

Draft Environmental Assessment

HAWAIIAN CEMENT PU'UNENE PRODUCTION WELL (TMK 3-8-008:031 (por.))

Prepared for:

Hawaiian Cement

Approving Agency:

**State of Hawai'i,
Department of Land and Natural
Resources, Land Division**

November 2008



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Executive Summary

Project Name: Hawaiian Cement Pu`unene Production Well

Type of Document: Draft Environmental Assessment

Legal Authority: Chapter 343, Hawai`i Revised Statutes

Agency Determination: Anticipated Finding of No Significant Impact (FONSI)

Applicable Environmental Assessment Review "Trigger": Use of State Lands

Location: TMK: (2) 3-8-008:031 (por.)
Pu`unene
Maui Island

Applicant: Hawaiian Cement
Maui Concrete & Aggregate Division
P.O. Box 488
Kahului, Hawai`i 96733-6988

Approving Agency: State of Hawai`i
Department of Land and Natural Resources, Land Division
P.O. Box 621
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Consultant: Munekiyo & Hiraga, Inc.
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Wailuku, Hawai`i 96793
Contact: Michael T. Munekiyo, AICP
Phone: (808) 244-2015

Project Summary: Hawaiian Cement is a construction material company supplying concrete and aggregates to Hawai`i's major islands. Hawaiian Cement currently leases lands in the vicinity of the former Maui Airport in Pu`unene from the State of Hawai`i for its rock quarry, including concrete and asphalt batching, rock crushing, and related operations. Hawaiian Cement also subleases portions of these lands to other construction material manufacturers.

Hawaiian Cement is in need of a non-drinking water supply for its day-to-day, onsite operations (e.g., dust control). In order to develop adequate non-drinking water supply,

Hawaiian Cement constructed and drilled at its Pu'unene site an exploratory well, which was completed on June 5, 2007. Hawaiian Cement proposes to convert this existing exploratory well into a production well. The approval of a Well Completion Report Part II, as well as the granting of a water lease from the State Department of Land and Natural Resources, Commission on Water Resource Management (CWRM), will be needed to complete the regulatory process to implement the well source. In order to secure approval from the CWRM, this Draft Environmental Assessment has been prepared since the well site is located on State-owned lands.

I. PROJECT OVERVIEW

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A. PROJECT LOCATION, EXISTING USE, AND OWNERSHIP

The subject property is located between Pu`unene and Kihei, in the vicinity of the former Maui Airport in Pu`unene (Pu`unene Airport), at Tax Map Key (TMK) No. (2) 3-8-008:031 (por.), in Pu`unene, Maui. See **Figure 1**. This parcel of land, owned by the State of Hawai`i, is approximately 52.2 acres and is located east of Mokulele Highway. Access to the site (hereinafter referred to as “well site”) is via Kama`aina Road and an easement which crosses lands owned by A&B Hawaii, Inc. Hawaiian Cement leases Parcel 31 from the State of Hawai`i.

The subject property has historically been used and continues to be used as a rock quarry, which includes operations for concrete and asphalt batching, rock crushing, and related activities. State of Hawai`i lands which surround the subject property are used for sugar cane field operations under a lease agreement with Hawaiian Commercial & Sugar Company (HC&S). Other uses in the vicinity include the Central Maui Baseyard, Maui Raceway Park, Maui Humane Society, and National Guard Pu`unene Armory.

B. BACKGROUND

Hawaiian Cement, Maui Concrete & Aggregate Division is a construction material company supplying concrete and aggregates to Hawai`i’s major islands. Its operational facilities are located in the Pu`unene Quarry on TMK Nos. (2) 3-8-008:001 and (2) 3-8-008:031, both of which are owned by the State of Hawai`i. See **Figure 2** and **Figure 3**. Hawaiian Cement also subleases a portion of the parcels to Maui Blocks, Inc., Island Concrete Manufacturing Systems LLC, Walker Industries, Maui Paving, LLC, and Pacific Pile & Crane. These subtenants manufacture building materials as well.

Due to the need for non-drinking water for onsite operations (e.g., dust control and batching), Hawaiian Cement has obtained a Pump Installation Permit and a Well Construction Permit from the Department of Land and Natural Resources (DLNR), Commission on Water Resource Management (CWRM). Both permits were issued on November 20, 2006. See **Appendix “A”** and **Appendix “B”**. The construction and drilling of the exploratory well (Well No. 4926-02) was completed on June 5, 2007. Following the successful completion

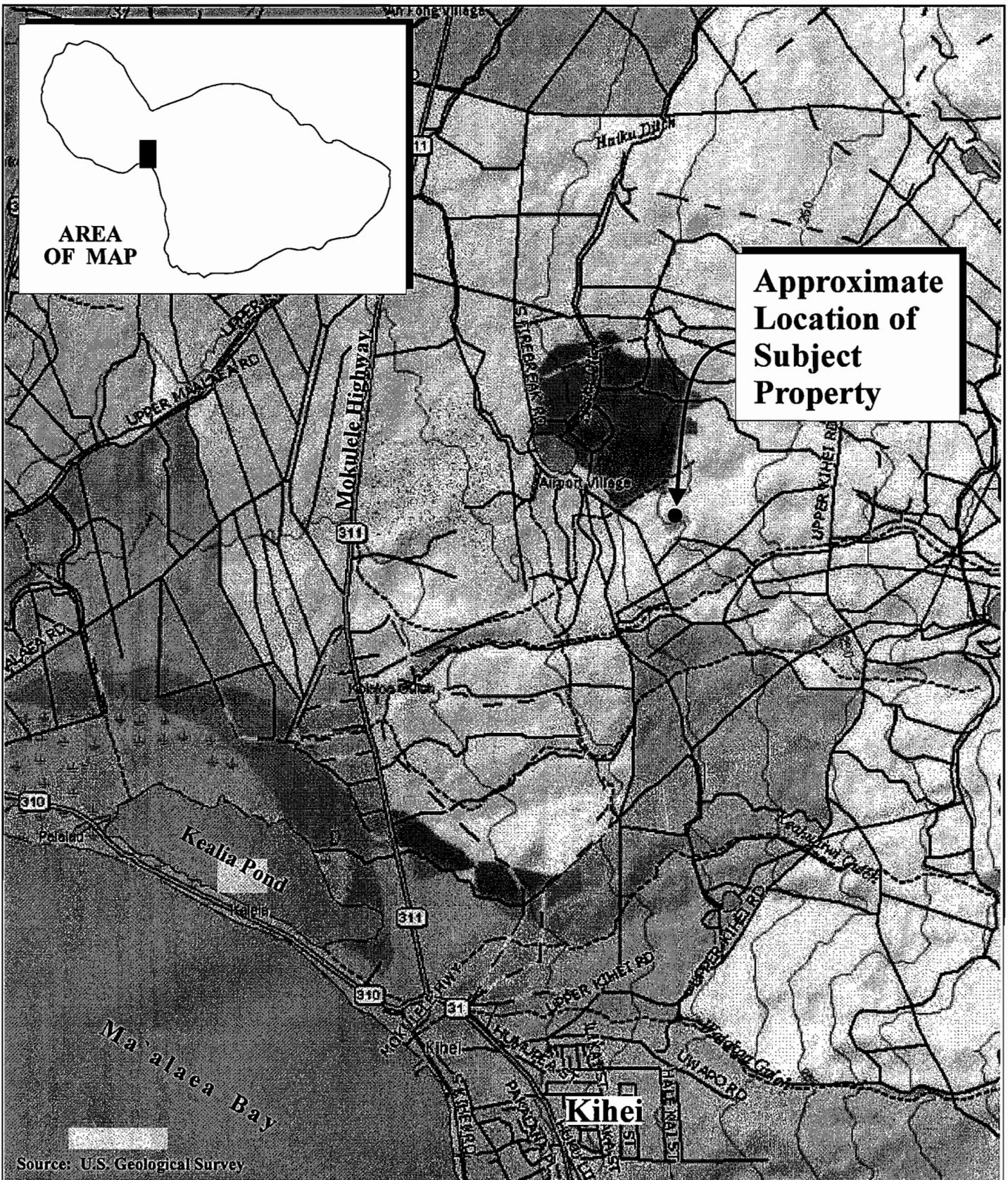


Figure 1

Hawaiian Cement
 Pu'unene Production Well
 Regional Location Map

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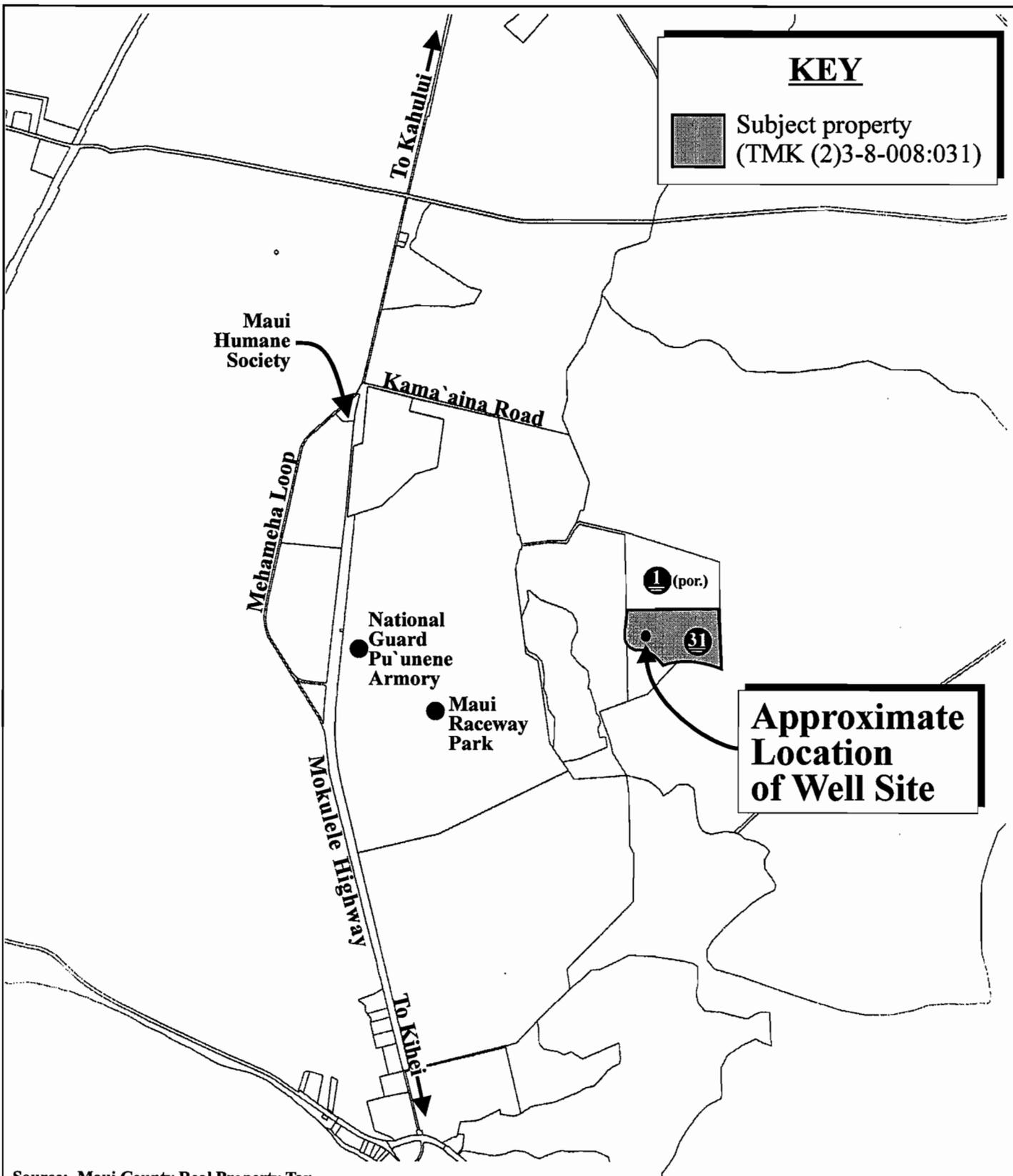


