

# AB Maui Quarries, LLC

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April 27, 2026

VIA EMAIL TO

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Maui Planning Commission  
C/O Department of Planning  
One Main Plaza  
2200 Main Street, Suite 315  
Wailuku, Maui, Hawai'i 96793



**Re: Landowner AB Maui Quarries, LLC's Objection to Application for Amendment to STATE SPECIAL PERMIT and COUNTY SPECIAL USE PERMIT for HAWAIIAN CEMENT to allow relocation of quarry extraction activities within TMK (2) 3-8-004:001, Pu'unēnē, Island of Maui, Hawai'i (SP92-380) (CUP 2006/0002)**

Dear Chairperson Ward and members of the Maui Planning Commission,

AB Maui Quarries, LLC ("AB Maui") is the fee owner of that certain parcel of land identified as Tax Map Key ("TMK") No. (2) 3-8-004:001 (portion), which is currently subject to the Conditional Use Permit ("CUP") 2006/0002 and Special Permit ("SP") 92-380. AB Maui hereby submits this formal and unequivocal objection to Hawaiian Cement's application (dated June 2025) seeking to amend these permits in a manner that would improperly remove AB Maui's permitted quarry area and otherwise alter land use entitlements affecting the Property. We understand that on or about June 27, 2025, our licensee Hawaiian Cement submitted an application to amend said permits, including the proposed removal of our property from the permitted quarry area. As the sole owner in fee of the land, we have received no notice whatsoever in regard to Hawaiian Cement's application that involves our property and suffer prejudice by not being able to participate in the instant proceedings.

To be clear, our objection only relates to CUP 2006/0002 and SP92-380 which involves modifications of permits that affect our property only. We do not have any objection to Hawaiian Cement pursuing the proper procedure and process to apply for and obtain a CUP and SP for any other property.

This objection is submitted because Hawaiian Cement proceeded without AB Maui's written authorization and without providing AB Maui—the actual landowner—any notice or meaningful opportunity to participate before filing an application that directly affects AB Maui's Property interests. As the sole fee simple owner of the property, AB Maui retains all rights and interests in the subject property and Hawaiian Cement failed to obtain our prior consent to any such amendment. Maui County Code Chapter 19.68 clearly requires that for any application "[w]here the applicant is not the legal owner of the subject property, a notarized document from the legal owner authorizing the application" and requires the applicant to "give notice of the

RE: Objection to Application for Amendment to SP and CUP for HAWAIIAN CEMENT to allow relocation of quarry extraction activities within TMK (2) 3-8-004:001 (SP92-380) (CUP 2006/0002)  
April 27, 2026

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application to those on record as the owners and lessees of real property located within five hundred feet of the real property . . . [b]y mailing a copy of the notice by certified or registered mail, return receipt requested, to all of those persons identified[.]” Similarly, Hawaii Administrative Rule § 15-15-95 also requires that “if the person is not the owner or sole owner in fee simple of the land, the record shall include evidence that the person requesting the special permit has written authorization of all fee simple owners to file the petition, which authorization shall also include an acknowledgement that the owners and their successors shall be bound by the special permit and its conditions.”

Hawaiian Cement’s application seeks to modify the already existing permits that apply to, encumber, or otherwise affect our parcel and such application constitutes a material change to land use entitlements. Accordingly, Hawaiian Cement, failed to comply with the express requirements of MCC Chapter 19.68 and must be rejected and denied outright.

We also note that both the applicant and the consultant submitting the application have actual knowledge of who the new landowner is based on prior discussions with both parties. Furthermore, the application confirms this actual knowledge as it states that “AB Maui Quarries LLC recently purchased the entirety of the existing quarry area from Alexander and Baldwin (A&B). The new landowner is honoring the lease held by the Applicant until January of 2027, at which point Hawaiian Cement will lose access to the quarry area.” Hawaiian Cement failed to provide AB Maui, the actual landowner, with any notice whatsoever and/or seemingly continued to notify A&B instead of AB Maui. Failure to provide notice to the current fee owner undermines due process and the integrity of the permitting review process. AB Maui received no advance notice of the filing and no meaningful opportunity to address the application prior to submission. This is not a harmless technicality—this is the kind of omission that deprives the affected landowner of timely participation and frustrates the transparency expected of the permitting process.

Finally, we have reviewed the transcript of proceedings from the November 25, 2025, regular meeting. To the extent that the Commission had questions regarding our intent regarding the existing permitted area, had we had notice of the application and meeting, we would have been able inform the commission that we would be taking over the quarry operation ourselves. This situation is exactly why the notice provisions in Maui Code and Hawaii Administrative Rules exist. The Commission should not have to decide an issue with an incomplete record and on mere speculation. Nevertheless, we can affirmatively state that there will be no disruption to the availability of aggregate on Maui, and we have no plans to ship any aggregate out of the State.

AB Maui does not consent to Hawaiian Cement’s request to remove AB Maui’s Property from the existing permitted quarry area or to any permit amendment that changes, extinguishes, re-defines, or otherwise impairs land use entitlements that run with (or have historically encumbered/benefited) AB Maui’s Property. Hawaiian Cement has no authority to unilaterally restructure entitlements affecting a third party’s fee-owned land without written authorization.

RE: Objection to Application for Amendment to SP and CUP for HAWAIIAN CEMENT to allow relocation of quarry extraction activities within TMK (2) 3-8-004:001 (SP92-380) (CUP 2006/0002)  
April 27, 2026

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In light of the foregoing, we respectfully request that Commission take the following actions:

1. Determine that the application for amendment to CUP 2006/0002 and SP 92-380 is incomplete as it affects our ownership of TMK No. (2) 3-8-004:001 (portion);
2. Refrain from processing or approving any amendment affecting our property without documented authorization from AB Maui Quarries, LLC; and
3. Provide AB Maui Quarries, LLC with all future notices, correspondence, and opportunities to participate in any proceedings related to this matter.

Should you wish to discuss this matter further, please do not hesitate to contact me a (808) 842-4929 or by email at [wmatsubara@nanhawaii.com](mailto:wmatsubara@nanhawaii.com).

Sincerely,



Wyeth M. Matsubara  
Authorized Agent