific date of expiration differs; and I can read that into the record if you'd like.

CHAIRMAN: Go ahead.

SP 70-85

EXHIBIT J

NISHIMURA: Upon review of the subject request for a ten-year extension until December 11, 1990, to continue the operation of two quarry sites and related uses, staff is recommending that it be approved based on the findings as previously read into the record for the previous application and with similar conditions.

CHAIRMAN: Okay, that one would be expiring right around the corner then, 1980, if it's 1990?

NISHIMURA: Right. It would be expiring December 11, 1980.

CHAIRMAN: Staff states that the background is practically the same except it's two different quarries and conditions would read the same. He asked for waiving of reading of same. What is your pleasure, Commissioners?

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: I move that we dispense with the reading of the background and proceed right into the recommendation.

CHAIRMAN: Its been moved to dispense with the reading of the background and go into the recommendation. Is there a second?

FRIAS: Second, Mr. Chairman.

CHAIRMAN: Seconded by Commissioner Frias. All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Go ahead.

NISHIMURA: (Presented recommendation for approval with conditions, on file.)

CHAIRMAN: The applicant is present. Please come forward. You're under oath so we'll just proceed. Can you meet the conditions, the general conditions that have been proposed by the staff?

JENKINS: Yes, we can.

CHAIRMAN: It's agreeable with you?

JENKINS: Yes.

CHAIRMAN: Do you have anything further you'd like to add?

JENKINS: Well, the only comment I would have to make is that those quarries up there are situated, looking on the plan, they look very close to the village but in reality they're not. The Puu Hinai Quarry is about a mile and a half, I think, as a crow flies from the village itself. The lower quarry would be about 5/8 to three quarters of a mile to the village. You got to go to the golf course before you can get any sound up in that area and the normal prevailing winds come from about 54 degrees off the east and takes all, any dust that would escape the dust control mechanisms that the quarry, would take it toward the Kona side.

CHAIRMAN: They're in lava, in other words.

JENKINS: All lava, yes. There is not much chance for too much problems.

CHAIRMAN: Okay, Commissioners, you have any questions of Mr. Jenkins?

ORITA: Mr. Chairman?

CHAIRMAN: Go ahead.

ORITA: I have a question, sir. It says here, "Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate...." Can you get the same type of material by operating just one quarry?

JENKINS: No, not really, because the Puu Hinai Quarry is in an area that over the past 10,000 maybe a lot of cinder and ash flowed down into the hollows. And the type of basaltic rock there, they're completely different; it's the pahoehoe type of lava. Whereas, the makai quarry, which is incidentally just about maybe 2 miles makai of the Puu Hinai Quarry, that is a distinct lava flow in itself, got a blue rock in it, and it's very hard. It's similar to your Kona blue rock here.

ORITA: All right. My other question, sir, is those large boulders, which I'm sure you encounter when you try to get the cinders from your No. 1 quarry, what are, and where do you place those big boulders?

JENKINS: There's, in every void that we develop, we push them all into that and we take all the clinkery type material from around it and crush that into fine -.

ORITA: And how much of this big product do you come across?

JENKINS: There's not too much up there. I don't think over, all that we've, of course, let's say we've taken maybe 60,000 yards out of there, it'll be lucky to be 1,500 cubic yards of boulders in that -.

ORITA: You do not crush any of these boulders into finer things?

JENKINS: No, no, because we have to landscape that after we're through anyhow so we've got to fill these voids and then contour the land back into a normal shape.

CHAIRMAN: Any further questions, Commissioners? If not, thank you very much. This is a public hearing. Is there anyone here desiring to give testimony on this matter now before us? If not, it would be in order to close the hearing. Commissioners?

NAKANO: So move.

KAGAWA: Second.

CHAIRMAN: Its been moved and seconded. All those in favor signify by saying, oh, wait, one moment. Discussion, go ahead.

TSUKAZAKI: Excuse me. What is the date of the application for a time extension?

NISHIMURA: The date that the request was filed?

TSUKAZAKI: Yes.

NISHIMURA: The official request was filed on October 10, 1980.

TSUKAZAKI: Thank you.

CHAIRMAN: All right, anything further in the matter of discussion? If not, all those in favor signify by saying aye?

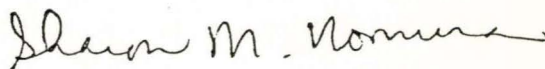
COMMISSIONERS: Aye.

CHAIRMAN: Contrary minded, same sign? Public hearing is closed.

It was moved by Commissioner Orita and seconded by Commissioner Whitmarsh to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with nine ayes.

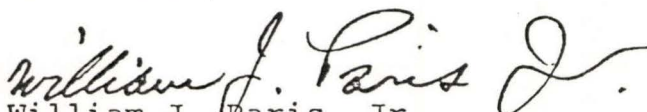
The public hearing adjourned at 4:11 p.m.

Respectfully submitted,



Sharon M. Nomura
Secretary

A T T E S T:



William J. Paris, Jr.
Chairman, Planning Commission

USGS H-15

SITE NO. 1

KANIKU

True North
1" = 2000'

LAVA

SOUTH KONA

A



u Hinai

PUAKO

KEAMUKU

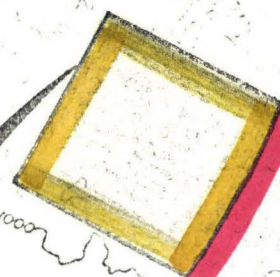
Gulch

POPOO

1463

Water Tank

SITE NO. 2



U

FENCE
CORRAL LINE

TRAIL

SCALES

WALAKAKUA

Gulch

December 23, 1975

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on December 22, 1975, the Land Use Commission voted to grant an extension until December 11, 1980, as recommended by the Hawaii Planning Commission, on the Special Permit granted to Boise Cascade Properties, Inc. (SP70-85) to operate 2 quarry sites including a screening plant, rock crusher, scales, AC and concrete batching plants, and repair facilities at Waikoloa, South Kohala, Hawaii, identified as Tax Map Key 6-8-01: 4; subject to the conditions imposed by the Hawaii Planning Commission.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encl.

cc: Boise Cascade Properties, Inc.
Hawaii Tax Administrator
Property Technical Office, Dept. of Tax.
Tax Maps Recorder, Dept. of Tax.
Real Property Tax Assessor, Dept. of Tax.

LUD

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

December 22, 1975 - 1:00 p.m.
Kamamalu Building
DPED Conference Room, 9th Floor
250 South King Street
Honolulu, Hawaii 96813

A G E N D A

I. ACTION

1. SP75-228 - Inscon Development Company (Special Permit to construct a water reservoir on approximately 1.3 acres of land in the Agricultural District at Kahuku, Oahu)
2. SP75-231 - Department of Accounting & General Services (Special Permit to establish a correctional facility on approximately 9.0 acres of land in the Agricultural District at Wailua, Kauai)
3. SP75-232 - Bishop Trust Company (Special Permit to establish a youth home on approximately 17.0 acres of land in the Agricultural District at Puhi, Kauai)
4. SP75-233 - David & Valerie Hepa (Special Permit to establish a tack and snack shop on approximately 23.6 acres of land in the Agricultural District at Wailua, Kauai)

II. MISCELLANEOUS

1. Extension of time request by Boise Cascade Properties, Inc. on conditions imposed on SP70-85.
2. Discussion on Requirement for an EIS on petition A75-400 Henry Meyer (Molokai).
3. Discussion on the authority to designate a Hearing Officer and designation of Hearing Officer to hear petition A75-400 Henry Meyer
4. Adoption of Minutes
5. Other Matters

* A COPY OF THIS AGENDA WAS MAILED TO ALL PERSONS AND ORGANIZATIONS ON THE ATTACHED MAILING LISTS. 12/11/75

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795

Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

December 10, 1975

Mr. Walt Southward
280 Makaala Street
Hilo, Hawaii 96720

Dear Mr. Southward:

The Land Use Commission next meets on December 22, 1975
1:00 p.m., at 1:00 p.m., in the Kamamalu Building,
DPED Conference Room, 9th Floor, 250 South King Street, Honolulu, Hawaii.

At that time, the Extension Request by Boise Cascade Properties, Inc.
(SP 70-85) for the operation of two (2) quarry sites and related uses
will be considered.

Should you have any questions regarding this matter, please feel free to contact us.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM EXTENSION REQUEST BY BOISE
CASCADE PROPERTIES (SP70-85)

DATE December 22, 1975

PLACE DPED Conference Room
Honolulu, Hawaii

TIME 1:00 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
DUKE, CHARLES	✓			
WHITESELL, CAROL	✓			
OURA, MITSUO				✓
MACHADO, COLETTE				✓
YAMAMURA, TANJI	✓			
SAKAHASHI, STANLEY	✓			
CARRAS, JAMES	✓			
YANAI, EDWARD				✓
TANGEN, EDDIE	✓			

Comments:

I move that this extension request be granted as recommended by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

December 22, 1975 - 1:00 p.m.

DPED Conference Room 9th Floor
250 South King Street
Honolulu, Hawaii

*Approved
February 13, 1976*

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Carol Whitesell
Tanji Yamamura

COMMISSIONERS ABSENT: Colette Machado
Mitsuo Oura
Edward Yanai

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Gordan Furutani, Planner
Tany Hong, Deputy Attorney General
Benjamin Matsubara, Consultant
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

Chairman Tangen called the meeting to order.

REQUEST BY INSCON DEVELOPMENT COMPANY (SP75-228) TO CONSTRUCT A
WATER RESERVOIR AT KAHUKU, OAHU

The staff memo was presented by Mr. Ah Sung Leong, Acting
Executive Officer, (see copy on file).

Commissioner Whitesell raised several questions regarding the
area that the proposed reservoir was intended to serve, the
irreconcilable difference in the total acres represented by the
petitioner's consultant as the project area and the total acres both
general planned and zoned for resort and apartment use by the County.
She expressed concern over the need for a 2 million-gallon reservoir

Commission. Commissioner Carras seconded the motion and it was unanimously passed.

REQUEST BY BISHOP TRUST COMPANY (SP75-232) TO ESTABLISH A YOUTH HOME AT PUHI, KAUAI

Mr. Gordan Furutani, Planner, presented the staff memo (see copy of report on file).

Vice Chairman Sakahashi moved to approve the Special Permit request, subject to the conditions imposed by the Kauai County Planning Commission. The motion was seconded by Commissioner Duke and unanimously carried.

REQUEST BY DAVID & VALERIE HEPA (SP75-233) TO ESTABLISH A TACK AND SNACK SHOP AT WAILUA, KAUAI

Inasmuch as the staff memo had been circulated to the Commissioners prior to the meeting, Chairman Tangen dispensed with the reading of the report (see copy of report on file).

Vice Chairman Sakahashi moved to approve the Special Permit, subject to the conditions imposed by the Kauai County Planning Commission, which was seconded by Commissioner Whitesell and unanimously passed.

MISCELLANEOUS

- ✓ EXTENSION OF TIME REQUEST BY BOISE CASCADE PROPERTIES, INC. ON CONDITIONS IMPOSED ON SP70-85

Chairman Tangen advised that the extension request was to continue with the same uses that were approved by the Commission in 1970.

Vice Chairman Sakahashi moved that the extension request to extend the time on Special Permit 70-85 until December 11, 1980 be approved as recommended by the Hawaii County Planning Commission. It was seconded by Commissioner Yamamura and unanimously carried.

DISCUSSION ON REQUIREMENT FOR AN EIS ON PETITION A75-400, HENRY MEYER

Chairman Tangen suggested that if there were no objections from the Commissioners, discussion on this matter be deferred since the Commission's counsel from the Attorney General's Office was out of town.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

December 22, 1975

1:00 p.m.

TO: Land Use Commission

FROM: Staff

SUBJECT: Extension of Time Request by Boise Cascade Properties, Inc.
on condition imposed on SP70-85

On December 11, 1970, the Land Use Commission approved SP70-85 submitted by Boise Cascade Properties, Inc. to operate 2 quarry sites including a screening plant, rock crusher, scales, AC & concrete batching plants, and repair facilities at Waikoloa, S. Kohala, Hawaii.

Material from Boise's Puu Hinai Cinder Quarry is used for nursery and landscaping and sanitary landfill operations. Its Village Quarry provides blue rock aggregate for road construction and maintenance in the Waikoloa area.

One of the condition of approval established by the Hawaii County Planning Commission and approved by the Land Use Commission was:

"That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request."

By letter dated October 21, 1975, Mr. Walt Southward, Manager of Public Affairs of Boise's Waikoloa project, requested that:

"Inasmuch as the Waikoloa project is an ongoing one, and inasmuch as there is a continued need for the two quarry operations and the related facilities, we respectfully request that the Special Permit be extended for an additional five years.

The two quarries remain essential to the development of the entire Waikoloa project.

All of the conditions established by the Planning Commission at its meeting of September 25, 1970, and adopted by the Land Use Commission in granting the Special Permit are being met in the operation of the two quarries and the related facilities.

93 Ac Blue Rock
69 Ac Under
T-162

It should be noted the the original application requested that the Special Permit be granted for a period of ten years, or until 1980."

In a letter dated November 21, 1975, Chairman Arthur W. Martin of the Hawaii County Planning Commission advised that at its November 20, 1975 meeting, that body voted to recommend an extension until December 11, 1980 based on the following:

"That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry yields a heavily burnt a'a and ash material which is used as a form of top-soil for plantings and cover for the applicant's sanitary landfill site. The material from the Village Quarry is basically a blue rock aggregate used for road construction and base course material. These materials are essential for the improvements which must be made by the applicant.