Figure 2

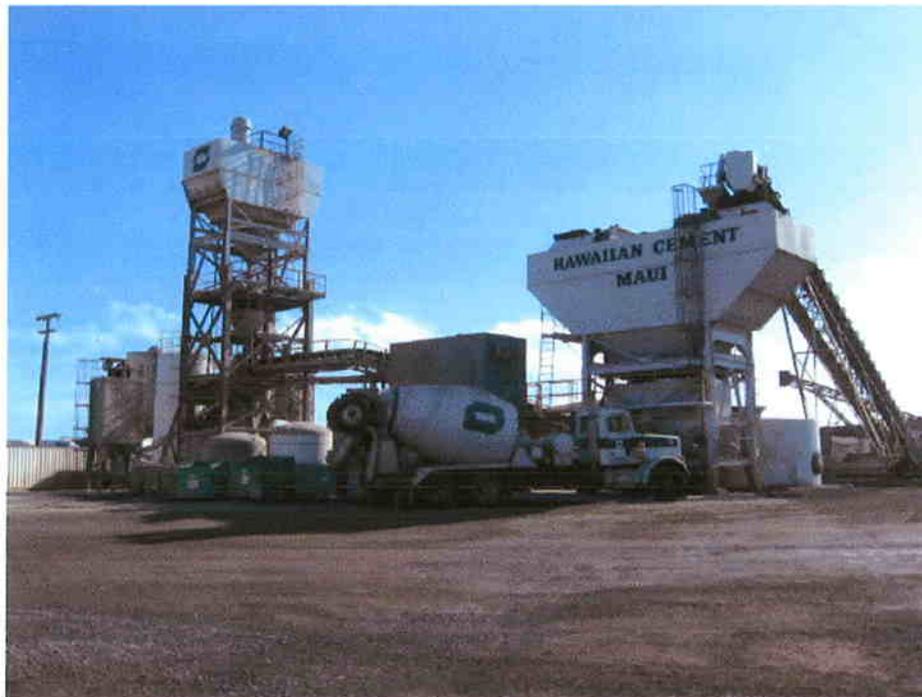
Hawaiian Cement
Pu'unene Production Well
Site Location Map

NOT TO SCALE





Photograph of Asphalt Batching Facility



**Photograph of Concrete Batching Facility
Located North of Well Site**

Source: Munekiyo & Hiraga, Inc.

Figure 3

**Hawaiian Cement
Pu`unene Production Well
Photographs of Quarry Operations**

of the Well Elevation Survey, the Well Completion Report (Part I) was submitted to the CWRM for approval. See **Appendix “C”**. A Certificate of Well Completion was issued by the CWRM on April 29, 2008. See **Appendix “D”**.

According to the results of the pump tests conducted in June 2007, the well can provide a sustained yield of 250 gallons per minute (GPM) and the proposed pump capacity is approximately 216,000 gallons per day (GPD). Estimated usage will be approximately 70,000 gallons per day. Water from the well will be stored in two (2) adjacent tanks. See **Figure 4**. These tanks will each hold a maximum capacity of approximately 20,000 gallons of water. The water from the tanks will then be conveyed to the concrete batching facility via an existing 3-inch underground waterline.

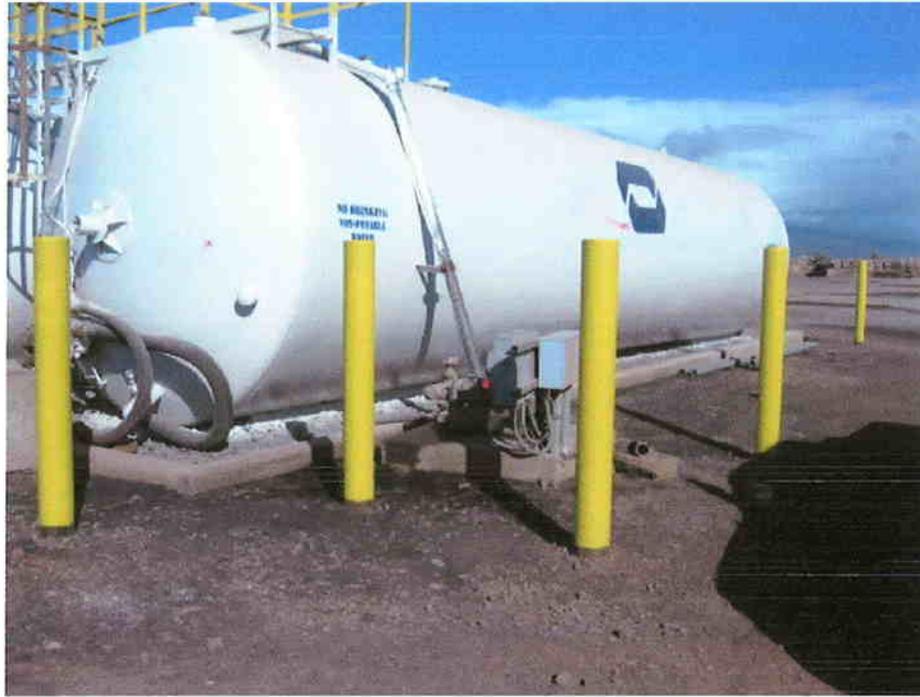
C. PROPOSED ACTION

Well No. 4926-02 is located within Hawaiian Cement’s concrete batching and rock crushing site. The Hawaiian Cement administrative offices are located to the immediate west while the batching and rock crushing facilities are located to the east. The well site is within a graded area which is paved and compacted with crushed rock material. The well is approximately 196 feet deep. The ground elevation at the well site is approximately 175 feet above mean sea level.

The objective of converting Well No. 4926-02 into a production well is to provide Hawaiian Cement with water supply sufficient to operate its concrete batching and quarrying operations (including dust control). Water from this source will also serve subtenants at the site for use in the manufacturing of construction products. The existing water source for the facility is an existing well located to the south of Well No. 4926-02. Water from this existing well is used for dust control and batching operations. However, during peak demand times, the pumping capacity from this well is not sufficient to meet all of the non-drinking water needs at the facility, including water needed for concrete products manufacturing (e.g., tile blocks).

D. REGULATORY APPROVALS AND CHAPTER 343, HAWAII REVISED STATUTES REQUIREMENT

The proposed conversion of Well No. 4926-02 into a production well is being funded by Hawaiian Cement on lands owned by the State of Hawai`i. The use of State lands is a trigger for an environmental review pursuant to Chapter 343 of the Hawai`i Revised Statutes (HRS). In particular, based on the scope of the proposed action, the preparation and processing of



Photograph of Well and Adjacent Storage Tank



Photograph of Well and Two Storage Tanks

Source: Munekiyo & Hiraga, Inc.

Figure 4

Hawaiian Cement
Pu'unene Production Well
Well Site Photographs

an Environmental Assessment (EA) is being undertaken. It is noted that exploratory wells are considered a Chapter 343, HRS exempt action by the DLNR as Exemption Class No. 5(2). However, the conversion of a test or exploratory well to a production well, which will be used as a water service source, is not an exempt action.

As previously noted, a pump installation permit and a well construction permit have been issued for the subject well (refer to **Appendix “A”** and **Appendix “B”**). The Well Completion Report Part I has also been submitted and approved (refer to **Appendix “C”**). A Certificate of Well Completion was issued by the CWRM on April 29, 2008. Refer to **Appendix “D”**. The pump installation permit will be activated upon approval of the Well Completion Report Part II and the granting of a water lease from the CWRM. These actions are contingent upon the completion of the Chapter 343, HRS process.

E. IMPLEMENTATION TIME FRAME

The implementation of the production well will commence upon the approval of the Well Completion Report Part II, and granting of a water lease from the CWRM of the DLNR. These processes will be undertaken following completion of the Chapter 343, HRS process.

**II. DESCRIPTION OF THE
EXISTING
ENVIRONMENT,
POTENTIAL IMPACTS,
AND MITIGATION
MEASURES**

II. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

A. PHYSICAL SETTING

1. Surrounding Land Uses

a. Existing Conditions

The Hawaiian Cement Pu`unene Exploratory Well is located in Pu`unene, Maui, east of Mokulele Highway on land designated for agricultural use. Other building material manufacturers sublease portions of land from Hawaiian Cement to run their operational facilities. Several light industrial businesses are also located east of Mokulele Highway, which include the Central Maui Baseyard, Maui Raceway Park, and National Guard Pu`unene Armory. The vast area immediately east of Mokulele Highway and west of the subject property is currently used for sugar cane field operations.

Surrounding the well site, there is a rock quarry and concrete batching and crushing facilities. There are also other concrete operational facilities and asphalt production operations from neighboring construction companies. Maui Paving, LLC, an asphalt manufacturer, conducts its operational facilities adjacent to Hawaiian Cement.

The subject property is surrounded by agricultural, light and heavy industrial, open space, and recreational uses at the Pu`unene Airport.

b. Potential Impacts and Mitigation Measures

The proposed action is intended to provide Hawaiian Cement with adequate non-drinking water supply sufficient to operate its concrete batching and crushing facility. Hawaiian Cement will utilize the production well to provide water to its sublessees as well. Hawaiian Cement has no plans to alter the uses that exist on the subject property. The proposed action is not anticipated to have an adverse effect on surrounding properties.

2. Climate

a. Existing Conditions

Maui is characterized by a semi-tropical climate containing a multitude of individual microclimates. The mean annual temperature of the island at all locations near sea level is about 75 degrees Fahrenheit. A high proportion of the rainfall that Maui receives each year falls on the northeast facing shores leaving the south and southwest coastal areas relatively dry.

The subject property, situated in an area to the north of the Kihei coastline, is generally sunny, warm, and dry throughout the entire year. Annual temperatures in the region average in the mid to high 70's (Maui County Data Book, December 2006). June through August are historically the warmer months of the year, while the cooler months are January through March. During the summer months, average daily temperatures in the area typically range from the low 70's to the high 80's.

Average rainfall distribution in the project vicinity varies from under 10 inches per year along the coastline to more than 20 inches per year in the higher elevations. Rainfall in the region is highly seasonal, with most of the precipitation occurring in the winter months (Maui County Data Book, December 2006).

Northeast tradewinds prevail approximately 80 to 85 percent of the time. Tradewinds originating from the northeast average 10 to 15 miles per hour during afternoons, with slightly lighter winds during mornings and nights. Between October and April, the southerly winds of Kona storms may be experienced.

b. Potential Impacts and Mitigation Measures

The proposed conversion of Well No. 4926-02 into a production well (hereafter referred to as the proposed action) will not alter local microclimates.

