

December 18, 2025

Via email to: [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)

Brian Lee, Chair  
State of Hawai'i  
State Land Use Commission  
P.O. Box 2359  
Honolulu, Hawai'i 96804



Via email to: [Danny.Dias@co.maui.hi.us](mailto:Danny.Dias@co.maui.hi.us),  
[currentdivision@mauicounty.gov](mailto:currentdivision@mauicounty.gov); and  
[planning@mauicounty.gov](mailto:planning@mauicounty.gov)

Kate Blystone, Director  
County of Maui  
Department of Planning  
**Attention: Danny Dias, Planner**  
2200 Main Street, Suite 315  
Wailuku, Hawai'i 96793

SUBJECT: State Special Use Permit Annual Compliance Report for Hawaiian Cement Pu'unēnē Quarry, TMK: (2)3-8-004:001(por.), and 002(por.), (2)3-8-008:001(por.) and 031(por.), Pulehunui, Maui, Hawai'i (SP 92-380) (SUP1 91-0013)

Dear Mr. Lee and Ms. Blystone:

The State Land Use Commission (SLUC) at a regularly scheduled meeting on November 20, 2014, voted to approve a time extension request and amendments to the existing SLUC Special Permit (SUP) (SP92-380) for Hawaiian Cement's (permittee) Pu'unēnē Quarry. The SUP time extension and amendment was granted through July 21, 2032. The approval was subject to 11 conditions. See **Exhibit "A"**.

Condition Number 11 of the SUP approval stated:

*"An annual progress report shall be submitted to the Planning Director and the State Land Use Commission prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are*

*being complied with. This condition shall remain in effect until all conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required."*

On behalf of Hawaiian Cement, we are submitting this compliance report to meet Condition No. 11 of the SUP for calendar year 2025. No changes in the operations have occurred since 2013. It is noted that the permittee submitted supplemental information for a request to modify a SUP Amendment request that was originally filed in 2021. The 2025 supplemental information is to request that the SUP be amended to remove the permit for quarry operations from the current portion of TMK Parcel (2) 3-8-004:001 (por.) effective January 2027, and have the SUP apply to a new 125-acre portion of Parcel 1. The supplemental information was provided following discussions with the staff of the SLUC, State Department of Agriculture, State Office of Planning and Sustainable Land Use and the County Department of Planning. The ownership of the existing, permitted Pu'unene Quarry (Portion of Parcel 1) was sold and Hawaiian Cement was notified in 2024 that the new owner would terminate their lease on January 25, 2027. Upon the notification of the lease termination, the permittee sought a new location for a quarry source. Hawaiian Cement has purchased 55 acres on the same TMK as is currently covered by the SUP, from a different landowner and has the option to purchase an additional 70 acres, should the amendments to the SUP be approved. The 2021 SUP amendment request was not acted upon by the SLUC and was remanded to the Maui Planning Commission (MPC) for amendment of the project record. However, the MPC had not scheduled the SUP amendment for re-review and as such, the 2021 request was considered "in process". The supplemental information for the SUP amendment was filed with the County Planning Department in June 2025. On November 25, 2025, the MPC held a public hearing on the supplemental information for the SUP amendment request and the MPC voted to approve the SUP amendment with conditions. The SUP amendment record will be transmitted by the County Planning Department to the SLUC for review and final action.

**Condition No. 1:**

***That the State Land Use Commission Special Use Permit shall be valid to July 21, 2032, subject to further extensions by the Land Use Commission upon a timely request for extension filed at least one-hundred twenty (120) days prior to its expiration. The appropriate Planning Commission shall make a recommendation to the Land Use Commission and may require a public hearing on the time extension.***

**Response:** The permittee concurs with the condition and understands that the SUP for the Pu'unēnē Quarry would expire in July 2032. No time extension is being sought at this time.

**Condition No. 2:**

***That the conditions of this Land Use Commission Special Use Permit shall be enforced pursuant to Sections 205-12 and 205-13, Hawaii Revised Statutes. Failure to comply with one or more of the conditions herein shall result in a notice of violation issued by the appropriate enforcement agency, notifying the permit holder of the violation and providing the permit holder no more than sixty (60) days to cure the violation. If the permit holder fails to cure the violation within sixty (60) days of said notice, the appropriate enforcement agency shall issue an order which may require one or more of the following: that the violative activity cease; that the violative development be removed; that a civil fine be paid not to exceed ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) per violation; that a civil fine not to exceed FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) shall be issued if violation not cured within six months of the issuance of the order. The order shall become final thirty (30) days after the date of its mailing or hand-delivery unless written request for a hearing is mailed or delivered to the planning department within said (30) days. Upon receipt of a request for a hearing, the Planning Department shall specify a time and place for the permit holder to appear and be heard. The hearing shall be conducted by the Planning Director or the Director's designee in accordance with the provisions of Chapter 91, HRS, as amended.***