The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date in the form of water, sewer, electricity, telephone service, roads, etc. Other amenities, including an 18-hole golf course, a clubhouse and restaurant, tennis courts, a swimming pool, equestrian center, and condominium units, have been developed. The quarrying operations have been essential in the development of such improvements and amenities and will continue to be so in the construction of further improvements.

In addition, it is determined that approval of the continuation of the quarrying operations and related uses will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit. In addition, the applicant shall comply with applicable Department of Health regulations.

Should the stated conditions not be met, the Special Permit shall be deemed null and void."



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII

NOV 28 2 31 PM '75

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

November 21, 1975

Mr. Ah Sung Leong
Acting Executive Officer
State Land Use Commission
P. O. Box 2359
Honolulu, HI 96804

Re: Extension of Time Condition on Special Permit
Applicant: Boise Cascade Properties, Inc.
Tax Map Key 6-8-01:4

SP70-85

The Planning Commission at its meeting of November 20, 1975 considered the above request for an extension of the time condition stipulated in the special permit which was originally granted by the Land Use Commission on December 11, 1970.

The Commission voted to recommend that the request for a five-year extension until December 11, 1980, to continue the operation of two (2) quarry sites and related uses be given a favorable recommendation, based on the following considerations:

That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry yields a heavily burnt a'a and ash material which is used as a form of top-soil for plantings and cover for the applicant's sanitary landfill site. The material from the Village Quarry is basically a blue rock aggregate used for road construction and base course material. These materials are essential for the improvements which must be made by the applicant.

The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date in the form of water, sewer, electricity, telephone

Mr. Ah Sung Leong
Page 2
November 21, 1975

service, roads, etc. Other amenities, including an 18-hole golf course, a clubhouse and restaurant, tennis courts, a swimming pool, equestrian center, and condominium units, have been developed. The quarrying operations have been essential in the development of such improvements and amenities and will continue to be so in the construction of further improvements.

In addition, it is determined that approval of the continuation of the quarrying operations and related uses will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit. In addition, the applicant shall comply with applicable Department of Health regulations.

Should the stated conditions not be met, the Special Permit shall be deemed null and void.


Arthur W. Martin, Chairman
Planning Commission

lat:sb

cc: Boise Cascade Properties, Inc.
Corporation Counsel

Enclosures - Exhibits

Dec 9 1 19 PM '75

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES

November 20, 1975

The Planning Commission met in regular session at 3:37 p.m., in the County Councilroom, County Building, with Chairman Martin presiding.

PRESENT: Arthur W. Martin
Takashi Domingo
Haruo Murakami
Charles Sakamoto
Ed C. Watt

ABSENT: Scott H. Asai
Lorraine Jitchaku
Leon K. Sterling, Jr.
Edward Harada, Ex-officio Member

Raymond H. Suefuji
Sidney M. Fuke
Norman K. Hayashi
Ilima A. Piianaia

Lionel Meyer, Deputy Corp. Counsel
Richard Nishimura, Public Works
Gary Kawasaki, Water Supply

and 5 people in attendance at 3:30 p.m. and about 85 people at 7:00 p.m.

AGENDA & MINUTES

Chairman announced that an addendum to the agenda is necessary which requires a two-thirds vote of the membership. The addendum was a request by the Department to discuss the boundary maps on the proposed Special Management Area which will have to be completed by December 1.

Staff suggested that since the two-thirds vote is lacking and the next meeting is scheduled for December 4, a recess could be called for an informal meeting, pending the arrival of Commissioner Sterling.

Agenda was accepted as printed and circulated.

Minutes of October 9, 1975 and November 6, 1975 were approved as distributed.

EXTENSION OF TIME
LAND USE COMMISSION
SPECIAL PERMIT NO. 164 (SP70-85)
BOISE CASCADE PROPERTIES, INC.
WAIKOLOA, SOUTH KOHALA

Kohala, TMK: 6-8-01:4.

Request for a five-year extension to continue operation of the two quarry sites and related uses granted through a Special Permit by the State Land Use Commission on December 11, 1970. The sites are situated in Waikoloa, South

Chairman announced that this item was deferred at the last meeting.

Staff presented attached background information with a favorable recommendation for a five-year extension until December 11, 1980 to continue the operation of two quarry sites and related uses for the reasons and with the conditions as attached.

Mr. Walt Southward, Manager of Public Affairs for Waikoloa, introduced Claude Jenkins, Construction Manager and an expert in quarries, who answered one of the Commissioner's question on the extent and demand of the quarries by stating that they have very limited use. They have been stockpiling their supplies and when depleted, they have to manufacture more materials for lot areas and temporary roads as well as for maintenance. They have plans to give a very large quantity to the County for their washout use.

Mr. Domingo moved to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions which were outlined by the staff; seconded by Mr. Murakami; carried unanimously.

PRELIMINARY HEARING
CHANGE OF ZONE
FRANK FRENZ
WAIAKEA, SOUTH HILO

Change in zone in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for 3.4[±] acres of land from an Agricultural 3-acre (A-3a) to an Agricultural 1-acre (A-1a) zoned district.

The property is located along the Puna side of Kawailani Street across from the Kawailani Place subdivision, approximately 3,400 feet mauka of the Kawailani Street-Komohana Street intersection, Waiakea Homesteads, Waiakea, South Hilo, TMK: 2-4-03:portion of 16.

Staff presented attached background information with recommendation for scheduling of a public hearing.

On the question of driveway for future dwellings, staff mentioned that the access could be from Kawailani or the proposed 50-foot right-of-way.

When this subdivision is approved, Mrs. Esther Frenz stated that her oldest married son would be the one that would like to build within a year or two.

Because the proposed future road right-of-way on Kawailani will be increased to 60 feet by taking some of the land away from the applicant, the feasibility of making the lots more than one acre was suggested so that it will still fall within the one-acre size. Staff explained that the 10-foot strip for the proposed road widening is only for future consideration and that would be part and parcel of the lots. If the County decides to condemn a portion of the parcel for the roadway, at that time, the County will have to request a variance for those lots in behalf of the applicant.

On the question of future resubdivision into smaller lots, staff clarified that the area is designated for urban use and the one-acre size is considered residential houselots.

Mr. Murakami moved to set this up for a public hearing; seconded by Mr. Sakamoto; carried unanimously.

PRELIMINARY HEARING
CHANGE OF ZONE
KAZUO MATSUMOTO
KALAOA, NORTH KONA

Change of zone in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for 3.13 acres of land from an Unplanned (U) to an Agricultural 1-acre (A-1a) zoned district. The

property is located along the makai side of the Hawaii Belt Highway, adjacent to the Kona Coastview Subdivision, Kalaoa 4th, North Kona, TMK: 7-3-05:30.

TIME EXTENSION (SP-70-85): BOISE CASCADE PROPERTIES, INC.

Boise Cascade Properties is requesting a five-year extension to continue operation of the two (2) quarry sites and related uses, permitted by a Special Permit from the State Land Use Commission on December 11, 1970. The sites are situated in Waikoloa, South Kohala (TMK: 6-8-01:portion 4).

More specifically, the Special Permit is for the operation of two (2) quarry sites, a screening plant, rock crusher, scales, AC batching plant, concrete batching plant, and equipment repair facilities.

In requesting the extension, the applicant has stated the following:

"The referenced special permit, for the operation of two quarry sites, a screening plant, rock crusher, scales, AC batching plant, concrete batching plant and equipment repair facilities at Waikoloa, South Kohala, will expire on December 11, 1975.

"Inasmuch as the Waikoloa project is an ongoing one, and inasmuch as there is a continued need for the two quarry operations and the related facilities, we respectfully request that the special permit be extended for an additional five years. The two quarries remain essential to the development of the entire Waikoloa project.

"All of the conditions established by the Planning Commission at its meeting of Sept. 25, 1970, and adopted by the Land Use Commission in granting the special permit are being met in the operation of the two quarries and the related facilities.

Exhibit H

"It should be noted that the original application requested that the special permit be granted for a period of ten years, or until 1980."

"The Puu Hinai Quarry provides a heavily burnt aa and ash material. It is used as a form of topsoil in our nursery and landscaping operations and in planting on the golf course and in the village. It also provides the cover for our sanitary landfill, which is located about a half-mile away. This is the only source of such material in the area, to our knowledge.

"The Village Quarry provides a different type of material, basically a blue rock aggregate, which is used for road construction and base course material in the Waikoloa area. It is presently being used for the construction of driveways, paved areas and road repairs, and will be used in the future for road construction in the remaining urban-zoned area of Waikoloa Village. It has also been the source of base course provided for the County of Hawaii Public Works Department for road maintenance in the area.

"The maintenance yard, which is part of the village quarry site, includes the repair and maintenance facilities and equipment storage for the Waikoloa Water Company and the Waikoloa Sewer Company, as well as for the remaining construction units at Waikoloa.

"A maintenance shop is located on the site, and provides

facilities for the maintenance of the vehicles and equipment used in the operations at Waikoloa. More than three dozen vehicles, ranging from passenger cars and pickup trucks to backhoes and bulldozers, are repaired and maintained at the site. This facility is essential to the operations of Waikoloa."

The Puu Hinai Quarry is a cinder cone which reaches an elevation of 1,439 feet above sea level or approximately 230 feet above the surrounding area.

The Village Quarry is also located on the Kona or south side of the Waikoloa Urban District at an elevation of approximately 1,000 feet. This is the site where blue rock material is being quarried and where the screening plant, rock crusher, scales, AC and concrete batching plants, and equipment repair facilities are located.

For the Commissioners' information, the establishment of another quarry site was granted the applicant on December 17, 1971 under a separate Special Permit application. This site is located mauka of the Queen Kaahumanu Highway, approximately one (1) mile east of the Anaehoomalu Urban District, and about 3-1/2 miles west of the Waikoloa Urban District. According to the applicant, this area is determined to be desirable for quarrying clinker material.

In the original request, the applicant stated there exists a need for crushed aggregates for various construction needs within the Waikoloa project. Between 60 to 70 miles of streets require sub-base, base, and AC surfacing. Many hundreds of feet of curbs

Time Extension (SP-70-85)
Boise Cascade Properties, Inc.
Page 4

and gutters require aggregates for concrete. Special structures, such as bridges, water storage tanks, encasement for ducts, and drainage structures, require aggregate from the quarries.

RECOMMENDATION: BOISE CASCADE PROPERTIES, INC.

It is recommended that the request for a five-year extension until December 11, 1980, to continue the operation of two (2) quarry sites and related uses be given a favorable recommendation, based on the following considerations:

That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry yields a heavily burnt a'a and ash material which is used as a form of topsoil for plantings and cover for the applicant's sanitary landfill site. The material from the Village Quarry is basically a blue rock aggregate used for road construction and base course material. These materials are essential for the improvements which must be made by the applicant.

The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date in the form of water, sewer, electricity, telephone service, roads, etc. Other amenities, including an 18-hole golf course, a clubhouse and restaurant, tennis courts, a swimming pool, equestrian center, and condominium units, have been developed. The quarrying operations have been essential in the development of such improvements and amenities and will continue to be so in the construction of further improvements.

Exhibit I

In addition, it is determined that approval of the continuation of the quarrying operations and related uses will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit. *In addition, the applicant shall comply with ^{applicable} Dept. of Health Regulations.*

Should the stated conditions not be met, the Special Permit shall be deemed null and void.

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

November 12, 1975

RECEIVED
NOV 14 1975

State of Hawaii
LAND USE COMMISSION

Mr. Walt Southward
Manager of Public Affairs
Boise Cascade Properties, Inc.
94 Pakalana Street
Hilo, Hawaii 96720

Re: Extension of Time Condition
Special Permit No. 70-85
Tax Map Key: 6-8-01:4

This is to inform you that your request for an extension of the time condition stipulated within the Special Permit granted by the State Land Use Commission will again be considered on Thursday, November 20, 1975 by the Planning Commission. The meeting will be held in the Councilroom, County Building, South Hilo, Hawaii, and is scheduled to begin at 3:30 p.m.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the agenda is enclosed for your information.

Sidney M. Sue

for Raymond H. Suefuji
Director

lat:jac

Enclosure

cc: State Land Use Commission

LIST OF EXHIBITS (Boise Cascade Time Extension)

- A. Letter from Walt Southward requesting extension (10-21-75)
- B. Planning Department's acknowledgement letter (10-24-75)
- C. Letter from Southward (10-24-75)
- D. Department's letter informing of meeting (10-30-75)
- E. Southward's letter requesting deferment (10-29-75)
- F. A. Martin's letter informing applicant of deferment (11-7-75)
- G. Department's letter informing of meeting (11-12-75)
- H. Staff background
- I. Staff recommendation
- J. Minutes of 11-20-75 meeting

Office of Public Affairs
280 Makaala St.
Hilo, Hawaii 96720
808/935-3364

LAND USE COMMISSION
STATE OF HAWAII

Nov 28 2 31 PM '75



Waikoloa

21 October 1975

Mr. Raymond Suefuji, Director
Hawaii County Planning Dept.
25 Aupuni Street
Hilo, Hawaii 96720

RE: State Land Use Commission
SP 70-85

The referenced special permit, for the operation of two quarry sites, a screening plant, rock crusher, scales, AC batching plant, concrete batching plant and equipment repair facilities at Waikoloa, South Kohala, will expire on December 11, 1975.

Inasmuch as the Waikoloa project is an ongoing one, and inasmuch as there is a continued need for the two quarry operations and the related facilities, we respectfully request that the special permit be extended for an additional five years.

The two quarries remain essential to the development of the entire Waikoloa project.

All of the conditions established by the Planning Commission at its meeting of Sept. 25, 1970, and adopted by the Land Use Commission in granting the special permit are being met in the operation of the two quarries and the related facilities.

It should be noted the the original application requested that the special permit be granted for a period of ten years, or until 1980.

