

Action

Apr 27 to June 11

Sked for
June 2

Action Span-Time Extension

7/27/77 - 9/10/77

Time Extension

SPECIAL PERMIT

Petition Received 7/27/77

Maps 7/27/77 - 9/10/77

Action Span

Action Date

Recordation 9/15/77 6mg

August 24, 1977

Mr. Tommy Ishimaru
P. O. Box 105
Naalehu, Kau, Hawaii 96772

Dear Mr. Ishimaru:

The original of the attached letter is on
file in the office of the Hawaii Planning Department,
25 Aupuni Street, Hilo, Hawaii.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encls.

August 24, 1977

HAWAII PLANNING COMMISSION
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on August 16, 1977, the Land Use Commission voted to approve a Special Permit extension by Tommy Ishimaru, Hawaii (SP72-128) to continue operation of a quarry on approximately 25 acres of land situated within the State Land Use Agricultural District at Naalehu, Kau, Hawaii, Tax Map Key 9-5-7: portion of 29.

Approval of this five-year time extension request until June 2, 1982 is subject to all conditions which were imposed on the original Special Permit and also the additional condition that the petitioner or his authorized representative obtain a grading permit from the Department of Public Works prior to commencement of the operation.

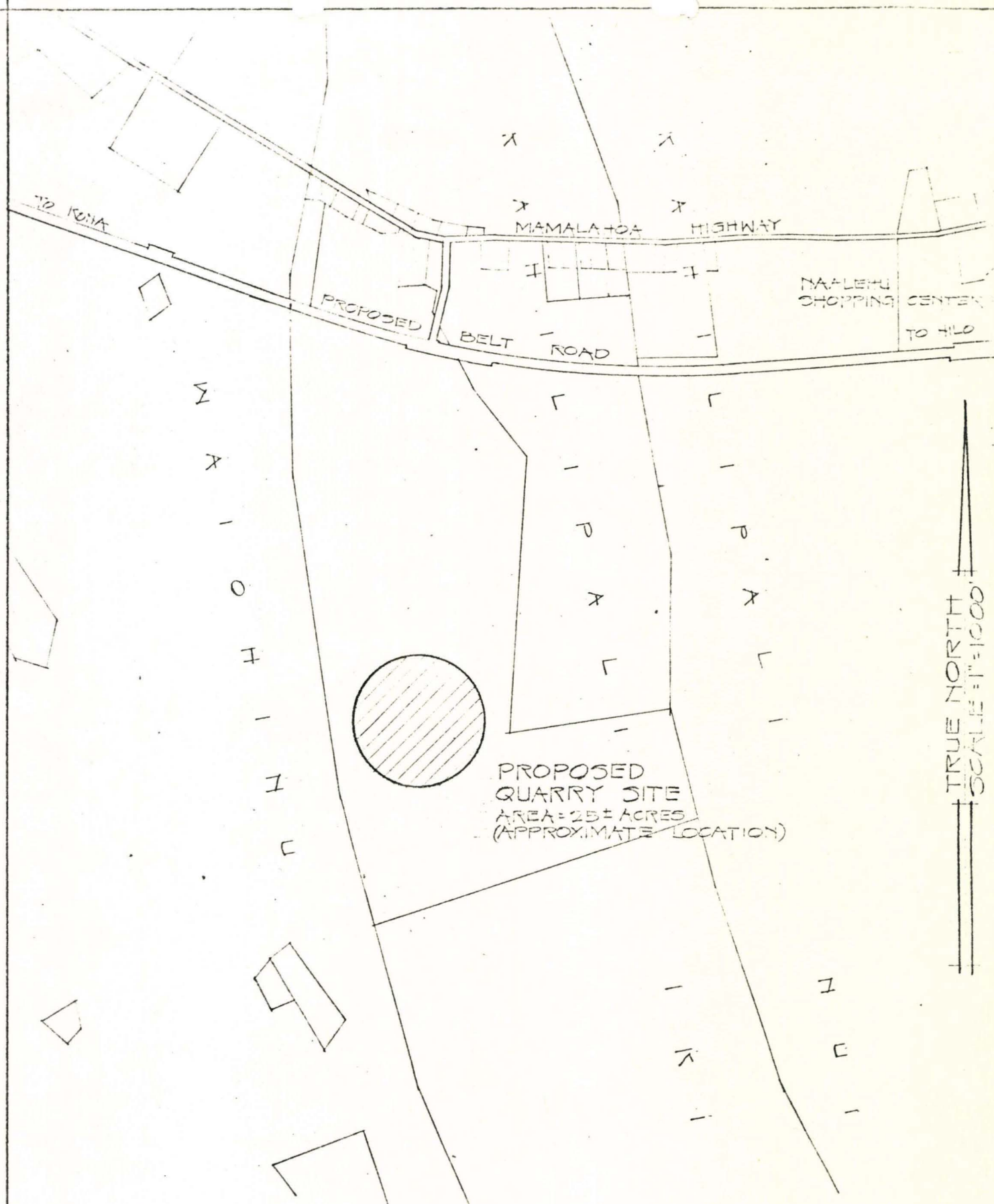
A copy of the staff memorandum is enclosed for your information.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: Mr. Tommy Ishimaru
Dept. of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Dept. of Planning & Economic Development
Office of Environmental Quality Control
Division of Land Management, DLNR



SPECIAL PERMIT REQUEST

DEVELOPMENT OF A QUARRY OPERATION.

KAHILIPALI IKI, KA'U, HAWAII

TAX MAP KEY: 9-5-07: POR OF 29

PERMIT REQUEST BY: TOMMY ISHIMARU

25 JAN. 1972

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Senate Conference Room No. 5
2nd Floor, State Capitol
Honolulu, Hawaii

August 16, 1977 - 9:30 a.m.

Approved
1/17/78

COMMISSIONERS PRESENT: Stanley Sakahashi, Chairman
Charles Duke, Vice Chairman
James Carras
Colette Machado
Shinsei Miyasato
Shinichi Nakagawa
Mitsuo Oura
Carol Whitesell
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

ADDITION TO AGENDA

It was moved by Vice Chairman Duke to add the extension of time request on the Special Permit by Tommy Ishimaru (SP72-128) to the agenda, which was seconded by Commissioner Whitesell and unanimously passed.

ACTION

✓ SP72-128 - TOMMY ISHIMARU - Extension of Time Request

Mr. Daniel Yasui, staff planner, pointed out the location of the subject property on the various maps, oriented it with various surrounding landmarks, and gave a brief background of the Special Permit and the present extension request.

Mr. Yasui responded to the various questions which were posed by the Commissioners regarding the conditions imposed by the County, the continuity of the operation, etc.

Commissioner Oura moved to approve the extension request, subject to the original conditions which were imposed by the Hawaii County Planning Commission, which was seconded by Commissioner Carras and unanimously carried.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

SP72-128 - Tommy Ishimaru
ITEM Extension of Time Request
Senate Conf. Room No. 5
PLACE 2nd Floor, State Capitol
Honolulu, Hawaii

DATE August 16, 1977

TIME 9:30 a.m.

NAME	YES	NO	ABSTAIN	ABSENT
NAKAGAWA, SHINICHI	X			
OURA, MITSUO	X			
MIYASATO, SHINSEI	X			
CARRAS, JAMES	X			
DUKE, CHARLES	X			
YANAI, EDWARD	X			
WHITESELL, CAROL	X			
MACHADO, COLETTE	X			
SAKAHASHI, STANLEY	X			

Comments:

I move that we approve the five-year time extension request until June 2, 1982, subject to all conditions which were imposed on the original Special Permit and the additional condition that the petitioner or his authorized representative obtain a Grading Permit from the Department of Public Works prior to commencement of the operation.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission
FROM: Staff
SUBJECT: SP72-128 - Tommy Ishimaru

August 16, 1977
9:30 a.m.

The petitioner, Tommy Ishimaru, is requesting a time extension of Special Permit 72-128 to continue operation of a quarry on approximately 25 acres of land situated within the State Land Use Agricultural District at Naalehu, Kau, Hawaii, Tax Map Key 9-5-7: portion of 29. The subject area is located about 4,000 feet south of the Mamalahoa Highway between the Waiohinu and Naalehu urban districts.

Special Permit 72-128 was granted by the State Land Use Commission on June 2, 1972, subject to the conditions set forth by the Hawaii County Planning Commission. One of the conditions of approval stated that: "The quarrying operation and its allied uses be terminated five (5) years after the date of approval of the Special Permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience." Prior to the June 2, 1977 termination date, the petitioner submitted a request for time extension. The time extension request is for a five-year period extending to June 2, 1982.

During the active five-year period of the Special Permit, the property was not quarried continuously. Prior to the termination date of the Special Permit, the crushing and batching facilities were removed from the property and active quarrying ceased. If the requested time extension is granted, future quarrying operations are similarly not expected to be done on a continual basis.

In support of the request, the petitioner has in part stated the following:

"Crusher and batching plant were taken out as there are no big jobs to be done in the area right now. However, we are running out of material that was crushed previously and will need a crusher back on the site. Much of the crushed material is sold to home owners who need just a few yards for driveways, patios and other home improvements. An aggregate yard in the district is a real convenience and economical for all concerned. Otherwise, home owners would have to go to Hilo, a distance of 120 miles round trip for their material."

On July 21, 1977, the Hawaii County Planning Commission voted to approve the five-year time extension request until June 2, 1982, as it was found that:

"...the subject quarry operation is an essential and integral part of present and future developments of the Kau area. The materials obtained from the site will be used to meet various construction needs in the area since there are no other quarries in the immediate area. Furthermore, the site will not be quarried on a continual basis."

The Planning Commission additionally stated that:

"...the requested time extension be given favorable consideration subject to the additional condition that the petitioner or his authorized representative obtain a Grading Permit from the Department of Public Works prior to commencement of the operation and that all other conditions spelled out in the Special Permit be complied with. Should any of the stipulated conditions not be met, the Special Permit may be deemed null and void."

For the Commission's information, the staff report done for the original Special Permit request has been attached.

STATE OF HAWAII
LAND USE COMMISSION

Discovery Room, Kona Hilton Hotel
Kona, Hawaii

June 2, 1972
10:30 a.m.

STAFF REPORT

SP72-128 - TOMMY ISHIMARU

A special permit to allow the operation of a quarry including allied uses such as crushing plant, a concrete batch plant, and an asphalt concrete plant on 25 acres of land located at Naalehu, Ka'u, Hawaii, has been requested by Mr. Tommy Ishimaru. The land is located within the Agricultural District and identified as TMK 9-5-7: portion of parcel 29. Parcel 29 is owned by Mr. Ishimaru and consists of a total of 166.5 acres.

The proposed quarry site is situated between the Naalehu and Waiohinu Urban Districts, approximately one-half mile east of the Naalehu Police Station and about 4,000 feet makai of Mamalahoa Highway.

Mr. Ishimaru is requesting this special permit to establish a quarry operation to supply quarry material for the construction of a variety of proposed developments in the Ka'u area. It was indicated that there is no quarry operation in this district at the present time. The petitioner identified C. Brewer & Co., Ltd., Hawaiian Ranchos, Hawaiian Ocean View Estates, Discovery Harbor and Green Sands,

Hutchinson Sugar Company, Hawaiian Agricultural Company, the County, and the State as possible developers that will be needing quarry material for a number of proposed construction projects in the Ka'u district. Mr. Ishimaru further stated that, "at the present time, material has to be brought in from Hilo or Kona which involves a 128 mile round trip and takes from 5 to 6 hours."

The petitioner also indicated that the excavated area can be made available for dumping debris from the Naalehu Flood Control basin since the present site is nearing capacity.

The subject area is vacant, covered with shrubbery, and accessible only by a very poor unimproved road. The surrounding areas to the south, east, and west are predominantly pasture and open land. The closest residence to the subject site is situated approximately one-half mile north of the proposed quarry site and along Mamalahoa Highway.

The Land Study Bureau classification shows that the soil productivity rating for the area in question is "D" or poor. The quarry site consists of well-drained, shallow volcanic ash and pahoehoe, and gently sloping terrain with slopes generally under 20 percent and a mean annual rainfall range between 40 to 60 inches. The elevation is at the 800 foot level. The prevailing wind pattern is generally northeast to

southwest and away from the Naalehu and Waiohinu residential areas. The Kona wind which blows from southwest to northeast occurs primarily between December and March, on an average of no more than 3 to 5 days a month.

At its April 13, 1972 meeting, the Hawaii County Planning Commission voted to recommend approval of this special permit based on the following findings:

- "1. that the proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water and drainage improvements. The applicant will provide his own access to and from the proposed quarry site, and no public improvements will be necessary;
- "2. that there are no operating quarries in the Ka'u district now, the largest district on the Big Island. The need for a quarry in the district is surely warranted to sustain the existing and anticipated public and private developments."

The recommendation for approval was subject to the following conditions:

- "1. that all State and County standards and appropriate safety measures be exercised by the applicant to assure optimum vehicular traffic safeguards during the entire period of the operation;
- "2. that the applicant obtain an authority to construct from the Department of Health prior to construction of the facilities;
- "3. that the applicant obtain a permit to operate from the Department of Health prior to operation and for continued operation of the facilities;

- "4. that every precaution be taken by the applicant to avert any inconvenience such as traffic, noise and dust problems, to surrounding properties;
- "5. that excavation shall not commence until a complete historical survey of the area is conducted and reviewed by appropriate agencies. All historical sites shall be preserved;
- "6. that the operation be confined to approximately twenty-five (25) acres and within the area indicated on the map submitted;
- "7. that the quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience;
- "8. that upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan, subject to the approval of the County Planning and Public Works Departments;
- "9. that the Planning Department shall make periodic inspection of the site to see that no adverse effects are being created by the quarry operation such as dust, noise and indiscriminate excavation which will substantially alter the land. If it is determined that adverse effects are created, the Planning Commission shall have the authority to require the applicant to cease and desist the quarry operation.
- "10. that operation be limited to only during regular working hours."

The subject site is zoned Ag-20 acres and general planned for extensive agricultural use.

At the hearing, it was reported that the Department of Public Works and the Department of Water Supply have no objections to the proposed quarry site.

In a letter dated March 28, 1972 to the Hawaii County Planning Department, Mr. James M. Nakahara, Chief Sanitarian, Hawaii District, Department of Health, stated in part that:

"The proposed equipment to be located on the site for the quarrying and batching operations are classified as new sources and thus are required to obtain an Authority to Construct and a Permit to Operate from the Department of Health under the provision of the recently adopted Air Pollution Regulations which became effective on March 21, 1972."

Mr. Nakahara further suggested that the special permit be approved under two conditions. These conditions have been incorporated in conditions #2 and #3 of the County's conditions.

The County planning staff further informed that there are no historical sites or listings of any historical sites on the subject parcel.

The County Planning Commission has received seven letters requesting favorable action on the petition and one letter opposing the proposed operation as follows:

In support of the petition

1. In his letter dated February 15, 1972, Mr. J. Hewetson, Manager of Hutchinson Sugar Company, Ltd., stated

that the quarry operation would benefit the community and urged approval. He added that the hauling charge for a ton of crushed rock alone can be as high as \$6 and that this was a major factor in the high construction costs on the Ka'u coast.

2. In his letter dated February 17, 1972, Mr. James K. Kuwaye, President of Kuwaye Brothers, Inc., strongly recommended approval for the reasons that there is an economic need for a source of supply of quarry material in the Ka'u district; a source of quarry material in this area will greatly reduce building material and construction costs; the quarry operation will eliminate hauling material from Hilo and thereby reduce traffic; and the quarry operation will provide jobs and income.
3. In his letter dated February 17, 1972, Mr. R. E. Hopkins of Morrison-Knudsen Company, Inc. strongly supported this special permit request. He informed that his company was the low bidder for the Hawaiian Discovery Harbor project and that if Mr. Ishimaru's proposed quarry site

becomes operational, they would avail themselves of this source.

4. In his letter dated February 17, 1972, Mr. Charles Menning, President of Shield-Pacific Ltd., requested that this quarry operation be approved since there are no commercial concrete aggregate or ready mix concrete facilities in Ka'u. The nearest facilities are located in Hilo, 60 miles away, and hauling concrete for a long period reduces its strength. Savings of approximately \$5,000 to \$10,000 to taxpayers for the Waiohinu flood control project alone could be realized if the project is approved.
5. In his letter dated February 17, 1972, Mr. Ernest A. Smith, Manager of Hawaiian Agricultural Company, requested favorable action on this request since there is a need for a source of quarry material in the Ka'u area and that this service would reduce the high hauling cost from Hilo.
6. In his letter dated February 23, 1972, Mr. Edward E. Crook, Vice President of Administration, Inc., stated that on behalf of his company and Swinerton Hawaii Venture, they endorse the project. He believes that the proposed location will have no

adverse effect upon the lives or businesses of others.

7. In a letter dated February 23, 1972, Mr. George A. Arthur, Project Manager of Cal-Pacific Resources of Hawaii, Ltd., recommended favorable action. He informed that his company was developing the Discovery Harbor project and that the availability of a quarry facility in the Ka'u area will contribute to the economy.

In opposition

1. In a letter dated February 11, 1972, Mr. Larry O. Hawkins, Vice-President and Manager of Hawkins Audio Engineers, Inc., advised that he was a partial owner of the 67 acre parcel adjoining the proposed quarry site and that he was opposed to the quarry operation at the proposed site because the geographic location and pleasant and mild climate were more conducive to resort development, residential subdivision, or a shopping center and business development. He added that the proposed quarry site is approximately a mile from the center of an existing town and that to allow this type of industrial development would

lower property values, increase pollution, and the noise levels would be unbearable. The Halawa quarry on Oahu was cited as an example of the ill effects that may arise from a quarry operation.

In addition, Mr. Hawkins stated that if the proposed quarry operation was allowed, it would drastically hamper expansion of Naalehu.

Upon evaluation of this request, staff finds that:

1. The comprehensive conditions stipulated by the County will adequately protect the surrounding areas, alleviate and minimize pollution, health, and safety hazards, and insure the restoration of the area.
2. The proposed quarrying operation would not unreasonably burden public agencies to provide additional services, nor would it be contrary to the objectives of the Land Use Law.
3. The proposed quarry site would be a convenient and much needed source of quarry material for the construction of both private and public work projects in the Ka'u district since there are no operating quarries located in the area.

4. A quarry source in the Ka'u area would eliminate hauling of material from Hilo and thereby reduce heavy equipment traffic on the highways.

Based on the above findings, the staff recommends approval of this request, subject to the County's conditions.

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

August 8, 1977

Mr. Sidney Fuke
Planning Director
Hawaii Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

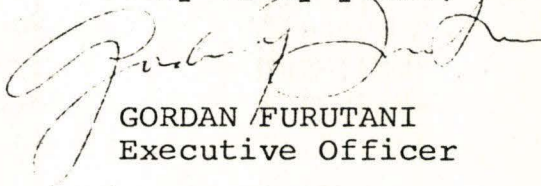
Please note that petition

SP72-128 - TOMMY ISHIMARU - Extension of Time Request

- will be considered at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

August 8, 1977

Mr. Tommy Ishimaru
P. O. Box 105
Naalehu, Kau, Hawaii 96772

Dear Mr. Ishimaru:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

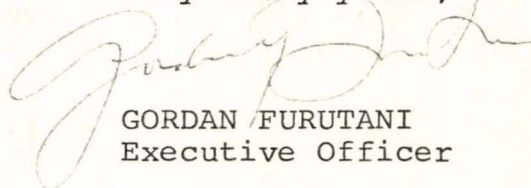
Please note that petition

SP72-138 - TOMMY ISHIMARU - Extension of Time Request

will be considered at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME, & PLACE

August 16, 1977 - 9:30 a.m.
Senate Conference Room No. 5
2nd Floor, State Capitol
Honolulu, Hawaii

A G E N D A

I. CONTINUED HEARING

1. A76-420 - Department of Planning & Economic Development
(Kawainui Marsh)

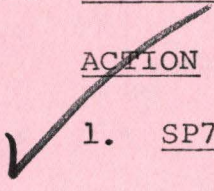
To reclassify approximately 250 acres from the
Urban District to the Conservation District at
Kawainui Marsh, Kailua, Oahu.

II. MISCELLANEOUS

1. Adoption of Minutes - March 24, 1977, April 5, 1977, April 12,
1977, April 13, 1977, April 26, 1977, May 4, 1977, May 5, 1977
2. Meeting Schedule

III. TO BE ADDED TO THE AGENDA

ACTION

- 
1. SP72-128 - Tommy Ishimaru - Extension of Time Request

To continue operation of a quarry on approximately
25 acres of land situated within the State Land Use
Agricultural District at Naalehu, Kau, Hawaii.

8/8/77 - A COPY OF THIS AGENDA WAS MAILED TO PETITIONER AND PLANNING DIRECTOR
ONLY. NONE TO THE PUBLIC.