3. Topography and Soils

a. Existing Conditions

The subject property is characterized by relatively level terrain. The property slopes in a westerly direction at a grade of less than one (1) percent. Onsite elevation is approximately 175 feet above mean sea level.

Underlying the subject property are soils belonging to the Waiakoa-Keahua-Molokai association. See **Figure 5**. The Soil Survey of the Islands of Kaua`i, O`ahu, Maui, Moloka`i, and Lana`i, State of Hawai`i characterizes the soils of the Waiakoa-Keahua-Molokai association as consisting of well-drained soils developed in material weathered from basic igneous rock. The upper part of the profile is influenced by volcanic ash. These soils are generally gently sloping to moderately steep.

There are four (4) specific soil types underlying the subject property as follows: Waiakoa extremely stony silty clay loam, 3 to 25 percent slopes, eroded (WID2), Waiakoa very stony silty clay loam, 3 to 7 percent slopes (WgB), Pulehu clay loam, 0 to 3 percent slopes (PsA), and Waiakoa silty clay loam, 3 to 7 percent slopes (WeB). See **Figure 6**. The well site itself is situated in an area consisting of the WID2 soil type.

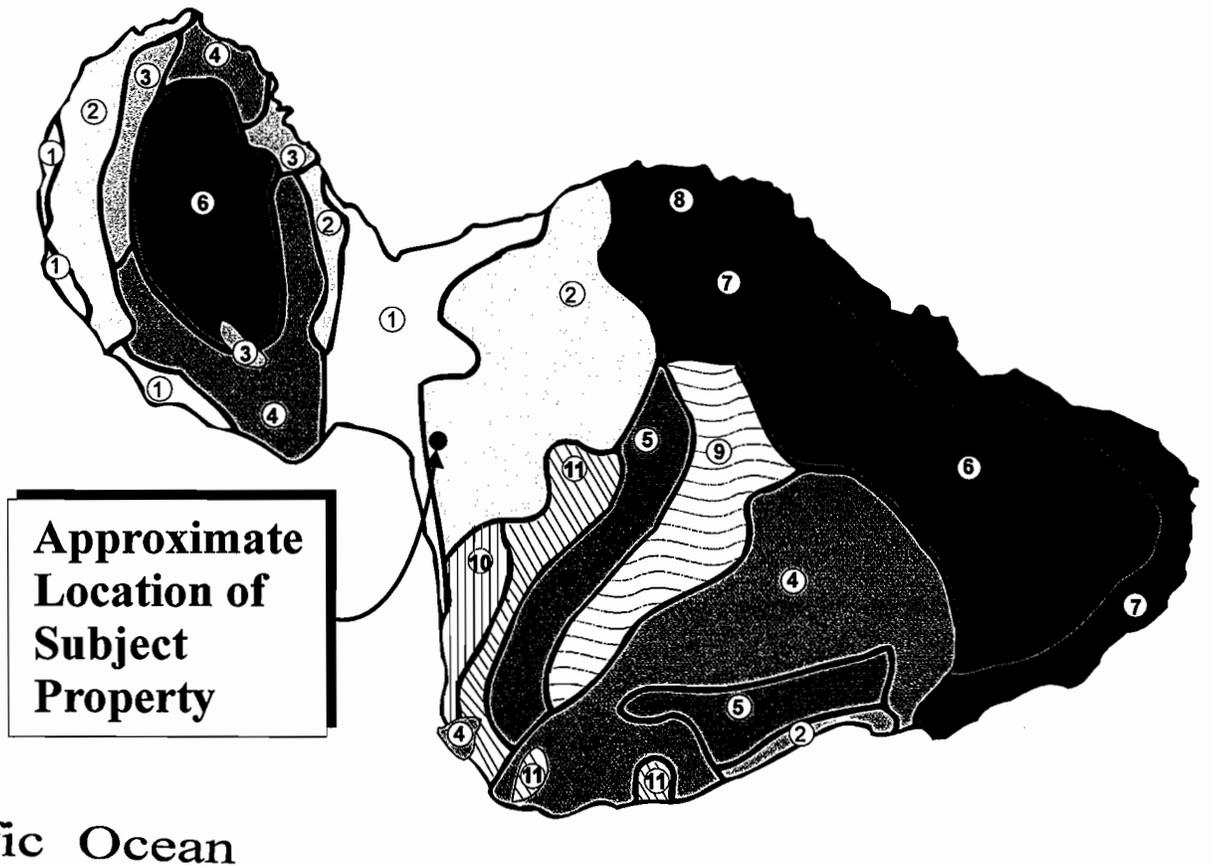
WgB soil is typically located on smooth, low uplands. In a representative profile, the surface layer is dark reddish brown silty clay loam about two (2) inches thick. The subsoil, which is generally 23 inches thick, is dark reddish brown and very dark grayish brown silty clay loam that has prismatic structure or is massive. Permeability is moderate, runoff is slow, and the erosion hazard is slight.

WeB soil has a profile similar to WgB above except that it is nonstony. WeB soils exist in small, nearly level areas. The soil is typically used for sugar cane cultivation, but small acreages are used for pasture and homesites.

WID2 soil is also similar to WgB above except that it is eroded and stones cover 3 to 15 percent of the surface. In most areas, about 50 percent of the surface layer has been removed by erosion. Runoff is medium and the erosion hazard is severe.

LEGEND

- | | |
|--|--|
|  Pulehu-Ewa-Jaucas association |  Hana-Makaalae-Kailua association |
|  Waiakoa-Keahua-Molokai association |  Pauwela-Haiku association |
|  Honolua-Olelo association |  Laumaia-Kaipoi-Olinda association |
|  Rock land-Rough mountainous land association |  Keawakapu-Makena association |
|  Puu Pa-Kula-Pane association |  Kamaole-Oanapuka association |
|  Hydrandepts-Tropaquods association | |



Source: USDA Soil Conservation Service

Figure 5

Hawaiian Cement Pu'unene Production Well Soil Association Map

NOT TO SCALE



Prepared for: Hawaiian Cement

MUNEKIYO & HIRAGA, INC.

PsA soil is normally found on alluvial fans and stream terraces and in basins. In a representative profile, the surface layer is dark brown clay loam about 21 inches thick. Moreover, permeability is moderate, runoff is slow, and the erosion hazard is no more than slight.

b. Potential Impacts and Mitigation Measures

The topographic character and soil composition of the well site will not be altered. Further, the proposed action is compatible with the property's underlying soil characteristics. There are no geologic or soil hazard limitations associated with the subject property.

4. Agricultural Productivity Characteristics

a. Existing Conditions

In 1977, the State Department of Agriculture developed a classification system to identify Agricultural Lands of Importance to the State of Hawai'i (ALISH). The classification system is based primarily, though not exclusively, upon the soil characteristics of the lands. The three (3) classes of ALISH lands are: "Prime", "Unique", and "Other Important", with all remaining lands termed "Unclassified". When utilized with modern farming methods, "Prime" agricultural lands have a soil quality, growing season, and moisture supply necessary to produce sustained crop yields economically. "Unique" agricultural lands possess a combination of soil quality, growing season, and moisture supply to produce sustained high yields of a specific crop. "Other Important" agricultural lands include those that have not been rated as "Prime" or "Unique", but are of state-wide or local importance for agricultural use.

As reflected by the ALISH map for the project region, the subject property consists primarily of "Unclassified" agricultural lands, and "Other Important" agricultural lands to a lesser extent. A small portion of the property falls on "Prime" agricultural lands. See **Figure 7**. The well site itself lies within the "Unclassified" portion of the subject property.

The University of Hawai'i, Land Study Bureau (LSB) developed the Overall Productivity Rating, which classified soils according to five (5) levels, "A"

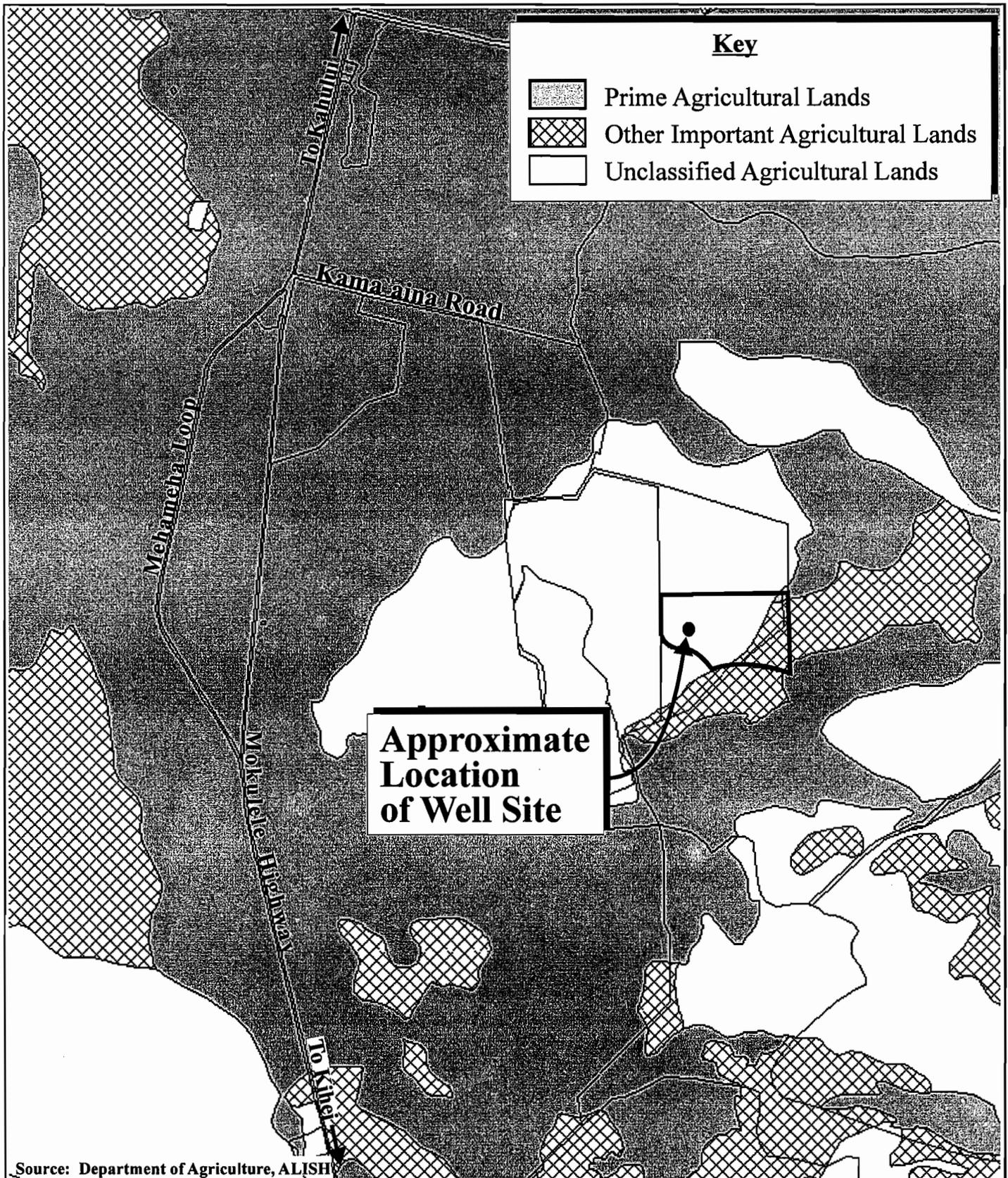


Figure 7

Hawaiian Cement

NOT TO SCALE

Pu'unene Production Well
 Agricultural Lands of Importance to
 the State of Hawai'i Map



Prepared for: Hawaiian Cement



through “E”, with “A” representing the class of highest productivity soils and “E” representing the lowest. These letters are followed by numbers which further classify the soil types by conveying such information as texture, drainage, and stoniness.