In the event we can provide further information in this matter, or in the event any of your staff personnel wish to make an on-site investigation of the two operations, please contact me.

Sincerely,

Walt Southward
Manager of Public Affairs

WS/ms

cc: Land Use Commission
Robert A. Hoffman
Will Sanburn
Claude Jenkins

EXHIBIT A

October 24, 1975

Mr. Walt Southward
Waikoloa Office of
Public Affairs
280 Makaala Street
Hilo, Hawaii 96720

This is to acknowledge receipt of your letter of October 21, 1975, requesting a five-year extension to continue operation of the two quarry sites and related uses at Waikoloa, South Kohala. The original approval was granted by the State Land Use Commission on December 11, 1970.

Your request will be forwarded to the County Planning Commission for discussion. You will be informed as to the time and place of the Commission meeting as soon as it has been determined. Should the Commission recommend a favorable consideration on your request, the matter will be forwarded to the State Land Use Commission for its final action.

Should you have any questions in the meantime, please feel free to contact Norman Hayashi or Ilima Piianaia of this office.



RAYMOND SUEFUJI
Director

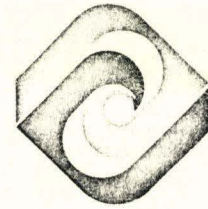
NH:lgv

cc State Land Use Commission

EXHIBIT C

OCT 29 1975

Office of Public Affairs
280 Makaala St.
Hilo, Hawaii 96720
808/935-3364



Waikoloa

29 October 1975

Mr. Raymond Suefuji
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Suefuji:

RE: State Land Use Commission
SP 70-85

In response to questions posed by Norman Hayashi of your staff, we would like to provide the following information about the usage of the two quarry sites at Waikoloa.

Puu Hina'i Quarry: This quarry provides a heavily burnt aa and ash material. It is used as a form of topsoil in our nursery and landscaping operations and in planting on the golf course and in the village. It also provides the cover for our sanitary landfill, which is located about a half-mile away. This is the only source of such material in the area, to our knowledge.

Village Quarry: This quarry provides a different type of material, basically a blue rock aggregate, which is used for road construction and base course material in the Waikoloa area. It is presently being used for the construction of driveways, paved areas and road repairs, and will be used in the future for road construction in the remaining urban-zoned area of Waikoloa Village. It has also been the source of base course provided for the County of Hawaii Public Works Department for road maintenance in the area.

Maintenance Yard: This site, which is part of the village quarry site, includes the repair and maintenance facilities and equipment storage for the Waikoloa Water Company and the Waikoloa Sewer Company, as well as for the remaining construction units at Waikoloa.

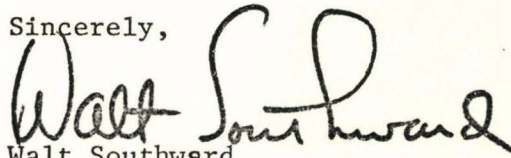
Exhibit C

29 October 1975

A maintenance shop is located on the site, and provides facilities for the maintenance of the vehicles and equipment used in the operations at Waikoloa. More than three dozen vehicles, ranging from passenger cars and pickup trucks to backhoes and bulldozers, are repaired and maintained at the site. This facility is essential to the operations of Waikoloa.

If we can provide additional information, please contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Walt Southward". The signature is fluid and cursive, with the first name "Walt" being more prominent and the last name "Southward" written in a continuous script.

Walt Southward
Manager of Public Affairs

WS/ms

October 31, 1975

Mr. D. W. Korth, Jr.
Construction Manager, Waikoloa
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, HI 96813

Re: Notice of Preliminary Hearing
Request for Five-Year Extension
Tax Map Key: 6-8-01:04

Your application for a change in one of your Special Permit approval condition to allow for a five-year extension to continue operation of the two quarry sites and related uses on subject parcel will be discussed on Thursday, November 6, by the Planning Commission. The meeting will be held at the Sergeant Yano Memorial Hall in Captain Cook, South Kona, beginning at 2:00 p.m.

The presence of a representative will be appreciated in order that any questions arising relative to the application may be clarified. We regret this late notice and sincerely hope that it will not inconvenience you too greatly.

A copy of the agenda is enclosed for your information.

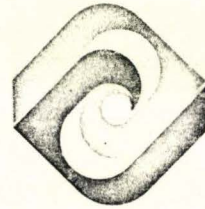
RAYMOND SUEFUJI
Director

rfd
Enclosure

cc: Walt Southward

Exhibit D

Office of Public Affairs
280 Makaala St.
Hilo, Hawaii 96720
808/935-3364



Waikoloa

29 October 1975

The Rev. Arthur Martin, Chairman
Hawaii County Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Dear Rev. Martin:

Because of a prior conflict with a property owners' meeting scheduled on Oahu on November 6, we would like to request that discussion of our request for extension of the special permit for the two mauka quarries at Waikoloa be deferred until the next scheduled meeting of your commission.

We appreciate your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Walt Southward".

Walt Southward
Manager of Public Affairs

WS/ms

Exhibit E

November 7, 1975

Mr. Walter Southward
Boise Cascade Properties, Inc.
94 Pakalana Street
Hilo, HI 96720

Re: Application for Extension
Quarry Operations
TMK: 6-8-01:04

At its November 6, 1975 meeting, the Planning Commission voted to defer action on your subject application, pursuant to your request.

When your application is included on the Commission agenda again, you will be notified accordingly.

Should you have any questions in the meantime, please feel free to contact either Norman Hayashi or Ilima Piianaia of the Planning Department, at 961-8288.


Arthur W. Martin, Chairman
Planning Commission

rfd

Exhibit F

NOV 7 1975

November 12, 1975

Mr. Walt Southward
Manager of Public Affairs
Boise Cascade Properties, Inc.
94 Pakalana Street
Hilo, Hawaii 96720

Re: Extension of Time Condition
Special Permit No. 70-85
Tax Map Key: 6-8-01:4

This is to inform you that your request for an extension of the time condition stipulated within the Special Permit granted by the State Land Use Commission will again be considered on Thursday, November 20, 1975 by the Planning Commission. The meeting will be held in the Councilroom, County Building, South Hilo, Hawaii, and is scheduled to begin at 3:30 p.m.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the agenda is enclosed for your information.

Sidney M. Aube

Raymond H. Suefuji
Director

lat:jac

Enclosure

cc: State Land Use Commission

Exhibit G

NOV 12 1975

TIME EXTENSION (SP-70-85): BOISE CASCADE PROPERTIES, INC.

Boise Cascade Properties is requesting a five-year extension to continue operation of the two (2) quarry sites and related uses, permitted by a Special Permit from the State Land Use Commission on December 11, 1970. The sites are situated in Waikoloa, South Kohala (TMK: 6-8-01:portion 4).

More specifically, the Special Permit is for the operation of two (2) quarry sites, a screening plant, rock crusher, scales, AC batching plant, concrete batching plant, and equipment repair facilities.

In requesting the extension, the applicant has stated the following:

"The referenced special permit, for the operation of two quarry sites, a screening plant, rock crusher, scales, AC batching plant, concrete batching plant and equipment repair facilities at Waikoloa, South Kohala, will expire on December 11, 1975.

"Inasmuch as the Waikoloa project is an ongoing one, and inasmuch as there is a continued need for the two quarry operations and the related facilities, we respectfully request that the special permit be extended for an additional five years. The two quarries remain essential to the development of the entire Waikoloa project.

"All of the conditions established by the Planning Commission at its meeting of Sept. 25, 1970, and adopted by the Land Use Commission in granting the special permit are being met in the operation of the two quarries and the related facilities.

Exhibit H

"It should be noted that the original application requested that the special permit be granted for a period of ten years, or until 1980."

"The Puu Hinai Quarry provides a heavily burnt aa and ash material. It is used as a form of topsoil in our nursery and landscaping operations and in planting on the golf course and in the village. It also provides the cover for our sanitary landfill, which is located about a half-mile away. This is the only source of such material in the area, to our knowledge.

"The Village Quarry provides a different type of material, basically a blue rock aggregate, which is used for road construction and base course material in the Waikoloa area. It is presently being used for the construction of driveways, paved areas and road repairs, and will be used in the future for road construction in the remaining urban-zoned area of Waikoloa Village. It has also been the source of base course provided for the County of Hawaii Public Works Department for road maintenance in the area."

"The maintenance yard, which is part of the village quarry site, includes the repair and maintenance facilities and equipment storage for the Waikoloa Water Company and the Waikoloa Sewer Company, as well as for the remaining construction units at Waikoloa.

"A maintenance shop is located on the site, and provides

facilities for the maintenance of the vehicles and equipment used in the operations at Waikoloa. More than three dozen vehicles, ranging from passenger cars and pickup trucks to backhoes and bulldozers, are repaired and maintained at the site. This facility is essential to the operations of Waikoloa."

The Puu Hinai Quarry is a cinder cone which reaches an elevation of 1,439 feet above sea level or approximately 230 feet above the surrounding area.

The Village Quarry is also located on the Kona or south side of the Waikoloa Urban District at an elevation of approximately 1,000 feet. This is the site where blue rock material is being quarried and where the screening plant, rock crusher, scales, AC and concrete batching plants, and equipment repair facilities are located.

For the Commissioners' information, the establishment of another quarry site was granted the applicant on December 17, 1971 under a separate Special Permit application. This site is located mauka of the Queen Kaahumanu Highway, approximately one (1) mile east of the Anaehoomalu Urban District, and about 3-1/2 miles west of the Waikoloa Urban District. According to the applicant, this area is determined to be desirable for quarrying clinker material.

In the original request, the applicant stated there exists a need for crushed aggregates for various construction needs within the Waikoloa project. Between 60 to 70 miles of streets require sub-base, base, and AC surfacing. Many hundreds of feet of curbs

Time Extension (SP-70-85)
Boise Cascade Properties, Inc.
Page 4

and gutters require aggregates for concrete. Special structures, such as bridges, water storage tanks, encasement for ducts, and drainage structures, require aggregate from the quarries.

RECOMMENDATION: BOISE CASCADE PROPERTIES, INC.

It is recommended that the request for a five-year extension until December 11, 1980, to continue the operation of two (2) quarry sites and related uses be given a favorable recommendation, based on the following considerations:

That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry yields a heavily burnt a'a and ash material which is used as a form of topsoil for plantings and cover for the applicant's sanitary landfill site. The material from the Village Quarry is basically a blue rock aggregate used for road construction and base course material. These materials are essential for the improvements which must be made by the applicant.

The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date in the form of water, sewer, electricity, telephone service, roads, etc. Other amenities, including an 18-hole golf course, a clubhouse and restaurant, tennis courts, a swimming pool, equestrian center, and condominium units, have been developed. The quarrying operations have been essential in the development of such improvements and amenities and will continue to be so in the construction of further improvements.

Exhibit I

In addition, it is determined that approval of the continuation of the quarrying operations and related uses will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit. *In addition, the applicant shall comply with applicable Dept. of Health Regulations.*

Should the stated conditions not be met, the Special Permit shall be deemed null and void.

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES

November 20, 1975

The Planning Commission met in regular session at 3:37 p.m., in the County Councilroom, County Building, with Chairman Martin presiding.

PRESENT: Arthur W. Martin
Takashi Domingo
Haruo Murakami
Charles Sakamoto
Ed C. Watt

ABSENT: Scott H. Asai
Lorraine Jitchaku
Leon K. Sterling, Jr.
Edward Harada, Ex-officio Member

Raymond H. Suefuji
Sidney M. Fuke
Norman K. Hayashi
Ilima A. Piianaia

Lionel Meyer, Deputy Corp. Counsel
Richard Nishimura, Public Works
Gary Kawasaki, Water Supply

and 5 people in attendance at 3:30 p.m. and about 85 people at 7:00 p.m.

AGENDA & MINUTES

Chairman announced that an addendum to the agenda is necessary which requires a two-thirds vote of the membership. The addendum was a request by the Department to discuss the boundary maps on the proposed Special Management Area which will have to be completed by December 1.

Staff suggested that since the two-thirds vote is lacking and the next meeting is scheduled for December 4, a recess could be called for an informal meeting, pending the arrival of Commissioner Sterling.

Agenda was accepted as printed and circulated.

Minutes of October 9, 1975 and November 6, 1975 were approved as distributed.

EXTENSION OF TIME

LAND USE COMMISSION

SPECIAL PERMIT NO. 164 (SP70-85)

BOISE CASCADE PROPERTIES, INC.

WAIKOLOA, SOUTH KOHALA

Kohala, TMK: 6-8-01:4.

Request for a five-year extension to continue operation of the two quarry sites and related uses granted through a Special Permit by the State Land Use Commission on December 11, 1970. The sites are situated in Waikoloa, South

Chairman announced that this item was deferred at the last meeting.

Staff presented attached background information with a favorable recommendation for a five-year extension until December 11, 1980 to continue the operation of two quarry sites and related uses for the reasons and with the conditions as attached.

Exhibit J

Mr. Walt Southward, Manager of Public Affairs for Waikoloa, introduced Claude Jenkins, Construction Manager and an expert in quarries, who answered one of the Commissioner's question on the extent and demand of the quarries by stating that they have very limited use. They have been stockpiling their supplies and when depleted, they have to manufacture more materials for lot areas and temporary roads as well as for maintenance. They have plans to give a very large quantity to the County for their washout use.

Mr. Domingo moved to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions which were outlined by the staff; seconded by Mr. Murakami; carried unanimously.

PRELIMINARY HEARING
CHANGE OF ZONE
FRANK FRENZ
WAIAKEA, SOUTH HILO

Change in zone in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for 3.4[±] acres of land from an Agricultural 3-acre (A-3a) to an Agricultural 1-acre (A-1a) zoned district.