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

RECEIVED

JUL 27 1977

July 22, 1977

State of Hawaii
LAND USE COMMISSION

Mr. Gordan Furutani
Executive Officer
State Land Use Commission
190 South King Street
Suite 1795
Honolulu, HI 96813

Dear Mr. Furutani:

Extension of Time Condition
Special Permit No. 72-128 (LUC 210)
Petitioner: Tommy Ishimaru
Tax Map Key 9-5-07:por. of 29

The Planning Commission at its meeting of July 21, 1977, considered the request by Tommy Ishimaru for a five-year time extension until June 2, 1982 for the operation of a quarry which was granted by the State Land Use Commission. The area involved, consisting of 25 $\frac{1}{2}$ acres, is located about 4,000 feet makai of the Hawaii Belt Highway between Waiohinu and Na'alehu, approximately one-half mile makai of Na'alehu Village, Kahilipali Iki, Ka'u, TMK: 9-5-07:portion of 29.

The Commission voted to send a favorable recommendation to the State Land Use Commission since they felt that the subject quarry operation is an essential and integral part of present and future developments of the Ka'u area. The materials obtained from the site will be used to meet various construction needs in the area since there are no other quarries in the immediate area. Furthermore, the site will not be quarried on a continual basis.

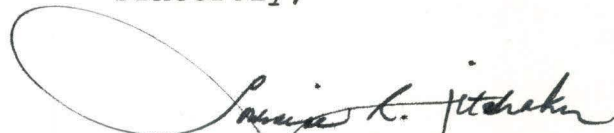
The Commission further recommended that the requested time extension be given favorable consideration subject to the additional condition that the petitioner or his authorized represen-

Mr. Gordan Furutani
Page 2

July 22, 1977

tative obtain a Grading Permit from the Department of Public Works prior to commencement of the operation and that all other conditions spelled out in the Special Permit be complied with. Should any of the stipulated conditions not be met, the Special Permit may be deemed null and void.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lorraine R. Jitchaku". The signature is written in dark ink and is positioned above the printed name.

(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

NH:lgv

cc Tommy Ishimaru
Land Use Division, DPED

COPY

PLANNING DEPARTMENT

25 AUPUNI STREET

COUNTY OF HAWAII

HILO, HAWAII 96720

LAND USE COMMISSION
STATE OF HAWAII

JUL 27 4 12 PM '77

July 22, 1977

Mr. Tommy Ishimaru
P. O. Box 105
Naalehu, HI 96772

Dear Mr. Ishimaru:

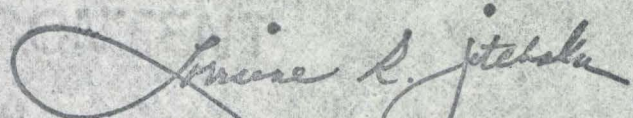
Extension of Time Condition
Special Permit No. 72-128 (LUC 210)
Tax Map Key 9-5-07:por. of 29

The Planning Commission at its regular meeting of July 21, 1977 considered your request for a five-year time extension until June 2, 1982 for the operation of a quarry within the State Land Use Agricultural District at Kahilipali Iki, Ka'u, Hawaii.

The Commission voted to forward a favorable recommendation to the Land Use Commission subject to the additional condition that the petitioner or his authorized representative obtain a Grading Permit from the Department of Public Works prior to commencement of the operation, and that all other conditions spelled out in the Special Permit be complied with. Should any of the stipulated conditions not be met, the Special Permit may be deemed null and void.

Should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,



(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

lgv

cc State Land Use Commission
Land Use Division, DPED

LIST OF EXHIBITS - TOMMY ISHIMARU

- A. Request by petitioner (5/17/77)
- B. Acknowledgement letter (5/23/77)
- C. Petitioner's letter (6/1/77)
- D. Letter to Petitioner: (6/9/77)
- E. Letter to Petitioner (7/1/77)
- F. Staff background
- G. Staff recommendation
- H. Voting Sheet
- I. Presentation Map (Please Return)
- J. Minutes (7/21/77)

TOMMY'S SERVICE STATION
GENERAL AUTO REPAIRING

NAALEHU, KAU, HAWAII

May 17, 1977

Mr. Sidney Fuke
Director, Planning Department
County of Hawaii
Hilo, Hawaii

Dear Mr. Fuke:

Special Permit 72-128
Operation of a Quarry, Naalehu, Hawaii
TMK: 9-5-07:Portion of Parcel 29

I wish to extend the special permit granted me on
my quarry site for another five years.

Your consideration on this matter will be greatly
appreciated.

Sincerely,

Tommy Ishimaru
Tommy Ishimaru

EXHIBIT A

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

MAR 3 10 57 AM '82
LAND USE COMMISSION
STATE OF HAWAII

March 1, 1982

Mr. Tommy Ishimura
P. O. Box 105
Naalehu, Hawaii 96772

Dear Mr. Ishimaru:

Special Permit No. 72-128 (LUC 210)
Tax Map Key: 9-5-07:Por. of 29

A review of our records shows that the State Land Use Commission granted the subject Permit effective June 2, 1972 to allow the operation of a quarry including allied uses such as a crushing plant, a concrete batch plant, and an asphalt concrete plant on the subject property. Subsequently, a 5-year time extension was granted until June 2, 1982 to continue operation of a quarry.

This is to advise you that Condition No. 8 of the Permit stipulated "That upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan, subject to the approval of the County Planning and public Works Departments. Therefore, prior to June 2, 1982, a grading plan should be submitted for review and approval. As the June 2, 1982 expiration date is nearing, please give this matter your immediate attention.

In the meantime, should you have any questions, please feel free to contact our office at 961-8288.

Sincerely,

Sidney Fuke

SIDNEY FUCE
Director

AK:y

cc: Planning Commission
State Land Use Commission ✓

May 23, 1977

Mr. Tommy Ishimaru
P. O. Box 105
Naalehu, Kau, HI 96772

Dear Mr. Ishimaru:

Time Extension - Special Permit No. 72-128
Operation of a Quarry
TMK: 9-5-07:Portion of 29

This is to acknowledge receipt of your letter of May 17, 1977, requesting an extension to a time condition attached to the above-described Special Permit.

Your request will be forwarded to the County Planning Commission for consideration and subsequently to the State Land Use Commission for final action. You will be informed as to the time and place of the Planning Commission's meeting when your request will be placed on the agenda.

In the meantime, we would appreciate it if you would provide us with the following information within two weeks:

1. Is the land presently being quarried? If so, who operates the quarry?
2. Are there any crushing or batching plants on the site?
3. Reasons for the additional 5-year extension.

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

Sincerely,

Sidney M. Fuke

SIDNEY M. FUKU
Director

NH:vv

cc: SLUC

EXHIBIT B

MAY 24 1977

TOMMY'S SERVICE STATION

GENERAL AUTO REPAIRING

NAALEHU, KAU, HAWAII

June 1, 1977

Mr. Sidney Fuke, Director
Planning Department
County of Hawaii
Hilo, Hawaii

Dear Mr. Fuke:

Time Extension - Special Permit No. 72-128
Operation of a Quarry
TMK: 9-5-07:Portion of 29

This is the information that you requested.

1. No

2. No

3. Crusher and batching plant were taken out as there are no big jobs to be done in the area right now. However, we are running out of material that was crushed previously and will need a crushed back on the site.

Much of the crushed material is sold to home owners who need just a few yards for driveways, patios and other home improvements. An aggregate yard in the district is a real convenience and economical for all concerned. Otherwise, home owners would have to go to Hilo, a distance of 120 miles round trip, for their material.

Sincerely,

Tommy Ishimaru
Tommy Ishimaru

EXHIBIT C

June 9, 1977

Mr. Tommy Ishimaru
P. O. Box 105
Naalehu, HI 96772

Dear Mr. Ishimaru:

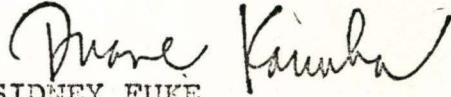
Time Extension - Special Permit 72-128
Operation of a Quarry
TMK: 9-5-07:Portion of 29

This is to thank you for providing us with the information we requested in our letter of May 23, 1977.

Your request will now be forwarded to the County Planning Commission for its consideration. You will be informed as to the time and place of the Commission meeting when your request will be placed on its agenda.

Should you have any questions in the meantime, please feel free to contact Norman Hayashi of this office, at 961-8283.

Sincerely,


SIDNEY FUCE
Director

NH:rfd

EXHIBIT D

JUN 9 1977

July 1, 1977

Mr. Tommy Ishimaru
P. O. Box 105
Naalehu, HI 96772

Dear Mr. Ishimaru:

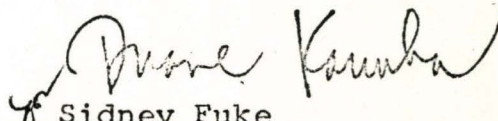
Extension of Time Condition
Special Permit No. 72-128 (LUC 210)
Tax Map Key 9-5-07:por. of 29

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 be discussed on Thursday, July 21, 1977 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.

Sincerely,


Sidney Fuke
Director

lgv

Enclosure

cc State Land Use Commission
Land Use Division, DPED

EXHIBIT E

JUL - 5 1977

TIME EXTENSION (S.P. 72-128): TOMMY ISHIMARU

Tommy Ishimaru has submitted a request for a five-year time extension of Special Permit No. 72-128. This Special Permit was granted by the State Land Use Commission on June 2, 1972, and allowed the operation of a quarry including allied uses such as a crushing plant, a concrete batch plant, and an asphalt concrete plant on approximately 25 acres of land situated within the State Land Use Agricultural District. The area involved is situated about 4,000 feet makai of the Hawaii Belt Highway between Waiohinu and Naalehu, approximately one-half mile from Naalehu Village, Kahilipali Iki, Ka'u, (TMK: 9-5-07:Portion of 29).

Condition No. 7 of the Special Permit stated that "The quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience." Since the date of approval was June 2, 1972, the termination date was on June 2nd of this year (1977). Although the deadline has passed, the petitioner submitted the extension request prior to the expiration date (letter dated May 17, 1977). The extension request is until June 2, 1982.

According to the petitioner, the land is presently not being quarried, and there are no crushing or batching facilities on the site. The petitioner has further stated the following:

"Crusher and batching plant were taken out as there are no big jobs to be done in the area right now. However, we are running out of material that was crushed previously

EXHIBIT F

and will need a crusher back on the site. Much of the crushed material is sold to home owners who need just a few yards for driveways, patios and other home improvements. An aggregate yard in the district is a real convenience and economical for all concerned. Otherwise, home owners would have to go to Hilo, a distance of 120 miles round trip for their material."

RECOMMENDATION: TOMMY ISHIMARU

Staff is recommending that the request for a five-year time extension of Special Permit 72-128 until June 2, 1982, be given favorable consideration. It is felt that the subject quarry operation is an essential and integral part of present and future developments of the Ka'u area. The materials obtained from the site will be used to meet various construction needs in the area since there are no other quarries in the immediate area. Furthermore, the site will not be quarried on a continual basis.

It is further recommended that the requested time extension be given favorable consideration subject to the ^{addition} condition ^{that the petition} that all other conditions spelled out in the Special Permit be complied with. Should any of the stipulated conditions not be met, the Special Permit may be deemed null and void.

or his authorized representative obtain a
Grading Permit from the Department of Public Works
prior to commencement of the operation.

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date July 21, 1977

Petitioner TOMMY ISHIMARU - Extension of time for the operation
of a quarry within the State Land Use Agricultural District

Preliminary hearing Public hearing ☒ Request

ACTION: Approve

Deny

Defer

Continue

Schedule for public hearing

Other: _____

Commissioners	Aye	No	Absent	Abstain
ASAI, Scott H.	✓			
FUJIMOTO, Shigeru	✓			
HANLEY, J. Walsh			✓	
MARTIN, Arthur W.	✓			
MIELCKE, William F.			✓	
MURAKAMI, Haruo	✓			
PARIS, William Jr.	✓			
SAKAMOTO, Charles	✓			
JITCHAKU, Lorraine R.	✓			

EXHIBIT H

Lnc

PLANNING COMMISSION

Planning Department
County of Hawaii

July 21, 1977

The Planning Commission met in regular sessions at 9:00 a.m. in the Pahoa High & Elementary School, Rooms F-7 and 8, Pahoa, Puna, Hawaii; Laupahoe-hoe Community School Library, Laupahoe, N. Hilo, Hawaii at 1:30 p.m. and in the Councilroom, County Building, South Hilo, Hawaii at 3:30 p.m. with Chairman Lorraine Jitchaku presiding.

PRESENT: Lorraine Jitchaku

Scott H. Asai

Haruo Murakami

William J. Paris, Jr.

Charles H. Sakamoto, Jr.

Shigeru Fujimoto (From 1:30 p.m.)

Arthur W. Martin (From 3:30 p.m.)

ABSENT: J. Walsh Hanley

William F. Mielcke

Duane Kanuha, Deputy Director

Norman Hayashi, Planner

Virginia Goldstein, Planner

David Murakami, representing Ex-officio Member Edward Harada

Earl Nakasato, Deputy Corporation Counsel (From 3:30 p.m.)

Quirino Antonio, representing Ex-Officio Member Akira

Fujimoto (From 3:30 p.m.)

and approximately 10 people in attendance at 9:00 a.m., about 11 people at 1:30 p.m.; about 8 people at 3:30 p.m. and about 13 people at 4:30 p.m.

MINUTES:

The minutes of June 30, 1977 were approved
as circulated on a motion of Mr. Murakami,

seconded by Mr. Asai; carried unanimously.

Deputy Director Kanuha announced that Mieko M. Kawasaki, secretary to Sidney Fuke, will be acting as secretary until a Planning Commission secretary can be selected; hopefully in about a month-and-a-half.

PUBLIC HEARING
SPECIAL MANAGEMENT AREA
(SMA) USE PERMIT
PACIFIC PARADISE OCEAN
FRONT ESTATES, LTD.
KAPAAHU, PUNA

A duly advertised public hearing on the application of Pacific Paradise Ocean Front Estates, Ltd. for a Special Management Area (SMA) Use Permit to allow the installation of underground utilities and roadway improvements within the Pacific Paradise Ocean Front Estates Subdivision located off of the Chain of Craters Road, Kapaahu, Puna, TMK: 1-2-28:79.

The staff presented the background information and recommendation on file.

Exhibit J

On the question of whether most of the lot owners were absentee owners; the reply was that they were equally divided between the people of the State of Hawaii and those living outside of the State.

It was pointed out that when the subdivision was originally sold, it was not the intent of the developer to put in utilities but now felt that the underground utilities will benefit the property owners and beautify the area and that the cost of these improvements will not be passed on to the property owners; it will be borne entirely by the developer.

A news article in the Chicago Sun-Times which was submitted by a landowner was read into the record. According to the article, the petitioner was suspended from selling lots in Hawaii until they file certain information with HUD. It was clarified that the information has been filed with HUD, however, the article was misleading as the suspension of this sale was not for this particular subdivision.

The earthquake caused a subsiding of about 2-1/2 feet but most of the roads were above elevation and therefore not affected. Those portions of the roads which subsided will be elevated so that they will be above the high water mark.

It was stated that none of the lots closest to the ocean were affected by the earthquake because the elevation there were higher than five feet.

One of the property owners voiced the need of the utilities and improvements and how much it means to them.

It was moved by Mr. Murakami and seconded by Mr. Sakamoto that the Commission approve the application with the recommendation and conditions set forth by the staff. Motion was carried unanimously with five members present.

Continuation of a public hearing of the County Planning Commission, Laupahoehoe Community School Library, Laupahoehoe, Hawaii, was called to order at 1:30 p.m. with Chairman Jitchaku presiding.

In addition to the five Commissioners and others present at the first hearing, Commissioner Shigeru Fujimoto joined the group and approximately 11 people in attendance.

SPECIAL MANAGEMENT AREA
(SMA) USE PERMIT
DEPT. OF PARKS AND
RECREATION, COUNTY OF HI
HILO, HAWAII

A duly advertised public hearing on the application of the County of Hawaii, Department of Parks and Recreation for a Special Management Area (SMA) Use Permit to allow the improvement and further development for the Laupahoehoe Point Park for recreational uses. The proposed

improvements include additional gymnasium parking, renovations to existing pavilion and restrooms, expansion of boat ramp, two (2) new restroom facilities, a new pavilion, four (4) new picnic shelters, ten (10) camp sites, and other related improvements. The area involved is the present site of the Laupahoehoe Point Park, Laupahoehoe, North Hilo, TMK: 3-6-02:24 & 26.

The staff presented the background information and recommendation on file.

The Department of Parks and Recreation informed the Commission that this piece of property was turned over to the County by the Coast Guard for recreational purposes.

On the question of when will the two road projects previously approved will be started; the reply was that due to unavailable funds at this time, no schedule is set but that they will try again next year to obtain funds.

As suggested by the Police Department, pathway lighting will be incorporated into the design of the parking areas.

On the question of how this project will be handled, it was stated that the project will be broken down into two different phases with different increments in each phase. This would all depend on available funding and could be a long range project.

The question of right-of-way of property owners in that area were cleared up to the satisfaction of the inquirers.

A request was made by the North Hilo Community Council President that the County place boundary pins so that the property owners can do something to their yards. This matter will be looked into by the Department of Public Works.

It was moved by Mr. Fujimoto and seconded by Mr. Sakamoto that the Commission give full support to the application; motion carried unanimously.

The Planning Commission reconvened at 3:30 p.m. in the Councilroom, County Building, with Chairman Jitchaku presiding.

SPECIAL PERMIT
ALLIED AGGREGATES CORP.
KAUNALOA, PUNA

Application of Allied Aggregates Corporation for a Special Permit to allow the establishment of a temporary quarrying operation, including crushing and processing facilities, and an asphaltic concrete batching plant on 25± acres of land situated within the State Land Use Agricultural District. The property involved is located along the mauka side of the Kalapana Chain of Craters Road, approximately .9 mile west of the Kalapana Vacation Lots Subdivision, Kaunaloa, Puna, TMK: 1-2-02:portion of 3.

As the background information was presented at a public hearing held on June 16, 1977, the staff presented their recommendation in favor of the request.

This was an action meeting and no public testimony was allowed.

Clarification of Item 4.4 of the staff's conditions relating to landscaping was requested. This condition was requested by the Department of Transportation, Highways Division, to screen out the visual effect between the roadway and the quarry site.

The petitioner's statement regarding justification of this special permit was clarified to mean that if the petitioner is not successful in getting the bids for the Chain of Crater Road or the Kalapana By-Pass Road projects, there will be no need for this special permit.

It was asked whether the petitioner would be required to put back the humous and organic material after the quarry operation is over; the reply was that it is in the grading ordinance and therefore required.

The reply to the question of why the noise problem was not listed as one of the conditions of the staff was that Hawaii County presently does not have a requirement regarding control of noise pollution. However, it was pointed out that a permit will be required from the State Department of Health prior to commencement of operations so these concerns relating to air and noise pollution may be handled by that Department.

Mr. Sakamoto moved to forward a favorable recommendation to the Land Use Commission with the conditions and recommendation of the staff; seconded by Mr. Murakami; motion carried with six ayes.

EXTENSION OF TIME

TOMMY ISHIMARU

KAHILIPALI IKI, KA'U

Request by Tommy Ishimaru for an extension of time for the operation of a quarry within the State Land Use Agricultural District which was granted by the State Land Use Commission

on June 2, 1972. The area involved, consisting of 25± acres, is situated about 4,000 feet makai of the Hawaii Belt Highway between Waiohinu and Naalehu, approximately one-half mile from Naalehu Village, Kahilipali iki, Ka'u, TMK: 9-5-07:portion of 29.

(Commissioner Arthur Martin joined the group at this time)

Staff presented the background information and recommendation on file.

Applicant stated that his is the only quarry operation in Ka'u; that there are no houses near the quarry and no extensive crushing will be done if there are no construction work.

It was moved by Mr. Sakamoto and seconded by Mr. Martin that a favorable recommendation be sent to the Land Use Commission with the recommendation and conditions set forth by the staff. Motion carried unanimously.

AMENDMENT TO CONDITION 7

BOISE CASCADE HOME AND

LAND CORPORATION

WAIKOLOA, SOUTH KOHALA

Request for an amendment to Condition 7 of Special Management Area (SMA) Use Permit No. 25 granted by the Planning Commission on February 14, 1977. Condition 7 pertains to the construction of the golf course and clubhouse facility. The

property involved is within the Waiakoloa Beach Resort Complex located makai of the Queen Ka'ahumanu Highway in the land divisions of Anaeho'omalu and Waikoloa, South Kohala, TMK: 6-8-01:26 and 6-9-07:1 to 30.

Staff presented the background information and recommendation on file.

Staff also recommended that the amended condition be as follows:

"7. That the plans for the golf course and golf clubhouse facility be submitted to the Planning Department for review and approval. Construction of the golf course shall commence by August 1, 1978. The golf clubhouse facility shall be completed and be in operation with the opening of the golf course."

Amendment to the condition was approved with a motion by Mr. Asai, seconded by Mr. Martin; carried unanimously.

PRELIMINARY HEARING

VARIANCE

VICTORIA SILVA

KALOPE HOMESTEADS, HAMAKUA

Variance to allow the creation of two (2) 4.38-acre lots in lieu of the minimum building site area requirement of five (5) acres as stipulated within the Agricultural 5-acre (A-5a) zoned district. The property involved is located along the east side of the Kalopa Upper Road, approximately 1,500 feet mauka of the old Government Main Road, Kalopa Homesteads, Hamakua, TMK: 4-4-08:46.