**Response:** The permittee understands the requirements of this condition.

**Condition No. 3:**

***That the subject State Land Use Commission Special Use Permit shall not be transferred without the prior written approval of the Land Use Commission. The appropriate Planning Commission shall make a recommendation to the Land Use Commission. However, in the event that a contested case hearing preceded issuance of said State Land Use Commission Special Use Permit, a public hearing shall be held by the appropriate Planning Commission upon due published notice, including actual written notice to the last known addresses of parties to said contested case and their counsel.***

**Response:** The permittee concurs with this condition. No permit transfer request is being sought for the SUP.

**Condition No. 4:**

***That the applicant, its successors and permitted assigns shall exercise reasonable due care as to third parties with respect to all areas affected by subject State Land Use Commission Special Use Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this State Land Use Commission Special Use Permit, a policy or policies of comprehensive liability insurance in the minimum amount of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) naming the County of Maui and State of Hawaii as an additional named insured, insuring and defending the applicant, County of Maui and State of Hawaii against any and all claims or demands for property damage, personal injury and/or death arising out of this permit, including but not limited to: (1) claims from any accident in connection with the permitted use, or occasioned by any act or nuisance made or suffered in connection with the permitted use in the exercise by the applicant of said rights; and (2) all actions, suits, damages and claims by whomsoever brought or made by reason of the nonobservance or nonperformance of any of the terms and conditions of this permit. A copy of a policy naming County of Maui as an additional named insured shall be submitted to the Department within ninety (90) calendar days from the date of transmittal of the decision and order.***

**Response:** Please find attached, as **Exhibit “B”**, a current Certificate of Insurance for the Pu’unēnē Quarry, naming the State of Hawai’i as an additional insured.

**Condition No. 5:**

***That full compliance with all applicable governmental requirements shall be rendered.***

**Response:** The permittee understands and complies with this condition.

**Condition No. 6:**

***That a restoration plan be submitted, showing upon termination of operations, depleted and excavated areas shall be graded to blend with the surrounding natural contours and that appropriate vegetative cover consisting of trees, shrubs, and ground cover shall be established.***

**Response:** The permittee understands this condition. A restoration plan, approved by the landowner, has previously been submitted to the SLUC and has been

complied with upon termination of previously quarried areas. It is noted that the restoration plan has been amended per the agreement with the permittee and landowner (see Section 1.2). A copy of the currently approved restoration plan is included as **Exhibit “C”**.

**Condition No. 7:**

***That a detailed drainage plan be submitted to the Department of Public Works and Department of Transportation for their review and approval.***

**Response:** A detailed drainage plan was submitted and approved by the Department of Public Works (DPW). Said plan approvals have been previously submitted by the permittee.

**Condition No. 8:**

***That a detailed solid waste management plan be submitted to the Public Works for their review and approval.***

**Response:** A solid waste management plan was submitted to the DPW for their review and approval. Said plan approval has been previously submitted by the permittee.

**Condition No. 9:**

***That a regular maintenance program for the access road be submitted to Department of Transportation Highways Division and Department of Public Works for review and approval to ensure that loose aggregate, which may have fallen from trucks coming from the quarry site, shall be removed.***

**Response:** A maintenance program was prepared for the access road and was submitted to the State of Hawai'i, Department of Transportation (SDOT), Highways Division and DPW for review and approval. The SDOT approved said plan. See **Exhibit “D”**. Additionally, the maintenance plan has been submitted to the DPW for review and approval, and their approval is pending.

**Condition No. 10:**

***That the applicant shall continue to comply with air pollution control and all other permits for rock crushing, asphalt batching, and all other operations, including the restoration of the site.***

**Response:** The permittee understands this condition and is continuing to comply with air pollution control and other related permits for the quarry operation. Copies of the Covered Source Permit (which expired on April 19, 2016) and an acceptance letter from the Department of Health (DOH) for a renewal application are attached as **Exhibit “E”**. **(HAWAIIAN CEMENT TO CONFIRM NO NEW DOH PERMIT ISSUED)**

**Condition No. 11:**

***An annual progress report shall be submitted to the Planning Director and the State Land Use Commission prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.***

**Response:** This report is being submitted to satisfy this condition for 2024. To date, approximately 85 percent of the acres in the permitted area have been quarried for use.