The subject property is located on lands designated "E73" and “E76”. These lands have the lowest LSB productivity rating. Machine tillability is very poorly suited, thus grazing is the typical use for this type of soil. The soil is moderately fine and well-drained with complex nonstony, stony, and rocky lands.

b. Potential Impacts and Mitigation Measures

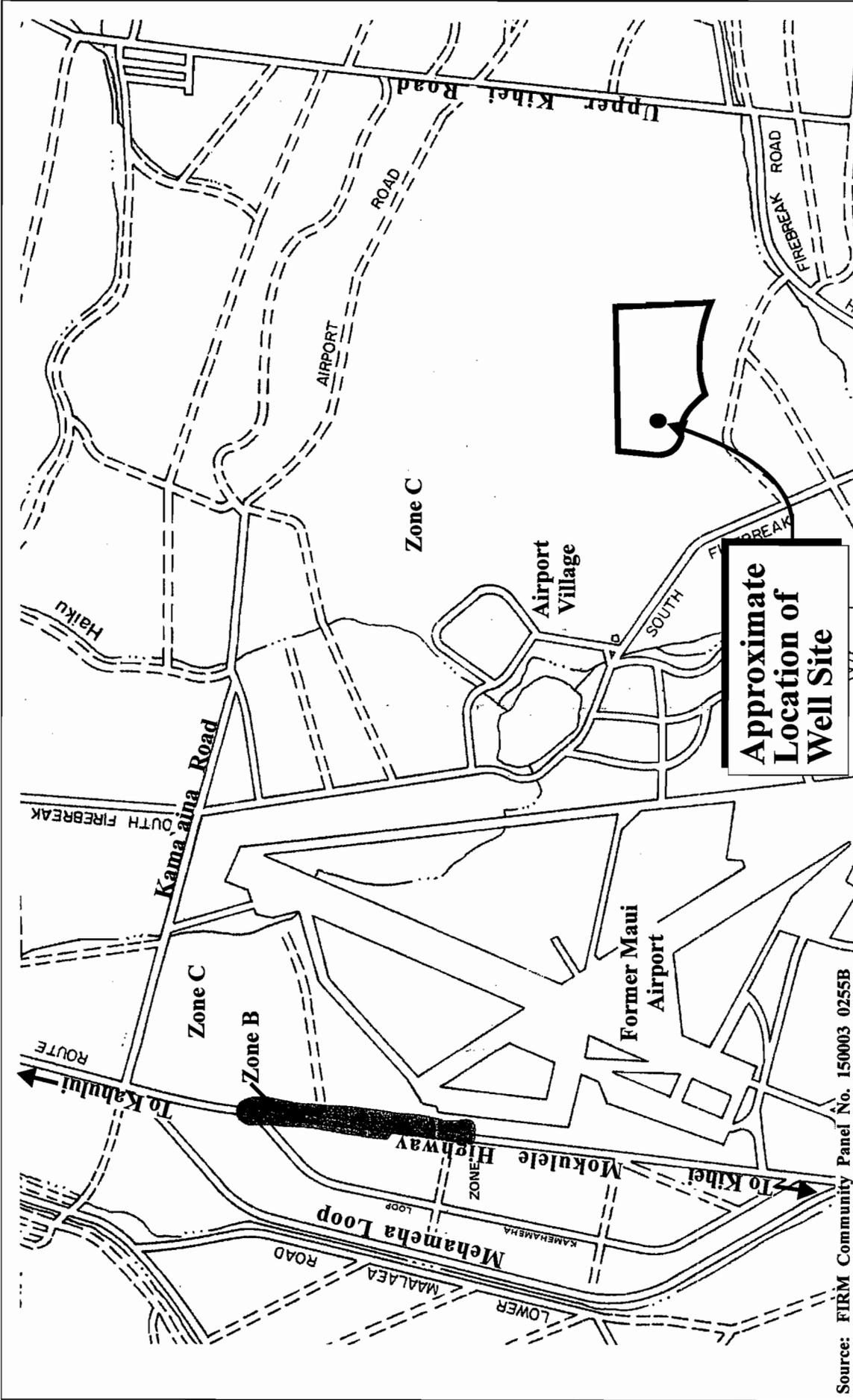
While the subject property lies within the State Agricultural district and is designated for agricultural uses by the Kihei-Makena Community Plan and Maui County zoning, the parcel (including the well site) is currently being used by Hawaiian Cement for its rock quarry operations under State and County special use permits. As a result, the conversion of the existing exploratory well to a production well is consistent with the existing uses at the site and is not anticipated to impact agricultural productivity parameters in the region.

5. Flood and Tsunami Hazards

a. Existing Conditions

As indicated by the Flood Insurance Rate Map (FIRM) for the area, the subject property is located in Zone C, which denotes an area of minimal flooding and low flood risk. See **Figure 8**. Specifically, the Federal Emergency Management Agency (FEMA) describes areas in Flood Zone C as follows.

Areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in these zones.



Source: FIRM Community Panel No. 150003 0255B

Figure 8



Hawaiian Cement
 Pu'one Production Well
 Flood Insurance Rate Map

NOT TO SCALE



Prepared for: Hawaiian Cement

In addition, the subject property (including the well site) is located outside of a defined tsunami inundation area.

b. Potential Impacts and Mitigation Measures

There are no flood-related restrictions on development in Flood Zone C. Moreover, as the well site is located outside of the tsunami inundation area, there are no threats to the surrounding areas from coastal wave action. No adverse impacts to flood conditions are anticipated as a result of the proposed action.

6. Flora and Fauna

a. Existing Conditions

The subject property is currently used for Hawaiian Cement rock quarrying and related operations. Low-lying weeds and grasses may be found in the unpaved areas of the subject property, as well as kiawe and koa haole. There are no known rare, endangered, or threatened species of plant life in the vicinity of the well site.

Fauna typically found in the vicinity of the subject property include mongoose, mice, and rats. Animals such as feral dogs and cats can also be generally found in the area, due to the site's proximity to agricultural lands. All species of fauna, which may be found within or near the subject property, are considered common. There are no known rare, endangered, or threatened species of animal life in the vicinity of the well site.

b. Potential Impacts and Mitigation Measures

The well site is located in the midst of Hawaiian Cement's quarry and batching site. There is no vegetative cover at the well site area and there are no habitat areas for fauna and avifauna at the well site and immediate surrounding environs. Given that the flora and fauna at the subject property are generally limited to non-native, abundant species, the proposed well conversion is not anticipated to have a negative impact on biological resources in the region.

7. **Streams, Wetlands, and Reservoirs**

a. **Existing Conditions**

The Hawaiian Cement Pu`unene quarry site is not located near any streams and wetlands. A plantation irrigation reservoir is located approximately 1,500 feet to the northwest of the quarry site. Kealia Pond, a national wildlife refuge, is located approximately 2.0 miles to the southwest.

b. **Potential Impacts and Mitigation Measures**

In light of the limited scope of the project and its distance away from the noted reservoir and Kealia Pond, the proposed action is not anticipated to have an adverse impact on streams, wetlands, or reservoirs in the region.

8. **Air and Noise Quality**

a. **Existing Conditions**

Airborne particulates that do exist can largely be attributed to quarrying and related operations and vehicular exhaust from Mokulele Highway and adjoining roadways. The prevailing trade winds disperse particulates generated by this source. Another airborne particulate source is the sugar cane fields neighboring the subject property. However, fugitive dust from agricultural lands is not considered problematic in terms of air quality conditions at the well site.

Existing noise in the vicinity of the well site is primarily attributed to existing quarry operations. In addition, there is limited truck traffic currently utilizing the existing unimproved agricultural roads which provide access to the fields. There are no adverse aircraft related noise conditions (related to the Kahului Airport) which impinge upon the well site.

b. **Potential Impacts and Mitigation Measures**

The proposed action is not expected to have a direct impact on air or noise quality. The exploratory well and related equipment have already been installed. As previously mentioned, the conversion of the well from

exploratory to production use will not entail additional development activities.

9. Archaeological Resources

a. Existing Conditions

The well site is located within the active work area of Hawaiian Cement's quarrying and batching operations, which has been graded and paved with compacted crushed rock. Refer to **Figure 3** and **Figure 4**. There are no previously identified archaeological resources in the vicinity of the well site.

b. Potential Impacts and Mitigation Measures

The State Historic Preservation Division (SHPD) has reviewed the proposed well conversion action. See pre-assessment comment letter in Chapter VIII of this document. The SHPD has indicated that the conversion of the well to production status will not likely affect archaeological resources. As noted by the SHPD, in the event historic resources, including skeletal remains, are identified during routine activities, all work in the immediate vicinity of the find will cease and appropriate mitigative protocols implemented in consultation with SHPD.

10. Cultural Resources

a. Existing Conditions

Previous archaeological studies for the area note that the region falls within the barren or intermediate zone, which indicated an expectancy of pre-contact temporary habitation or campsites prior to modern disturbances (Cultural Surveys Hawai'i, 2006). Subsistence in this zone would typically involve dry land agriculture. Historic use patterns of Central Maui to North Kihei involve sugar cultivation which began in the early 1900's with the construction of HC&S's Pu'unene Mill.

The Pu'unene Airport, located in the vicinity of the Hawaiian Cement quarry site, was first developed as a civilian facility and later utilized as the Naval Air Station Pu'unene during World War II. Following the war, the airport was transferred back to the Territory of Hawai'i for civilian use, until civilian

aviation operations were established at Kahului Airport. Today, the Pu'unene Airport is used for governmental uses which include the Army National Guard Armory, as well as recreational uses which include a drag racing facility, motocross area, radio control recreational flying area and a go-cart track.

To provide a local knowledge context for cultural consideration, interviews were conducted with Mr. Clarence Gomes and Mr. Howard Takamori. A summary of their perspectives follow.

(1) **Clarence Gomes**

Mr. Clarence Gomes has worked in the Pu'unene area for over 25 years; he began visiting the subject property in the early 1960's. The interview with Mr. Gomes was conducted on May 13, 2008 at his office in Pu'unene.

Mr. Gomes was born in Honoka'a, on the Big Island of Hawai'i, to a large ranching family. His father and mother, Mr. and Mrs. Julio and Adelaide Gomes, are also from Honoka'a. Mr. Gomes began visiting Maui around 1958 after falling in love with a "Maui girl," the former Ms. Sharon Medeiros, of Kahului, Maui, who would later become his wife. The young couple relocated to Maui in 1963, when Mr. Gomes was around 27 years old. They resided with Mrs. Gomes' parents in Dream City for one (1) year before relocating to a home in Pukalani, where they remain to this day. Mr. Gomes will occasionally visit his family on the Big Island, though he much prefers life on Maui.