Staff requested deferral of this variance as more time is needed to review this application. The petitioner's attorney has been contacted and is agreeable to this deferral.

Mr. Martin moved to accept this deferral; seconded by Mr. Sakamoto; motion carried unanimously.

RECESS

The Chairman called for a recess at 4:10 p.m. until the scheduled public hearing at 4:30 p.m.

RECONVENED

PUBLIC HEARINGS

The meeting was reconvened at 4:30 p.m. to continue with the following public hearings:

VARIANCE

YUTAKA KUMUJI

WAIKAEK HOMESTEADS,

SOUTH HILO

A duly advertised public hearing was held for a variance to allow the construction of a single-family dwelling with a front yard setback of 14⁺ feet along Santos Lane in lieu of the minimum requirement of twenty (20) feet as stipulated within the Single Family Residential - 15,000 square foot (RS-15) zoned district. The property involved is located at the corner of Santos Lane and Puainako Street, Waiakae Homesteads, 1st Series, South Hilo, TMK: 2-4-09:40.

The staff recommended that the request be approved. Mr. Asai so moved; seconded by Mr. Sakamoto; carried unanimously.

VARIANCE

CLYDE NAKAMURA

OLAA, HAWAII

A duly advertised public hearing was held for a variance to allow the subdivision of a proposed lot with a 100 feet building site average width in lieu of the minimum requirement of 110 feet as stipulated within the Single Family Residential - 20,000 square foot (RS-20) zoned district. The property involved is located along the east side of the Volcano Highway and to the Hilo side of Sako Store, Olaa Reservation Lots, Olaa, Puna, TMK: 1-7-19:12, Lot 2.

The staff recommended that the request be approved. Mr. Martin so moved; seconded by Mr. Murakami; carried unanimously.

USE PERMIT

SHIELD PACIFIC, LTD.

WAIKAEK, SOUTH HILO

A duly advertised public hearing was held for a Use Permit to allow the establishment of a temporary quarrying operation on a 12.7-acre lot situated within the General Industrial - one acre (MG-1a) zoned district. The property involved is the present site of Shield Pacific, Ltd.'s concrete batching plant located along Railroad Avenue near the intersection with Kukila Street, Hawaiian Home Land,

Panaewa Tract 2, Waiakea, South Hilo, TMK: 2-1-25:86.

The staff presented the background information and recommendation on file.

The staff recommended that the request be approved. Mr. Paris so moved; seconded by Mr. Sakamoto, carried unanimously.

SPECIAL PERMIT
BOB MASON, IN BEHALF OF
THE NATIONAL ORGANIZATION
OF NEW APOSTOLIC CHURCHES
WAIAKEA HOMESTEADS,
WAIAKEA, SOUTH HILO

A duly advertised public hearing was held for a Special Permit to allow the establishment of a church on 43,628 square feet of land situated within the State Land Use Agricultural District. The property involved is located on the north side of Alani Street, approximately 650 feet east of the Alani Street-Malaai Road intersection, Waiakea Homesteads, Waiakea, South Hilo, TMK: 2-4-47:20.

The staff presented the background information and recommendation on file.

On the question of membership, it was stated that the church now has a membership of 39 but that the church will be built to seat 100 people. Also, that it is the intention of the church to keep the congregation as small as possible so when it becomes too large, it is their desire to look for an area where the majority of the people will be coming from, secure the land and build another church.

A question was asked as to whether other properties were looked into since the denial of the request about a year ago. The reply was that several real estate agencies and individuals who have property holdings were contacted but they were either too costly or the areas were not suitable places to build a church.

Action was deferred in accordance with the Land Use Commission's regulations regarding decisions on such petitions no earlier than 15 days after the public hearing.

ANNOUNCEMENT

The next Commissioner's meeting will be held on Thursday, July 28 in Kona. Subsequent meetings are scheduled for August 11 in Hilo and August 25 in South Kohala and Kona.

ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 5:45 p.m.

Respectfully submitted,

Mieko M. Kawasaki

Mieko M. Kawasaki, Secretary Pro Tem

A T T E S T :

(Mrs.) Lorraine R. Jitchaku
Chairman, Planning Commission

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

May 3, 1977

LAND USE COMMISSION
STATE OF HAWAII
MAY 6 1 38 PM '77

Mr. T. Ishimaru
Naalehu, HI 96772

Dear Mr. Ishimaru:

Special Permit 72-128
Operation of a Quarry, Naalehu, Hawaii
TMK: 9-5-07:Portion of Parcel 29

This is to advise you that the conditions covering Special Permit 72-128 granted to you on June 2, 1972 will expire on June 2, 1977.

More specifically, Condition 4 stipulated that "the quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience." The expiration date for compliance with this condition is June 2, 1977. As the expiration date is nearing, please give this matter your immediate attention.

Additionally, Condition 8 stated that "upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan subject to the approval of the County Planning and Public Works Departments." Thus, prior to June 2, 1977, a grading plan should be submitted for review and approval.

In the meantime, should you have any questions on any of the above, please do not hesitate to contact us.

Sincerely,

Sidney Fuke

SIDNEY FUKU
Acting Director

RHY:rfd

cc: Mayor
Corporation Counsel
Planning Commission
✓ State Land Use Commission

MATERIALS RECEIVED
JULY 27, 1977

JOHN A. BURNS
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF STATE PARKS
P. O. BOX 621
HONOLULU, HAWAII 96809

August 25, 1972

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

RECEIVED

AUG 30 1972

State of Hawaii
LAND USE COMMISSION

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

Dear Mr. Suefuji:

We have no recorded historic sites for TMK: 9-5-7; portion of 29 about which you requested information in relation to the quarrying operation of Mr. Ishimaru.

In checking our airphotos, we find that we do not have coverage for this area so are unable to provide an airphoto analysis.

However, since you have a report by Mr. William Bonk based on actual field inspection, this gives better data than our files or airphotos. It appears from his report that he found no sites in the area and we have no information to indicate otherwise.

I hope this response is what you needed.

Very truly yours,

BOARD OF LAND AND NATURAL RESOURCES

SUNAO KIDO
Chairman and Member

cc: ☒ T. Ishimaru
Land Use Commission

TSN:pd

COPY

PLANNING DEPARTMENT
25 AUPUNI STREET

COUNTY OF HAWAII
HILO, HAWAII 96720

RECEIVED

AUG 23 1972

State of Hawaii
LAND USE COMMISSION

August 21, 1972

Honorable Sunao Kido
Chairman and Member
Board of Land and Natural Resources
P. O. Box 621
Honolulu, Hawaii

Please find attached, a copy of an archaeological field survey of 25± acres of land located in the land division of Kahilipali iki, Ka'u, Hawaii, TMK: 9-5-7:portion 29. This survey was part of a condition of approval to a special permit for a quarrying operation recently approved by the County of Hawaii and ratified by the Land Use Commission.

May we please have your review and comments on the attached report as soon as practicable, so that the applicant's request may be expeditiously processed. Should you need additional information, please feel free to contact Glenn Miyao or Sidney Fuke of this office at 935-5721, extension 221.

Raymond H. Suefuji

Raymond H. Suefuji
Director

SF:mh

Enclosures

cc T. Ishimaru
✓ Land Use Commission

Permanent Record
SOUTHWORTH CO.
75% COTTON CONTENT
U.S.A.

Anthropological Research International Inc.
P.O. Box 851 Keaau, Hawaii 96749

August 7, 1972

RECEIVED

AUG 23 1972

State of Hawaii
LAND USE COMMISSION

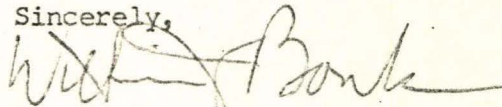
Mr. Tommy Ishimaru
Naalehu
Hawaii

Dear Mr. Ishimaru,

With reference to my letter of June 2, 1972 I am enclosing a final report of my investigation of your land at Kahilipali iki, between Naalehu and Waiuhino, Kau Hawaii. This is the result of your wife's telephone request (previous to June 2nd). If there are further questions or information needed by you I will be free to satisfy the request.

Thanking you, I remain.....

Sincerely,



William J. Bonk
Research Director

To: Mr. Tommy Ishimaru

From: William J. Bonk

Subject: Field Research and Investigation of Ishimaru Property: Tax Key 9-50729 at Kahilipali iki between Naalehu and Waiohinu, Kau, Hawaii.

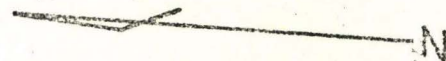
On June 6, 1972 with the help of one assistant the field research for this report was accomplished through a thorough investigation of the property under the ownership of Tomekichi Ishimaru and Shizuko Ishimaru. This property is listed as Tax Key 9-50729 and is found in the Kahilipali iki land boundary between Naalehu and Waiohinu, Kau, Hawaii. A map is enclosed showing the general boundaries of that property and some photographs are also attached showing general vegetation cover and a view of the land.

The property includes an area of over a hundred and sixty-six acres mostly covered with scrub brush and with a heavy cover of christmas berry trees and some lantana.

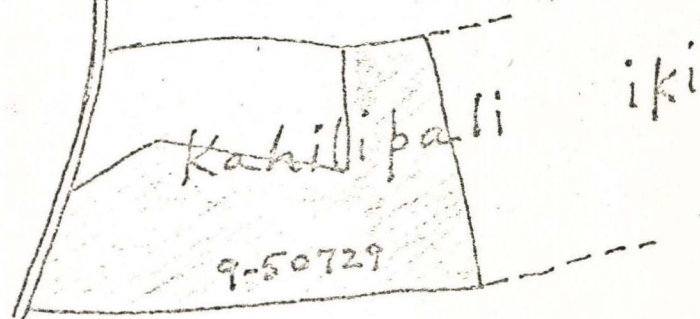
We drove with a four-wheel drive vehicle to and on the property and walked to the eastern boundary, criss-crossing as we best could because of the difficulty of movement through the underbrush. Throughout the area investigated no archaeological sites were found. I have no doubt that this property lacks archaeological material and/or archaeological sites that might be worth further checking or preservation.

As a result I would recommend that no further archaeological investigation be required and that the owner can proceed with whatever development he is able under State and local laws.

If there are further questions or information needed I will be available for questioning and clarification of the above statement.



Kahilipali nui



April 17, 1972

Mr. Tatsuo Fujimoto
Executive Officer
State Land Use Commission
P. O. Box 2359
Honolulu, Hawaii

Re: Special Permit Application
Tommy Ishimaru

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, transmitted herewith are the decision and findings of the County Planning Commission on the referenced application.

The special permit request was to allow a quarry operation on approximately 25 acres of a 166.478 parcel situated within the State Land Use Agricultural District in Kahilipali-Iki, Naalehu, Ka'u, Hawaii, TMK: 9-5-7:29.

The Planning Commission at a duly advertised public hearing held on February 25, 1972 in Kealahou, Kona, discussed the subject request. The Commission, on April 13, 1972, voted to recommend the approval of the subject request on the basis of the following findings:

1. that the proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water and drainage improvements. The applicant will provide his own access to and from the proposed quarry site, and no public improvements will be necessary;
2. that there are no operating quarries in the Ka'u district now, the largest district on the Big Island. The need for a quarry in the district is surely warranted to sustain the existing and anticipated public and private developments.

The favorable recommendation, however, was contingent upon the following conditions:

1. that all State and County standards and appropriate safety measures be exercised by the applicant to assure optimum vehicular traffic safeguards during the entire period of the operation;
2. that the applicant obtain an authority to construct from the Department of Health prior to construction of the facilities;

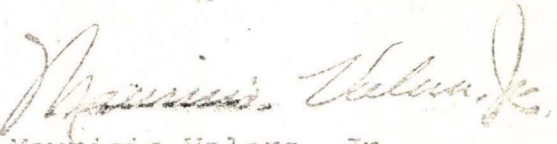
APR 24 1972

Mr. Tatsuo Fujimoto

Page 2

April 17, 1972

3. that the applicant obtain a permit to operate from the Department of Health prior to operation and for continued operation of the facilities;
4. that every precaution be taken by the applicant to avert any inconvenience such as traffic, noise and dust problems, to surrounding properties;
5. that excavation shall not commence until a complete historical survey of the area is conducted and reviewed by appropriate agencies. All historical sites shall be preserved.
6. that the operation be confined to approximately twenty-five (25) acres and within the area indicated on the map submitted;
7. that the quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience.
8. that upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan, subject to the approval of the County Planning and Public Works Departments;
9. that the Planning Department shall make periodic inspection of the site to see that no adverse effects are being created by the quarry operation such as dust, noise and indiscriminate excavation which will substantially alter the land. If it is determined that adverse effects are created, the Planning Commission shall have the authority to require the applicant to cease and desist the quarry operation.
10. that operation be limited to only during regular working hours.


Mauricio Valera, Jr.

Vice Chairman

For

O. W. Eford, Jr.

Chairman

SF:mh

Enclosures

June 5, 1972

Mr. Tommy Ishimaru
Naalehu
Hawaii 96772

Dear Mr. Ishimaru:

The original of the attached letter approving your special permit request (SP72-128) to allow the operation of a quarry including allied uses such as crushing plant, a concrete batch plant, and an asphalt concrete plant on approximately 25 acres of land described as Tax Map Key 9-5-7; portion of parcel 29, at Naalehu, Ka'u, Hawaii, subject to the conditions set forth by the Hawaii County Planning Commission is on file in the office of the Planning Department, County of Hawaii, 25 Aupuni Street, Hilo, Hawaii.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosures 2

June 5, 1972

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

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

At its meeting on June 2, 1972, the Land Use Commission voted to approve a special permit to Tommy Ishimaru (SP72-128) to allow the operation of a quarry including allied uses such as crushing plant, a concrete batch plant, and an asphalt concrete plant on approximately 25 acres of land described as Tax Map Key 9-5-7: portion of parcel 29, at Naalehu, Ka'u, Hawaii, subject to the conditions set forth by the Hawaii County Planning Commission.

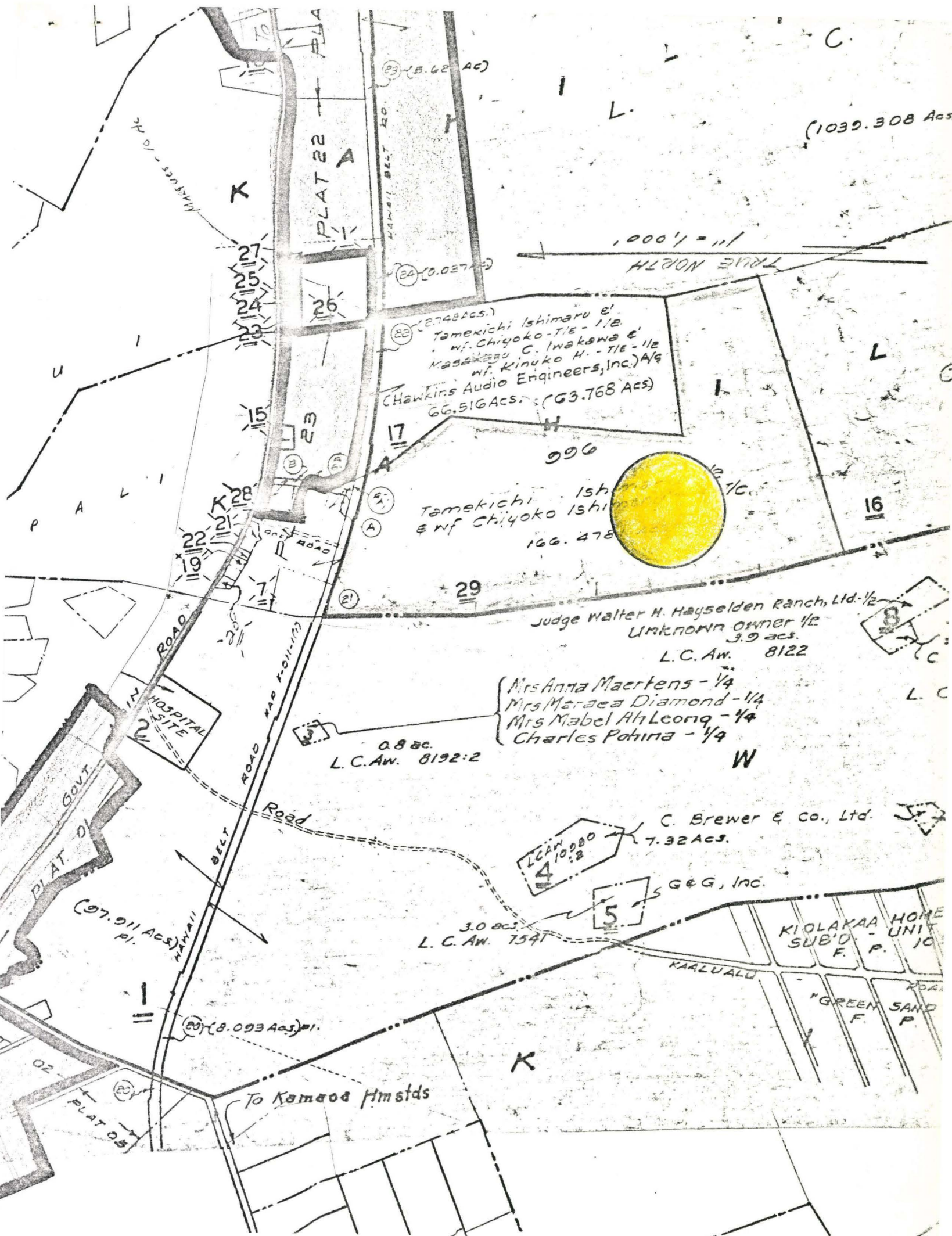
A copy of the staff report is enclosed for your information.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosures

cc: Tommy Ishimaru
Hawaii District Office, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Tax Maps Recorder, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation



STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Discovery Room, Kona Hilton Hotel
Kailua, Kona, Hawaii

June 2, 1972 - 10:30 a.m.

APPROVED
JUL 20 1972

Commissioners Present: Goro Inaba, Chairman
Eddie Tangen, Vice Chairman
Sunao Kido
Alexander Napier
Tanji Yamamura
Stanley Sakahashi
Leslie Wung

Commissioner Absent: Shelley Mark

Staff Present: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Ben Matsubara, Deputy Attorney General
Jean Soma, Stenographer

After calling the meeting to order, Chairman Inaba swore in all those wishing to present testimony before the Commission today.

LETTER FROM DR. RICHARD E. MARLAND, INTERIM DIRECTOR,
STATE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

Chairman Inaba acknowledged receipt of a letter dated May 30, 1972 from Dr. Richard E. Marland, Interim Director, Office of Environmental Quality Control, relating to petition A71-314, Land Use Commission (Kahaluu, Oahu) and noted that a copy had been distributed to the Commission membership.

LAND USE COMMISSION - MINUTES OF MEETING

June 2, 1972

Page 11

Mr. Takeshi Kudo, on behalf of the petitioner, submitted that Dr. Chisato Hayashi, President of Kona Cares, Inc., was unable to be in attendance at today's meeting. He continued that at this time arrangements for the financing of this project are underway, and the federal government has committed itself to partake in the financing; namely, 90 percent. The State or the County will absorb the remaining 10 percent under the Act 105 program.

It was moved by Commissioner Napier that this special permit be approved subject to the County's conditions, seconded by Vice-Chairman Tangen. The motion was passed.

SPECIAL PERMIT APPLICATION BY TOMMY ISHIMARU (SP72-128) TO ALLOW A QUARRY OPERATION AT NAALEHU, KA'U, HAWAII

Following the presentation of the staff report recommending approval of this request subject to the County's conditions (see report on file), Mr. Fujimoto, Executive Officer, oriented the Commission to the location of the subject property; the surrounding areas; and particularly the property owned by Mr. Larry O. Hawkins, Vice-President and Manager of Hawkins Audio Engineers, Inc., partial owner of a parcel adjoining the proposed quarry site, opposing this special permit request. Mr. Fujimoto then indicated the wind direction concerning the subject land--northeast to southwest.

The petitioner, Mr. Tommy Ishimaru, felt he could comply with the conditions stipulated by the Hawaii County Planning Commission.

Thereafter, Commissioner Napier moved that this special permit request be approved subject to the County's conditions. The motion was seconded by Commissioner Sakahashi.

Mr. Ishimaru, in reference to Commissioner Yamamura's query, said that a sprinkling system will be installed to control the dust. The County is proposing to install a 4 to 6-inch waterline, and Mr. Ishimaru intends to draw the water down to the subject site.

LAND USE COMMISSION - MINUTES OF MEETING

June 2, 1972

Page 12

Chairman Inaba called upon Mr. Fujimoto to poll the Commission since a motion was on the floor. Mr. Fujimoto complied, and the motion to approve the request subject to the County's conditions was carried.

MISCELLANEOUS

EXTENSION REQUEST BY PAN AMERICAN FINANCIAL CORP. (SP71-116)

Pursuant to the deliverance of the staff memorandum (see memo on file) by Mr. Fujimoto, Commissioner Yamamura moved that the request be granted. Commissioner Sakahashi seconded the motion, and it was carried.