**Condition No. 12:**

***That prior to commencement of quarry operations into the Expansion Areas, the applicant shall provide evidence of approval from the State Department of Transportation regarding a maintenance program for the driveway and surrounding roadway.***

**Response:** As previously noted in the response to Condition No. 9, the SDOT has approved the roadway maintenance program for the Pu’unēnē Quarry. Refer to **Exhibit “D”**.

**Condition No. 13:**

***That prior to commencement of quarry operations into the Expansion Areas, the applicant shall provide evidence of approval from the State Department of Health regarding modifications to the Clean Air Branch permit.***

**Response:** The permittee understands this condition. As noted, a Covered Source Permit renewal application has been filed and accepted by the DOH. Refer to **Exhibit “E”**.

**Condition No. 14:**

***That prior to commencement of quarry operations into the Expansion Areas, the applicant shall submit an archaeological inventory survey to the State Historic Preservation Division for their review; and shall comply with their subsequent comments.***

**Response:** The permittee had an Archaeological Assessment report prepared for the previously approved expansion area at the Pu'unēnē Quarry. Due to the negative findings of the survey, an assessment report was prepared in lieu of an Archaeological Inventory Survey. The report was submitted to the State Historic Preservation Division (SHPD) for review and approval on January 25, 2023. SHPD approved said report via letter dated June 22, 2023. See **Exhibit "F"**. The SHPD concurred that no further archaeological work is required for the site.

**Condition No. 15:**

***That the new quarry operations shall be confined to the areas depicted on Exhibit 2 of the Planning Department staff report as "24.476 Acres" and "41.968 Acres" (attached as "Proposed Quarry Mining Site" map, dated July 7, 2005).***

**Response:** The permittee understands this condition. New quarry activities are limited to the approved expansion area identified on the "Proposed Quarry Mining Site" map that was attached to the SLUC Decision and Order.

It is noted that a request to amend the SUP to add approximately 51.67 acres to the quarry operation was approved by the SLUC in December 2014. Additionally, the permittee filed a request to amend the SUP to add additional areas for its quarry operation in February 2021. However, as noted previously in this annual report, the permittee filed supplemental information to the County Planning Department in June 2025, and requested additional amendments to the SUP, due to a change in ownership of the current permitted quarry site. The amendment request is currently in process, with the most recent action taken by the MPC in November 2025, which voted to approve the amendment to the SUP for a supplemental quarry location on a separate portion of Parcel 1.

**Condition No. 16:**

***That prior to commencement of quarry operations on Quarry Site "C," the Applicant shall submit an archaeological inventory survey of***

***Quarry Site "C" to the State Historic Preservation Division for their review and shall comply with their subsequent comments.***

**Response:** The permittee had an Archaeological Assessment prepared for Quarry Site "C" and the document was submitted to the SHPD in October 2014. The SHPD provided comments on the report via letter in May 2015. See **Exhibit "G"**. Revised reports were prepared and re-submitted to SHPD by the permittee's consultant, with the most recent being dated March 2020. See **Exhibit "H"**. Additionally, based on discussions with SHPD, an Archaeological Monitoring Plan (AMP) dated March 2020 was also prepared and submitted to the SHPD. See **Exhibit "I"**. The SHPD accepted both the Archaeological Assessment and AMP via letter dated April 17, 2020. See **Exhibit "J"**.

**Condition No. 17:**

***That the new quarry operations on Quarry Site "C" shall be confined to the area identified as Quarry Site "C" on the attached Exhibit "A" entitled Plan Showing Hawaiian Cement Quarry Mining Sites (Revised December 13, 2013).***

**Response:** The permittee concurs with this condition and has confined the Quarry Site "C" operations as illustrated in the map attached to the December 2014 Decision and Order document. Refer to **Exhibit "A"**. However, as previously noted in this annual report, the permittee is seeking amendments to the SUP to remove the permit for the quarry operation on the existing portion of Parcel 1 and have the permit cover a new 125-acre portion of Parcel 1.

Should you have any further questions regarding this report, please do not hesitate to contact me at (808) 244-2015.

