

# AB Maui Quarries, LLC

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May 5, 2026

VIA EMAIL TO [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov) and  
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State Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96804



**Re:** Notice of License Termination and Confirmation of Fee Owner's Rights and Obligations  
— Special Permit No. 92-380 and Conditional Use Permit No. 2006/0002; Tax Map Key  
No. (2) 3-8-004:001 (por.), Waikapu, Maui, Hawaii

Dear Chair Lee, Executive Officer Orođenker, and Members of the Land Use Commission:

AB Maui Quarries, LLC ("AB Maui") is the fee simple owner of that certain parcel of land identified by Tax Map Key No. (2) 3-8-004:001 (portion), situated at Waikapu, Maui, Hawaii (the "Property"), which is currently subject to Special Permit No. 92-380 ("SP") and Conditional Use Permit No. 2006/0002 ("CUP"). We write to formally notify the Commission that as the fee simple owner, AB Maui bears ultimate legal responsibility for compliance with all permit conditions, including in circumstances where a permit holder becomes insolvent, ceases operations, vacates the Property, or otherwise fails to meet its obligations under the SP or CUP. AB Maui and its affiliates represents that it will be the responsible parties going forward, to confirm AB Maui's legal obligations as fee owner with respect to the SP and CUP, and to present AB Maui's long-term vision for the Property in service of the Maui community.

## **I. AB Maui — Capacity, Experience, and Commitment**

AB Maui is a wholly owned subsidiary of Nan, Inc. ("Nan"), founded in 1990 and Hawaii's largest locally owned general contracting company. Nan is engaged in civil, infrastructure, transportation, and building construction throughout the State of Hawaii, performing a wide range of public and private construction work including roadway construction, utilities, earthwork, and related civil construction services. Nan has an extensive operational history working with state and county agencies on Hawaii's most complex and critical infrastructure projects.

In 2023, Nan acquired Grace Pacific LLC, one of the State's largest asphalt paving, materials, and construction companies. Through Grace Pacific, Nan operates the Makakilo Quarry on Oahu, one of the largest active quarry operations in the State, as well as quarry operations on Molokai. Nan and its affiliates therefore bring substantial, directly relevant experience in quarry operations, materials production, and compliance with state and county land use and environmental requirements.

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AB Maui acquired the Property in November 2023 as a strategic long-term land and resource asset, with a clear understanding of its significance as a critical source of construction materials for the Maui community. The Property, comprising approximately 336 acres, including substantial acreage that has not yet been quarried, and it has the potential—through responsible management and full regulatory compliance—to support Maui's construction, infrastructure, and community development needs for decades to come. AB Maui is fully committed to responsible stewardship of the Property and to being a cooperative and transparent partner with this Commission and all relevant state and county agencies.

## **II. Termination of the Hawaiian Cement License Agreement**

As the Commission may be aware, Hawaiian Cement had been authorized to quarry a portion of the Property pursuant to an Amended and Restated License Agreement dated March 26, 2012 (the "License Agreement"). AB Maui acquired its interest in the Property and the License Agreement in connection with a transaction completed in November 2023.

Following Hawaiian Cement's material breach of the License Agreement, including its filing of an application to amend the SP and CUP without AB Maui's knowledge, consent, or written authorization, in violation of both the terms of the License Agreement and the mandatory requirements of HAR § 15-15-95(a), AB Maui provided Hawaiian Cement written notice of breach and an opportunity to cure. Hawaiian Cement failed to cure within the applicable cure period. Accordingly, AB Maui terminated the License Agreement effective May 4, 2026.

As a result of this termination, Hawaiian Cement no longer holds any possessory or contractual right to occupy or use the Property, and retains no cognizable property interest in the Property. Hawaiian Cement has no legal authority to represent itself before this Commission or any other regulatory body with respect to the Property, and any pending application or filing made by Hawaiian Cement purporting to affect the SP or CUP should be treated as without legal effect. AB Maui further confirms that it has not consented to, and does not consent to, any amendment, modification, or alteration of the SP or CUP as submitted by Hawaiian Cement. AB Maui respectfully requests that the Commission take notice of this termination and update its records accordingly.

## **III. AB Maui's Acceptance of Permit Conditions**

AB Maui acknowledges and confirms that, as the fee simple owner of the Property, it has always been bound by the terms, conditions, and stipulations of SP No. 92-380 and CUP No. 2006/0002 as they currently exist and as approved. HAR § 15-15-95(a) expressly provides that fee simple owners and their successors are bound by a special permit and its conditions, and AB Maui fully acknowledges and accepts this statutory obligation. Importantly, as the fee simple owner, AB Maui bears ultimate legal responsibility for compliance with all permit conditions, including in circumstances where a permit holder becomes insolvent, ceases operations, vacates the Property, or otherwise fails to meet its obligations under the SP or CUP. AB Maui stands

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ready to ensure that the Property is operated in full compliance with all applicable permit conditions, both now and in the future, and commits to working cooperatively with this Commission and all relevant state and county agencies toward that end.

#### **IV. AB Maui's Long-Term Vision for the Property**

AB Maui intends to operate within the currently approved quarry area under the existing SP and CUP, consistent with all applicable terms and conditions. The Property has long supported Maui's construction and infrastructure needs, and AB Maui is committed to continuing that legacy responsibly and sustainably. Looking further ahead, AB Maui intends to evaluate opportunities for responsible expansion within the areas already contemplated under the existing permit framework, with the goal of ensuring that the Property continues to serve as a reliable source of construction materials for the Maui community for generations to come. AB Maui looks forward to working with this Commission and relevant agencies as those plans develop, and commits to full transparency and cooperation throughout that process.

#### **V. Notice to the Commission**

AB Maui hereby provides formal notice to the Commission that, as the fee simple owner of the Property, it is and has been bound by, and bears full responsibility for compliance with, the terms and conditions of SP No. 92-380 and CUP No. 2006/0002 by operation of law pursuant to HAR § 15-15-95(a). AB Maui will operate within the currently approved quarry area in accordance with all applicable permit conditions. All future correspondence, notices, and communications regarding the SP or CUP should be directed to AB Maui at 636 Laumaka Street, Honolulu, Hawaii 96819, (808) 842-4929, or by email to [maiu@nanhawaii.com](mailto:maiu@nanhawaii.com).

Please do not hesitate to contact our office with any questions.

Sincerely,



Micah P. K. Aiu, Esq.  
General Counsel