TENTATIVE SCHEDULE

The Commission agreed to conduct its next meeting on July 20 on Oahu and that it would meet with Dr. Richard Marland, Interim Director, Office of Environmental Quality Control, on July 21, 1972.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP72-128- TOMMY ISHIMARU

DATE June 2, 1972

PLACE Kona Hilton Hotel
Kailua, Kona, Hawaii

TIME 10:30 a.m.

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

Comments: Approved subject to County's conditions.

STATE OF HAWAII
LAND USE COMMISSION

Discovery Room, Kona Hilton Hotel
Kona, Hawaii

June 2, 1972
10:30 a.m.

STAFF REPORT

SP72-128 - TOMMY ISHIMARU

A special permit to allow the operation of a quarry including allied uses such as crushing plant, a concrete batch plant, and an asphalt concrete plant on 25 acres of land located at Naalehu, Ka'u, Hawaii, has been requested by Mr. Tommy Ishimaru. The land is located within the Agricultural District and identified as TMK 9-5-7: portion of parcel 29. Parcel 29 is owned by Mr. Ishimaru and consists of a total of 166.5 acres.

The proposed quarry site is situated between the Naalehu and Waiohinu Urban Districts, approximately one-half mile east of the Naalehu Police Station and about 4,000 feet makai of Mamalahoa Highway.

Mr. Ishimaru is requesting this special permit to establish a quarry operation to supply quarry material for the construction of a variety of proposed developments in the Ka'u area. It was indicated that there is no quarry operation in this district at the present time. The petitioner identified C. Brewer & Co., Ltd., Hawaiian Ranchos, Hawaiian Ocean View Estates, Discovery Harbor and Green Sands,

Hutchinson Sugar Company, Hawaiian Agricultural Company, the County, and the State as possible developers that will be needing quarry material for a number of proposed construction projects in the Ka'u district. Mr. Ishimaru further stated that, "at the present time, material has to be brought in from Hilo or Kona which involves a 128 mile round trip and takes from 5 to 6 hours."

The petitioner also indicated that the excavated area can be made available for dumping debris from the Naalehu Flood Control basin since the present site is nearing capacity.

The subject area is vacant, covered with shrubbery, and accessible only by a very poor unimproved road. The surrounding areas to the south, east, and west are predominantly pasture and open land. The closest residence to the subject site is situated approximately one-half mile north of the proposed quarry site and along Mamalahoa Highway.

The Land Study Bureau classification shows that the soil productivity rating for the area in question is "D" or poor. The quarry site consists of well-drained, shallow volcanic ash and pahoehoe, and gently sloping terrain with slopes generally under 20 percent and a mean annual rainfall range between 40 to 60 inches. The elevation is at the 800 foot level. The prevailing wind pattern is generally northeast to

southwest and away from the Naalehu and Waiohinu residential areas. The Kona wind which blows from southwest to northeast occurs primarily between December and March, on an average of no more than 3 to 5 days a month.

At its April 13, 1972 meeting, the Hawaii County Planning Commission voted to recommend approval of this special permit based on the following findings:

- "1. that the proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water and drainage improvements. The applicant will provide his own access to and from the proposed quarry site, and no public improvements will be necessary;
- "2. that there are no operating quarries in the Ka'u district now, the largest district on the Big Island. The need for a quarry in the district is surely warranted to sustain the existing and anticipated public and private developments."

The recommendation for approval was subject to the following conditions:

- "1. that all State and County standards and appropriate safety measures be exercised by the applicant to assure optimum vehicular traffic safeguards during the entire period of the operation;
- "2. that the applicant obtain an authority to construct from the Department of Health prior to construction of the facilities;
- "3. that the applicant obtain a permit to operate from the Department of Health prior to operation and for continued operation of the facilities;

- "4. that every precaution be taken by the applicant to avert any inconvenience such as traffic, noise and dust problems, to surrounding properties;
- "5. that excavation shall not commence until a complete historical survey of the area is conducted and reviewed by appropriate agencies. All historical sites shall be preserved;
- "6. that the operation be confined to approximately twenty-five (25) acres and within the area indicated on the map submitted;
- "7. that the quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience;
- "8. that upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan, subject to the approval of the County Planning and Public Works Departments;
- "9. that the Planning Department shall make periodic inspection of the site to see that no adverse effects are being created by the quarry operation such as dust, noise and indiscriminate excavation which will substantially alter the land. If it is determined that adverse effects are created, the Planning Commission shall have the authority to require the applicant to cease and desist the quarry operation.
- "10. that operation be limited to only during regular working hours."

The subject site is zoned Ag-20 acres and general planned for extensive agricultural use.

At the hearing, it was reported that the Department of Public Works and the Department of Water Supply have no objections to the proposed quarry site.

In a letter dated March 28, 1972 to the Hawaii County Planning Department, Mr. James M. Nakahara, Chief Sanitarian, Hawaii District, Department of Health, stated in part that:

"The proposed equipment to be located on the site for the quarrying and batching operations are classified as new sources and thus are required to obtain an Authority to Construct and a Permit to Operate from the Department of Health under the provision of the recently adopted Air Pollution Regulations which became effective on March 21, 1972."

Mr. Nakahara further suggested that the special permit be approved under two conditions. These conditions have been incorporated in conditions #2 and #3 of the County's conditions.

The County planning staff further informed that there are no historical sites or listings of any historical sites on the subject parcel.

The County Planning Commission has received seven letters requesting favorable action on the petition and one letter opposing the proposed operation as follows:

In support of the petition

1. In his letter dated February 15, 1972, Mr. J. Hewetson, Manager of Hutchinson Sugar Company, Ltd., stated

that the quarry operation would benefit the community and urged approval. He added that the hauling charge for a ton of crushed rock alone can be as high as \$6 and that this was a major factor in the high construction costs on the Ka'u coast.

2. In his letter dated February 17, 1972, Mr. James K. Kuwaye, President of Kuwaye Brothers, Inc., strongly recommended approval for the reasons that there is an economic need for a source of supply of quarry material in the Ka'u district; a source of quarry material in this area will greatly reduce building material and construction costs; the quarry operation will eliminate hauling material from Hilo and thereby reduce traffic; and the quarry operation will provide jobs and income.
3. In his letter dated February 17, 1972, Mr. R. E. Hopkins of Morrison-Knudsen Company, Inc. strongly supported this special permit request. He informed that his company was the low bidder for the Hawaiian Discovery Harbor project and that if Mr. Ishimaru's proposed quarry site

becomes operational, they would avail themselves of this source.

4. In his letter dated February 17, 1972, Mr. Charles Menning, President of Shield-Pacific Ltd., requested that this quarry operation be approved since there are no commercial concrete aggregate or ready mix concrete facilities in Ka'u. The nearest facilities are located in Hilo, 60 miles away, and hauling concrete for a long period reduces its strength. Savings of approximately \$5,000 to \$10,000 to taxpayers for the Waiohinu flood control project alone could be realized if the project is approved.
5. In his letter dated February 17, 1972, Mr. Ernest A. Smith, Manager of Hawaiian Agricultural Company, requested favorable action on this request since there is a need for a source of quarry material in the Ka'u area and that this service would reduce the high hauling cost from Hilo.
6. In his letter dated February 23, 1972, Mr. Edward E. Crook, Vice President of Administration, Inc., stated that on behalf of his company and Swinerton Hawaii Venture, they endorse the project. He believes that the proposed location will have no

adverse effect upon the lives or businesses of others.

7. In a letter dated February 23, 1972, Mr. George A. Arthur, Project Manager of Cal-Pacific Resources of Hawaii, Ltd., recommended favorable action. He informed that his company was developing the Discovery Harbor project and that the availability of a quarry facility in the Ka'u area will contribute to the economy.

In opposition

1. In a letter dated February 11, 1972, Mr. Larry O. Hawkins, Vice-President and Manager of Hawkins Audio Engineers, Inc., advised that he was a partial owner of the 67 acre parcel adjoining the proposed quarry site and that he was opposed to the quarry operation at the proposed site because the geographic location and pleasant and mild climate were more conducive to resort development, residential subdivision, or a shopping center and business development. He added that the proposed quarry site is approximately a mile from the center of an existing town and that to allow this type of industrial development would

lower property values, increase pollution, and the noise levels would be unbearable. The Halawa quarry on Oahu was cited as an example of the ill effects that may arise from a quarry operation.

In addition, Mr. Hawkins stated that if the proposed quarry operation was allowed, it would drastically hamper expansion of Naalehu.

Upon evaluation of this request, staff finds that:

1. The comprehensive conditions stipulated by the County will adequately protect the surrounding areas, alleviate and minimize pollution, health, and safety hazards, and insure the restoration of the area.
2. The proposed quarrying operation would not unreasonably burden public agencies to provide additional services, nor would it be contrary to the objectives of the Land Use Law.
3. The proposed quarry site would be a convenient and much needed source of quarry material for the construction of both private and public work projects in the Ka'u district since there are no operating quarries located in the area.

4. A quarry source in the Ka'u area would eliminate hauling of material from Hilo and thereby reduce heavy equipment traffic on the highways.

Based on the above findings, the staff recommends approval of this request, subject to the County's conditions.



3200

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

May 25, 1972

RECEIVED

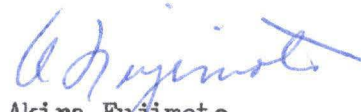
MAY 26 1972

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto, Executive Officer
State of Hawaii, Land Use Commission
P. O. Box 2359
Honolulu, HI 96804

Re: Notification of Special Permit Application
SP72-128 - Tommy Ishimaru (Ka'u, Hawaii)
Tax Map Key: 9-5-7: portion of 29

We have no objections to this request.


Akira Fujimoto
Manager

WHS

... Water brings progress...

May 16, 1972

Mr. Tommy Ishimaru
Naalehu
Hawaii 96772

Dear Mr. Ishimaru:

The Land Use Commission next meets on June 2, 1972, at 10:30 a.m., in the Discovery Room, Kona Hilton Hotel, Kailua, Kona, Hawaii.

At that time your application (SP72-128) to allow a quarry operation at Naalehu, Ka'u, Hawaii, will be heard. If a deferral is necessary, notify the Land Use Commission any time before the matter is called for consideration by the Commission at the meeting. The Commission will evaluate the reasons and consider the request for a deferral.

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

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosure - Agenda

May 18, 1972

Mr. Tommy Robinson
Honolulu
Hawaii 96702

Dear Mr. Robinson:

The Land Use Commission next meets on June 1, 1972, at 10:10 A.M. in the Glasscock Room, Kona Hilton Hotel, Kona, Hawaii.

At that time your application (LUC-133) for a new property operation at Waialeale, Waia, Hawaii, will be heard. It is a hearing in the Commission, not a hearing in the Commission. Any time before the hearing is called for consideration by the Commission at the meeting. The Commission will evaluate the reasons and consider the request for a hearing.

Should you have any questions regarding this hearing, please feel free to contact me.

Very truly yours,

Executive Director

Enclosure - Agenda

5-17-72

Sent application, petitioner's justification, map, and County recommendation together with form letter and June 2, 1972 LUC agenda to Dr. Richard Marland, OEQC.

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

May 15, 1972

NOTIFICATION OF SPECIAL PERMIT APPLICATION

SP72-128 - Tommy Ishimaru
(Ka'u, Hawaii)

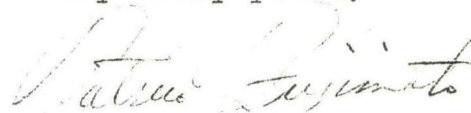
Please be advised that a special permit application has been filed with the Land Use Commission to allow a quarry operation on approximately 25 acres of land. The land is described as Tax Map Key 9-5-7: portion of 29 and is located within the Agricultural District at Naalehu, Ka'u, Hawaii. The Hawaii County Planning Commission approved this request on April 13, 1972.

An action meeting on this application is scheduled for June 2, 1972*.

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,



TATSUO FUJIMOTO
Executive Officer

*See enclosed agenda



COUNTY OF
HAWAII

PLANNING COMMISSION Planning Department

25 AUPUNI STREET • HILO, HAWAII 96720

SHUNICHI KIMURA
Mayor

Chairman

April 17, 1972

RECEIVED

APR 27 1972

SP72-128

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
State Land Use Commission
P. O. Box 2359
Honolulu, Hawaii

Re: Special Permit Application
Tommy Ishimaru

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, transmitted herewith are the decision and findings of the County Planning Commission on the referenced application.

The special permit request was to allow a quarry operation on approximately 25 acres of a 166.478 parcel situated within the State Land Use Agricultural District in Kahilipali-Iki, Naalehu, Ka'u, Hawaii, TMK: 9-5-7:29.

The Planning Commission at a duly advertised public hearing held on February 25, 1972 in Kealahakua, Kona, discussed the subject request. The Commission, on April 13, 1972, voted to recommend the approval of the subject request on the basis of the following findings:

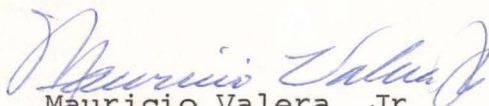
1. that the proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water and drainage improvements. The applicant will provide his own access to and from the proposed quarry site, and no public improvements will be necessary;
2. that there are no operating quarries in the Ka'u district now, the largest district on the Big Island. The need for a quarry in the district is surely warranted to sustain the existing and anticipated public and private developments.

The favorable recommendation, however, was contingent upon the following conditions:

1. that all State and County standards and appropriate safety measures be exercised by the applicant to assure optimum vehicular traffic safeguards during the entire period of the operation;
2. that the applicant obtain an authority to construct from the Department of Health prior to construction of the facilities;

Mr. Tatsuo Fujimoto
Page 2
April 17, 1972

3. that the applicant obtain a permit to operate from the Department of Health prior to operation and for continued operation of the facilities;
4. that every precaution be taken by the applicant to avert any inconvenience such as traffic, noise and dust problems, to surrounding properties;
5. that excavation shall not commence until a complete historical survey of the area is conducted and reviewed by appropriate agencies. All historical sites shall be preserved.
6. that the operation be confined to approximately twenty-five (25) acres and within the area indicated on the map submitted;
7. that the quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience.
8. that upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan, subject to the approval of the County Planning and Public Works Departments;
9. that the Planning Department shall make periodic inspection of the site to see that no adverse effects are being created by the quarry operation such as dust, noise and indiscriminate excavation which will substantially alter the land. If it is determined that adverse effects are created, the Planning Commission shall have the authority to require the applicant to cease and desist the quarry operation.
10. that operation be limited to only during regular working hours.


Mauricio Valera, Jr.
Vice Chairman
For
O. W. Efurd, Jr.
Chairman

SF:mh

Enclosures

PLANNING COMMISSION

Planning Department
County of Hawaii

April 13, 1972

The Planning Commission met in special session at 2:01 p.m., in the Conference Room of the Planning Department, County Building, with Chairman O. W. Efurd, Jr., presiding.

PRESENT: O. W. Efurd, Jr.
Clara K. Kahumoku
Masayuki Kai
Shigeji Kawasaki
Mauricio Valera, Jr.
Anthony C. Veriato
Ed C. Watt

ABSENT: Roy H. Nagata
Skippy T. Yasutake
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Raymond H. Suefuji
Philip I. Yoshimura
Glenn T. Miyao
Sidney M. Fuke

Robert W. Jinks, Asst. Corporation Counsel
David Murakami, Public Works

and approximately 40 persons in public attendance

MINUTES

The minutes of the regular session held on March 24, 1972 were approved as circulated on a motion by Mrs. Kahumoku, seconded by Mr. Valera and carried.

LAND USE COMMISSION
SPECIAL PERMIT
HIGHWAY DIVISION
STATE DEPT. OF TRANSP.
KEAUHOU, NORTH KONA

Application for a special permit to allow the construction of a maintenance baseyard makai of the old Keauhou School, Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-7:61.

The Chairman reported that at the last meeting, the Commission deferred this item pending further information from DAGS on the study of four alternative sites.

The Staff informed the members that to this date, the studies have not been concluded.

Mrs. Kahumoku moved to defer this matter. The motion was seconded by Mr. Veriato and approved.

LAND USE COMMISSION
SPECIAL PERMIT
TOMMY ISHIMARU
NAALEHU, KA'U

Application for a special permit to allow a quarry operation at Kahilipali-Iki, Naalehu, Ka'u, Tax Map Key 9-5-7:29.

The Chairman stated that a public hearing was held on this in Kona and deferred pending information from the Department of Health.

The Staff introduced a letter, dated March 28, 1972, received from the Department of Health:

"Re: Application for Special Permit For a Quarry, Concrete Batching Plant and Asphaltic Concrete Plant at Kahilipali-Iki, Naalehu, Hawaii
Tax Map Key 9-5-07:29

"The proposed equipment to be located on the site for the quarrying and batching operations are classified as new sources and thus are required to obtain an Authority to Construct and a Permit to Operate from the Department of Health under the provision of the recently adopted Air Pollution Regulations which became effective on March 21, 1972.

"The data submitted in support of the proposed equipment is insufficient for us to determine whether the provisions of the regulations can be met. Data must be furnished on forms supplied by the Department of Health before the proper evaluation for the permits can be performed. These forms are now in the process of being printed.

"Rather than hold up the Special Permit application until after an Authority to Construct is issued, we suggest that the Special Permit be approved on the condition that:

- a. The applicant obtain an Authority to Construct from the Department prior to construction of the facilities, and
- b. The applicant obtain a Permit to Operate from the Department prior to operation and for continued operation of the facilities."

/s/ JAMES M. NAKAHARA
Chief Sanitarian, Hawaii District

Mrs. Kahumoku wondered whether a historical study has been conducted in the area.

The Staff pointed out that the archaeological and historical survey done for the area reflects no known historical areas in the area.

Mrs. Kahumoku remarked that if there were some features discovered, the quarry should then be moved.

Mr. Veriato called for recommendation of the staff.

The Staff recommended that the special permit request be approved based on the following considerations:

1. that the proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water and drainage improvements. The applicant will provide his own access to and from the proposed quarry site, and no public improvements will be necessary.

2. that there are no operating quarries in the Ka'u District now, the largest district on the Big Island. The need for a quarry in the district is surely warranted to sustain the existing and anticipated public and private developments.

The Staff also recommends that the request be approved with the following conditions:

1. that all State and County standards and appropriate safety measures be exercised by the applicant to assure optimum vehicular traffic safeguards during the entire period of the operation;
2. that the applicant obtain an authority to construct from the Department of Health prior to construction of the facilities;
3. that the applicant obtain a permit to operate from the Department prior to operation and for continued operation of the facilities;
4. that every precaution be taken by the applicant to avert any inconvenience such as traffic, noise, and dust problems, to surrounding properties;
5. that excavation shall not commence until a complete historical survey of the area is conducted and reviewed by appropriate agencies. All historical sites shall be preserved.
6. that the operation be confined to approximately twenty-five (25) acres and within the area indicated on the map submitted;
7. that the quarrying operation and its allied uses be terminated five (5) years after the date of approval of the special permit or upon written request of the adjoining properties which prove that the operation is causing them excessive inconvenience.
8. that upon expiration of the permit, the applicant shall remove all temporary support facilities and equipment from the area. The land shall then be graded to blend with the surrounding area. Prior to the grading, however, the applicant shall prepare a grading plan, subject to the approval of the County Planning and Public Works Departments;
9. that the Planning Department shall make periodic inspection of the site to see that no adverse effects are being created by the quarry operation such as dust, noise, and indiscriminate excavation which will substantially alter the land. If it is determined that adverse effects are created, the Planning Commission shall have the authority to require the applicant to cease and desist the quarry operation.
10. that operation be limited to only during regular working hours.

It was moved by Mr. Watt, seconded by Mr. Valera and adopted unanimously that this application be recommended for approval with the restrictions outlined by the Staff.



DEPARTMENT OF HEALTH

STATE OF HAWAII
HILO, HAWAII

March 28, 1972

Mr. Raymond H. Suefuji, Director
County Planning Department
25 Aupuni Street
Hilo, HI 96720

Re: Application for Special Permit For a Quarry, Concrete Batching
Plant and Asphaltic Concrete Plant at Kahilipali-iki, Naalehu, Hawaii
TMK: 9-5-07:29

The proposed equipment to be located on the site for the quarrying and batching operations are classified as new sources and thus are required to obtain an Authority to Construct and a Permit to Operate from the Department of Health under the provision of the recently adopted Air Pollution Regulations which became effective on March 21, 1972.

The data submitted in support of the proposed equipment is insufficient for us to determine whether the provisions of the regulations can be met. Data must be furnished on forms supplied by the Department of Health before the proper evaluation for the permits can be performed. These forms are now in the process of being printed.

Rather than hold up the Special Permit application until after an Authority to Construct is issued, we suggest that the Special Permit be approved on the condition that:

- a. The applicant obtain an Authority to Construct from the Department prior to construction of the facilities, and
- b. The applicant obtain a Permit to Operate from the Department prior to operation and for continued operation of the facilities.

James M. Nakahara

JAMES M. NAKAHARA
Chief Sanitarian, Hawaii District
JMN:hy
cc: Mr. Ishimaru

for LUC

PLANNING COMMISSION

Planning Department
County of Hawaii

February 25, 1972

A regularly advertised public hearing, on the application of Tommy Ishimaru, was called to order at 3:41 p.m., in the Meeting Room of the Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, by Chairman O. W. Efurd, Jr.