Very truly yours,



Karlynn Fukuda  
President

KF:yp  
Enclosures

cc: Dave Gomes, Hawaiian Cement (w/enclosures)  
Keoni DeRego, Hawaiian Cement (w/enclosures)

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### **List of Exhibits**

**EXHIBIT A.** Decision and Order Approving a Time Extension to a Special Use Permit

**EXHIBIT B.** Certificate of Insurance

**EXHIBIT C.** Restoration Plan (Amended)

**EXHIBIT D.** State Department of Transportation Approval of Maintenance Plan

**EXHIBIT E.** Current State Department of Health Permits

**EXHIBIT F.** State Historic Preservation Division Approval Letter Dated April 8, 2012

**EXHIBIT G.** Letter from State Historic Preservation Division Dated May 12, 2015

**EXHIBIT H.** Archaeological Assessment Completed for the Proposed Amendment Site and State Historic Preservation Division Acceptance Letter Dated June 22, 2023

**EXHIBIT I.** Archaeological Monitoring Plan Dated March 2020

**EXHIBIT J.** State Historic Preservation Division Archaeological Assessment and Archaeological Monitoring Plan Acceptance Letter Dated April 17, 2020

## **EXHIBIT A.**

### **Decision and Order Approving a Time Extension to a Special Use Permit**

Please see document at:

[https://files.hawaii.gov/luc/dockets/sp92-380/DO\\_20141203.pdf](https://files.hawaii.gov/luc/dockets/sp92-380/DO_20141203.pdf)

**EXHIBIT B.**

**Certificate of Insurance**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/08/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> MARSH USA LLC 333 South 7th Street, Suite 1400 Minneapolis, MN 55402-2400	<b>CONTACT NAME:</b> Marsh   U.S. Operations & Technology <b>PHONE (A/C, No, Ext):</b> 866-966-4664 <b>E-MAIL ADDRESS:</b> Minneapolis.CertRequest@marsh.com	<b>FAX (A/C, No):</b> 212-948-5382
CN103060364-HAWAC-GAWX-25-20102037HAWCEAIY	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> HAWAIIAN CEMENT 99-1300 HALAWA VALLEY STREET AIEA, HI 96701	<b>INSURER A:</b> Liberty Mutual Fire Ins Co	23035
	<b>INSURER B:</b> Berkshire Hathaway Specialty Insurance	22276
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES****CERTIFICATE NUMBER:**

CHI-010368719-71

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			TB2641446115025	01/01/2025	01/01/2026	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			AS2641446115035	01/01/2025	01/01/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			47XSF32875102	01/01/2025	01/01/2026	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	WA264D446115365 (AOS) WC2641446115065 (MN)	01/01/2025 01/01/2025	01/01/2026 01/01/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Re: Puunene Quarry and the TMKs (TMK 3-8-004: 001 and 002; TMKs 3-8-008: 001 and 031)

County of Maui and the State of Hawaii are included as an additional insured as required by permits SP92-380, SUP1 91/0013 and CUP 2006/0002 as respects the General Liability and Auto Liability. Blanket Additional Insured for General Liability is included where required by written contract and does not include professional liability coverage. Blanket Additional Insured for Automobile Liability is included where required by written contract. Excess liability applies to general liability, products and completed operations, automobile liability, and employers liability.

**CERTIFICATE HOLDER**

County of Maui  
Department of Planning  
200 S. High Street  
Wailuku, Maui, HI 96793

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
of Marsh USA LLC

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## **EXHIBIT C.**

### **Restoration Plan (Amended)**

Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>  
(Exhibit C)

**EXHIBIT D.**

**State Department of Transportation  
Approval of Maintenance Plan**



Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>

(Exhibit D)

## **EXHIBIT E.**

### **Current State Department of Health Permits**

Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>

(Exhibit E)

**EXHIBIT F.**

**State Historic Preservation Division  
Approval Letter Dated August 8, 2012**

Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>

(Exhibit F)

**EXHIBIT G.**

**Letter from State Historic Preservation Division  
Dated May 12, 2015**

Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>  
(Exhibit G)

**EXHIBIT H.**

**Archaeological Assessment Completed for the  
Proposed Amendment Site and State Historic  
Preservation Division Acceptance Letter  
Dated June 22, 2023**



Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>  
(Exhibit H)

**EXHIBIT I.**

**Archaeological Monitoring Plan  
Dated March 2020**

Please see previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>  
(Exhibit I)

## **EXHIBIT J.**

**State Historic Preservation Division Archaeological  
Assessment and Archaeological Monitoring Plan  
Acceptance Letter Dated April 17, 2020**

Please previously submitted document at the following location:

<https://luc.hawaii.gov/wp-content/uploads/2024/10/SP92-380-Annual-Report-2024.pdf>  
(Exhibit I)