Mr. Gomes has worked for Hawaiian Cement, originally Maui Concrete, for approximately 44 years, ever since he relocated from the Big Island. He remembered that at that time, the Maui Lu was the only hotel in Kihei, and the Azeka Shopping Center was but a store. His career with the company began at the original Maui Concrete location, a quarry in Waikapu, an operation which had been retired upon the move to Pu'unene.

The company began to survey and relocate to the current Pu'unene site, a 52-acre parcel leased from the State, in 1980. The quarry had originally been opened up by the U.S. Army during the wartime days, and the surrounding region had been blanketed with sugar cane for decades. Although plantation

camps once populated the region, Mr. Gomes, having grown up on the Big Island, knew little about them; by the time they began to survey the site in 1980, any evidence of camp life in the area had been engulfed by fields of sugar cane. Mr. Gomes recalled, however, that the team had encountered during their surveys what appeared to be an old swimming pool. The dry pool, overgrown with weeds and buried deep amongst rows of sugar cane, was the only feature that suggested any previous inhabitancy. Mr. Gomes remarked that in all the time they spent traversing and surveying the site, they never came across any old Hawaiian remains or artifacts. Indeed, in his 25 years in Pu`unene, Mr. Gomes has never heard of any Hawaiian cultural practices in the area; it has always been just them and the sugar cane.

Although it has been more than 25 years, Mr. Gomes was able to recall with clarity experiences leading up to the establishment of the Pu`unene site. Mr. Gomes recollected that Mr. Norman Saito or someone from Warren Unemori's engineering firm surveyed the site, and Mr. Unemori himself knew much about the background of the area. Mr. Gomes also recounted with a degree of awe the abilities of a particular man who, armed with nothing but a small, hand-held pick-axe, identified the most promising site for further development of the quarry. Together, they walked the area, and as Mr. Gomes described the experience, the man would pick up a small rock, tap it with his pick, set it back down; at the end of the day, the man located the most promising area to dig. To his continued amazement, Mr. Gomes confirmed that, sure enough, the man and his unassuming pick-axe had indeed located a highly productive quarry.

With a casual smile and a twinkle in his eye, Mr. Gomes reminisced about the early days of the construction industry and the old gang of construction folks. He reached up to the top of his bookshelf, grasping with care a framed black-and-white photograph. The antiqued photo—obviously taken before the days of battery-operated cameras—captured a group of forward-looking young men, dwarfed by towering stalks of cane and a massive cane hauler waiting in the background. He rattled off their names, Ige, Tokunaga, Miyahira, and others, the old gang of guys, contractors, builders, suppliers, all just getting started in the evolving construction industry. Because Maui was much smaller back then, not only were they the heads of the industry, but good

friends as well, and the comradery between them meant help and advice were always easy to come by. Although Maui has grown and the industry has expanded, Mr. Gomes remains closely connected to these old friends, and he has cultivated bonds with their younger generations as well.

Mr. Gomes is highly appreciative of the Pu'unene location as a place which has fostered and nurtured a successful business. He recollected that the Pu'unene quarry site looks much the same now as it did when he first began to visit, back in the early 1960's. He took down for me to see two (2) aerial photos which were hung high on a wall of his office: one, a "before" picture of the Pu'unene quarry, dating back to the time when they began to initiate the move from Waikapu; the other, a relatively recent photo of the site, taken only a few years ago. Mr Gomes pointed out the only noticeable changes to the site were additions of a batch plant, tech shop, and office portable, facilities he himself had installed over the years.

The dedication of Mr. Gomes to the quarry site was evidenced by the sense of accomplishment he conveyed in recounting the progress which has been made over the years. He and his partners had been interested in the site since he relocated from the Big Island, and the enduring operation they have created is a testament to his dedication and perseverance. He recounted how he secured a water source, introduced electricity, established their new office, and literally paved the road for the business. Mr. Gomes felt that the addition of a second well would be instrumental in the continued success of the operation.

(2) **Mr. Howard Takamori**

The interview with Mr. Howard Takamori was conducted on May 30, 2008 at the Wailuku Public Library. Mr. Takamori lived his early childhood days in the Pu'unene plantation camps, litters of small, simple wooden houses which were home to generations of plantation workers.

Mr. Takamori was born in 1948 at the old Pu'unene hospital. His paternal grandparents, both immigrants from Japan, initially lived in "Camp 6," which was situated nearby the Pu'unene Airport. Shortly after his birth, his family relocated to a home in "Camp 5". There they lived until Mr. Takamori

reached the age of three (3) or four (4), when the family relocated once more, to “McGerrow Camp,” located on the west side of what is now Mokulele Highway.

Mr. Takamori’s father, who was the second-to-last of thirteen (13) children, began his life in Camp 6, initially working as a machinist in the plantation’s machine shop. Mr. Takamori’s mother, who lived in McGerrow Camp, worked in a “deli,” or, as Mr. Takamori explained, a sort of food shop which could be considered a deli today—there was no such thing as a “deli” in those days. The young couple married after the end of World War II, and would give birth to two (2) children. Mr. Takamori’s father was later promoted to Paia foreman, while his mother eventually became a lab technician in the HC&S laboratories.

While they lived at Camp 6, Mr. Takamori’s family managed the communal bathhouse; houses here were not individually outfitted with washroom facilities. This duty provided his family with a steady and comfortable income, a rare privilege in the days of plantation life. Mr. Takamori recalled that the responsibility for the bathhouse was shared with another family—one family managed the daytime clean up and maintenance, while the other managed the nighttime duties—since a single family would be hard-pressed to manage both morning and evening duties on its own. In addition, Mr. Takamori distinctly remembered there were no toilets, but rather outhouse facilities. These outhouses enclosed deep holes in the ground which opened into a subterranean channel of flowing water. Somewhat humorously, it occurred to him that they never knew where the water came from, nor where it flowed to, but it was into that water that everything went.

When they moved to Camp 5, Mr. Takamori’s family lived in the last house on the last street of the camp. Although he was very young at the time, Mr. Takamori still has vivid memories of this former home. Genilla Store, stocking such basic necessities as bread, milk, and eggs, was situated nearby, as was an HC&S “poison station,” which housed the various chemicals and fertilizers which were sprayed over the fields. Mr. Takamori distinctly remembered a stand of chicken coops, situated just across the road from his house. He quickly clarified that these chickens were not kept as pets, but raised solely for food. He described how as a young boy, he

witnessed chickens killed and prepared for eating: a chicken was grasped at the neck, its head cleaved off, the body immediately springing up and dancing around like crazy; once caught, the headless body was drained, and a bath in boiling water allowed feathers to be removed with ease. Mr. Takamori cringed at the scene—after such experiences, he considers the process somewhat inhumane—but such an event was simply a facet of everyday life in the camps.

A plethora of people from diverse ethnic backgrounds cohabited the plantation camps, and according to Mr. Takamori, a somewhat rambunctious Puerto Rican family resided in the first house of his street. Whenever he passed by, regardless of the time of day, he encountered people yelling at each other, bottles and random household items being heaved through the air, and remnants of previous disputes littering their lawn and surrounding hedges. Mr. Takamori mused that these constant outbursts were almost theatrical in nature, leading him to imagine that perhaps the family was putting on a sort of show for the neighbors. Despite the ruckus, no one was ever seriously injured, and the family never harmed or caused any problems for neighboring families.

As Mr. Takamori began to delve back into his memories of the plantation, he surmised that when the camps first started, each ethnic group was housed in a separate camp. However, as time went on, families shuffled between settlements, just as his family had done, eventually creating a colorful weave of cultures within each camp. McGerrow Camp, for example, consisted of “haole houses”—so called, perhaps, because they were slightly larger than most, and each unit contained its own bathroom—though Mr. Takamori felt there were mainly Asians living there. Although multiple ethnic groups were lumped together within the camps, Mr. Takamori never perceived any feelings of tension, hostility, or antagonism among them, in spite of their ethnic differences. Doors were rarely closed, and if they ever had locks—Mr. Takamori is uncertain if they ever did—they were never used. Mr. Takamori elaborated, clasping his hands together, fingers intertwined, that residents of the plantation camps formed a “tight” community: everyone helped each other, shared food, and became close friends; their ethnic differences only added to the richness of plantation life.

Money was not of great concern within the camps, particularly because no one had very much of it, and residents gratefully looked out for each other. There was a community garden within McGerrow camp, irrigated with water from the punawai. Each family was granted a plot to sow; water for each plot was channeled through the furrows from “gates” which diverted small streams of water from the irrigation ditch. Mr. Takamori reflected that families could leave their tools and supplies in the garden without fear of getting stolen. Families each grew their own assortment of vegetables, though harvests were eventually shared amongst friends and neighbors.

The plantation villages contained all the basic necessities, such that residents never traveled far for groceries, supplies, or entertainment. Offhand, Mr. Takamori named Kobayashi Store, where everyone purchased vegetables; Genilla Market; Noda Market, which drove a grocery truck through the camps; Maui Shokai; and Oda Bakery. One of the markets allowed customers to purchase on credit, a rarity in those days: Mr. Takamori wondered how they could have made any money, or even kept shelves stocked. There were also entertainment facilities, including a theater, gymnasium, swimming pool, tennis court, and a baseball field, where former great Andy Miyamoto once played. Mr. Takamori recalled that Japanese professional baseball teams, including the notable Tokyo Seibu, often played at their baseball field as well.

Although life was simpler back then, free of the gadgets and technologies which are so prevalent today, Mr. Takamori recalled that there was always something to do. Whether it was because they were not invented yet, they were too expensive, or his family simply had no desire for one, Mr. Takamori’s household never included a television set. Consequently, in the small kid days, they became adept at creating their own fun. Mr. Takamori described his typical afternoons, spent amongst a gang of boys roaming through the dust. Much of the camp was free reign for them. Every house was surrounded by a hedge, and between these hedges ran a network of dirt trails which the gang followed, bouncing from place to place. Among other things, they would frequent Kobayashi Store, where they indulged in Nickel Cola—named so perhaps because it cost five cents at the time. Mr. Takamori also remembered an abundance of mango trees. He still enjoys eating green mango, specifically of the

“common mango” variety, complemented with a seasoning mixture of salt, sugar, and pepper.

Mr. Takamori attended the nursery school situated across Center Street from his family’s McGerrow Camp home, where a certain Miss Nancy was his teacher. Like his father before him, Mr. Takamori later attended Pu‘unene School—Mrs. Yoshioka was one of his teachers—before moving on to Maui High School at the former Hamakuapoko campus. Mr. Takamori eventually went on to attend college on the mainland at the Kansas State Teachers College.

As a growing boy, Mr. Takamori actively participated in Boy Scouts, having been a member of Troop 62 which was headquartered at the old Pu‘unene Gym. Unfortunately, his father, because he rode the bus to and from Maui High, the elder Mr. Takamori was unable to play a sport, an activity he had always wanted to pursue. Yet, Mr. Takamori eventually became an Eagle Scout, an honor he would find is only awarded to three percent of all scouts; he still wonders at how he was able to achieve such standing. Today, Mr. Takamori is still actively involved in Boy Scouts, serving on the Eagle Scout Board. Notably, because he was never able to pursue a sport, he strongly encouraged his own children to participate in athletics. Among other things, his children took up swimming, and as a result, he also has actively been involved in the Maui Swim Club for around 25 years.