PRESENT: O. W. Efurd, Jr.
Clara K. Kahumoku
Shigeji Kawasaki
Roy H. Nagata
Mauricio Valera, Jr.
Ed C. Watt
Raymond H. Suefuji
Glenn T. Miyao
Sidney M. Fuke

ABSENT: Masayuki Kai
Anthony C. Veriato
Skippy T. Yasutake
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Richard Masuda, Public Works

and approximately 30 persons in public attendance

NOTICE OF A PUBLIC HEARING

Special Permit: Kahilipali-Iki, Naalehu, Ka'u, Hawaii

NOTICE IS HEREBY GIVEN of a public hearing to be held in the Meeting Room of the Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, Hawaii, State of Hawaii, at 3:15 p.m., February 25, 1972 to consider the application of Tommy Ishimaru, 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 a quarry operation, which would include crushing activities, concrete batch plant, and an asphaltic concrete plant on 25 acres of land located at Kahilipali-Iki, Naalehu, Ka'u, Hawaii, Tax Map Key 9-5-7:29.

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
O. W. EFURD, JR., CHAIRMAN
By: Raymond H. Suefuji, Director

(Hawaii Tribune-Herald: February 15 and 23, 1972)

CHAIRMAN: For those of you who have just come in, we are one-half hour behind schedule, so at this time we are taking up a public hearing scheduled at 3:15 p.m. (The Chairman read the public hearing notice in its entirety.)

Will the staff give us background on this please.

STAFF PLANNER FUKU: Thank you Mr. Chairman. The applicant has requested a special permit to allow a quarry operation, which would include crushing operation, a concrete batch plant, and an asphaltic concrete plant, on approximately 25 acres of land situated within the Agricultural District at Naalehu, Ka'u, Hawaii. The subject property, which consists of 166.478 acres, is described as Tax Map Key: 9-5-7 Parcel 29.

The applicant maintains that material has to be brought in from Hilo or Kona to support developments around the Ka'u area. This, according to the applicant, involves approximately 128 miles and 5 to 6 hours. He also notes that there are several private and public developments which needs or will need material provided by a quarry.

The applicant further indicates that if the permit were granted, he would use the resultant excavated portion as a sanitary landfill.

The property under consideration is situated on the makai side of the Belt road between Waiohinu and Naalehu, approximately 1/2 mile from the Naalehu police station. The site of the quarry, however, is located towards the rear or makai side of the lot, approximately 4,000 feet from the main road or Mamalahoa Highway. The area is presently covered with shrubberies and is basically pasturable in character. The prevailing wind pattern is generally northeast to southwest and away from the Naalehu and Waiohinu residential areas. The Kona wind which blows from southwest to northeast, occurs primarily between December and March; and according to the U. S. Weather Bureau, on an average of no more than 3 to 5 days a month.

The Land Study Bureau's productivity rating for the subject area is "D" or poor. The soil is very shallow with a moderately fine texture. Its parent material is volcanic ash and pahoehoe; is well drained with a slope range of 0 to 35 percent, generally under 15 per cent; has a mean annual rainfall of 750 to 2,250 inches and is very poorly suited for machine tillability.

The Department of Public Works noted that "if noise and dust will not be a nuisance in the area, they would not object to the permit." The Department of Health commented that "additional information is requested in order to determine whether the proposed operation will not be materially detrimental to public health and safety." The questions and the information they were seeking were the following:

- "1. Duration of the special permit.
- "2. Location map showing the nearest residence and the surrounding residential communities.
- "3. Plot plan showing the location of each proposed structure.
- "4. Schematic drawing of the step by step operation together with dust control devices.
- "5. Description of the proposed method of dust control operation.
- "6. Specifications and performance data of the equipment if packaged-type (factory-built) of equipment is to be used."

Upon receipt of the Department of Health's letter, we wrote to the applicant to provide us with such information but as yet has not received a formal reply.

To date, we have received seven letters pertaining to the application. Six were for it and one was against it and I will read each individual letter:

First one is dated February 11, 1972:

"Dear Mr. Suefuji:

"As owners of 67 acres adjoining this proposed quarry, we want to be very emphatic in our opposition to this request. Because of the geographic location and the very pleasant, mild climate, we feel that this area is more conducive to resort development, subdivisions for housing, or shopping center and business development. We are speaking of one mile from the center of an existing town or shopping center and of close proximity to a dedicated park. To allow this type of industrial development would lower property values, increase pollution, and noise levels would be unbearable.

"I would like to make reference to the Halawa Quarry on Oahu, where residents have made a major complaint which was justified because of noise pollution and heavy dust over residential areas, three miles from the quarry. A development of this type should not be allowed within 10 miles of any existing shopping center or city, and I base this on present growth of cities. I would also like to make reference to present quarry areas, or similar industries, on Oahu. Note that, with the exception of the Halawa Quarry, they are in no way in close proximity of intensely populated residential areas.

"With the present growth of cities and residential areas, in the very near future this would probably put the quarry directly in line with the expansion and development of the area, and if allowed to pass would drastically hamper expansion of Naalehu.

"Sincerely,

/s/ Larry O. Hawkins, Vice-President and Manager"
Hawkins Audio Engineers, Inc.

Another letter dated February 17, 1972:

"Gentlemen:

"For the following reasons, we strongly recommend that a Special Permit be granted to Tommy Ishimaru for the operation of a quarry:

- "1. There is an economic need for a source of supply of aggregates and allied products in the Kau District. The closest suppliers are in Hilo, which is approximately 65 miles away.
- "2. An established quarry in this area will greatly reduce building material and construction costs, which will benefit the people of this district.
- "3. It will eliminate the necessity of hauling from Hilo, thereby freeing heavier hauling units from the already heavy traffic load.
- "4. A quarry operation will create jobs for people of this area, and will provide additional income to the district.

"We believe a properly controlled quarry will not contribute to any potential health hazard. Dust can be controlled by sprinkling system.

"Very truly yours,

/s/ James R. Kuwaye, President"
KUWAYE BROTHERS, INC.

Another letter dated February 15, 1972:

"Dear Mr. Suefuji:

"I understand that Mr. T. Ishimaru has applied for permission to set up a quarry and rock crushing operation here in Naalehu. I want you to know that in my judgment this would be a real benefit to this community.

"At the present time the hauling charge alone for a ton of crushed rock can be as much as \$6.00. This makes all construction and road work on the Ka'u coast extremely expensive.

"Mr. Ishimaru recognizes that the location of such an operation is important so that it does not interfere with the local residents. There should be no problems in this respect.

"Please give this application your serious consideration.

"Yours truly,

/s/ J. Hewetson, Manager"
HUTCHINSON SUGAR CO., LTD.

Another letter dated February 17, 1972:

"Gentlemen:

"Morrison Knudsen Company is the low bidder for the construction job in the Hawaiian Discovery Harbor Project. It is our intention that if aggregate is available close by, we would avail ourselves from this source.

"A source for material in this area will greatly reduce construction costs. It will also eliminate the necessity of hauling from Hilo, thereby reducing traffic load on the highway.

"As to the control of dust, we believe proper methods can be applied to minimize any potential health hazard.

"For reasons stated, we strongly recommend that Mr. Ishimaru be granted a Special Permit to operate a quarry.

"Very truly yours,

/s/ R. E. Hopkins"
MORRISON KNUDSEN COMPANY

Another letter dated February 17, 1972:

"Gentlemen:

"With Mr. Tommy Ishimaru, we are requesting your approval of a quarry site and concrete batching on Mr. Ishimaru's property at Naalehu.

"At the present time there are no commercial concrete aggregate or ready mix concrete facilities in the area. The nearest are in Hilo, some 60 miles away.

"Hauling concrete for 1 1/2 to 2 hours tends to reduce its strength. In fact, some specifications prohibit this practice. The hauling of aggregate from Hilo results in an unrealistically high price. We estimate that the saving to the taxpayers would be \$5000 - \$10,000 on the upcoming Waiohinu flood control project alone, if concrete aggregate and ready mix concrete were available in or near Naalehu.

"The presence of these facilities at Naalehu will mean higher quality concrete at lower prices for all Federal, State, and County work in the Ka'u District. In addition, the people of Ka'u will benefit from these factors. For these reasons, we respectfully request your approval of the petition.

"Yours very truly,

/s/ Charles Menning, President"
SHIELD-PACIFIC, LTD.

Letter dated February 17, 1972:

"Dear Sir:

"We have been advised that Tommy Ishimaru is seeking approval for the construction of a rock crusher in Kahilipali Iki, between Naalehu and Waiohinu.

"There is a need for such a service, supplying crushed rock for the Ka'u area, reducing the high cost of hauling material from Hilo. Therefore, we ask that the Planning Commission act favorably upon Ishimaru's application.

"Yours very truly,

/s/ Ernest A. Smith, Manager
HAWAIIAN AGRICULTURAL COMPANY

Another letter dated February 23, 1972:

"Dear Rev. Efurd:

"We understand that Mr. Tom Ishimaru has made application to establish rock crushing operation on a parcel of his land near Naalehu, Ka'u, Hawaii.

"On behalf of Administration, Inc. and Swinerton Hawaii Venture, please be advised that we heartily endorse the establishment of this operation in Ka'u. There is a great need for it in the Ka'u district and we believe that the proposed location will have no adverse affect

upon the lives or businesses of others. We urge your favorable recommendation on this application.

"Sincerely,

/s/ Edward E. Crook, Vice President
ADMINISTRATION, INC.

Thank you very much.

CHAIRMAN: At this time I would read one other letter that was not read which was received today.

"Mr. Raymond Suefuji
Director-Planning Commission
County of Hawaii
Hilo, Hawaii

"Dear Mr. Suefuji:

"We have been advised that Mr. Tommy Ishimaru has applied to the County of Hawaii for a permit for a quarry site in Ka'u. We understand that the site is located approximately 3/4 mile northwest of the community of Naalehu.

"As you are aware, construction of public facilities and initial housing will begin shortly at our Discovery Harbour project.

"We feel that the availability of a quarry facility in the Ka'u area will contribute materially to the economy and recommend that the requested permit be granted.

"Yours very truly,

CAL-PACIFIC RESOURCES OF HAWAII, LTD.

/s/ George A. Arthur, Project Manager"

All right, do the Commissioners have any questions of the staff on this application?

COMMISSIONER WATT: I have one question. Where does the person that was against this quarry bit in relation to this quarry? You have any idea?

STAFF PLANNER FUKU: All they said is that they own the property adjacent to the proposed quarry site but they don't live in that area.

COMMISSIONER WATT: They don't?

STAFF PLANNER FUKU: No.

COMMISSIONER KAHUMOKU: How close is the closest home?

STAFF PLANNER FUKU: The closest home would be right up fronting Mamalahoa Highway but as we mentioned earlier, the prevailing wind pattern generally is from east to west or east to southwest.

COMMISSIONER WATT: What's down below on terrain?

STAFF PLANNER FUKU: It's basically pasture land and open land.

COMMISSIONER WATT: That's owned by whom? You don't have any idea?

STAFF PLANNER FUKU: No, not on those lands.

CHAIRMAN: All right, you have any further question to the staff?

If not, is the applicant or representative here to give testimony?

TOMMY ISHIMARU: Mr. Chairman and members of the Planning Commission. I am Tommy Ishimaru. I think no need for me to explain anything more because some of my competitors and my clients have explained.

In answering some of the question that Mr. Watt gave, this property (indicated on the map) is owned by Hawkins and adjacent to our property; but at present, he doesn't have an easement to his property until this proposed Belt road (pointed to the map) goes in; and the proposed Belt road, in my figuring, won't be in for the next 10 years, and I am asking for 10 years' temporary permit. And the land below here is pasture land owned by Hutchinson Sugar Company; and on this side (showed on the map) on the west side is owned by State; and so definitely, there wouldn't be any development going on this side.

So, another thing, just to give you brief idea, the cost is rising so high in Ka'u area - take the hospital built in Ka'u, 20 room hospital built for two million dollars! Just imagine \$100,000 for a room! Some of that includes some of the equipment in there; but just imagine building a room for \$100,000 is too costly. They used lots of concrete for that building.

So, having a quarry in Ka'u will eliminate cost and will save taxpayers much money I think.

COMMISSIONER WATT: Mr. Ishimaru, my question about dust control, will you install dust control?

ISHIMARU: Yes, we are working together with the Health Department on this dust control thing and we'll come in with an equipment for the crusher-batching plant. We will go on their regulations.

COMMISSIONER WATT: Would you be more specific and say you would end the quarry operation when the Belt road is completed in less than 10 years?

ISHIMARU: What was that now?

COMMISSIONER WATT: You would end the quarry operation when the Belt road is pau than make a guess in 10 years?

ISHIMARU: I think the public will decide that. If they complain, I would just have to close them up and only balance of that 166 acres, I would like to develop into a resort or whatever suitable.

COMMISSIONER WATT: You didn't really answer my question. Would you....

ISHIMARU: Oh yes. It is just to say I will - right.

COMMISSIONER KAHUMOKU: I have another question. Being that Ka'u is full of historical sites, on this area, was this cleared or have you had it surveyed or.....

ISHIMARU: Not from historical people - the 166 acres, no. The rest of the area south of it is being studied.

COMMISSIONER KAHUMOKU: And the area of the quarry, has it been studied?

ISHIMARU: No, not yet. Not that I know of. If the previous owner had already made a study, that I don't know.

COMMISSIONER WATT: You would be willing to have somebody like this Bishop Museum people take a look at it before opening up the quarry?

ISHIMARU: They are welcomed to do so.

COMMISSIONER WATT: And if necessary move one way or the other a little?

ISHIMARU: Right. I can move further down if I wanted. Actually, I have about another thousand feet to the boundary so I can move another thousand feet down.

COMMISSIONER WATT: After you are through excavating, how are you going to end it up? Are you going to landscape it or....

ISHIMARU: Right now, the County is having a problem with the debris catchment flood control in Naalehu. They have no place to dispose of this debris and right at present, they are dumping into the County rubbish dump and that will fill up in no time. The plantation doesn't want the debris on their property. Of course, actually it is coming down from their property. The ranch people don't want them in their pasture. So, I can make this land available for this debris. And, now, Waiohinu is coming up with the flood control too. They may have to build catchment and they may have problems with debris with the dumping and I think this would be a real good site to dump.

CHAIRMAN: Anyone has any further questions.

STAFF PLANNER FUKU: Excuse me Mr. Chairman. Regarding the question on historical sites, based on all available historical surveys done for the island, we just checked in the General Plan. There are no historical sites on that subject parcel. No listing or no historical site.

CHAIRMAN: Okay, thanks for the information.

COMMISSIONER KAHUMOKU: The reason I commented was because Ka'u is famous of uncovering new historical sites, so I still think that we should have a survey done because we already have uncovered new sites.

CHAIRMAN: Okay. You have any further questions? Thank you then.

Anyone else here wishing to give testimony in favor of this application? Yes Sir.

CLAUDE MOORE: I am Claude Moore, Civil Engineer for Ka'u Development Company and we have been involved in the construction of low-cost housing. For the past 13 years that I have been involved with Brewer, it cost us about \$20 a yard for material in Ka'u and maybe \$8 or \$10 out in Hilo and consequently that in an area where there is less demand for housing, the prices were higher and a quarry like this would be a great benefit to us in our development that we planned in the very near future to start more housing in Ka'u in order to provide some more housing for the Punaluu hotels

and I think we will be one of the nearest neighbors to this quarry that I know.

I think the question of the prevailing wind and that the benefits would far overrule the objections. We're planning it now in the very near future to go into this area and we have an urban zoning by Land Use below this area. The wind blows in this direction in that distance. I would much rather have the savings on the housing and worry about the dust later. Thank you.

CHAIRMAN: All right, thank you Mr. Moore.

Any other person wishing to give testimony in favor of this application?

If not then, is there anyone here wishing to give testimony in opposition to this application? Mr. Tyler.

ALAN TYLER: This is not in opposition actually. There's some question that I would like to pose for consideration while we have these people here.

First question I would ^{like} to ask the Planning Commission themselves and that is I understand from Director Suefuji that some of its staff goes out and makes an on-site inspection of the area. Has this been done in this particular case?

STAFF PLANNER FUKU: Yes, there has been.

TYLER: Who is the person that made this inspection?

STAFF PLANNER FUKU: Both of us did.

TYLER: Two of you did. All right, so then my questions would be all directed to you two then, right?

STAFF PLANNER FUKU: Yes.

TYLER: Let's look at it from the ground I am concerned now. When you went into the area, you said that the prevailing wind was sweeping down from north.

STAFF PLANNER FUKU: Generally in that direction.

TYLER: And where did you get this information? From the charts or you directly tested it yourself?

STAFF PLANNER FUKU: We tested it down there and we also checked out the charts. We asked the Weather Bureau for information.

TYLER: So you double checked when you went there - good. The next question now. With the town only 3/4's of a mile away, what is the frequency of the prevailing winds and when is the frequency of time that they sweep back into town? Did you talk with the local residents as to how often you get the winds going the other way - sweep in the dust into?

STAFF PLANNER FUKU: We don't have information to that but perhaps you could redirect that question to Mr. Ishimaru as he lives in that area.

TYLER: Mr. Ishimaru, do you happen to know Sir? Do the winds sweep back once a week or once a month or what do you have?

ISHIMARU: Usually, we call it the Kona wind that comes in about once or twice a year - very seldom.

TYLER: Not all the time.

ISHIMARU: Most of the time, they come in as tradewind.

TYLER: The next question has to do with incline. Now you gentlemen over there, what was the degree of slope in that particular area?

STAFF PLANNER FUKU: We don't have the specific percentage of slope but it was generally a gentle slope.

TYLER: You grade it gentle slope?

STAFF PLANNER FUKU: Right.

TYLER: It should be roughly what?

STAFF PLANNER FUKU: Less than 30 to 20. I would say no more than 30 per cent degree.

TYLER: Are there any evidences of any type of flood in the area when they do have heavy rains.

STAFF PLANNER FUKU: According to our flood plain maps, none were designated for the area.

TYLER: And that did you check with any of the local residents living near there as to flood patterns when they do have heavy rains.

STAFF PLANNER FUKU: That we did not.

TYLER: Next question. As far as aesthetics go, did you notice any landmarks in the area nearby? For example were there any cinder cones or anything else that might later serve as tourist attractions or something scenic for the residents?

STAFF PLANNER FUKU: None. But then, you will have to understand that these are all purely subjective as far as designating areas as natural areas or natural beauties.

TYLER: But you didn't observe anything that you thought was natural beauty?

STAFF PLANNER FUKU: As I mentioned earlier, it is purely subjective evaluation and it is just our impression of it. Another person may go and get another impression of that area.

TYLER: Very good I think. The next question has to do with noise levels. Have you gotten some tables of noise levels and tested it or compared it with comparable quarries that are in existence elsewhere to find out what the noise level is so that you will be able to predict. Those people are living 3/4's of a mile away and what will be the noise level at that time when that quarry is in operation? What will be the effect then?

STAFF PLANNER FUKU: With regard to that question, basically, we were awaiting the applicant's reply to the Department of Health's letter and we have written to the applicant to provide us with that information containing in the Department of Health's letter. So, we would like to request of the applicant that he formally write to this Department and to the Planning Commission all of the queries raised by the Department of Health. Based

upon their response then, we would have better basis for evaluation.

CHAIRMAN: Excuse me, Mr. Tyler. I believe these questions, since there is a period of 15 days that opposition can be expressed that maybe you could get these questions from the staff and maybe we could give priority to people who are here prepared to testify against the application.

DIRECTOR: I have a question for Mr. Tyler. Mr. Tyler, what were your findings of all the things you asked the staff - your own findings?

TYLER: As I said Mr. Suefuji, I am here at this moment not protesting this quarry. I am just here asking your staff if they have looked into these various elements which I consider important on any staff assigned concerning and of course on the quarry and what was said, that's all I have to say for now. Thank you.

CHAIRMAN: Thank you Sir.

All right, Mrs. Thompson.

RUTH THOMPSON: As resident of that area, I know we do need a quarry. We need it very desperately. And I would say too that if Mr. Ishimaru applies for a permit now, we're going to have it known. If someone else certainly don't want to live near a quarry, they at least have a choice. It is better than trying to put in something in an area that is already over-populated. We all say three cheers for Mr. Ishimaru if he brings it in to our area.

CHAIRMAN: Thank you. All right, I take it then that you're for the development.

THOMPSON: Yes.

CHAIRMAN: So, anyone else wishing to give testimony in opposition to this? Yes Sir.

CHARLES MENNING: I am not in opposition but I want to clarify something as a result of some of these questions. There's a probable operating time of the facility here. Excuse me, I am Chuck Menning of Shield-Pacific. We will be operating hopefully here a concrete batching facility in the area. Based on the studies that we have made at periods of peak activity, for example during the construction of Waiohinu flood control district or the channel down there, we will be operating as much as 4 or 5 hours, 3 or 4 days a week, but that will only be during period of the construction of that channel. The normal work load in the area would indicate that we wouldn't be operating that plant very much more than 4 hours a week or about half a day once a week. Now, that work load obviously is going to grow and I think the availability of materials in that area is probably going to increase the rate of growth. As far as quarrying operation is concerned, I think that I would guess for Jimmy Kuwaye that based on what we see as the need for quarry products there, we would expect that Jimmy would be actively quarrying probably not more than two or three months out of the year. Now, I am merely guessing for Jimmy, but our figures indicate that that's about what the total demand is. Jimmy can't afford to go in and operate 4 hours a day or 3 hours a day everyday all year long. He has got to go in and work in an hour shift and do his work and move his equipment. So, that's about the way we see the activity in that area. It's not continuous.