The property is located along the Puna side of Kawaiilani Street across from the Kawaiilani Place subdivision, approximately 3,400 feet mauka of the Kawaiilani Street-Komohana Street intersection, Waiakea Homesteads, Waiakea, South Hilo, TMK: 2-4-03:portion of 16.

Staff presented attached background information with recommendation for scheduling of a public hearing.

On the question of driveway for future dwellings, staff mentioned that the access could be from Kawaiilani or the proposed 50-foot right-of-way.

When this subdivision is approved, Mrs. Esther Frenz stated that her oldest married son would be the one that would like to build within a year or two.

Because the proposed future road right-of-way on Kawaiilani will be increased to 60 feet by taking some of the land away from the applicant, the feasibility of making the lots more than one acre was suggested so that it will still fall within the one-acre size. Staff explained that the 10-foot strip for the proposed road widening is only for future consideration and that would be part and parcel of the lots. If the County decides to condemn a portion of the parcel for the roadway, at that time, the County will have to request a variance for those lots in behalf of the applicant.

On the question of future resubdivision into smaller lots, staff clarified that the area is designated for urban use and the one-acre size is considered residential houselots.

Mr. Murakami moved to set this up for a public hearing; seconded by Mr. Sakamoto; carried unanimously.

PRELIMINARY HEARING
CHANGE OF ZONE
KAZUO MATSUMOTO
KALAOA, NORTH KONA

Change of zone in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code, as amended, for 3.13 acres of land from an Unplanned (U) to an Agricultural 1-acre (A-1a) zoned district. The

property is located along the makai side of the Hawaii Belt Highway, adjacent to the Kona Coastview Subdivision, Kalaoa 4th, North Kona, TMK: 7-3-05:30.

Eagle
Type-8-00
December 14, 1970

Hawaii Planning Commission
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

At its meeting on December 11, 1970, the Land Use Commission voted to approve a special permit to Boise Cascade Properties, Inc. (SP70-85) to operate two quarry sites including a screening plant, rock crusher, scales, AC batching plant, concrete batching plant, and equipment repair facilities at Waikoloa, South Kohala, Hawaii, identifiable by Tax Map Key 6-8-01: parcel 4, subject to the conditions set forth by the Hawaii Planning Commission.

Enclosed for your information is the staff report.

Very truly yours,

RAMON DURAN
Executive Officer

Enclosures 2

cc: Boise Cascade Properties, Inc.
Hawaii Tax Administrator
Property Technical Services, Dept. of Taxation
Tax Maps Branch, Dept. of Taxation

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Discovery Room, Kona Hilton Hotel
Kailua, Kona, Hawaii

APPROVED
FEB 26 1971

December 11, 1970 - 1 p.m.

Commissioners Present: Goro Inaba, Chairman Pro Tempore
Leslie Wung
Tanji Yamamura
Stanley Sakahashi
Shelley Mark

Commissioners Absent: Sunao Kido
Alexander Napier
Eddie Tangen

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Walton Hong, Deputy Attorney General
Dora Horikawa, Stenographer

The minutes of the September 11 and 26; October 9, 10, 29, and 31, 1970, meetings were approved as circulated to the Commission membership.

HEARING

PETITION BY LANIHAU CORPORATION, TRUSTEES OF PALANI LAND TRUST & L. R. GREENWELL TO REZONE APPROXIMATELY 64 ACRES FROM AGRICULTURAL TO URBAN AT KAILUA, KONA, HAWAII (A70-264)

Mr. Duran, the Executive Officer, gave a detailed description of the area under consideration and presented the staff report (see copy on file).

Commissioner Sakahashi questioned the reasoning behind the County Planning Commission's findings and recommendations which were quoted in the report by the staff.

Planner Glenn Miyao of the Hawaii County Planning Department replied that the findings reflected some of the

December 11, 1970

that only five Commissioners are present and that all five votes would be required to approve a special permit. He suggested that if the petitioners for the two special permits on the agenda wished to request deferral of action that they do so before staff's presentation. However, both petitioners desired a decision at this meeting.

Mr. Hong then announced that the Commission would be unable to take action on the boundary change petitions shown on the agenda since six votes are needed for approval, as provided for by statute.

The staff planner continued with the presentation of the staff report and described the area under consideration. Approval of the special permit was recommended (see report on file).

Commissioner Wung's motion to accept the staff's recommendation was seconded by Commissioner Sakahashi and unanimously carried.

✓ SPECIAL PERMIT APPLICATION BY BOISE CASCADE PROPERTIES, INC.
(SP70-85) FOR QUARRY SITE AND ALLIED USES AT WAIKOLOA,
SOUTH KOHALA, HAWAII

The Executive Officer described the area in question and read the staff report recommending approval of the special permit (see copy on file).

Mr. Coy, representing the petitioner, confirmed that this is the same quarry operation which was initiated before the contractor had realized that a special permit was required under the Commission's newly revised rules and regulations. He assured the Commission that permits would be obtained for all phases of development in the future.

Commissioner Yamamura's motion to accept staff's recommendation was seconded by Commissioner Sakahashi and carried unanimously.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP70-85 - BOISE CASCADE

DATE December 11, 1970

PLACE Kona Hilton Hotel
Kailua, Kona, Hawaii

TIME 1 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
MARK, SHELLEY	✓			
NAPIER, ALEXANDER				✓
KIDO, SUNAO				✓
YAMAMURA, TANJI	✓			
TANGEN, EDDIE				✓
SAKAHASHI, STAN	✓			
WUNG, LESLIE	✓			
Chairman INABA, GORO	✓			

COMMENTS:

*Below staff re.
carried*

STATE OF HAWAII
LAND USE COMMISSION

County Council Room
Hilo, Hawaii

December 11, 1970
7 p.m.

STAFF REPORT

SP70-85 - BOISE CASCADE PROPERTIES, INC.

total
93
69
16240

The Planning Commission of the County of Hawaii has transmitted a special permit request by Boise Cascade Properties, Inc. for their Waikoloa recreation community project at Waikoloa, South Kohala, Hawaii. The request, on TMK 6-8-01: 4, is to operate two quarry sites including a screening plant, rock crusher, scales, AC batching plant, concrete batching plant, and equipment repair facilities.

In 1968 the Land Use Commission approved the rezoning of 549 acres for a resort community on Anaehoomalu Bay. The Commission also rezoned 2,865 acres at Waikoloa of the 31,000 acres under an agreement of sale and/or purchased in fee from Parker Ranch. Boise Cascade requested the rezoning to develop a resort hotel complex along the beach and fishpond. Because of the isolation of the area, they also requested the rezoning mauka of Waikoloa for employee housing and retirement homes and the necessary supporting facilities. At the present time an access road has been constructed from Mamalahoa Highway to the employee housing area. Extensive work has been done in constructing a golf course. Several of the greens have been seeded.

Water has been developed from a well that produces one million gallons of quality water per day. Water is presently being pumped into reservoirs to irrigate the project area. A number of model dwelling units have been constructed in the area, and some are presently serving as temporary quarters for employees working on the site.

One quarry site is located at Puu Hinai, a cinder cone which reaches an elevation of 1,439 feet above sea level or approximately 230 feet above the surrounding area. Material is being excavated along the Kona and makai side. However, a black scar is visible on the mauka side from Mamalahoa Highway but which is attributed to erosion.

The second site is also located on the Kailua or south side of the Waikoloa Urban District at an elevation of approximately 1,000 feet. This is the site where blue rock material is being quarried and where the screening plant, rock crusher, scales, AC and concrete batching plants, and equipment repair facilities are located. Both sites are in the State's Agricultural District but zoned in the Open District by the County.

Their statement in support of the application has been submitted to the Commission. The Land Use Commission amended the Agricultural District Regulations in August, 1969, to prohibit quarrying in the Agricultural District as a matter of

right. The petitioner states that in March, 1969, exploratory investigations were made south of the village area at Quarry Site #2 and that approximately 3,000 to 5,000 cubic yards of material were removed from Quarry Site #1 at Puu Hinai in July, 1969. Mr. Masanori Kushi, attorney for the applicants, testified before the County Planning Commission that these quarries were started before the law was changed and therefore denies that Boise Cascade "violated anything". However, the record also shows that the portable rock crusher was installed in November, 1969. The prefabricated steel heavy equipment maintenance building was constructed after October 31, 1969, and the AC batching plant erected in May, 1970.

The applicants have stated that all of the facilities will be removed and the sites graded to the natural contour and seeded with the hydromulcher. Quarry Site #2 will appear as a natural open space and not as a scar on the landscape. The permit is requested for five years.

The Planning Commission of the County of Hawaii conducted a public hearing on August 20, 1970, and on September 25, 1970, decided to recommend approval of the special permit on the bases of the following findings:

- "1. That the desired use would not adversely affect surrounding property. The proposed uses although

requested to operate for a 5-year period may be looked upon as not being of a permanent nature and essential to the development of the entire project.

- "2. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required by any public agency. As a condition for approval, the applicant would be required to take all necessary precautions so as not to interfere with whatever vehicular traffic exists.
- "3. That the proposed use will not substantially alter or change the essential character of the land and the present use. Although the quarry operation and allied uses would somewhat alter the physical character of the land, the present use as open space would not be changed nor upon termination of the quarry operation would the land be rendered unsuited for the open space designation.
- "4. That the proposed use will make the highest and best use of the land involved for the public welfare. The quarry operation and allied uses are essential to the development of the Waikoloa project."

The approval by the Planning Commission was subject to the following conditions:

- "1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire operation, 24 hours per day.
- "2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- "3. Upon completion of the operations, all temporary support facilities i.e. rock crusher, A.C. batching plant, steel repair facility, and concrete batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydro-mulcher. At the end of construction activities, the quarry site shall appear as natural as open space, and not as a scar on the landscape.
- "4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request.
- "5. That the operation be confined within the metes and bounds description as submitted."

The staff concurs with the findings, approval recommendation, and conditions of the County Planning Commission, and finds that the applicants' request is unusual and reasonable and therefore also recommends that this special permit be approved.



*DSC ✓
Might be on this
on future permits*

9097

RECEIVED

25, 1970

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF WATER AND LAND DEVELOPMENT

P. O. BOX 373
HONOLULU, HAWAII 96809

November 24, 1970

Mr. Ramon Duran
Executive Director
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804

Dear Rom:

We notice that you have been receiving applications for special permits for quarry purposes and we thought we would like to pass on this bit of information for whatever it's worth. We feel that on the State level, there should be some consistency in requirements for quarries.

Recently, we have been receiving requests for permits for quarrying in conservation districts and we have asked the applicants first to submit a plan showing the extent of quarrying and the estimate of time required. If the quarry operations are extensive we further request that the operations be carried out in such a manner as to preclude unsightliness. Also, we ask for a rehabilitation plan so that we will have some control not only of the aesthetics, but of the rehabilitated area during and after the quarrying operations have been completed. Applicable noise and air pollution requirements are also made a part of the package before permits are granted.

Policing of these stipulations presents a problem, but we believe we've got to start with a good plan otherwise we will be contributing to the degradation of our islands.

Hope that the above will be helpful to you and should you have any other requirements that you feel should be included in the negotiations for permit in conservation districts, please let us know.

Very truly yours,

WALTER O. WATSON, JR.
Acting Manager-Chief Engineer

dh

November 23, 1970

Mr. Robert E. Coy
Construction Manager
Waikoloa Project
Boise Cascade Properties, Inc.
P. O. Box 537
Kamuela, Hawaii 96743

Dear Mr. Coy:

The Land Use Commission next meets at 1 p.m., in the Discovery Room, Kona Hilton Hotel, Kailua, Kona, Hawaii, on December 11, 1970.

At that time your application for a special permit (SP70-85) for a quarry site and allied uses at Waikoloa, South Kohala, Hawaii, will be heard.

Although there is no requirement for you to be present, should you wish to attend, please feel free to do so.

Very truly yours,

Eagle Jr
Type-
RAMON DURAN
Executive Officer

Enclosure - Agenda
25% COTTON FIBER

BOISE CASCADE PROPERTIES, INC.

9057

ABW

November 6, 1970

RECEIVED

NOV 11, 1970

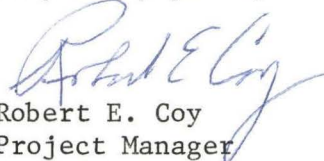
State of Hawaii
LAND USE COMMISSION

Mr. Ramon Duran
Department of Planning and
Economic Development
LAND USE COMMISSION
P.O. Box 2359
Honolulu, Hawaii

Dear Mr. Duran:

We have no objection to the rescheduled meeting on
December 11, 1970, when it will meet in Kona, Hawaii.

Very truly yours,


Robert E. Coy
Project Manager

REC:le

November 2, 1970

Mr. Robert E. Coy
Construction Manager
Waikoloa Project
Boise Cascade Properties, Inc.
P. O. Box 537
Kamuela, Hawaii 96743

Dear Mr. Coy:

With your consent the Land Use Commission at its meeting on October 30, 1970, deferred action on the special permit application by Boise Cascade Properties, Inc. (SP70-85) for two quarry sites and allied uses at Waikoloa, South Kohala, Hawaii, until October 31, 1970, the following day, at Kailua, Kona, Hawaii. However, the Commission again did not take action on this application because a quorum was not present.

The Land Use Commission rescheduled this meeting to December 11, 1970, when it will meet in Kona, Hawaii. Therefore, we would appreciate receiving a letter from you agreeing to a 25-day extension for action on this application from November 16, 1970, the expiration date for action on this application, to December 11, 1970. We will notify you of the exact time and place of the meeting.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Hawaii Planning Commission

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

County Council Room
Hilo, Hawaii

October 30, 1970 - 7 p.m.