After returning from college, Mr. Takamori began teaching at Lihikai Elementary School, where he taught the Gifted and Talented (GT) classes until his retirement in 2003. He has monitored the progress of his former students, and he is continually amazed by the accomplishments and achievements they have attained over the years. Maui is a special place to grow up, and it was apparent that Mr. Takamori feels rewarded and honored to have influenced and guided the lives of so many Maui youths.

Reminiscing about the plantation days, Mr. Takamori realized that many notable community members also came from the Pu‘unene camps. For instance, there was “Mustard” Murayama, who was once prominent in Maui County politics, as well as Hiroshi Arisumi, founding member of Arisumi Brothers, Inc., and Yuki Toyama, both of whom served in Germany during the war, driven by the motivation to prove

their loyalty to the country. Mr. Takamori reflected with a degree of pride on the successes of the plantation cohort, and smiled with slight amazement that he still bumps into some of the old guys around the island today.

With regards to native Hawaiian practices in the Pu'unene area, he had never known or heard of any. Considering the depth and breadth of Hawaiian history, Mr. Takamori felt there will always be cultural concerns, regardless of where any development occurs on the island. Though he is wary of the extent and rapidity of development on Maui, Mr. Takamori saw no objections to the proposed project.

In closing, Mr. Takamori acknowledged he was fortunate to have such a memorable childhood, and he enjoyed reexploring memories of a simpler way of life. He hoped that younger generations will be able to find successful and influential jobs on the island and eventually raise healthy families of their own.

b. Potential Impacts and Mitigation Measures

The subject property has been used for quarrying and batching operations for several decades. The surrounding agricultural lands and the Pu'unene Airport form the backdrop for land use patterns in the project vicinity. There are no previously identified archaeological resources within the developed quarry site. Moreover, there are no cultural practices occurring at or in the immediate vicinity of the well site. Based on the foregoing, the proposed conversion of the exploratory well to a production well source is not anticipated to have an adverse effect on cultural resources and practices.

11. Scenic and Open Space Resources

a. Existing Conditions

The subject property is located in the Central Maui isthmus with the West Maui Mountains visible to the west and Mount Haleakala visible to the east. The well site is not located within a scenic view corridor.

b. Potential Impacts and Mitigation Measures

The well is visually consistent with the rest of the equipment existing at the subject property and is installed as a subsurface element, such that scenic and open space resources will not be impacted.

B. SOCIO-ECONOMIC ENVIRONMENT

1. Regional Setting

a. Existing Conditions

From a regional standpoint, the subject property is located within the Kihei-Makena Community Plan region, which stretches from Ma`alaea in the north down to La Perouse Bay in the south. The region contains a diverse range of physical and socio-economic environments. With its dry and mild climate and proximity to recreation-oriented shoreline resources, the visitor-based economy has grown steadily over the years. The town of Kihei serves as the commercial and residential center of the region with the master-planned communities of Wailea and Makena serving as the focal points for the majority of visitor activities. A number of internationally recognized luxury hotels and golf courses are located along the coastline at Wailea and Makena.

The Pu`unene Airport site, situated between Pu`unene and Kihei, currently contains a light-industrial and recreational composition consisting of Maui Raceway Park and the National Guard Pu`unene Armory, among others. It is noted that the County of Maui is proposing to establish an abandoned vehicle processing facility within the limits of the Pu`unene Airport site.

b. Potential Impacts and Mitigation Measures

The proposed action is considered compatible with surrounding land uses, comprised of other construction related baseyards and facilities. Consequently, the regional character of the project vicinity will not be adversely impacted.

2. Population and Demography

a. Existing Conditions

The population of the County of Maui has exhibited relatively strong growth over the past decade. The resident population for the County of Maui in 2005 was estimated to be 140,050 (SMS, June 2006) and is projected to increase to approximately 151,300 in 2010 (SMS, June 2006).

The subject property is located along the southwestern coast of Maui, within the Kihei-Makena Community Plan region. Just as the County's population has grown, the resident population of the Kihei-Makena region has also increased. The estimated population of Kihei in 2000 was 22,870 (SMS, June 2006), which comprised 19.4 percent of the island's population. A projection of the resident population for this region in 2010 is estimated to be 28,114 (SMS, June 2006).

b. Potential Impacts and Mitigation Measures

The proposed conversion of the exploratory well to a production well will not affect population parameters in the region. The well source will be used for non-drinking purposes, including concrete batching and dust control for quarrying related operations.

3. Economy and Labor Force

a. Existing Conditions

The economy of Maui is heavily dependent upon the visitor industry. The dependency on the visitor industry is especially evident in the Kihei-Makena region, which is one of the State's major resort destination areas. The foundation for the region's visitor strength lies in the availability of vacation rentals, world-class resorts, and recreational facilities throughout Kihei, Wailea, and Makena. Service support for the visitor industry is also found in Kihei, where numerous retail commercial centers are located.

The State's seasonally adjusted unemployment rate has been rising over the past six (6) months and is currently 4.5 percent. Maui County is exhibiting similar trends with a seasonally unadjusted unemployment rate for the same

period of 5.5 percent (State Department of Labor and Industrial Relations, October 2008).

b. Potential Impacts and Mitigation Measures

The proposed action does not involve further construction or construction-related employment. The production well will support continued quarrying and related operations at the property through the provision of a reliable supply of non-drinking water for concrete batching and dust control activities. There are no adverse economic or employment impacts associated with the use of the well.

C. PUBLIC SERVICES

1. Police and Fire Protection

a. Existing Conditions

The headquarters of the County of Maui Police Department (MPD) are located at its Wailuku Station, approximately seven (7) miles north of the well site. The department consists of several patrol, support, administrative, and investigative divisions that service the Hana, Lana`i, Lahaina, Moloka`i, and Wailuku regions.

The MPD's Kihei Patrol, which covers the Kihei-Makena region, operates from a substation located at the Kihei Town Center, about 7.5 miles south of the well site.

Fire prevention, protection, and suppression services are provided by the County of Maui, Department of Fire and Public Safety. The Kihei Fire Station, which services the Kihei-Makena region, is situated on South Kihei Road near Kalama Park, approximately seven (7) miles south of the well site. The Kahului Fire Station is located about five (5) miles to the north of the well site.

b. Potential Impacts and Mitigation Measures

The proposed project will not create a need for additional police and fire protection services. The subject property is located within an existing service area for police and fire protection in the region.

2. Medical Facilities

a. Existing Conditions

The only major medical facility on the island is Maui Memorial Medical Center, which is located in Kahului about 7.5 miles from the subject property. The 231-bed facility provides general, acute, and emergency care services.

Clinics and offices are situated throughout Central Maui, however, these offer medical services on a lesser scale. Such clinics include Kihei Physicians, the Kihei-Wailea Medical Center, Maui Medical Group, and Kaiser Permanente.

b. Potential Impacts and Mitigation Measures

The proposed action is not anticipated to affect the service capabilities of emergency medical or general care operations. As noted above, medical services are available in the Central Maui region.

3. Educational Facilities

a. Existing Conditions

The State Department of Education (DOE) operates three (3) schools in the Kihei area. Kihei Elementary School and Kamali'i Elementary School each cover grades K to 5, and Lokelani Intermediate School covers grades 6 to 8. Maui High School, which covers grades 9 to 12 and is located in Kahului, is the designated public high school for Kihei residents.

In addition, the Kihei Charter High School for grades 9 to 12 is also located in the region and had an enrollment of 145 students in 2005.

Maui Community College (MCC), which is located in Kahului, is a branch of the University of Hawai'i system. MCC is the primary higher education institution serving Maui

b. Potential Impacts and Mitigation Measures

The proposed action is limited to the conversion of the exploratory well to a production well. As such, no adverse impacts to educational facilities and services are anticipated.

4. Recreational Facilities

a. Existing Conditions

Diverse recreational opportunities are available in the Kihei-Makena Community Plan region. Shoreline activities, such as fishing, surfing, jogging, camping, picnicking, snorkeling, swimming, and windsurfing, are by far the predominant form of recreation in the area. Numerous public park facilities exist within a relatively short driving distance of the subject property, including Waipu'ilani, Kalama, and Kama'ole I/II/III Beach Parks. Additionally, recreational resources available in Kihei, Wailea, and Makena include the Kihei Community Center and Aquatic Center, as well as resort-affiliated, world-class golf courses and tennis centers.

Recreational activities and areas are also offered at the nearby Pu'unene Airport. Activities occurring at the old airport site include motocross, recreational radio control flying, and go-carting.

b. Potential Impacts and Mitigation Measures

Due to the limited scope of the proposed action, no adverse impacts to recreational facilities are anticipated.

5. Solid Waste Disposal

a. Existing Conditions

Single-family residential solid waste collection service is provided by the County of Maui. Residential solid waste collected by County crews is

disposed of at the County's Central Maui Landfill facility, located 4.0 miles southeast of the Kahului Airport. In addition to County-collected refuse, the Central Maui Landfill also accepts commercial waste from private collection companies. Privately owned facilities, such as the Maui Demolition and Construction Landfill and the Pohakulepo Concrete Recycling Facility, accept solid waste and concrete from demolition and construction activities. These facilities are located at Ma`alaea, near Honoapi`ilani Highway's junctions with North Kihei Road and with Ku`ihelani Highway. A County supported green waste recycling facility is located at the Central Maui Landfill.

b. Potential Impacts and Mitigation Measures

Solid waste from the proposed project is handled by Maui Disposal, a private commercial operator. The proposed project is not anticipated to affect the service capabilities of existing residential or commercial waste collection operations. In the *Public Facilities Assessment Update, County of Maui (2007)*, R. M. Towill Corporation projected that the Central Maui Landfill would have adequate capacity to accommodate commercial and residential waste through the year 2020, with a surplus of approximately one (1) million cubic yards of landfill space.

D. INFRASTRUCTURE

1. Roadways

a. Existing Conditions

Access to the region is provided via Mokulele Highway from the Kahului and the Kihei areas. The following is a summary of major roadways in the vicinity of the subject property.

(1) Mokulele Highway

Mokulele highway connects Kihei and Kahului. In the vicinity of the subject property, Mokulele Highway is a four-lane State arterial highway which has recently been widened and realigned as part of the Mokulele Highway Widening. The Pu`unene Sugar Mill, the Maui Humane Society, the Army National Guard, and various industrial facilities, including the project site, are located along Mokulele Highway.

(2) **Kama`aina Road**

Kama`aina Road is a two-lane, County local roadway providing access to various light-industrial facilities, including the subject property, from Mokulele Highway. There is a signalized intersection where Kama`aina Road intersects Mokulele Highway. The Maui Humane Society is situated on the southwestern corner of that intersection.