CHAIRMAN: Thank you for your information. We're still accepting testimony now in opposition to this request. Is there anyone else wishing to speak in opposition?

STAFF PLANNER FUKU: Excuse me Mr. Chairman. Could I redirect some questions to the applicant?

Mr. Ishimaru, right now, on our field trip, we noted that the access from Mamalahoa to your property is rather poor. What kind of plans do you have for improving the access?

ISHIMARU: We are planning to put in what you call a hot-mix if possible.

STAFF PLANNER FUKU: This would be on a public right-of-way then.

ISHIMARU: This would be private. We also own that property right out there on the yellow portion there (pointed to the map). So, we have access through.

STAFF PLANNER FUKU: So, access would be through this private property and not on the public right-of-way?

ISHIMARU: You mean we're going across the proposed highway?

STAFF PLANNER FUKU: Yes.

ISHIMARU: But, so far it's still our property.

STAFF PLANNER FUKU: And another question. Would you be agreeable to a 5-year period; and upon termination of this permit, then reapply after the first 5 years should the need warrant it?

ISHIMARU: I guess - no choice. I would rather join than fight.

STAFF PLANNER FUKU: Another thing. Could we also have in writing the letter that we had written to you regarding Department of Health's concern before the Commission takes action on this?

ISHIMARU: Yes.

STAFF PLANNER FUKU: Thank you.

CHAIRMAN: I would entertain a motion that the public hearing be closed.

COMMISSIONER KAWASAKI: So move.

COMMISSIONER NAGATA: Second.

CHAIRMAN: Okay, motion made and seconded that public hearing be closed. All those in favor, would you signify by saying aye.

COMMISSIONERS: Aye.

CHAIRMAN: Any opposed, no. Motion is carried.

As mentioned before, the Commission cannot act until 15 days have passed and written testimony maybe submitted within that 15 days.

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

Respectfully submitted,

Lei A. Tsuji
Lei A. Tsuji, Secretary

NOTICE OF A PUBLIC HEARING

Special Permit: Kahilipali-Iki, Naalehu, Ka'u, Hawaii

NOTICE IS HEREBY GIVEN of a public hearing to be held in the Meeting Room
of the Rodney J. T. Yano Memorial Hall, Captain Cook, South Kona, Hawaii
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The Special Permit is for the purpose of allowing a quarry operation,
which would include crushing activities, concrete batch plant, and an
asphaltic concrete plant on 25 acres of land located at Kahilipali-Iki,
Naalehu, Ka'u, Hawaii, Tax Map Key 9-5-7:29

Maps showing the area under consideration for Special Permit and the rules
and regulations governing the application for Special Permit are on file in
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Street and are open to inspection during office hours.

All written protests or comments regarding the above Special Permit
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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
O. W. EFURD, JR., CHAIRMAN
By: Raymond H. Suefuji, Director

(Hawaii Tribune-Herald: February 15 and 23, 1972)

PC: 1/72



HAWKINS AUDIO ENGINEERS, INC.

FOSTER TOWER

2500 KALAKAUA AVENUE

HONOLULU, HAWAII 96815

February 11, 1972

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

Re: Special Permit, Quarry at Kahilipali-Iki, Ka'u, Hawaii
Tax Map Key: 9-5-07: 29

Dear Mr. Suefuji:

As owners of 67 acres adjoining this proposed quarry, we want to be very emphatic in our opposition to this request. Because of the geographic location and the very pleasant, mild climate, we feel that this area is more conducive to resort development, subdivisions for housing, or shopping center and business development. We are speaking of one mile from the center of an existing town or shopping center and of close proximity to a dedicated park. To allow this type of industrial development would lower property values, increase pollution, and noise levels would be unbearable.

I would like to make reference to the Halawa Quarry on Oahu, where residents have made a major complaint which was justified because of noise pollution and heavy dust over residential areas, three miles from the quarry. A development of this type should not be allowed within 10 miles of any existing shopping center or city, and I base this on present growth of cities. I would also like to make reference to present quarry areas, or similar industries, on Oahu. Note that, with the exception of the Halawa Quarry, they are in no way in close proximity of intensely populated residential areas.

With the present growth of cities and residential areas, in the very near future this would probably put the quarry directly in line with the expansion and development of the area, and if allowed to pass would drastically hamper expansion of Naalehu.

Sincerely,

Larry O. Hawkins
Vice-President and Manager

LOH:mlt

COMMUNICATION ENGINEERS

ADMINISTRATION, INC.

A SUBSIDIARY OF C. BREWER & COMPANY, LIMITED

The Hawaii Building / 745 Fort Street
Honolulu, Hawaii 96813
Phone: (808) 521-1802

EDWARD E. CROOK, Vice President

February 23, 1972

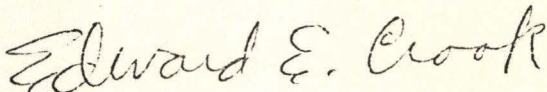
Rev. O. W. Efurd, Chairman
Hawaii County Planning Commission
Puuloa, Kona, Hawaii

Dear Rev. Efurd:

We understand that Mr. Tom Ishimaru has made application to establish a rock crushing operation on a parcel of his land near Naalehu, Ka'u, Hawaii.

On behalf of Administration, Inc. and Swinerton Hawaii Venture, please be advised that we heartily endorse the establishment of this operation in Ka'u. There is a great need for it in the Ka'u district and we believe that the proposed location will have no adverse affect upon the lives or businesses of others. We urge your favorable recommendation on this application.

Sincerely,



Edward E. Crook
Vice President

EEC:mk

cc. Ray Suefuji ✓
Tom Ishimaru
Jack Taylor

Cal-Pacific Resources of Hawaii, Ltd.

P.O.Box E

Naalehu, Hawaii 96772

RECEIVED
COUNTY PLANNING
DATE 7-28-72
FILE #

Mr. Raymond Suefuji
Director-Planning Commission
County of Hawaii
Hilo, Hawaii 96720

Dear Mr. Suefuji:

We have been advised that Mr. Tommy Ishimaru has applied to the County of Hawaii for a permit for a quarry site in Ka'u. We understand that the site is located approximately 3/4 mile northwest of the community of Naalehu.

As you are aware, construction of public facilities and initial housing will begin shortly at our Discovery Harbour project.

We feel that the availability of a quarry facility in the Ka'u area will contribute materially to the economy and recommend that the requested permit be granted.

Yours very truly,

Cal-Pacific Resources of Hawaii, Ltd.

George A. Arthur
Project Manager

George A. Arthur
GAA?



Kuwaye Brothers, Inc.

POST OFFICE BOX 707 — 2055 KAMEHAMEHA AVENUE — TELEPHONE 935-2845

February 17, 1972

HILO, HAWAII, 96720

Planning Commission
County of Hawaii
Hilo, Hawaii 96720

Gentlemen:

Re: Ishimaru-Special Permit

For the following reasons, we strongly recommend that a Special Permit be granted to Tommy Ishimaru for the operation of a quarry:

1. There is an economic need for a source of supply of aggregates and allied products in the Kau District. The closest suppliers are in Hilo, which is approximately 65 miles away.
2. An established quarry in this area will greatly reduce building material and construction costs, which will benefit the people of this district.
3. It will eliminate the necessity of hauling from Hilo, thereby freeing heavier hauling units from the already heavy traffic load.
4. A quarry operation will create jobs for people of this area, and will provide additional income to the district.

We believe a properly controlled quarry will not contribute to any potential health hazard. Dust can be controlled by sprinkling system.

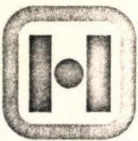
Very truly yours,

KUWAYE BROTHERS, INC.

James R. Kuwaye, President

JRK:fm

cc: Tommy Ishimaru



HUTCHINSON SUGAR COMPANY, LTD. / P. O. BOX B / NAALEHU, KAU, HAWAII / 96772

THIS LETTER NO.
REFER YOUR NO.

February 15, 1972

Mr. Raymond Suefuji
Chairman, Planning Commission
County of Hawaii
Hilo, Hawaii 96720

Dear Mr. Suefuji:

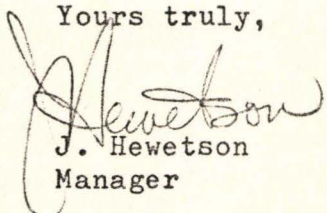
I understand that Mr. T. Ishimaru has applied for permission to set up a quarry and rock crushing operation here in Naalehu. I want you to know that in my judgment this would be a real benefit to this community.

At the present time the hauling charge alone for a ton of crushed rock can be as much as \$6.00. This makes all construction and road work on the Ka'u coast extremely expensive.

Mr. Ishimaru recognizes that the location of such an operation is important so that it does not interfere with the local residents. There should be no problems in this respect.

Please give this application your serious consideration.

Yours truly,



J. Hewetson
Manager

JH:bn

Morrison-Knudsen Company, Inc.

CONTRACTORS • ENGINEERS • DEVELOPERS

P. O. BOX 1300, KAMUELA, HAWAII 96743

February 17, 1972

Planning Commission
County of Hawaii
Hilo, Hawaii 96720

Gentlemen:

Re: T. Ishimaru-Application For Speical Permit

Morrison Knudsen Company is the low bidder for the construction job in the Hawaiian Discovery Harbor Project. It is our intention that if aggregate is available close by, we would avail ourselves from this source.

A source for material in this area will greatly reduce construction costs. It will also eliminate the necessity of hauling from Hilo, thereby reducing traffic load on the highway.

As to the control of dust, we believe proper methods can be applied to minimize any potential health hazard.

For reasons stated, we strongly recommend that Mr. Ishimaru be granted a Special Permit to operate a quarry.

Very truly yours,

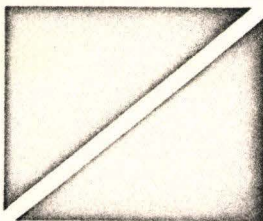
MORRISON KNUDSEN COMPANY

By: R. E. Hopkins

RH:fm

Encl:

cc: Mr. Tommy Ishimaru



SHIELD-PACIFIC, LTD.

CONCRETE & CONCRETE PRODUCTS
PRESTRESS AND PRECAST CONCRETE

MAIN OFFICE
POST OFFICE BOX 426
KAILUA-KONA, HAWAII 96740
TELEPHONE 329-3561

WAIMEA
PLANT
TELEPHONE 885-7307

HILO OFFICE
169 RAILROAD AVE.
HILO, HAWAII 96720
TELEPHONE 935-0827

February 17, 1972

Planning Commission
County of Hawaii
Hilo, Hawaii

Attention: Raymond H. Suefuji, Director

Gentlemen

With Mr. Tommy Ishimaru, we are requesting your approval of a quarry site and concrete batching on Mr. Ishimaru's property at Naalehu.

At the present time there are no commercial concrete aggregate or ready mix concrete facilities in the area. The nearest are in Hilo, some 60 miles away.

Hauling concrete for 1 1/2 to 2 hours tends to reduce it's strength. In fact, some specifications prohibit this practice. The hauling of aggregate from Hilo results in an unrealistically high price. We estimate that the saving to the taxpayers would be \$5000 - \$10,000. on the upcoming Waiohinu flood control project alone, if concrete aggregate and ready mix concrete were available in or near Naalehu.

The presence of these facilities at Naalehu will mean higher quality concrete at lower prices for all Federal, State, and County work in the Ka'u District. In addition, the people of Ka'u will benefit from these factors. For these reasons, we respectfully request your approval of the petition.

Yours very truly,

Charles Menning
President

CM:mm

cc: Tommy Ishimaru

MANAGER'S OFFICE
HAWAIIAN AGRICULTURAL COMPANY
PAHALA, KA'U, HAWAII 96777

LETTER NO.
REFERS TO

February 17, 1972

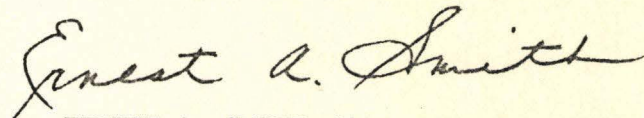
Chairman, Planning Commission
County of Hawaii
25 Aupuni Street
Hilo, Hawaii

Dear Sir:

We have been advised that Tommy Ishimaru is seeking approval for the construction of a rock crusher in Kahilipali Iki, between Naalehu and Waiohinu.

There is a need for such a service, supplying crushed rock for the Ka'u area, reducing the high cost of hauling material from Hilo. Therefore, we ask that the Planning Commission act favorably upon Ishimaru's application.

Yours very truly,


ERNEST A. SMITH, Manager

copy: Tommy Ishimaru

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

MEMORANDUM

Date February 3, 1972

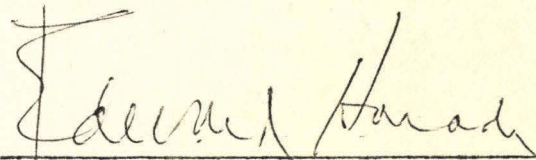
TO: Planning Department

FROM: Chief Engineer

SUBJECT: Application for Special Permit
Applicant: Tommy Ishimaru
Location: Kahilipali-Iki, Naalehu, Hawaii
TMK: 9-5-7:29

We have reviewed the subject application and our comments are as follows:

If noise and dust will not be a nuisance in the area, we have
no objections to the subject special permit.

A handwritten signature in dark ink, appearing to read "Edward Harada", is written over a horizontal line.

EDWARD HARADA, Chief Engineer

MEMORANDUM

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: Mr. James Nakahara
Department of Health
From: Planning Department

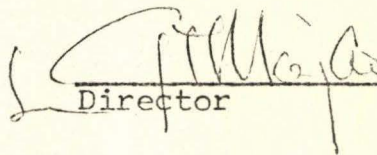
Date: March 17, 1972

Subject: Application for Special Permit - Quarry
Tommy Ishimaru

Enclosed are materials which may aid in your department's review of the above.

May we please have your comments at your earliest convenience.

Thank you!



Director

GM:mn
Encl.

PACIFIC CRUSHER SYSTEMS INC.

61 BELVEDERE, SAN RAFAEL, CALIFORNIA 94901, Phone 415/456-8683

2136 S. E. Eighth Avenue • Portland, Oregon 97214 • Phone 503/232-2141

March 7, 1972

Kuwaye Brothers, Inc.

P. O. Box 707

Hilo, Hawaii

Attention: Mr. James Kuwaye, President

Dear Jimmy:

Thank you for your inquiry regarding dust control for your proposed quarry operation.

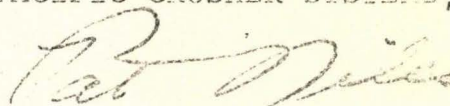
There has been considerable work done here relative to quarry dust control in crushing plants. We have had excellent success by using fine sprays injected at the crushers, screens and conveyor transfer points. We have attached a drawing showing the typical quarry flow set up and the locations which we recommend mounting spray nozzles. It is probable that not all of these would be required and all of the points we have suggested would be required only under extremely dusty conditions. A person can more sensibly locate these with experimenting a bit after starting operation. At any rate, the addition of water at all of these locations would certainly eliminate any dust whatsoever in your operations.

In extremely adverse conditions, an addition of a chemical with the water sometimes is used and is very effective. We are enclosing literature describing this chemical.

We trust this is the information you need, Jimmy, and if we can provide you with further information or help, please let us know.

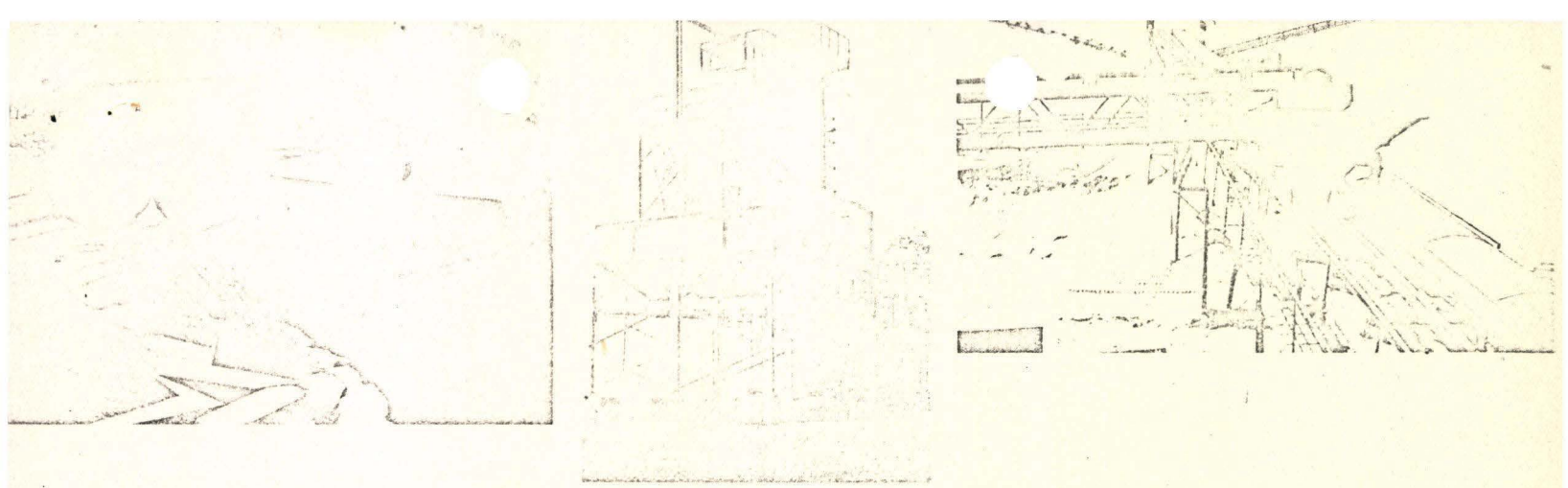
Sincerely,

PACIFIC CRUSHER SYSTEMS, INC.



Patton Niles, Vice-President

PE:bk
encl.



• the practical and economical aspects of the modern Chem-Jet dust suppression system

1 Chem-Jet suppresses dust before it becomes airborne

Johnson-March Chem-Jet systems control dust instead of collecting it. With Chem-Jet, dust never becomes a problem because it is stopped at the source.

2 Chem-Jet eliminates the need for extensive collection equipment

Any "dry" or mechanical system involves the use of dust bins, bags, ducts, hoods and large motors not required by Chem-Jet.

3 Chem-Jet eliminates time and costs of extensive servicing

All equipment used in dry collection systems must be regularly and periodically cleaned, and the dust disposed of. By doing away with collection, Chem-Jet eliminates the maintenance time and costs involved—pays off in low operating costs.

4 Chem-Jet prevents waste of process materials

Since Chem-Jet agglomerates dust, retaining it on the surface of the process material, it is not lost, but kept in the process flow.

5 Chem-Jet solves "impossible" dust problems

Where dust-producing areas are large and unconfined, Chem-Jet is the only practical and economical means of controlling dust because it does not require the use of elaborate enclosures or duct-work.

6 Chem-Jet adds less than 1 percent moisture

Using Compound M-R (one part M-R to 1000 parts water), which is one of the most powerful surface active compounds known, Chem-Jet adds as little as $\frac{1}{2}$ of 1 percent total moisture for effective dust suppression.