APPROVED
DEC 11 1970

Commissioners Present: Leslie Wung, Chairman Pro Tempore
Alexander Napier
Tanji Yamamura
Stanley Sakahashi

Commissioners Absent: Goro Inaba
Sunao Kido
Shelley Mark
Eddie Tangen

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Walton Hong, Deputy Attorney General
Jean Soma, Stenographer

Acting-Chairman Wung called the meeting to order and the Executive Officer swore in persons wishing to testify before the Land Use Commission.

HEARING

SHORELINE SETBACK

The Executive Officer, Mr. Duran, presented the reasons set forth in the legislative committee report which resulted in Act 136, the Shoreline Setback Law. The details concerning administration, responsibilities and definition of terms were explained by the Executive Officer.

Acting-Chairman Leslie Wung commented that this Commission is mandated only to establish a setback from the shoreline of 20 to 40 feet. He said the hearing is for the purpose of taking evidence in support of a 20 foot setback or a 40 foot setback or some other setback between 20 and 40 feet, and not to argue any other matters about the law. He then

called for testimony from the County of Hawaii.

Mr. Phil Yoshimura, Deputy Planning Director representing the Hawaii Planning Commission, stated that his agency recommended establishment of a 40 foot shoreline setback throughout the County with the exception of a 20 foot shoreline setback for areas where an existing use would be adversely affected by the 40 foot setback. He informed that a map showing these areas will be submitted later to the Land Use Commission.

Mr. Jonathan Osorio, representing a group of students from Hilo College, was concerned about the contamination of shoreline areas and water sources caused by cesspool seepage. He recommended that a 40 foot setback be established from the shoreline.

Mr. Claude Moore, speaking on behalf of Maunakea Sugar Company and Pepeekeo Sugar Company, stated that some of their mills are located very close to the ocean and recommended the establishment of a 20 foot setback in these areas.

Mr. Henry Mott-Smith, business development manager of Boise Cascade, urged discretion in establishing a uniform setback since he felt that some situations called for a 40 foot setback while other situations would not require one at all.

Mr. Robert M. Yamada questioned whether the provisions of Act 136 would apply to fishpond areas and inland bodies of water.

The Commission's legal counsel, Walton Hong, replied that the Attorney General's opinion on this matter is forthcoming.

Mr. Yamada stated that if the setback provisions applied to fishpond areas, it would seriously jeopardize a proposed apartment development which he contemplates. He asked whether there will be any changes from the taxation standpoint.

Mr. Duran replied that the Commission has no control over taxes.

Mr. Paaluhi asked whether an existing structure which is partially situated in the 40 foot setback would have to

be torn down once the shoreline setback is established.

Mr. Duran answered that the existing building would be a non-conforming use and would be permitted to remain. In the event the structure is destroyed, such as by fire or tidal wave, you would be permitted to replace the structure in the same location provided the size and use remained the same.

Mr. Shigekane, an attorney representing certain shoreline property owners testified that because of varying county codes, a shoreline setback at 20 feet appears to be reasonable. He stated that building height and density controls already severely limit the use of property by the owners.

Mr. Jess Boyer supported the recommendation of the Hawaii County Planning Commission. However, he noted that a problem arises when property owners are granted variances because of monetary hardship and are allowed to encroach within the setback area.

Mr. Gilbert Hay inquired whether a residence would have to be relocated if erosion of the shoreline caused it to be located within the shoreline setback.

The Executive Officer replied that the structure will be allowed to remain where it is. However, if another house is built, it would have to be located beyond the shoreline setback line. Accretion along shoreline properties will result in the setback line being moved forward.

Since no one else presented testimony, the Acting-Chairman advised that additional evidence will be received by the Land Use Commission in the next 15 days.

The hearing was closed thereafter.

ACTION

It was announced by Acting Chairman Wung that action on Special Permits SP70-84 and SP70-85 will be taken up at the Kona meeting on the morrow, since the Commission lacked a quorum.

The petitioners who were in attendance verbally agreed to the deferment. The meeting was adjourned.

UNIVERSITY OF HAWAII

LAND STUDY BUREAU

RECEIVED

OCT 26, 1970

State of Hawaii
LAND USE COMMISSION

Notification of Special Permit Application
SP70-85 - Boise Cascade Properties, Inc.
Tax Map Key: 6-8-01-4

Soils in this large parcel are predominantly rocky and classified as E in Overall Productivity Rating. The shallow soils and low annual rainfall permit only low intensity grazing.

Upon the termination of quarrying activities, the area should be leveled and planted to adapted vegetations.

ACADEMY BOND

RAG CONTENT

10/22/70 VALLEY PAPER CO

U.S.A.

- II -

STATE OF HAWAII
LAND USE COMMISSION

County Council Room
Hilo, Hawaii

October 30, 1970
7 p.m.

STAFF REPORT

SP70-85 - BOISE CASCADE PROPERTIES, INC.

The Planning Commission of the County of Hawaii has transmitted a special permit request by Boise Cascade Properties, Inc. for their Waikoloa recreation community project at Waikoloa, South Kohala, Hawaii. The request, on TMK 6-8-01: 4, is to operate two quarry sites including a screening plant, rock crusher, scales, ^{asphalt} AC batching plant, concrete batching plant, and equipment repair facilities.

In 1968 the Land Use Commission approved the rezoning of 549 acres for a resort community on Anaehoomalu Bay. The Commission also rezoned 2,865 acres at Waikoloa of the 31,000 acres under an agreement of sale and/or purchased in fee from Parker Ranch. Boise Cascade requested the rezoning to develop a resort hotel complex along the beach and fishpond. Because of the isolation of the area, they also requested the rezoning mauka of Waikoloa for employee housing and retirement homes and the necessary supporting facilities. At the present time an access road has been constructed from Mamalahoa Highway to the employee housing area. Extensive work has been done in constructing a golf course. Several of the greens have been seeded.

10-27-70 Sent copy to petitioner

1920
43

Water has been developed from a well that produces one million gallons of quality water per day. Water is presently being pumped into reservoirs to irrigate the project area. A number of model dwelling units have been constructed in the area, and some are presently serving as temporary quarters for employees working on the site.

SITE #1

One quarry site is located at Puu Hinai, a cinder cone which reaches an elevation of 1,439 feet above sea level or approximately 230 feet above the surrounding area. Material is being excavated along the Kona and makai side. However, a black scar is visible on the mauka side from Mamalahoa Highway but which is attributed to erosion.

SITE #2

The second site is also located on the Kailua or south side of the Waikoloa Urban District at an elevation of approximately 1,000 feet. This is the site where blue rock material is being quarried and where the screening plant, rock crusher, scales, AC and concrete batching plants, and equipment repair facilities are located. Both sites are in the State's Agricultural District but zoned in the Open District by the County.

Their statement in support of the application has been submitted to the Commission. The Land Use Commission amended the Agricultural District Regulations in August, 1969, to prohibit quarrying in the Agricultural District as a matter of

right. The petitioner states that in March, 1969, exploratory investigations were made south of the village area at Quarry Site #2 and that approximately 3,000 to 5,000 cubic yards of material were removed from Quarry Site #1 at Puu Hinai in July, 1969. Mr. Masanori Kushi, attorney for the applicants, testified before the County Planning Commission that these quarries were started before the law was changed and therefore denies that Boise Cascade "violated anything". However, the record also shows that the portable rock crusher was installed in November, 1969. The prefabricated steel heavy equipment maintenance building was constructed after October 31, 1969, and the AC batching plant erected in May, 1970.

The applicants have stated that all of the facilities will be removed and the sites graded to the natural contour and seeded with the hydromulcher. Quarry Site #2 will appear as a natural open space and not as a scar on the landscape. The permit is requested for five years.

The Planning Commission of the County of Hawaii conducted a public hearing on August 20, 1970, and on September 25, 1970, decided to recommend approval of the special permit on the basis of the following findings:

- "1. That the desired use would not adversely affect surrounding property. The proposed uses although

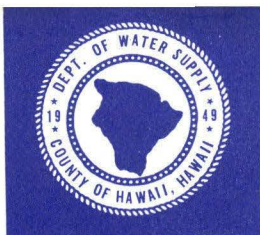
requested to operate for a 5-year period may be looked upon as not being of a permanent nature and essential to the development of the entire project.

- "2. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required by any public agency. As a condition for approval, the applicant would be required to take all necessary precautions so as not to interfere with whatever vehicular traffic exists.
- "3. That the proposed use will not substantially alter or change the essential character of the land and the present use. Although the quarry operation and allied uses would somewhat alter the physical character of the land, the present use as open space would not be changed nor upon termination of the quarry operation would the land be rendered unsuited for the open space designation.
- "4. That the proposed use will make the highest and best use of the land involved for the public welfare. The quarry operation and allied uses are essential to the development of the Waikoloa project."

The approval by the Planning Commission was subject to the following conditions:

- "1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire operation, 24 hours per day.
- "2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
- "3. Upon completion of the operations, all temporary support facilities i.e. rock crusher, A.C. batching plant, steel repair facility, and concrete batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydro-mulcher. At the end of construction activities, the quarry site shall appear as natural as open space, and not as a scar on the landscape.
- "4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request.
- "5. That the operation be confined within the metes and bounds description as submitted."

The staff concurs with the findings, approval recommendation, and conditions of the County Planning Commission, and finds that the applicants' request is unusual and reasonable and therefore also recommends that this special permit be approved.



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

October 21, 1970

RECEIVED

OCT 23, 70

State of Hawaii
LAND USE COMMISSION

Mr. Ramon Duran
Executive Officer
State of Hawaii
Land Use Commission
P. O. Box 2359
Honolulu, Hawaii 96804

Re: Special Permit Application
SP70-85 - Boise Cascade Properties, Inc.
Tax Map Key: 6-8-01:4

We have no objections to the proposed special use.

A. Fujimoto
Akira Fujimoto
Manager

WHS

cc: Planning Department

LUC 10-23-70

... Water brings progress...

October 16, 1970

Mr. Robert E. Coy
Construction Manager
Waikoloa Project
Boise Cascade Properties, Inc.
P. O. Box 537
Kamuela, Hawaii 96743

Dear Mr. Coy:

The Land Use Commission next meets at 7 p.m., at the County Council Room, 25 Aupuni Street, Hilo, Hawaii, on October 30, 1970.

At that time your application for a special permit (SP70-85) for a quarry site and allied uses at Waikoloa, South Kohala, Hawaii, will be heard.

Although there is no requirement for you to be present, should you wish to attend, please feel free to do so.

Very truly yours,

RAMON DURAN
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
P. O. BOX 2359
HONOLULU, HAWAII 96804

OCT 13 1970

NOTIFICATION OF SPECIAL PERMIT APPLICATION

SP70-85 - Boise Cascade Properties, Inc.

Please be advised that a special permit application has been filed with the Land Use Commission to allow the operation of a quarry site together with allied uses such as a screening plant, rock crusher, scales, AC batching plant, concrete batching plant, and equipment repair facilities on a portion of parcel 4, TMK 6-8-01. This property is generally located at Waikoloa, South Kohala, on the island of Hawaii. The County Planning Commission approved this request on September 25, 1970.

An action meeting on this application is scheduled for October 30, 1970*, in the County of Hawaii.

We would appreciate any written comments for or against this request, or you or your agent may appear at the meeting. Please do not hesitate to call this matter to the attention of other interested parties.

Should you desire additional information, feel free to contact this office.



Very truly yours,



RAMON DURAN
Executive Officer

*See enclosed agenda

STATE OF HAWAII
LAND USE COMMISSION
P. O. BOX 2359
HONOLULU, HAWAII 96804

NOTIFICATION OF SPECIAL PERMIT APPLICATION

SP70-85 - BOISE CASCADE PROPERTIES, INC.

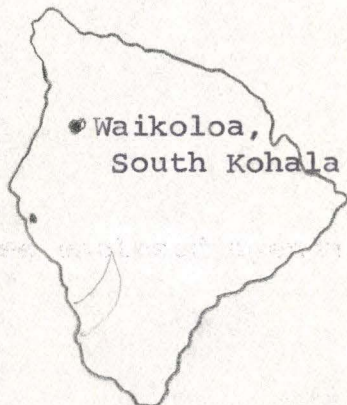
Please be advised that a special permit application has been filed with the Land Use Commission to allow the operation of a quarry site together with allied uses such as a screening plant, rock crusher, scales, AC batching plant, concrete batching plant, and equipment repair facilities on parcel 4, TMK 6-8-01. This property is generally located at Waikoloa, South Kohala, Hawaii. The County Planning Commission approved this request on September 25, 1970. *a portion of*

An action meeting on this application is scheduled for October 30, 1970* in the County of Hawaii.

We would appreciate any written comments for or against this request, or you or your agent may appear at the meeting. Please do not hesitate to call this matter to the attention of other interested parties.

Should you desire additional information, feel free to contact this office.

VTY,



RAMON DURAN
Executive Officer

County of Hawaii
County Planning Commission

RECEIVED
OCT 21 1970

State of Hawaii
LAND USE COMMISSION

SPECIAL PERMIT

Applicant Boise Cascade Properties, Inc.
Date of Public Hearing August 20, 1970
Date of Decision September 25, 1970
Meeting Place Hale Halawai, Kailua, Kona
Date Decision and Findings Forwarded
to LUC September 30, 1970

The Planning Commission of the County of Hawaii pursuant to consideration required by the provisions of Act 204, SLH 1963, hereby transmits the decision and findings of the above special permit request to use the following described property:

Portion of the 31,000 acre development located in Waikoloa, South Kohala, Hawaii, Tax Map Key 6-8-01:4

for the following purpose(s):

To allow the operation of a quarry site together with allied uses such as a screening plant, rock crusher, scales, AC batching plant, concrete batching plant and equipment repair facilities.