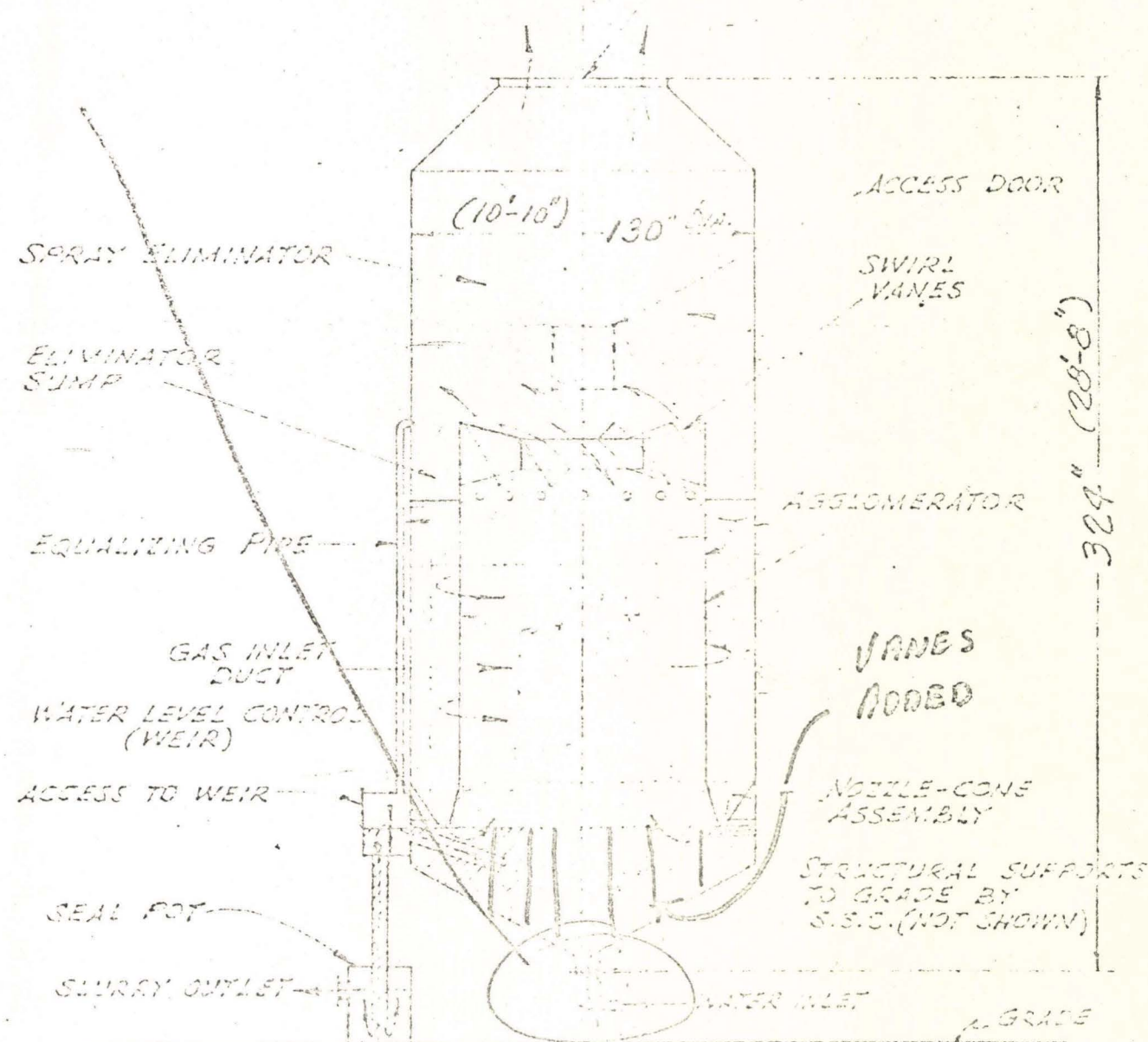
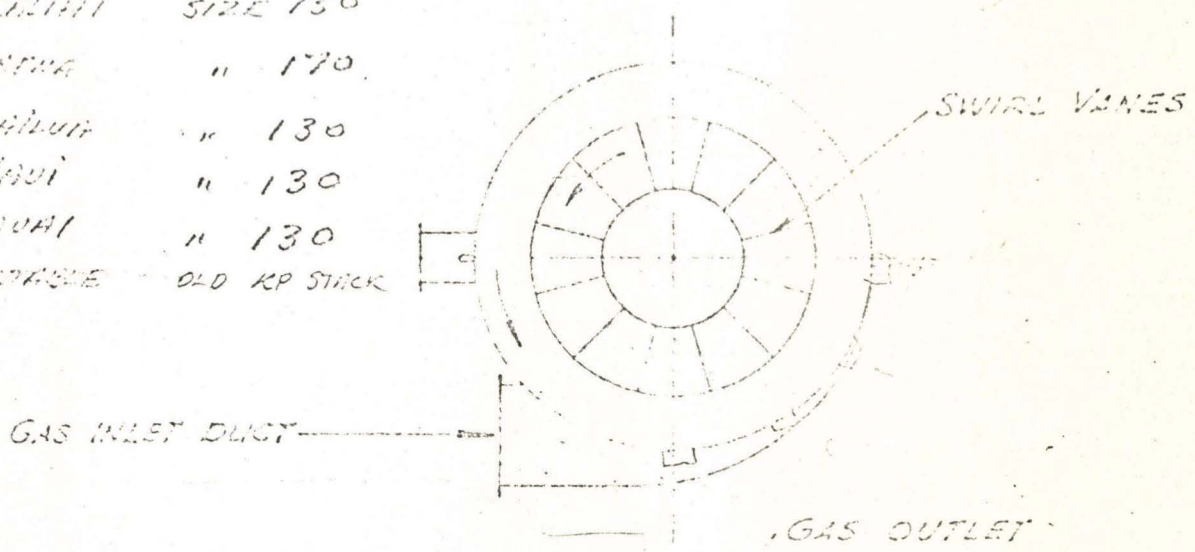
7 Chem-Jet treated materials have carry-over advantages

Once material is treated it retains its dust-free characteristics and can be carried on long conveyors, put in storage and back into processing without further treatment. Chem-Jet treats high volume flowing materials to which moisture can be added, operating within the limitations of temperature and wettability.

Copyright—Johnson-March Corporation—1962

Note - under extreme dust condition chemical to be used.

KALUHI SIZE 130
 KALUHI " 170
 KALUHI " 130
 KALUHI " 130
 KALUHI " 130
 KALUHI OLD KP STACK



THIS DRAWING IN DESIGN AND DETAIL IS OUR PROPERTY AND IS NOT TO BE USED EXCEPT IN CONNECTION WITH OUR WORK

STANSTEEL SCRUBBER	STANSTEEL AND STEEL CORPORATION
SIZE 130, MODEL U	5501 SOUTH DOYLE AVENUE, LOS ANGELES 53, CALIFORNIA

A-9587-0

Sketch of "dust-catcher" to be installed to minimize the dust nuisance problem.



DEPARTMENT OF HEALTH

STATE OF HAWAII

P. O. BOX 916

HILO, HAWAII 96720

January 31, 1972

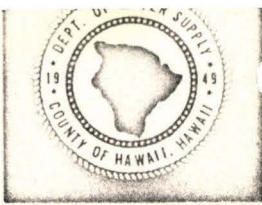
Mr. Raymond H. Suefuji, Director
County Planning Department
25 Aupuni Street
Hilo, HI 96720

Re: Application for Special Permit For a Quarry, Concrete Batching
Plant and Asphaltic Concrete Plant at Kahilipali-iki, Naalehu,
Hawaii
TMK: 9-5-07:29

Additional information is requested in order to determine whether the
proposed operation will not be materially detrimental to public health
and safety:

1. Duration of the special permit.
2. Location map showing the nearest residence and the surrounding residential communities.
3. Plot plan showing the location of each proposed structure.
4. Schematic drawing of the step by step operation together with dust control devices.
5. Description of the proposed method of dust control operation.
6. Specifications and performance data of the equipment if packaged-type (factory-built) of equipment is to be used.

James M. Nakahara
JAMES M. NAKAHARA
Chief Sanitarian, Hawaii District
JMN:hy



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

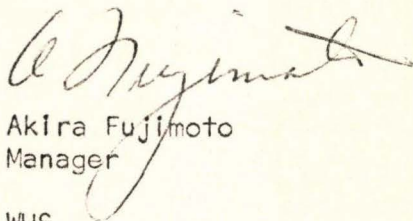
25 AUPUNI STREET

January 7, 1972

Planning Department
County of Hawaii
Hilo, Hawaii 96720

Re: Application for Special Permit
Applicant: Tommy Ishimaru
Tax Map Key: 9-5-7

We have no objection to this request.


Akira Fujimoto
Manager

WHS

cc: Mr. Tommy Ishimaru

... Water brings progress...

COUNTY OF HAWAII

COUNTY PLANNING DEPARTMENT

RECEIVED

APR 27 1972

State of Hawaii
LAND USE COMMISSION

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 _____

SP 72-128

APPLICATION FOR SPECIAL PERMIT

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

For a quarry including crushing equipment, concrete batch plant and asphaltic concrete plant

Description of Property:

166.4781 acres

Tax key 9-5-7

Lot 29

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.

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 Thomas Sherman

Address Naalehu HI

Telephone 929-7318

This space for official use

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

REMARKS:

I would like to apply for permission to use a certain portion of my property to start a quarry including crushing equipment, concrete batch plant and asphaltic concrete plant in Kau.

The property is located in Naalehu (Kahilipali Ike). Tax key 9-5-07. Parcel 29. Total acreage of property owned is 166.4781 acres. Area to be used will be approximately 25 acres.

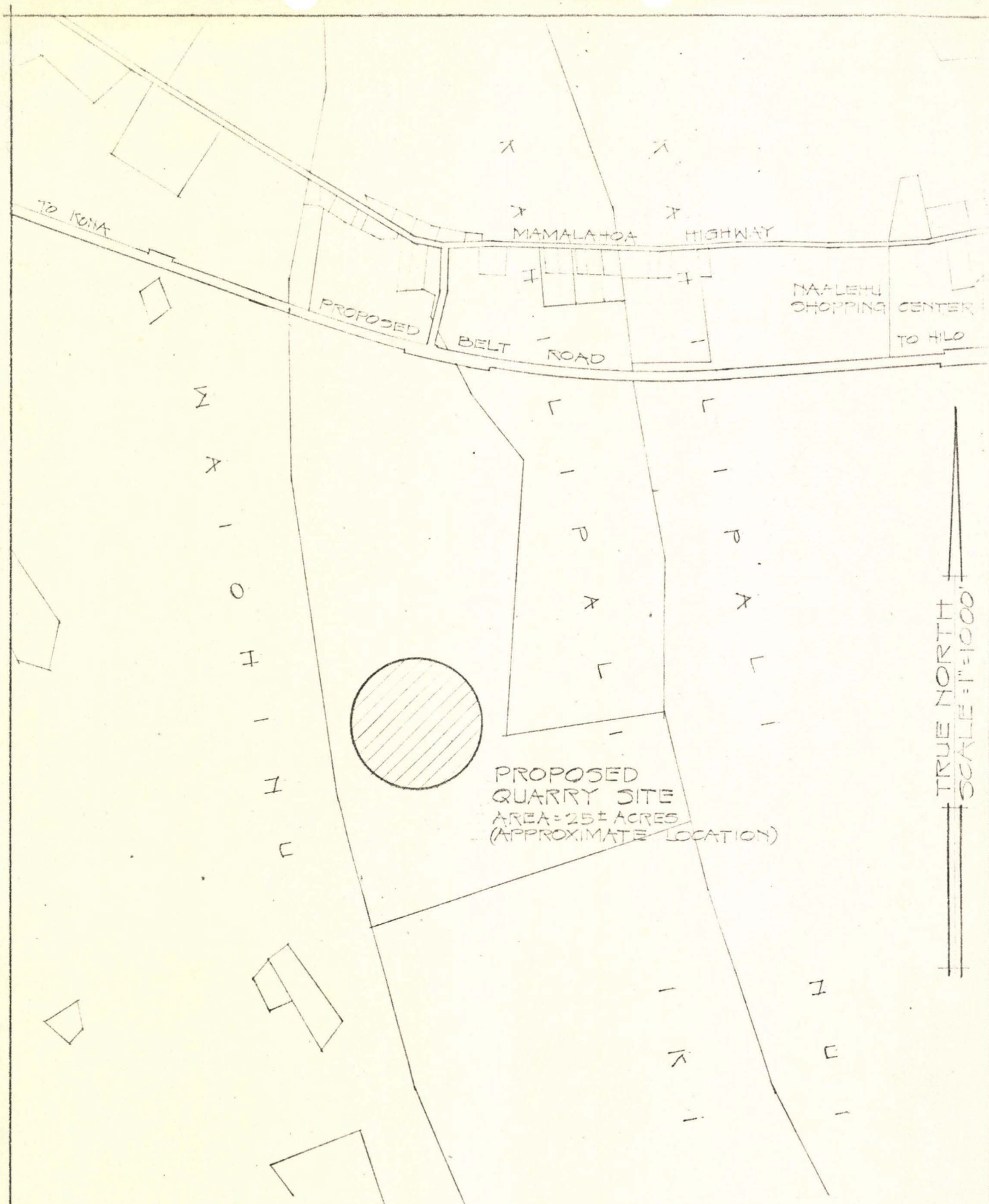
At the present time, material has to be brought in from Hilo or Kona which involves a 128 mile round trip and takes from 5 to 6 hours. Developments, such as C. Brewer and Company, Hawaiian Ranchoes, Hawaiian Ocean View Estates, Discovery Harbor and Green Sands, that are coming up in Kau will need material. Hutchinson Sugar Company, Hawaiian Agricultural Company, the county, state and individuals all need material. There is a definite need for a quarry in Kau.

The Naalehu Flood Control debris basin has filled up to capacity on several occasions and the problem that will arise in the near future will be another dumping ground for the debris. Hutchinson Sugar has had their fill and do not need anymore. Presently debris is being hauled to the Waiohinu rubbish dump. It will be just a matter of time before this is filled too. If the quarry is permitted, we hope to make our land available for dumping purposes to refill what we have excavated.

Parcel is now zoned agricultural.

Tommy Ishimaru

Naalehu, Hawaii



SPECIAL PERMIT REQUEST

DEVELOPMENT OF A QUARRY OPERATION.

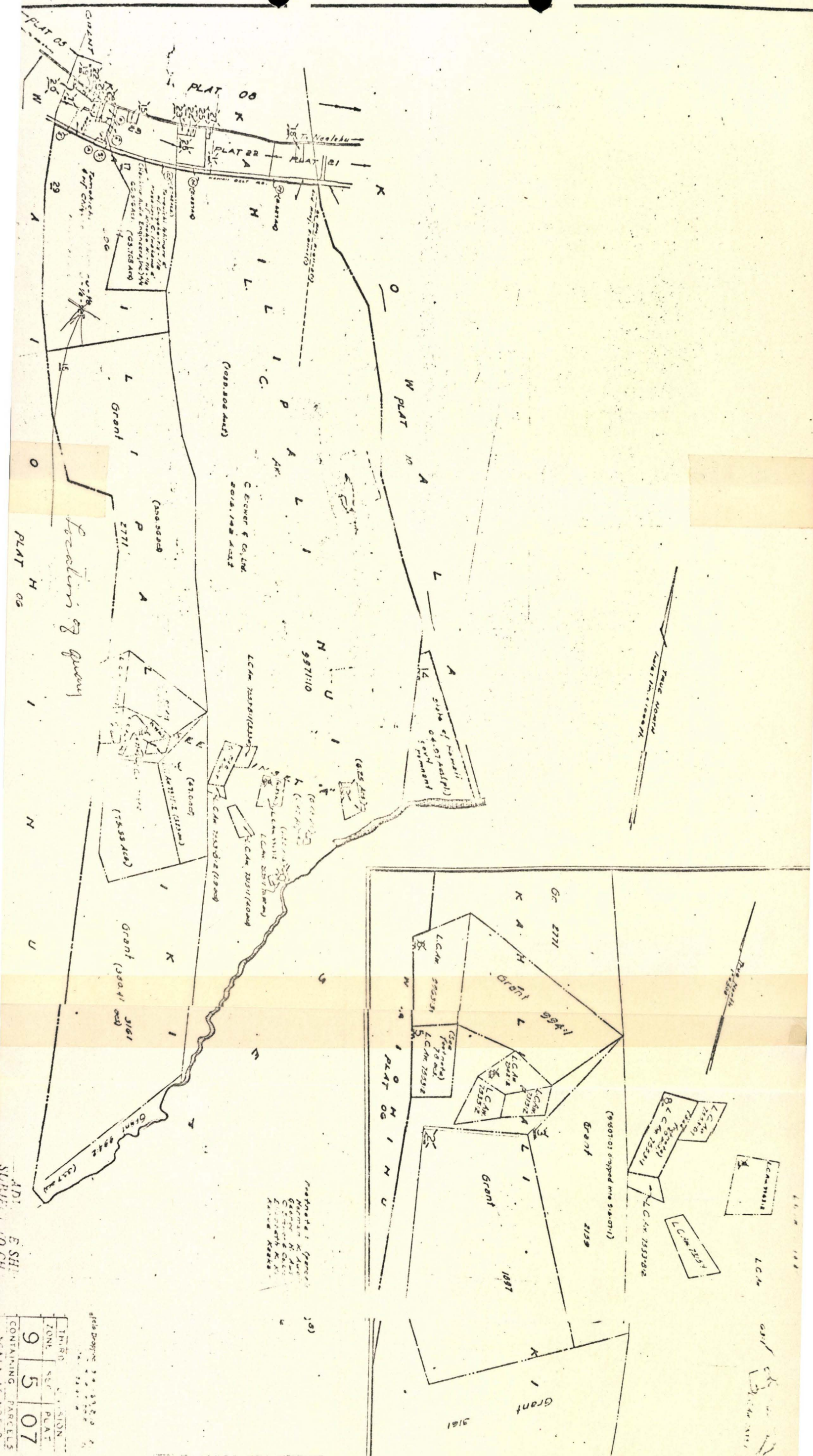
KAHILIPALI IKI, KA'U, HAWAII

TAX MAP KEY: 9-5-07: POR OF 29

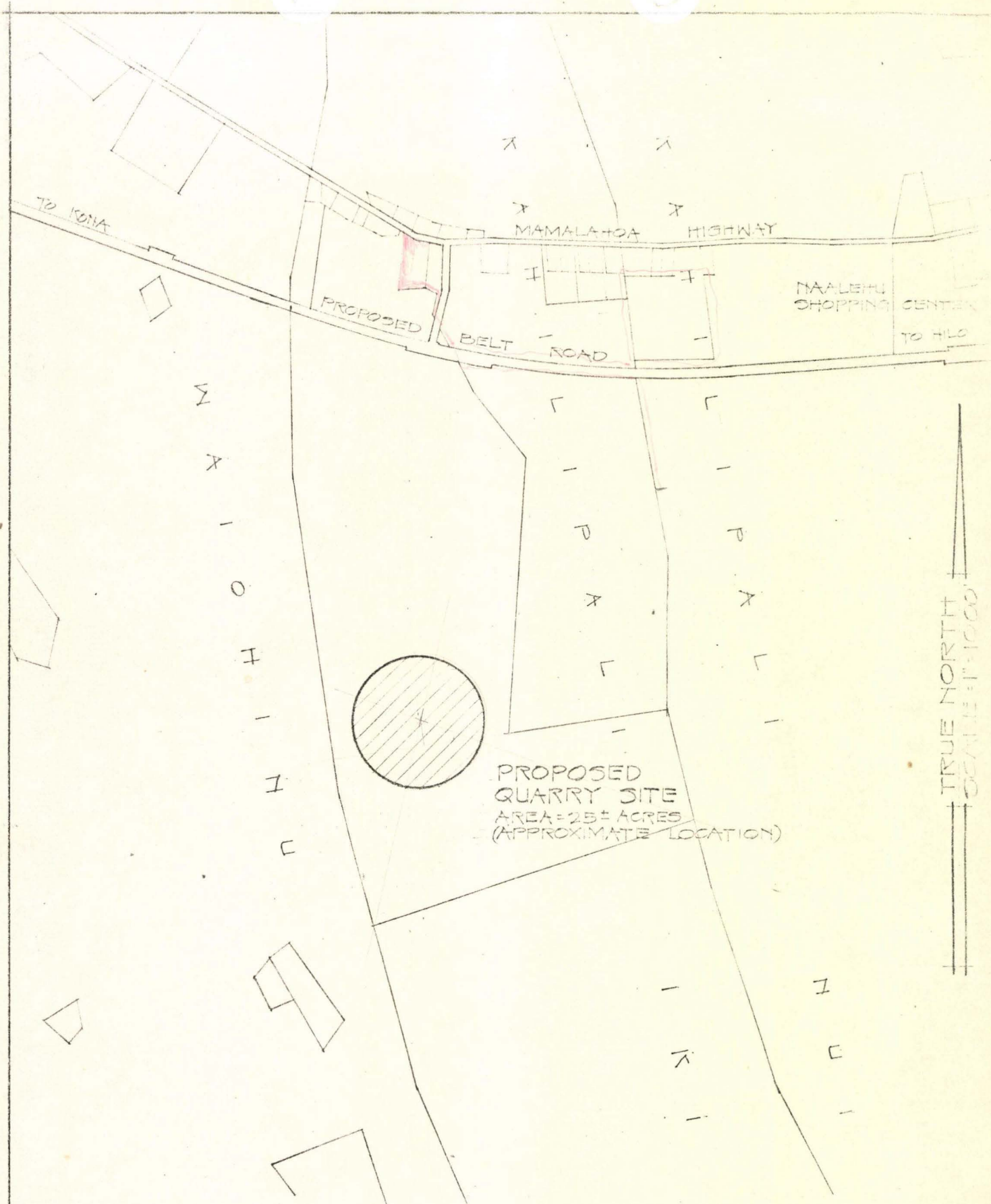
PERMIT REQUEST BY: TOMMY ISHIMARU

20 JAN. 1972

Additional Info - Mar 24(?)



THIRD	SECTION
ZONE	SEC
9	5
	PLAT
	07
CONTAINING	PARCELS

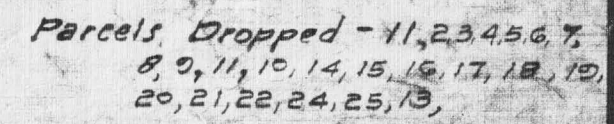


SPECIAL PERMIT REQUEST
DEVELOPMENT OF A QUARRY OPERATION
KAHILIPALI IKI, KA'U, HAWAII
TAX MAP KEY: 9-5-07: POR OF 29
PERMIT REQUEST BY: TOMMY ISHIMARU

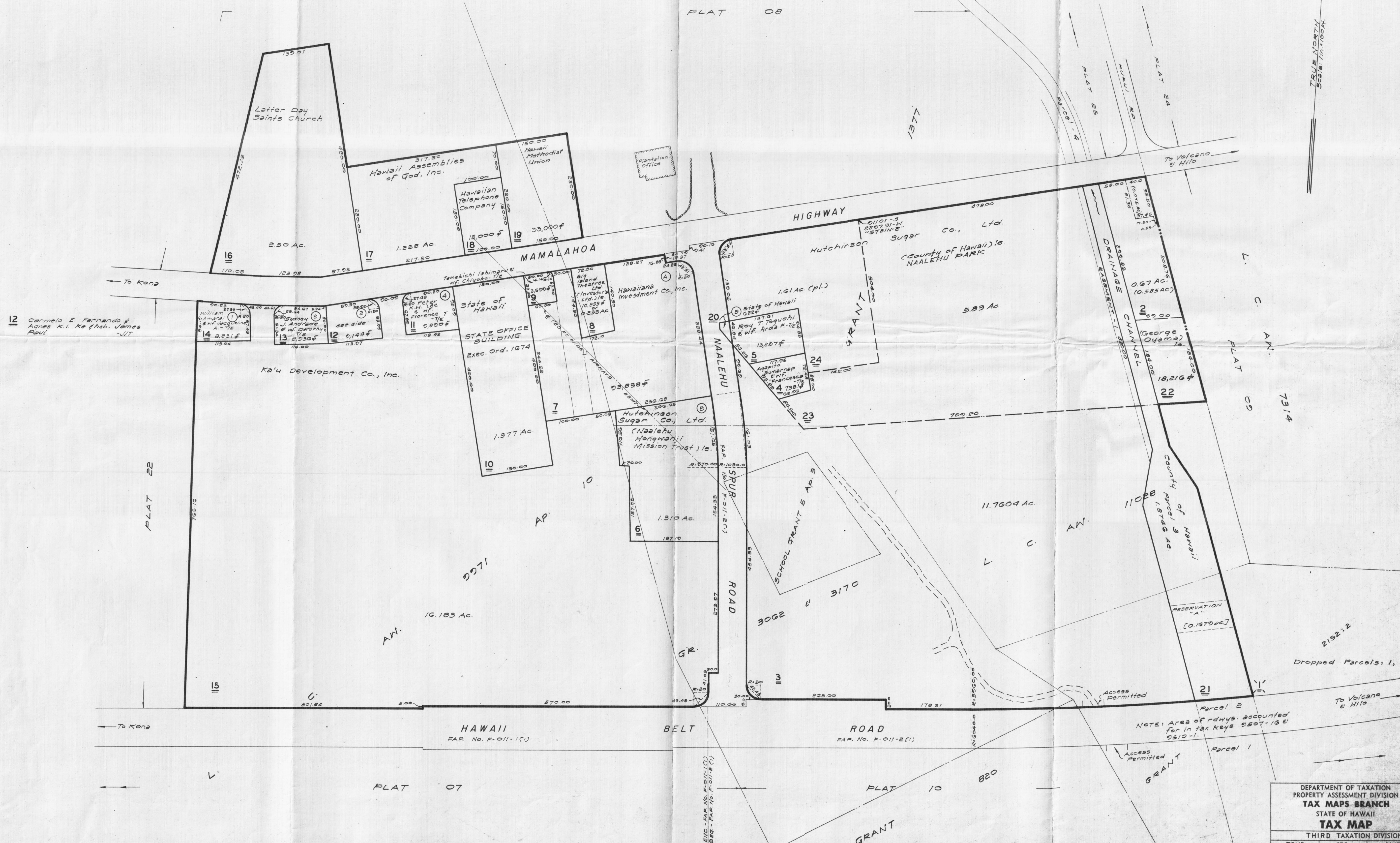
26 JAN. 1972

SP72-128 TOMMY ISHIMARU

M A P S



ADVANCE SHEET
SUBJECT TO CHANGE



DWG. NO. 5505
 SOURCE: TAX MAPS BRANCH
 BY: HX-RYT-RV DATE: April 8, 1964

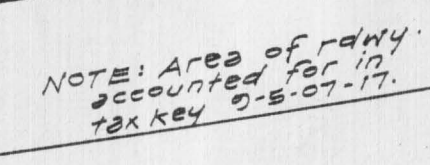
POR. KAWALA, KĀʻŪ, HAWAII (Formerly por. 9-5-07 & 10)

FOR REAL PROPERTY TAXATION PURPOSES
 SUBJECT TO CHANGE

DEPARTMENT OF TAXATION
 PROPERTY ASSESSMENT DIVISION
TAX MAPS BRANCH
 STATE OF HAWAII
TAX MAP

THIRD TAXATION DIVISION		
ZONE	SEC.	PLAT
9	5	21

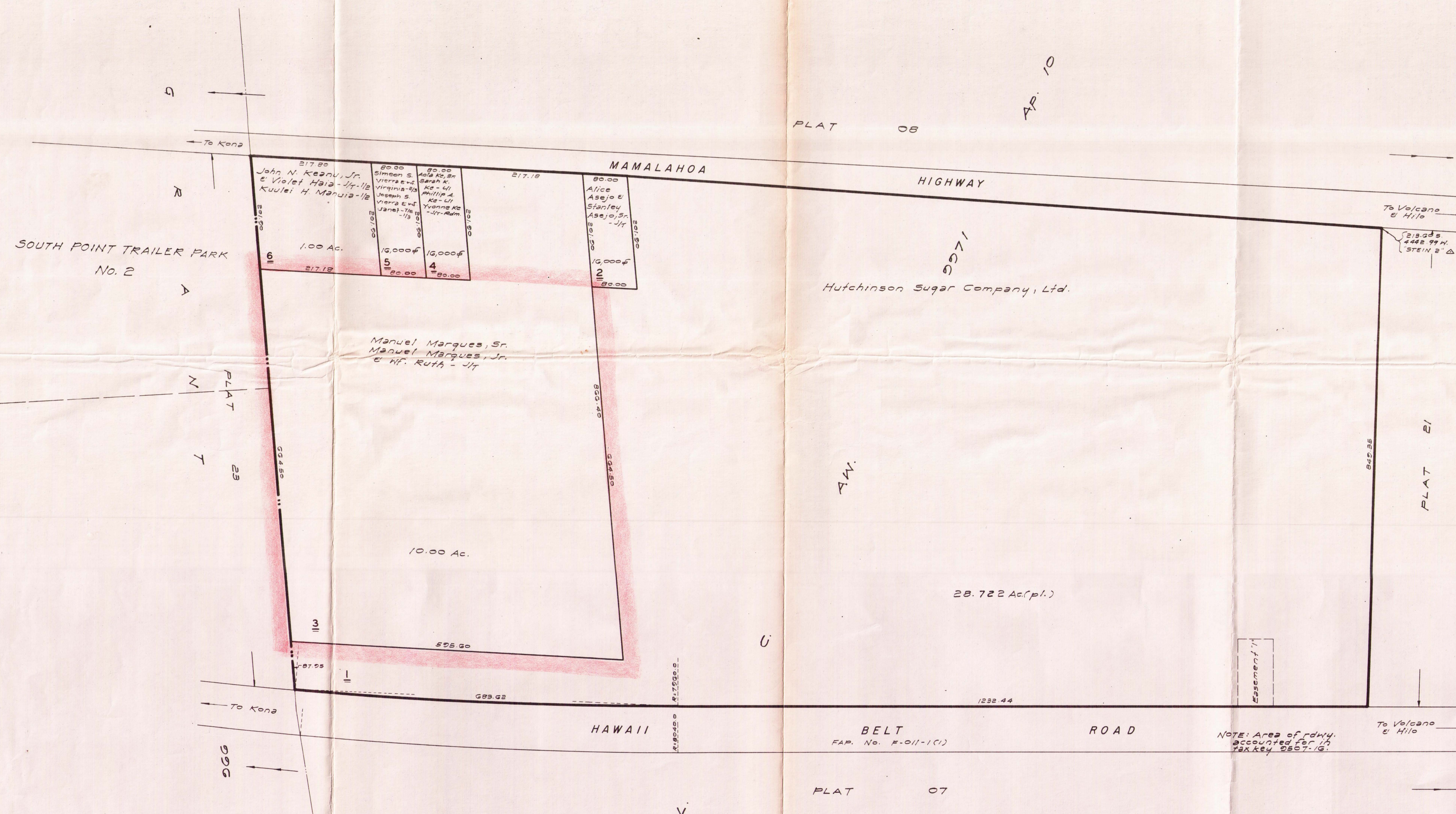
SCALE: 1 IN. = 100 FT.



POR. KAHILIPALI - NUI & IKI, KAU, HAWAII (Formerly por. 9-5-07 & 08)

DEPARTMENT OF TAXATION PROPERTY ASSESSMENT DIVISION TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
THIRD TAXATION DIVISION		
ZONE	SEC.	PLAT
9	5	23
SCALE: 1 IN. = 100 FT.		

TRUE NORTH



DWG. NO.: 5506

SOURCE: TAX MAPS BRANCH

BY: HN - RYT - RU DATE April 8, 1964

POR. KAHILIPALI - NUI & IKI, KAU, HAWAII (Formerly por. 9-5-07)

**FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE**

SP72-128 TOMMY ISHIMARU

MAY 1

6/2/60

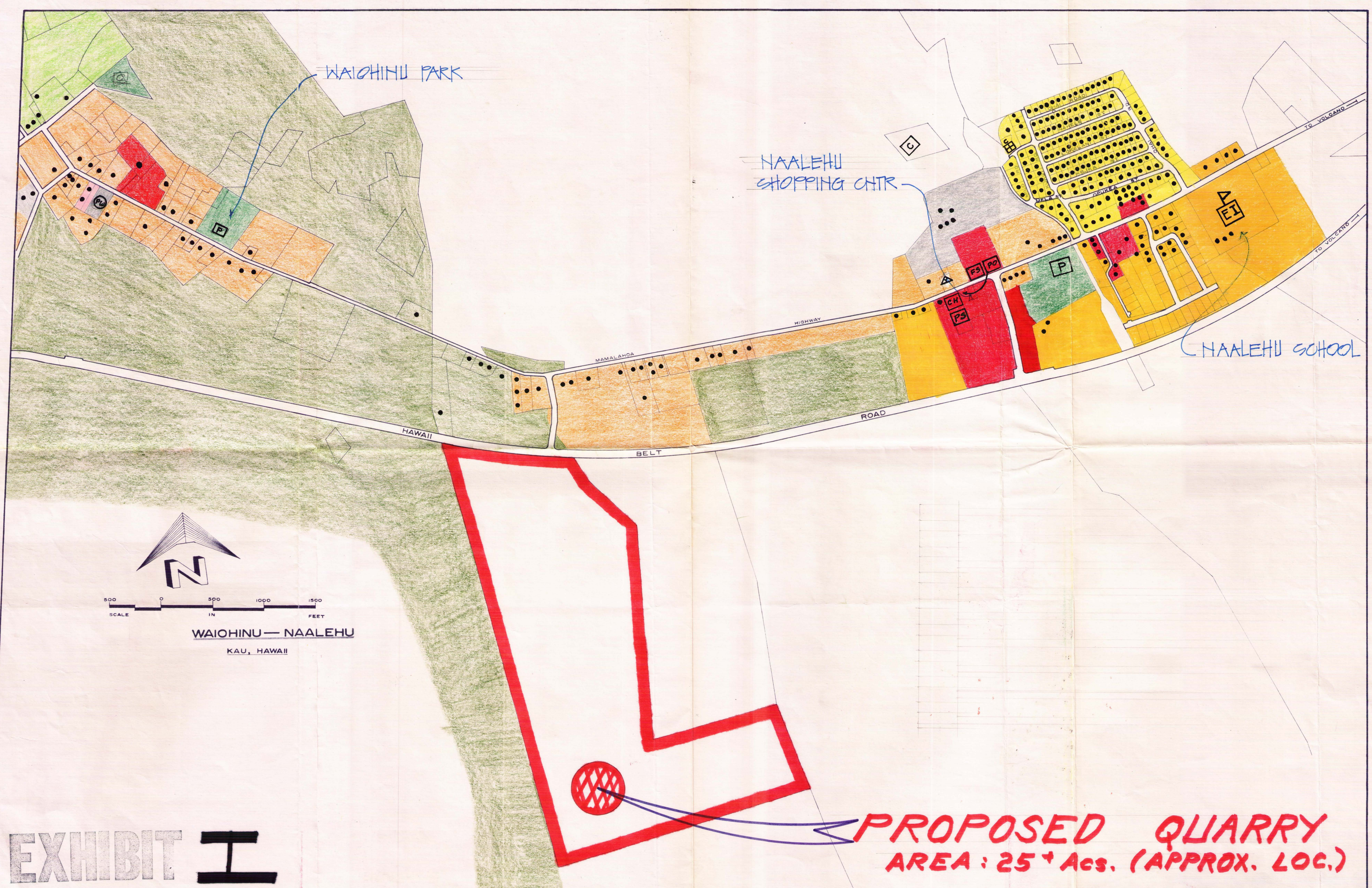
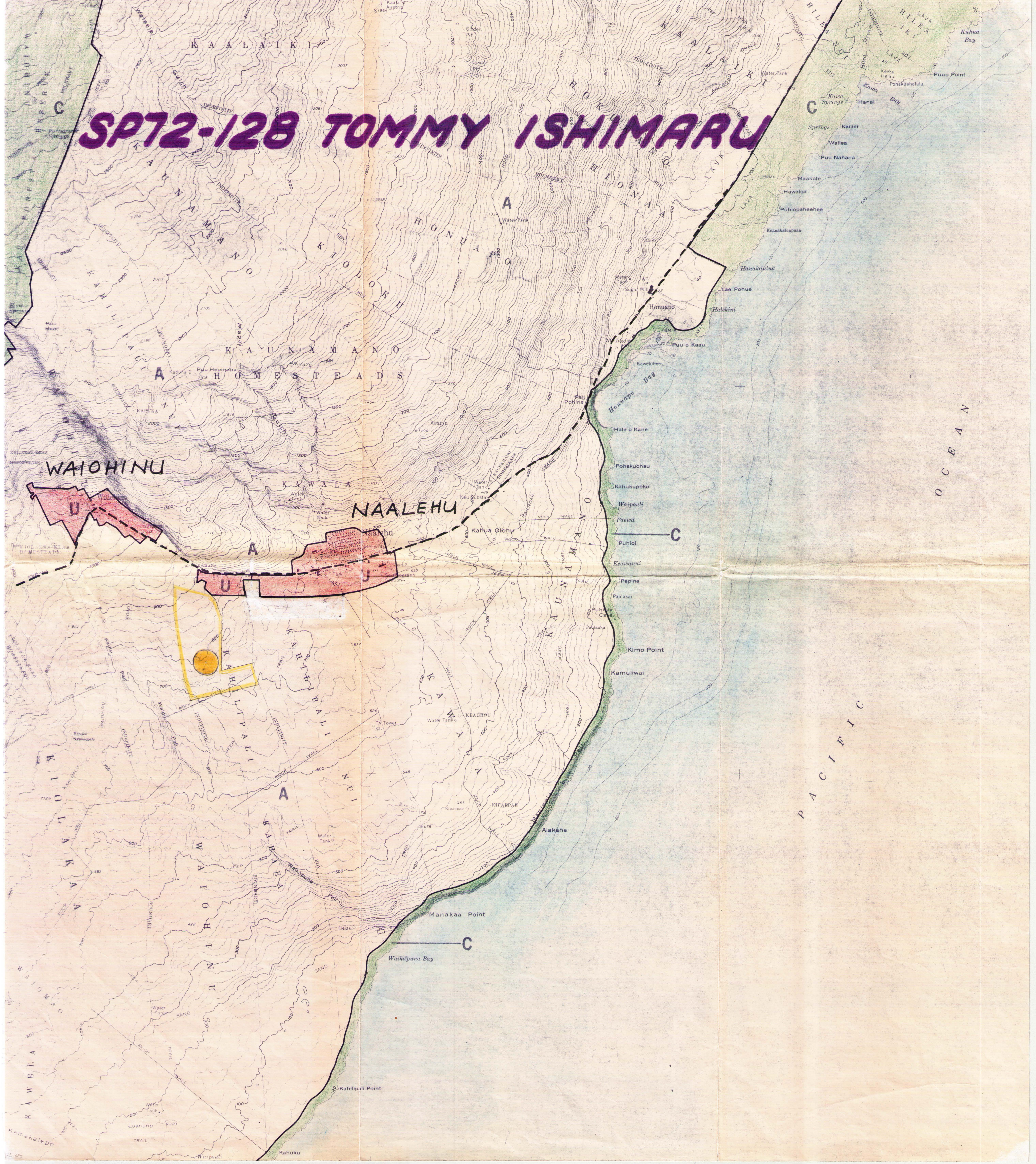


EXHIBIT I

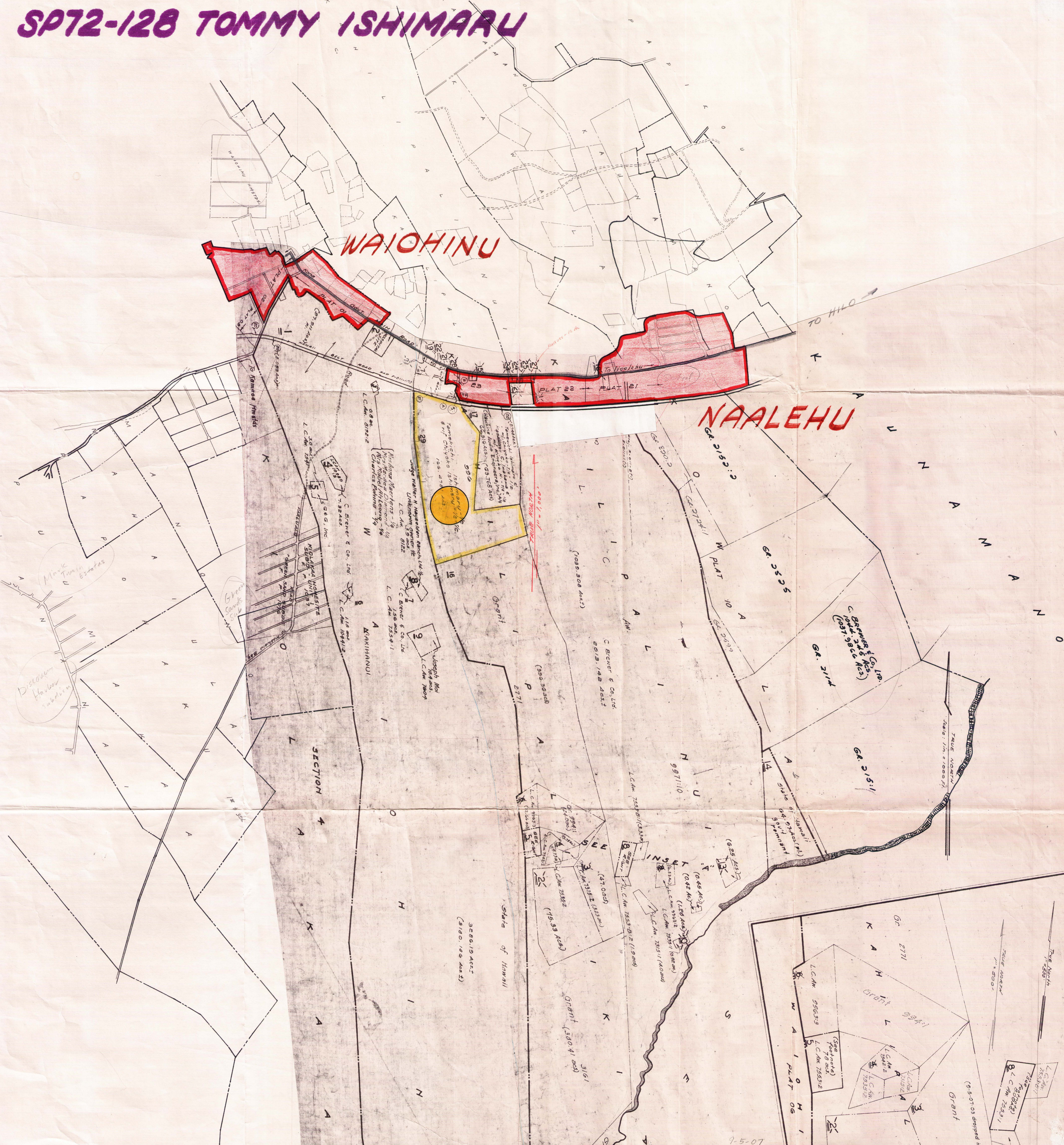
SP72-128 TOMMY ISHIMARU



SP72-128 TOMMY ISHIMARU

WAIOHINU

NAALEHU



Black Tanager Estates
Discover Harbor subdivision

Green Sands Sub

3286.19 ACCT
(3180.18 ACCT)

State of Hawaii

C. BREWER & CO. LTD.
2013, 148 ACCT

L.C.M. 75312 (3330)
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