The Commission decided to: Recommend approval of the special permit request.
on the basis of the following findings:

1. That the desired use would not adversely affect surrounding property. The proposed uses although requested to operate for a 5-year period may be looked upon as not being of a permanent nature and essential to the development of the entire project.
2. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required by any public agency. As a condition for approval, the applicant would be required to take all necessary precautions so as not to interfere with whatever vehicular traffic exists.
3. That the proposed use will not substantially alter or change the essential character of the land and the present use. Although the quarry operation and allied uses would somewhat alter the physical character of the land, the present use as open space would not be changed nor upon termination of the quarry operation would the land be rendered unsuited for the open space designation.
4. That the proposed use will make the highest and best use of the land involved for the public welfare. The quarry operation and allied uses are essential to the development of the Waikoloa project.

subject to the following conditions:

1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire operation, 24 hours per day.
2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
3. Upon completion of the operations, all temporary support facilities i.e. rock crusher, A.C. batching plant, steel repair facility, and concrete

(Cont'd on next sheet)

(Signed)

Masanori Kushi
Vice Chairman, Planning Commission

cc Boise Cascade Properties
Masanori Kushi

subject to the following conditions: (Continued)

batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydromulcher. At the end of construction activities, the quarry site shall appear as natural open space, and not as a scar on the landscape.

4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request.
5. That the operation be confined within the metes and bounds description as submitted.

PLANNING COMMISSION

Planning Department
County of Hawaii

September 25, 1970

The Planning Commission met in regular session at 7:40 p.m., at the Hale Halawai in Kailua, North Kona, with Vice Chairman Mauricio Valera, Jr., presiding.

PRESENT: Mauricio Valera, Jr.
O. W. Efurd
Clara K. Kahumoku
Masayuki Kai
Roy H. Nagata
Skippy T. Yasutake
Raymond H. Suefuji
Glenn T. Miyao

ABSENT: Shigeji Kawasaki
Anthony C. Veriato
Ed C. Watt
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Richard Masuda, Public Works

and approximately 110 persons in public attendance

MINUTES

The minutes of the regular meeting held on August 20, 1970 and the special meeting held on August 28, 1970 were accepted as circulated on a motion by Mr. Efurd, seconded by Mr. Yasutake and approved. It was then moved by Mr. Kai, seconded by Mr. Nagata and carried that the minutes of the special meeting held on September 10, 1970 be held in abeyance because of late distribution.

REPORTS

LETTERS RECEIVED

The following communications were read by the Vice Chairman:

✓ "September 15, 1970

A70-257

"County Planning Commission

"Attention: Mr. Raymond Suefuji, Director

"I am requesting your Planning Commission to reconsider its recommendation to the Land Use Commission concerning my application pertaining to my Kona property, Tax Map Key 7-3-30, Parcels 7 and 17, situated at Makaula, North Kona, Hawaii.

"Because of prior commitment I was unable to attend your meeting and support this request. I will be present or have a representative present should my request for reconsideration receive a favorable reply.

"The Land Use Commission at its September 11, 1970 meeting deferred this matter to the next meeting.

"I hope to receive a favorable reply for reconsideration from you."

/s/ Robert M. Yamada

or connecting road to a central access on this main highway according to Mr. Schuster. He stated that they have notified the consultants of this and also notified the Commission to consider this. He pointed out that they do recognize the existence of a main access in the vicinity of this development. It was mentioned that when the highway is developed to provide this facility in the middle of this junction and if the access is not acquired within the right-of-way, that the medial strip of this junction be closed so that only right turn movements into and right turn movements out of this area would be possible on the highway.

It was moved by Mr. Yasutake, seconded by Mrs. Kahumoku and approved that the matter be placed on the agenda for a public hearing.

PUBLIC HEARINGS

The meeting was recessed at 7:58 p.m. to conduct the following public hearings:

1. Application of Dillingham Kona Development Co., Inc., for a change in zoning from Agricultural 1 Acre to Village Commercial.
2. Application of Boise Cascade Recreation Communities Group for a use permit to allow the conversion of a temporary construction camp housing unit.
3. Application of Leningrad Elarionoff for a variance from the minimum side yard building setback.

RECESS

The meeting was reconvened at 8:35 p.m. and the Vice Chairman declared a recess for ten minutes.

PUBLIC HEARINGS

The meeting was reconvened at 8:44 p.m. and recessed to conduct the following public hearings:

1. Application of Frank G. Ku for a variance to allow the relief from Section 10-D(2) of Subdivision Ordinance No. 62.
2. Application of Dolphin, Inc., for a variance to allow 5-1/2 per cent increase from the maximum allowable density and a 9 per cent decrease from the parking requirements.

The meeting was reconvened at 10:15 p.m.

LAND USE COMMISSION
SPECIAL PERMIT
BOISE CASCADE PROPERTIES, INC.
WAIKOLOA, SOUTH KOHALA

SP70-85

A public hearing was held at its August 20 meeting on the application of Boise Cascade Properties, Inc., for a special permit to allow the operation of a quarry site together

with allied uses such as screening plant, rock crusher, scales, A. C. batching plant, concrete batching plant and equipment repair facilities located in Waikoloa, South Kohala.

The Vice Chairman called for comments from Mr. Robert Coy, Project Manager of Boise Cascade Properties.

Mr. Coy stated that he had no particular comment as he felt it was clarified at the last meeting. He indicated that it is something that a contractor has to have as it would be impossible to build a site such as theirs without being able to operate a quarry and related facilities in that particular area.

Mr. Yasutake asked if the quarry has been used after the application has been applied for.

Mr. Coy replied yes, it has.

Mr. Efurd requested to hear the staff recommendation.

The Staff Planner reported that after evaluation of this request under the special permit guidelines as established by the State Land Use district regulations the staff finds that this application is in conformance with such based on the following findings:

1. That the desired use would not adversely affect surrounding property. The proposed uses although requested to operate for a 5-year period may be looked upon as not being of a permanent nature and essential to the development of the entire project.
2. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required by any public agency. As a condition for approval, the applicant would be required to take all necessary precautions so as not to interfere with whatever vehicular traffic exists.
3. That the proposed use will not substantially alter or change the essential character of the land and the present use. Although the quarry operation and allied uses would somewhat alter the physical character of the land, the present use as open space would not be changed nor upon termination of the quarry operation would the land be rendered unsuited for the open space designation.
4. That the proposed use will make the highest and best use of the land involved for the public welfare. The quarry operation and allied uses are essential to the development of the Waikoloa project.

The staff is recommending approval of the special permit request with the following conditions attached:

1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire period of the operation, 24 hours per day.
2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.

3. Upon completion of the operations, all temporary support facilities i.e. rock crusher, A. C. batching plant, steel repair facility and concrete batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydromulcher. At the end of construction activities, the quarry site shall appear as natural open space, and not as a scar on the landscape.
4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request.
5. That the operation be confined within the metes and bounds description as submitted.

Mr. Kai moved to grant this special permit with the conditions as stipulated by the staff. The motion was seconded by Mrs. Kahumoku and approved unanimously.

LAND USE COMMISSION
SPECIAL PERMIT
COUNTY OF HAWAII
HONOKAIA, HAMAKUA

SP70-84

A public hearing was held at its August 20 meeting on the application of the County of Hawaii for a special permit to allow the operation of a gravel quarry site to be utilized for government roads located on a

18.044 acre parcel at Honokaia, Hamakua.

Vice
The Chairman called for staff presentation.

The Staff Planner again reviewed briefly on the background information. The Commission had deferred action because the State Land Use regulations prohibits decision on such a petition earlier than 15 days after the public hearing.

The Vice Chairman then called for staff recommendation.

The Staff Planner reported that ^{under} the special permit guidelines as established by the State Land Use District Regulations ^{the staff} finds that this application is in conformance with such, based on the following findings:

1. That the desired use would not adversely affect surrounding property. The surrounding areas are utilized as pasture lands and would not be adversely affected by this operation. As a condition for approval, the applicant would take every precaution so as not to inconvenience the surrounding properties with noise and dust problems during the operation.
2. That such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required of any public agencies.
3. That the proposed use will not substantially alter or change the essential character of the land and the present use. At present, the area is used as pasture land and although the quarry operation would somewhat alter the physical character of the land, the present use would not be changed nor would the operation upon termination render the land unsuited for the agriculture designation.

PLANNING COMMISSION

Planning Department
County of Hawaii

August 20, 1970

A regularly advertised public hearing, on the application of Boise Cascade Properties, Inc., was called to order at 4:15 p.m., in the County Council Room, County Building, by Chairman Anthony C. Veriato.

PRESENT: Anthony C. Veriato
O. W. Efurd
Clara K. Kahumoku
Masayuki Kai
Shigeji Kawasaki
Ed C. Watt
Skippy T. Yasutake
Philip I. Yoshimura
Glenn T. Miyao

ABSENT: Mauricio Valera
Roy H. Nagata
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Albert Jeremiah, Jr., Deputy Corp. Counsel
Arthur Isemoto, Public Works
Carl Okamura, Water Supply

and approximately 20 persons in public attendance

NOTICE OF A PUBLIC HEARING

Special Permit: Waikoloa, South Kohala

NOTICE IS HEREBY GIVEN of a public hearing to be held in the County Council Room, County Building, Hilo, Hawaii, State of Hawaii, at 4:15 p.m., August 20, 1970 to consider the application of Boise Cascade Properties, Inc., owner, for a Special Permit within the County of Hawaii in accordance with the provision of Section 98H-6, Revised Laws of Hawaii 1955, as amended.

The Special Permit is for the purpose of allowing the operation of a quarry site together with allied uses such as screening plant, rock crusher, scales, A.C. batch plant, concrete batching plant and equipment repair facilities in Waikoloa, South Kohala, Hawaii.

Maps showing the area under consideration for Special Permit and the rules and regulations governing the application for Special Permit are on file in the office of the Planning Department in the County Building at 25 Aupuni Street and are open to inspection during office hours.

All written protests or comments regarding the above Special Permit application may be filed with the Planning Commission before the date of the public hearing or submitted in person at the public hearing or no later than fifteen (15) days following the public hearing.

PLANNING COMMISSION
OF THE COUNTY OF HAWAII
ANTHONY C. VERIATO

By: Raymond H. Suefuji, Director

(Hawaii Tribune Herald: August 10 and 18, 1970)

10-26-70 copy to Luc

CHAIRMAN: Let us reconvene on Item No. 8 for a public hearing at 4:15 p.m. (The Chairman read the public hearing notice in its entirety.)

Staff presentation please.

MIYAO: Mr. Chairman and Commissioners. Boise Cascade Properties, Inc., is requesting a special permit for the following described purposes: operation of a quarry site, along with allied uses such as a screening plant, rock crusher, scales, A. C. batch plant, concrete batching plant and equipment repair facilities.

The subject site is part of the 31,000-acre development located in Waikoloa, South Kohala, Tax Map Key 6-8-01:4. The subject site is zoned "Open" and the State Land Use designation is "Agriculture."

The applicant states that there exists a need to locate a source of clean, sound, properly graded cinders to serve the various needs of construction on the Waikoloa project. A five-year operation period is scheduled by Boise Cascade Properties for the quarry and allied uses.

Land description of the subject site is as follows:

Parent material - aa and volcanic ash
Stoniness - sharp lava clinkers
Depth - generally deep
Drainage - very well drained
Slope - 0 to 35%, mostly under 20%
Mean annual rainfall - below 10 inches
Machine tillability - unsuited

Class "E"

The applicant has submitted the following in support for his request of the special permit:

"QUARRY SITE

"A. History

"1. Aggregate Source.

"In March 1969, the firm of AhSing, Mills and Associates, Soils Consultants, was retained by Boise Cascade, to aid in locating a source of aggregate for Road Construction.

"At the same time, systematic exploratory excavations were conducted and an adequate source of sound aggregate was located just south of the Village area.

"2. Crusher.

"At that time, the proposed site was 'opened up' to determine the quantity of acceptable rock available. A portable rock crusher was installed in November 1969, by the Kuwaye Brothers, to produce aggregate for the Mauka Access Road. The quarry has been ⁱⁿ operation continuously since that time.

"3. Steel Repair Shop.

"On October 31, 1969, Boise Cascade Properties, Inc., and Morrison-Knudsen Company, Inc., signed a Construction Agreement, for the construction of the Waikoloa Project. Although not specifically mentioned, the Construction Agreement implied the need for a repair

Permanent Record
SOUTH WORTH CO.
75% COTTON CONTENT

facility on the job site, as no adequate facilities exist on the west side of the Island of Hawaii, to repair and maintain the heavy equipment.

"A temporary, prefabricated, steel structure was erected near the quarry site, for convenience. It was decided not to locate it in the Commercial Section of Waikoloa Village, as, even though the structure is temporary, and is to be removed ultimately, its useful life is planned to overlap certain on-site grading and commercial construction, and this repair facility would be in the way.

"4. A. C. Batching Plant.

"In May 1970, when the Mauka Access Road basing operation was nearing completion and the road sections were being prepared for asphaltic concrete, a portable A. C. Batching Plant was brought to the site. It was erected near the crusher, for convenience.

"B. Intent

"1. Aggregate Source and Crusher.

"It is the intent of the applicant to operate the quarry and portable rock crusher throughout the life of construction activities at Waikoloa Project, to supply all necessary crushed aggregates.

"2. Steel Repair Shop.

"It is planned to operate this temporary facility for maintenance of necessary heavy equipment during the life of construction activities.

"3. A. C. Batching Plant.

"It is planned to utilize this pavement plant to produce all the 'block-top' required in Waikoloa Village and at Anaehoomalu Bay.

"4. Concrete Batching Plant.

"In July 1970, the applicant plans to install a portable concrete batching plant in quarry site.

"C. Site Work

"Upon completion of the quarry operations, all temporary support facilities i.e. rock crusher, A. C. batching plant, steel repair facility, and concrete batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydro-mulcher.

"At the end of construction activities, quarry site will appear as natural open space, and not as a scar on the landscape.

"D. Need

"When one reviews the construction plans for the Waikoloa Project, the need for processed aggregates becomes obvious. Between 60 and 70 miles of streets require sub-base, base and A. C. surfacing. Many hundreds of feet of curbs and gutters require aggregates for

concrete. Special structures, such as bridges, water storage tanks, encasement for ducts, and drainage structures, require aggregate from the quarry.

"E. Health, Safety and Welfare

"It is the applicant's opinion that his request is reasonable and proper and will not be materially detrimental to public health, safety, morals, and general welfare, nor will it be injurious to property rights relating to adjacent property owners.

"F. Hardship

"The general plan of the County of Hawaii implies that it is proper to construct a large urban development in Waikoloa lands. To construct such a development, the applicant must utilize materials manufactured from processed aggregates in his development. If the request for a Special Permit is denied, it would be necessary to import processed aggregate to the site, from an existing quarry located approximately 45 to 65 miles away.

"The applicant claims that the denial of a Special Permit would result in practical difficulties and unnecessary hardship, inconsistent with the intent and purposes of the County of Hawaii's development ordinances."

CHAIRMAN: Any question?

Is there a person here who would like to present a testimony on behalf of the company?

MASANORI KUSHI: Mr. Chairman, Madam and Gentlemen members of the Commission. I am Masanori Kushi of the Law Firm of Kushi and Kubota. We are lawyers, we represent Boise Cascade in this project here. I have with me Mr. Robert Coy. Bob, will you please stand up. He is Project Manager for this project and Mr. Norman Dubbs is the Project Coordinator for this project. We are here today to answer any of your questions if you have any.

I would like to point out that the staff here had basically pointed out all of the facts; but I would like to point out...I hate to go into law and things like that; but under the old State Land Use District Regulations, which were in effect, this quarry site and crusher operation was allowed in an Open or Agricultural zone; and I understand that this is and I cite Section 2.14(i) of the State Land Use District Regulations; and I understand that this regulation, this part, was amended on August 4, 1969. So, no longer are quarry sites allowed in Open or Agricultural zone and that is why we have applied for this permit.

As the staff pointed out to you, there is some idea here of some kind of nonconforming use as to the first quarry site because the approximately 3,000 to 5,000 cubic yards of material was already removed from the area in July of 1969. This was before the Land Use Regulation was changed and therefore it is in a sense a nonconforming use. However, as to the second quarry site, we can only show that in March of 1969, the firm of AhSing, Mills and Associates, Soil Consultants, was retained by Boise Cascade to aid in locating a source of aggregate for road crusher only and a portable crusher was installed in November 1969. So, this becomes after August of 1969 when the Land Use Regulation was changed and that is why we are still applying for a permit.

If you have any question and if I can't answer it, I am sure Mr. Coy or Mr. Dubbs can.

CHAIRMAN: Is there any question by the Commissioners?

If not, I have a question for the staff if I may pertaining to this quarry site. You mentioned a portable quarry. If we do grant this special permit, would this give Boise Cascade the privilege of moving this quarry site from one area to another as long as it is within the Agricultural area?

YOSHIMURA: Mr. Chairman, concerning your question, I believe it can be spelled out in the special permit as a condition that it shall remain only in one site.

CHAIRMAN: Thank you.

YASUTAKE: Mr. Chairman, I think Mr. Coy wants to say something on that.

CHAIRMAN: Mr. Coy.

ROBERT COY: This area is designated on the drawing and on the map, and we could not move out of that area without asking for another special use permit. So, I mean it's confined within an area.

CHAIRMAN: I was curious about the portable equipment and because of the largeness of your project, I imagine it would be feasible to move it from one area to another area as long as it is within an Agricultural area.

COY: It might be possible, and at a later date, we might want that, but we would still have to ask for another special use permit and be granted that before we could do it.

CHAIRMAN: Mr. Yoshimura, would you like to read the Land Use Commission Law?

YOSHIMURA: Yes. I know each Commissioner is wondering what is happening to the latest violations. They are trying to correct a wrong to a special permit. To set the record straight under the Act 205, our job, the Planning Department's job is not to let's say take action on the violation. Our job is merely to report to the Land Use Commission of the violations thereof.

Under Act 205, I would like to read "Section 98H-12. Enforcement. The appropriate county officer or agency charged with the administration of county zoning laws shall enforce within each county the use classification districts adopted by the commission and shall report to the commission all violations thereof." The Commission here as mentioned in this Act 205 is the Land Use Commission and to report to this Planning Commission here. I am just trying to clarify whatever came out in the news. Apparently, it came out that our Director says that it is up to the Land Use Commission. The Land Use Commission in turn, their Executive Officer, claims that it is our job to enforce this provision. As far as the enforcement goes, it is very clear in the Act that we merely report the violations. Any other question?

CHAIRMAN: Any question?

KUSHI: Now that Mr. Yoshimura brought up that and I don't want to muddy the record or anything, but it is the official position of Boise Cascade at this time that there is a serious question of whether we really did violate any law in this particular question here. As I pointed out the dates to you Sir, there is a legal technicality thing now. For the record, I would like

to deny on behalf of Boise Cascade that we did violate anything. If there was a violation as determined by the court of law or this body here later on, it was purely inadvertent and unintentional. As I pointed out, the old Land Use Regulations did allow quarry sites. We in good faith, Boise Cascade officials involved at this particular time, did operate and start this quarry site not knowing that the law was changed in August of 1969. So, just so that the record would show that.

CHAIRMAN: Thank you Mr. Kushi. Is there any other question? What is the pleasure of this body? Motion to close the public hearing is in order.

YASUTAKE: Mr. Chairman, I move to close the public hearing.

EFURD: Second.

CHAIRMAN: It has ^{been} moved and seconded. All those in favor say aye.

MEMBERS: Aye.

CHAIRMAN: Contrary, say no. None. Motion is carried. Under Act 205 again, no action can be taken on this matter. Thank you very much.

The public hearing was adjourned at 4:30 p.m.

Respectfully submitted,

Lei A. Tsuji

Lei A. Tsuji, Secretary

A T T E S T :

Anthony C. Veriato

Anthony C. Veriato, Chairman
Planning Commission

BOISE CASCADE PROPERTIES, INC.

June 16, 1970*

Mr. Raymond Suefuji
Director, Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Suefuji:

Reference is made to your letter to me, dated May 28, 1970, in which you cited several Non-Permitted Uses in State Land Use Agricultural Lands, Waikoloa Village, South Kohala, Hawaii.

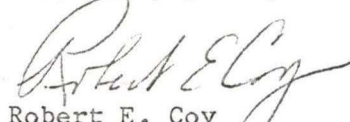
In response to that letter, I hereby make application for a Special Permit to operate two (2) Quarry Sites, as described in the attached Exhibits A through D.

A filing fee of \$100.00 is enclosed.

It is requested that the Special Permit be effective from the date of approval until July 1, 1980.

If any further information is desired, please do not hesitate to call upon me.

Very truly yours,



Robert E. Coy
Construction Manager
Waikoloa Project

RCC:nb

Encls.

COUNTY OF HAWAII

COUNTY PLANNING DEPARTMENT

FOR OFFICIAL USE ONLY

Date petition and fee received by
Commission _____

Date petition is scheduled for public
hearing _____

Date Commission took action and its
ruling _____

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval for a Special Permit to use certain property located at WAIKOLOA, SOUTH KOHALA in accordance with provisions of Section 98H-6, Act 205, SLH 1963 for the following described purpose.

Two Quarry Sites, along with allied uses, such as, screening plant, rock crusher, scales, A.C. Batch plant, concrete batching plant, and equipment repair facilities.

Description of Property:

See attached - Exhibits "B" and "C"

Petitioner's interest in subject property:

Owner

Petitioner's reason(s) for requesting Special Permit:

NOTE: The applicant must show that all of the following conditions exist: 1) that there are unusual or exceptional circumstances applying to the subject property, building or use which do not generally apply to surrounding property or improvements in the same zone district; 2) that the unusual or exceptional circumstances which apply to the subject property, building or use are reasonable and proper and will not be materially detrimental to public health, safety, morals, and general welfare; nor will it be injurious to improvements or property rights related to property in the surrounding area; 3) that the strict enforcement of the zoning regulation would result in practical difficulties and unnecessary hardship inconsistent with the intent and purpose of Act 205; and 4) that the granting of a special permit will not be contrary to the objectives of the Master Plan or Plans of the State and/or County Government.

See attached - Exhibit "D"

The application will be accompanied with a deposit of \$ 100.00 to cover publication and administrative costs and a map of the area proposed for change.

Signature *Robert E. Gray*

Address P.O. Box 537, Kamuela, Hawaii 96743

Telephone 885-7381

This space for official use

The property is situated in a(n) _____ District.

REMARKS:

EXHIBIT "B"

QUARRY SITE #1

LAND SITUATED AT WAIKOLOA

SOUTH KOHALA, HAWAII

Being a Portion of Royal Patent 5671

Land Commission Award 8521, Ap 1 to G. D. Hueu

Beginning at the most easterly corner of this parcel of land,
the coordinates of which referred to Government Survey Triangulation Station
"PUU HINAI" being 250.170 North and 165.580 West and running by azimuths
measured clockwise from true South:

- | | | |
|----|--------------|-----------------------------------|
| 1. | 0° 00' 00" | 2,000 feet; |
| 2. | 90° 00' 00" | 1,500 feet; |
| 3. | 180° 00' 00" | 2,000 feet; |
| 4. | 270° 00' 00" | 1,500 feet to point of beginning. |

EXHIBIT "C"

QUARRY SITE #2

ASPHALT CONCRETE PLANT, CONCRETE BATCH PLANT

And

EQUIPMENT MAINTENANCE SITE

LAND SITUATED AT WAIKOLOA

SOUTH KOHALA, HAWAII

Being a Portion of 'Royal Patent 5671

Land Commission Award 8521, Ap 1 to G. D. Hueu

Beginning at the most easterly corner of this parcel of land,
the coordinates of which referred to Government Survey Triangulation
Station "PUU HINAI" being 6,620.000 North and 4,760.000 West and running
by azimuths measured clockwise from true South:

- | | | |
|----|--------------|-----------------------------------|
| 1. | 27° 32' 00" | 2,000 feet; |
| 2. | 117° 32' 00" | 2,000 feet; |
| 3. | 207° 32' 00" | 2,000 feet; |
| 4. | 297° 32' 00" | 2,000 feet to point of beginning. |

EXHIBIT "D"I. QUARRY SITE #1A. HISTORY

In April, May and June of 1969, Boise Cascade was faced with the problem of locating a source of clean, sound, properly graded, cinders, to serve the various needs of construction on the Waikoloa Project.

With locally rented equipment, a systematic program of exploratory excavations was initiated on the Project, and all 31,000 acres were evaluated as a probable source of cinders. As one would expect, the area near the cinder cone, Puu Hinai, proved to be the most promising source. In July 1969, approximately 3,000 to 5,000 cu. yds. of material was removed from the area, to surface the temporary access road to Waikoloa Village, to allow access for survey crews, and other pre-construction activities, to the Village Area.

B. INTENT

The cinders lie in a large area, down-wind of the cinder cone, at an average depth of approximately 8 to 12 feet. It is the intent of the Boise Cascade Staff to remove the cinders for construction, on an "as-needed" basis, throughout the life of the construction activities.

A portable Coleman screen will be installed at the site to process the cinders.

C. SITE WORK

Upon completion of the cinder removal in any given section of the Quarry area, a grading plan will be done, natural contours will be restored, and the area will be seeded with the hydromulcher. At the end of the construction activities, the cinder removal site will appear as natural open space, and not as a scar on the landscape, as do many abandoned Quarry Sites.

The "re-grading" or "contour restoring" operation opens many exciting possibilities to the planner, as playfields, terraced parks, or any of a number of contoured landscape features, to make the land more usable, could be created.

D. NEED

Due to the gross lack of properly graded granular material, and the rocky nature of the terrain at the Project Site, it will be necessary to utilize cinders, as bedding under pipes, sub-structures for tees, greens, and bunkers on the Golf Course, as temporary surfacing on construction roads, and as "on-site" finish grading.

10-26-70 copy to Luc

E. HEALTH, SAFETY AND WELFARE

Referring to Exhibit "A", it will be noted that no urban population presently exists in the immediate vicinity of the Quarry Site. The nearest property line is approximately 4,000 feet South.

With this in mind, it is the applicants opinion that his request is reasonable and proper and will not be materially detrimental to public health, safety, morals, and general welfare, nor will it be injurious to property rights relating to adjacent property owners.

F. HARDSHIP

The general plan of the County of Hawaii implies that it is proper to construct a large urban development in Waikoloa lands. To construct such a development, the applicant must utilize cinders in his development as described in Paragraph D above. If the request for a Special Permit is denied, it would be necessary to import cinder material to the site, from an existing Quarry approximately 20 to 25 miles distance.

The applicant claims that the denial of a Special Permit would result in practical difficulties and unnecessary hardship, inconsistent with the intent and purposes of the County of Hawaii's development Ordinances.

II. QUARRY SITE #2

A. HISTORY

(1) Aggregate Source.

In March 1969, the firm of AhSing, Mills and Associates, Soils Consultants, was retained by Boise Cascade, to aid in locating a source of aggregate for Road Construction.

At the same time and in the same manner as in Quarry Site #1 mentioned above, systematic exploratory excavations were conducted, and an adequate source of sound aggregate was located just South of the Village Area.

(2) Crusher.

At that time, the proposed site was "opened up" to determine the quantity of acceptable rock available. A portable rock crusher was installed in November 1969, by the Kuwaye Brothers, to produce aggregate for the Mauka Access Road. The Quarry has been in operation continuously since that time.

(3) Steel Repair Shop.

On October 31, 1969, Boise Cascade Properties, Inc. and Morrison-Knudsen Company, Inc. signed a Construction Agreement, for the construction of the Waikoloa Project. Although not specifically mentioned, the Construction Agreement implied the need for a repair facility on the job site, as no adequate facilities exist on the West Side of the Island of Hawaii, to repair and maintain the heavy equipment.

A temporary, pre-fabricated, steel structure was erected near the Quarry Site, for convenience. It was decided not to locate it in the Commercial Section of Waikoloa Village, as, even though the structure is temporary, and is to be removed ultimately, its useful life is planned to over-lap certain on-site grading and commercial construction, and this repair facility would be in the way.

(4) A.C. Batching Plant.

In May 1970, when the Mauka Access Road basing operation was nearing completion, and the road sections were being prepared for asphaltic concrete, a portable A.C. Batching Plant was brought to the site. It was erected near the crusher, for convenience.

B. INTENT

(1) Aggregate Source and Crusher.

It is the intent of the applicant to operate the Quarry and portable rock crusher throughout the life of construction activities at Waikoloa Project, to supply all necessary crushed aggregates.

(2) Steel Repair Shop.

It is planned to operate this temporary facility for maintenance of necessary heavy equipment during the life of construction activities.

(3) A.C. Batching Plant.

It is planned to utilize this pavement plant to produce all the "black-top" required in Waikoloa Village and at Anaehoomalu Bay.

(4) Concrete Batching Plant.

In July 1970, the applicant plans to install a portable concrete batching plant in Quarry Site #2.

C. SITE WORK

Upon completion of the Quarry operations, all temporary support facilities i.e. rock crusher, A.C. batching plant, steel repair facility, and concrete batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydromulcher.

At the end of construction activities, Quarry Site #2 will appear as natural open space, and not as a scar on the landscape.

D. NEED

When one reviews the construction plans for the Waikoloa Project, the need for processed aggregates becomes obvious. Between 60 and 70 miles of streets require sub base, base and A.C. surfacing. Many hundreds of feet of curbs and gutters require aggregates for concrete. Special structures, such as bridges, water storage tanks, encasement for ducts, and drainage structures, require aggregate from the Quarry.

E. HEALTH, SAFETY AND WELFARE

For the same reasons as cited in Para. I-E above, it is the applicant's opinion that his request is reasonable and proper and will not be materially detrimental to public health, safety, morals, and general welfare, nor will it be injurious to property rights relating to adjacent property owners.

F. HARDSHIP

The general plan of the County of Hawaii implies that it is proper to construct a large urban development in Waikoloa lands. To construct such a development, the applicant must utilize materials manufactured from processed aggregates in his development, as described in Para. II-D. If the request for a Special Permit is denied, it would be necessary to import processed aggregate to the site, from an existing Quarry located approximately 45 to 65 miles away.

The applicant claims that the denial of a Special Permit would result in practical difficulties and unnecessary hardship, inconsistent with the intent and purposes of the County of Hawaii's development Ordinances.











STATE OF HAWAII
LAND USE COMMISSION

P. O. BOX 2359, HONOLULU, HAWAII 96804

PHOTOGRAPHS

BOISE CASCADE

JUL 18 1969

LAND USE DISTRICT BOUNDARIES

DISTRICT MAP	STATE OF HAWAII	DISTRICTS
H-5	LAND USE COMMISSION	U = URBAN
	DEPT. OF PLANNING & ECONOMIC DEVELOPMENT	R = RURAL
	EFFECTIVE DATE: AUG 4 1969	A = AGRICULTURAL
		C = CONSERVATION

ANAEHOOMALU QUADRANGLE
HAWAII—ISLAND AND COUNTY OF HAWAII
7.5 MINUTE SERIES (TOPOGRAPHIC)
N.W. 1/4 P. 1000 15' QUADRANGLE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

JUL 18 1969

LAND USE DISTRICT BOUNDARIES

DISTRICT MAP	STATE OF HAWAII	DISTRICTS
H-15	LAND USE COMMISSION	U = URBAN
	DEPT. OF PLANNING & ECONOMIC DEVELOPMENT	R = RURAL
		A = AGRICULTURAL
		C = CONSERVATION

PUU HINAI QUADRANGLE
HAWAII—ISLAND AND COUNTY OF HAWAII
7.5 MINUTE SERIES (TOPOGRAPHIC)
N.W. 1/4 P. 1000 15' QUADRANGLE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

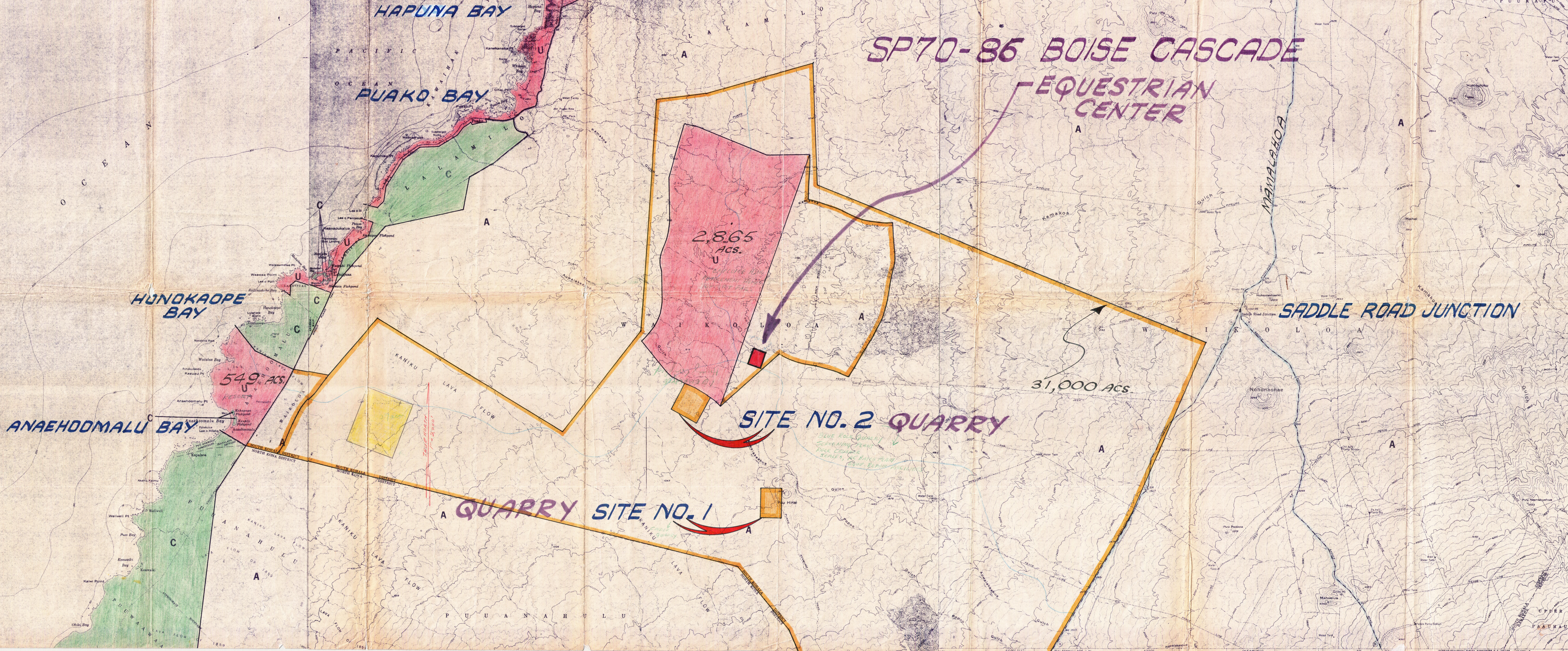
JUL 18 1969

LAND USE DISTRICT BOUNDARIES

DISTRICT MAP	STATE OF HAWAII	DISTRICTS
H-26	LAND USE COMMISSION	U = URBAN
	DEPT. OF PLANNING & ECONOMIC DEVELOPMENT	R = RURAL
	EFFECTIVE DATE: AUG 4 1969	A = AGRICULTURAL
		C = CONSERVATION

NOHONAOHAE QUADRANGLE
HAWAII—ISLAND AND COUNTY OF HAWAII
7.5 MINUTE SERIES (TOPOGRAPHIC)
N.W. 1/4 P. 1000 15' QUADRANGLE

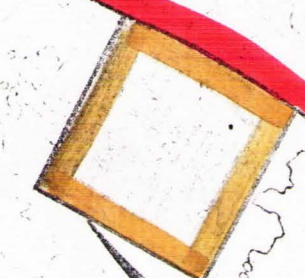
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



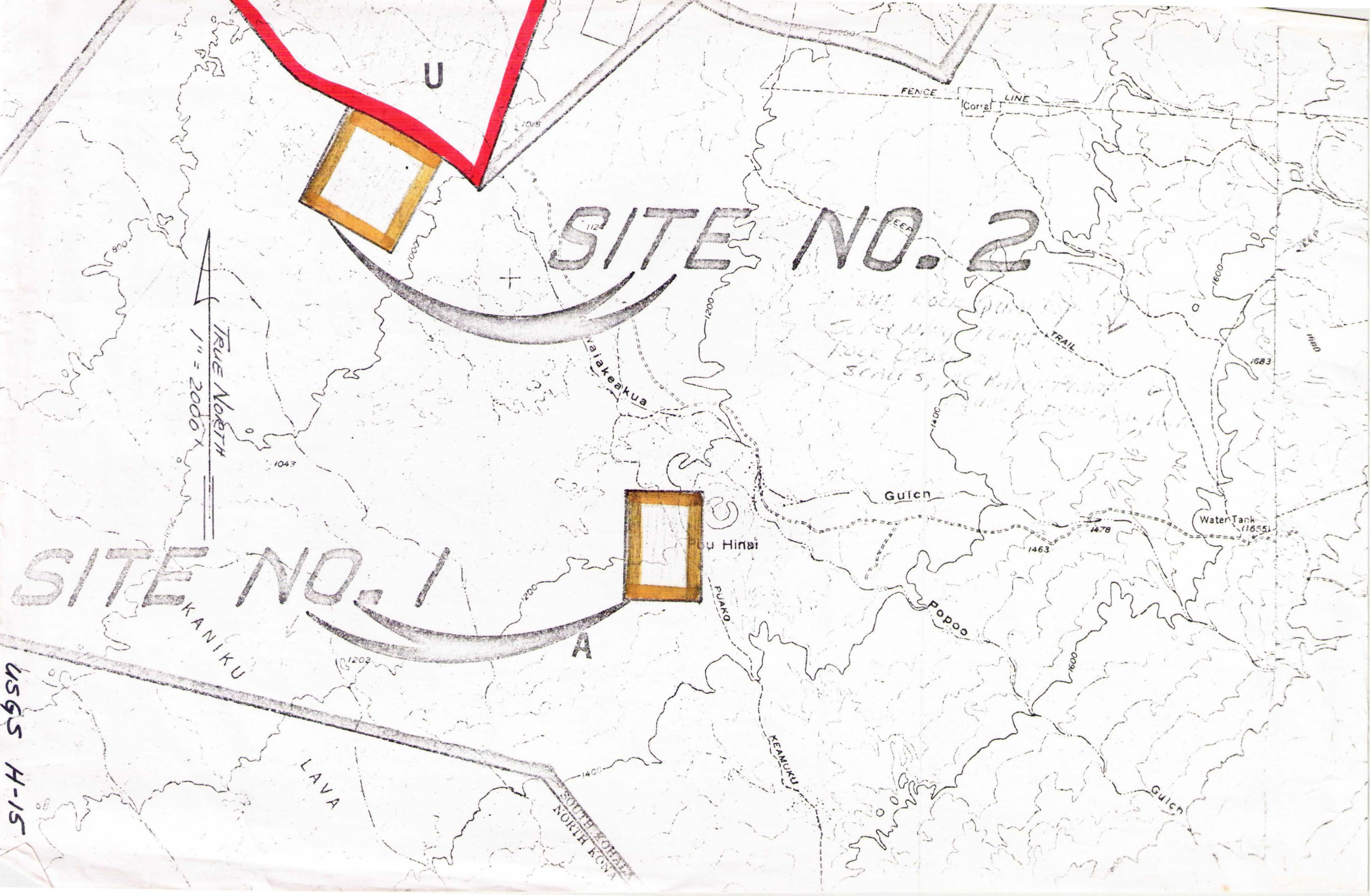
USGS H-15

SITE NO. 1

TRUE NORTH
1" = 2000'



SITE NO. 2



QUARRY AREA

CRUSHERS

TANK

TRUE NORTH
SCALE 1" = 40'

EDGE GRADED AREA

HEAT TANK

A.C. BATCH PLANT

WHS

MAN

GEN. VAN

PROPOSED CONCRETE PLANT

HOT LANT 2

SHED

SCALE WSE

SCALE

CINDER RD.

△ SHOP 2

△ SHOP 3

SHOP

SHED

SLAB

EDGE GRADED AREA

DETAILED PLOT PLAN QUARRY SITE NO. 2

MCINTIRE & QUIROS INC.
BOX 525 KAMUELA, HAWAII

MATERIALS & MAINTENANCE SITE
J-2