(3) **Pi`ilani Highway**

Pi`ilani Highway is a four-lane, State arterial highway for most of its length, providing access between Kihei and Wailea and runs parallel to and mauka of South Kihei Road. Pi`ilani Highway is the main arterial road in the South Maui area. In addition to paved shoulders, Pi`ilani Highway has traffic signals and right- and left-turn lanes at major intersections. Pi`ilani Highway narrows to two (2) lanes approximately five (5) miles south of its connection with Mokulele Highway near the Maui Meadows subdivision and ends at Wailea Ike Drive in the Wailea Resort.

b. **Potential Impacts and Mitigation Measures**

The conversion of the exploratory well to production use will not result in additional vehicle trips affecting traffic flows on area roadways. As a result, no adverse impacts to the roadway system are anticipated.

2. **Water System**

a. **Existing Conditions**

There is no municipal water service to the quarry site. Drinking water is provided by bottled water vendors.

b. **Potential Impacts and Proposed Mitigation Measures**

The proposed use of Well No. 4926-02 as a production (non-drinking water) source will support operations at the Hawaiian Cement site. Specific water uses include dust control, wash down and concrete products manufacturing. Approximately 70,000 gallons per day of use is expected from the well. There are no anticipated adverse impacts associated with the production source.

3. **Wastewater System**

a. **Existing Conditions**

There are no County wastewater collection systems serving the Pu`unene quarry site. Wastewater generated at the site is conveyed to onsite septic systems for treatment and disposal.

b. **Potential Impacts and Mitigation Measures**

The proposed conversion of the Well No. 4926-02 to a production source will not result in an increase in wastewater generated at the site. Therefore, there are no wastewater collection or treatment system improvements required in connection with the proposed action.

4. **Drainage System**

a. **Existing Conditions**

There are no County drainage systems at the subject property. Rainfall runoff from the quarry site currently sheetflows onto adjoining sugar cane fields. Wash water used in concrete operations is retained onsite. There are no existing adverse ponding or flooding conditions on lands at the well location.

b. **Potential Impacts and Mitigation Measures**

The well site is located in midst of a crushed rock paved area. The installation of the well and adjacent storage tanks has not increased impervious areas which would otherwise increase the amount of stormwater runoff. In this regard, there are no anticipated adverse impacts to downstream and adjacent properties resulting from the conversion of the well to a production source.

5. **Electrical and Telephone Services**

a. **Existing Conditions**

Electrical power and telephone services to the region are provided by Maui Electric Company and Hawaiian Telcom, respectively.

b. Potential Impacts and Mitigation Measures

The well site is already sufficiently served by Maui Electric Company with regards to electrical service. Telephone service is provided by Hawaiian Telcom. The proposed conversion of the exploratory well to a production well will not place new demands on existing utility services.

III. RELATIONSHIP TO LAND USE PLANS, POLICIES, AND CONTROLS

III. RELATIONSHIP TO LAND USE PLANS, POLICIES, AND CONTROLS

A. STATE LAND USE DISTRICT

Chapter 205, Hawai'i Revised Statutes (HRS) , relating to the Land Use Commission, establishes four (4) major land use districts in which all lands in the state are placed. These districts are designated as "Urban", "Rural", "Agricultural", and "Conservation". The subject property is located within the "Agricultural" district. See **Figure 9**. Hawaiian Cement is currently operating under a State Special Use Permit which allows rock quarry and related operations in the "Agricultural" district. Specifically, by Findings of Fact, Conclusions of Law, and Decision and Order issued on July 13, 1992, the State Land Use Commission approved the use of the property for quarry and related operations (SP 92-380). See **Appendix "E"**.

B. MAUI COUNTY GENERAL PLAN

The Maui County General Plan (1990 Update) sets forth broad objectives and policies to help guide the long-range development of the County. As stated in the Maui County Charter, the General Plan shall:

"...indicate desired population and physical development patterns for each island and region within the County; shall address the unique problems and needs of each island and region; shall explain the opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns, and characteristics of future developments. The General Plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development."

The proposed action responds to the following General Plan objectives and policies:

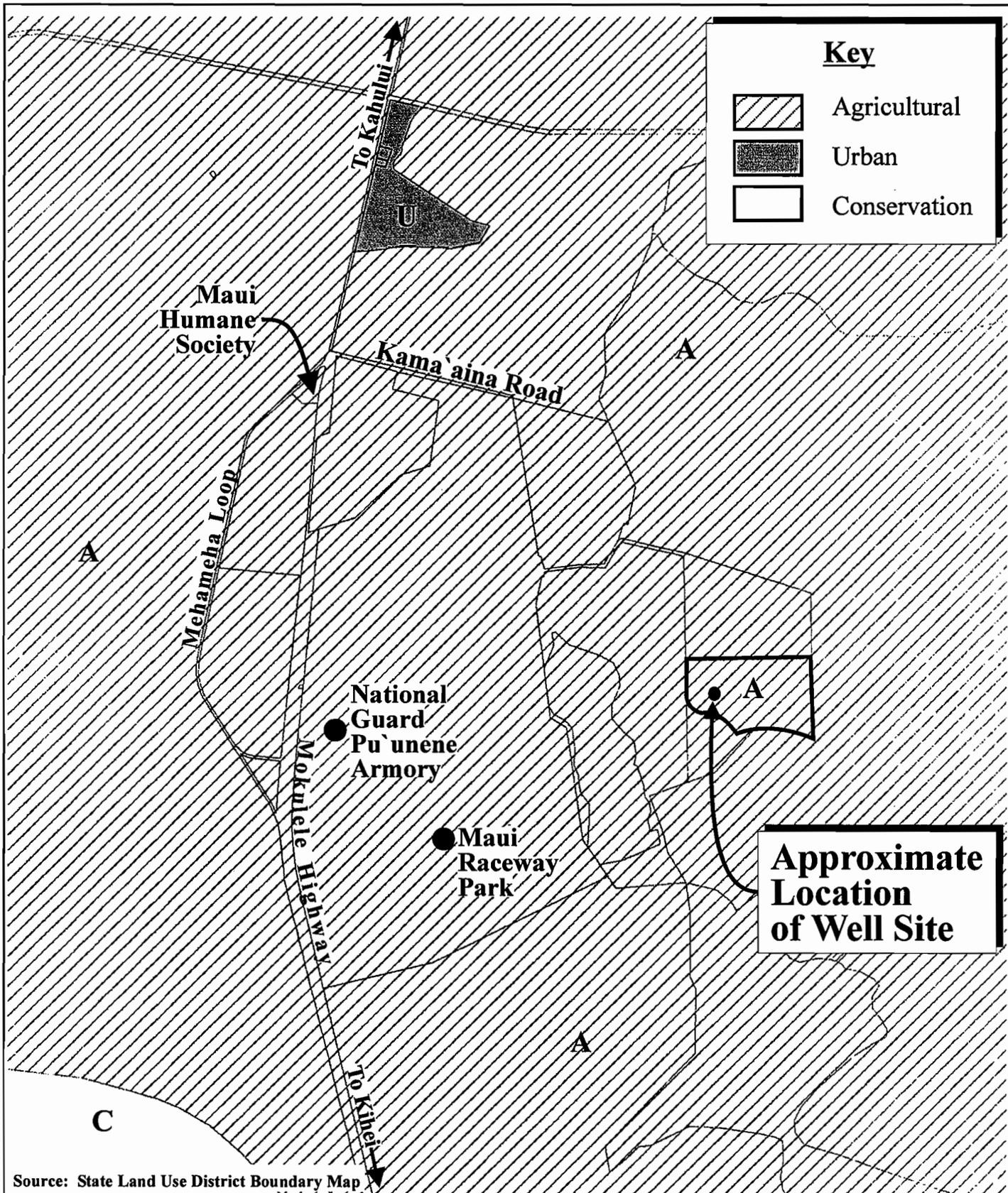


Figure 9

Hawaiian Cement

NOT TO SCALE



Pu'unene Production Well
State Land Use District Boundary Map

ECONOMIC ACTIVITY

Objective:

1. To provide an economic climate which will encourage controlled expansion and diversification of the County's economic base.

Policies:

- a. Maintain a diversified economic environment compatible with acceptable and consistent employment.
- b. Support programs, services and institutions which provide economic diversification.

WATER

Objective:

1. To provide an adequate supply of potable and irrigation water to meet the needs of Maui County's residents.

C. COUNTY OF MAUI COMMUNITY PLANS

Within Maui County, there are nine (9) community plan regions. From a General Plan implementation standpoint, each region is governed by a community plan which sets forth desired land use patterns, as well as goals, objectives, policies, and implementing actions for a number of functional areas including infrastructure-related parameters.

The subject property (including the well site) is located within the Kihei-Makena Community Plan region. The existing land use designations for the parcel under the Community Plan are set forth in the Kihei-Makena Community Plan Land Use Map. The lands underlying the subject property are designated as "Agriculture" by the Kihei-Makena Community Plan. See **Figure 10**.

The proposed action is in keeping with the following community plan goals, objectives, and policies.

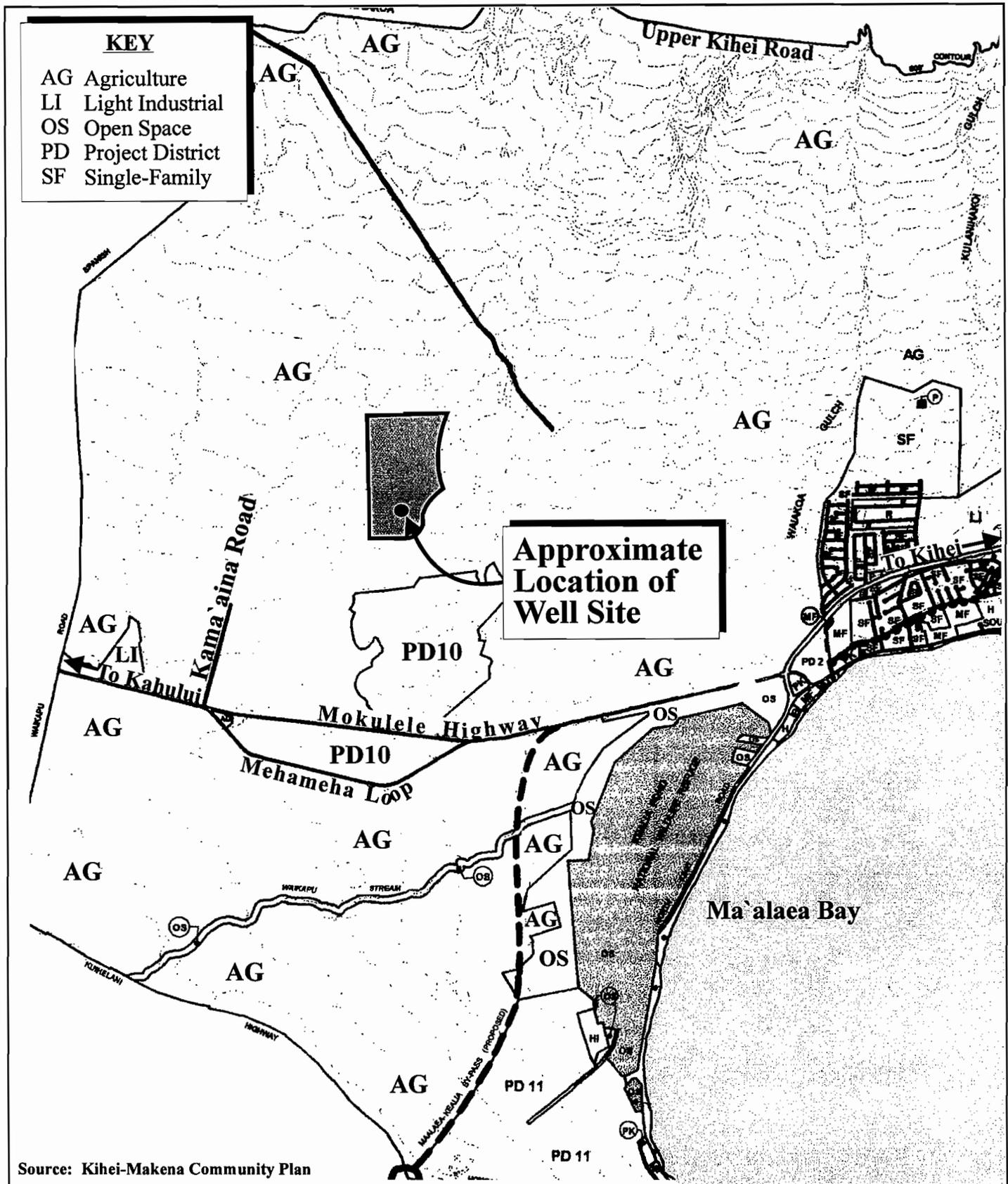


Figure 10

Hawaiian Cement

NOT TO SCALE

Pu'unene Production Well

Kihei-Makena Community Plan Map



LAND USE

Goal:

A well-planned community with land use and development patterns designed to achieve the efficient and timely provision of infrastructural and community needs while preserving and enhancing the unique character of Ma`alaea, Kihei, Wailea and Makena as well as the region's natural environment, marine resources and traditional shoreline uses.

Objective and Policy:

Allow special permits in the State Agricultural Districts to accommodate unusual yet reasonable uses including: (1) limited agriculturally related commercial, public and quasi-public uses serving the immediate community; (2) uses clearly accessory or subordinate to a principal agricultural use on the property; (3) public facility uses such as utility installations or landfills whose location depends on technical considerations; and (4) extractive industries, such as quarrying, where the operation would not adversely affect the environment or surrounding agricultural uses.

Comment:

The proposed well conversion supports a quarrying operation granted under a State Special Use Permit SP92-380. The non-drinking water source will support operations covered by the special use permit.

PHYSICAL AND SOCIAL INFRASTRUCTURE

Goal:

Provision of facility systems, public services, and capital improvement projects in an efficient, reliable, cost effective, and environmentally sensitive manner which accommodates the needs of the Kihei-Makena community, and fully supports present and planned land uses, especially in the case of project district implementation. Allow no development for which infrastructure may not be available concurrent with the development's impacts.

Objective and Policy:

Encourage the use of non-potable water for irrigation purposes and water features. Prohibit the use of potable water in large water features or require substantial mitigation fees.

Comment:

Although the well source is not intended for irrigation or water feature use, it is in keeping with the underlying intent to eliminate use of potable water where non-potable water can be utilized.

D. COUNTY ZONING

The subject property is zoned "Agricultural" by the County of Maui. See **Figure 11**. Hawaiian Cement is currently operating under a County Special Use Permit which allows rock quarry and related operations in the "Agricultural" district. The proposed action is consistent with the provisions of the County Special Use Permit (CUP 2006/0002). See **Appendix "F"**.

E. COASTAL ZONE MANAGEMENT/SPECIAL MANAGEMENT AREA

The Hawai'i Coastal Zone Management Program (HCZMP), as formalized in Chapter 205A, HRS, establishes objectives and policies for the preservation, protection, and restoration of natural resources of Hawai'i's coastal zone. The subject property is located outside of the County of Maui's Special Management Area (SMA).

As set forth in Chapter 205A, HRS, this section addresses the project's relationship to applicable coastal zone management considerations.

1. Recreational Resources

Objective: Provide coastal recreational opportunities accessible to the public.

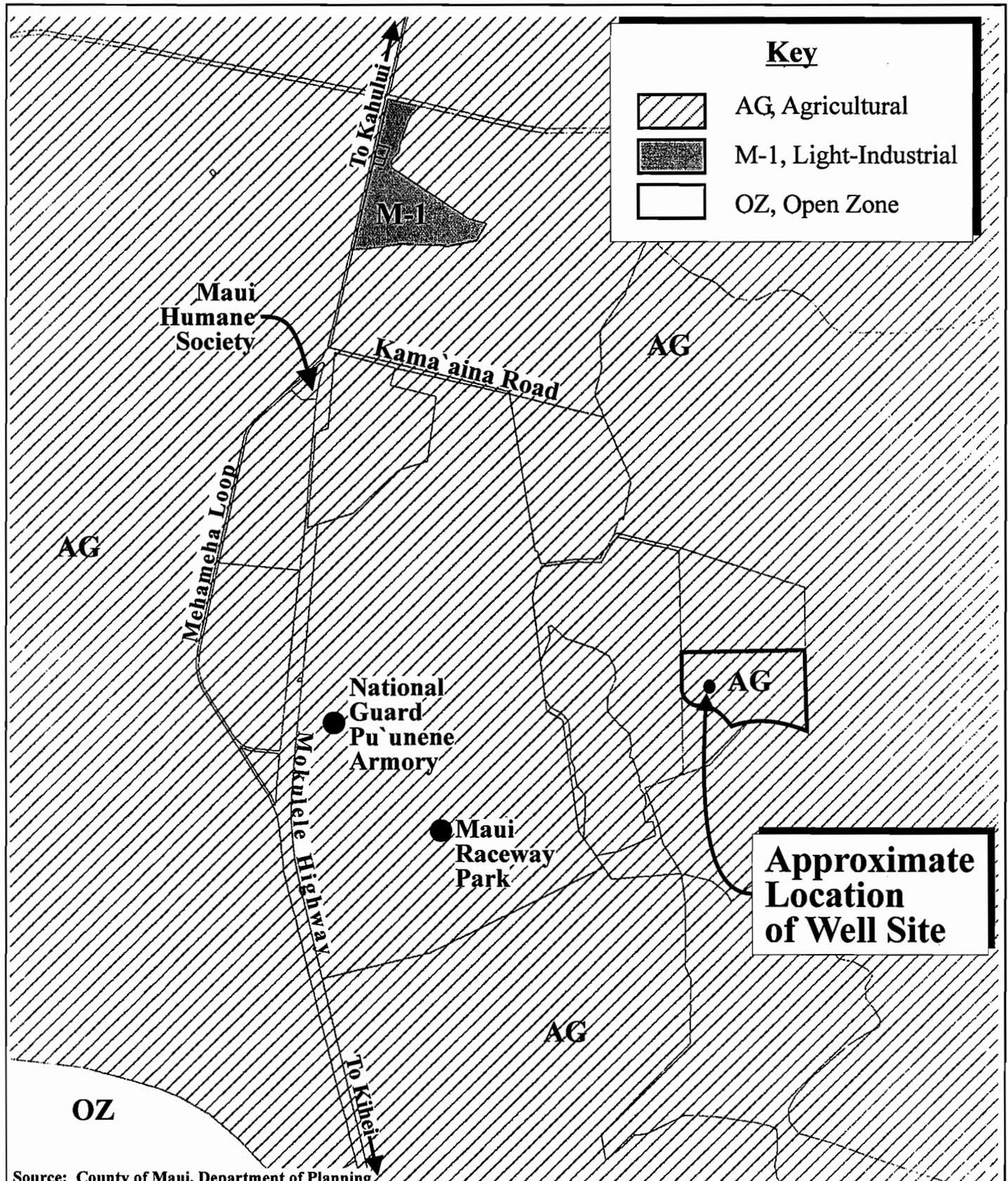


Figure 11

Hawaiian Cement
 Pu'unene Production Well
 Maui County Zoning Map

NOT TO SCALE



Policies:

- a. Improve coordination and funding of coastal recreational planning and management; and
- b. Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:
 - i. Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
 - ii. Requiring replacement of coastal resources having significant recreational value including, but not limited to, surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;
 - iii. Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
 - iv. Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
 - v. Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;
 - vi. Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
 - vii. Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and
 - viii. Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of section 46-6.

Response: Recreational areas will not be impacted by the proposed action. Based on its location, the proposed action is not anticipated to adversely impact coastal resources, including access to the shoreline.

2. **Historic Resources**

Objective: Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Policies:

- a. Identify and analyze significant archaeological resources;
- b. Maximize information retention through preservation of remains and artifacts or salvage operations; and
- c. Support state goals for protection, restoration, interpretation, and display of historic resources.

Response: The proposed action involves the conversion of an existing well facility into a production source, with no further construction. There are no significant impacts to cultural and historic resources anticipated from this action.

3. **Scenic and Open Space Resources**

Objective: Protect, preserve, and, where desirable, restore, or improve the quality of coastal scenic and open space resources.

Policies:

- a. Identify valued scenic resources in the coastal zone management area;
- b. Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
- c. Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
- d. Encourage those developments that are not coastal dependent to locate in inland areas.

Response: The subject property (including the well site) is located along the lower slope of Haleakala above Mokulele Highway at an elevation of approximately 175 feet Above Mean Sea Level (AMSL). View corridors will not be adversely affected by the proposed action.

4. **Coastal Ecosystems**

Objective: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- a. Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- b. Improve the technical basis for natural resource management;
- c. Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
- d. Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- e. Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

Response: The proposed action does not involve further construction at the well site. There are no long-term adverse effects on coastal ecosystems anticipated from the implementation of the production well source.

5. **Economic Uses**

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies:

- a. Concentrate coastal dependent development in appropriate areas;

- b. Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and
- c. Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:
 - i. Use of presently designated locations is not feasible;
 - ii. Adverse environmental effects are minimized; and
 - iii. The development is important to the State's economy.

Response: The well site is not located at or near the coastline and will, therefore, not involve coastal development. The proposed action does not contravene the objective and policies for economic use.

6. **Coastal Hazards**

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Policies:

- a. Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;
- b. Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;
- c. Ensure that developments comply with requirements of the Federal Flood Insurance Program; and
- d. Prevent coastal flooding from inland projects.

Response: The proposed action does not involve further construction at the well site and is limited to the conversion of an existing well facility into a production source. Coastal hazard parameters will not be impacted by the proposed action.

7. **Managing Development**

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies:

- a. Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
- b. Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and
- c. Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

Response: Public input will be solicited in coordination with the processing of the EA, pursuant to the Chapter 343, HRS environmental assessment review process. All aspects of development will be conducted in accordance with applicable Federal, State, and County standards. Opportunities for review of the proposed action are also offered through the regulatory review process established by the Commission on Water Resource Management (CWRM).

8. **Public Participation**

Objective: Stimulate public awareness, education, and participation in coastal management.

Policies:

- a. Promote public involvement in coastal zone management processes;
- b. Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and
- c. Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

Response: The EA document will be processed in accordance with Chapter 343, HRS. Opportunities for review and comment by agencies and the public will be provided as part of this process.

9. **Beach Protection**

Objective: Protect beaches for public use and recreation.

Policies:

- a. Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;
- b. Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and
- c. Minimize the construction of public erosion-protection structures seaward of the shoreline.

Response: The well site is situated inland, away from the shoreline and no adverse effect on beach processes is anticipated.

10. **Marine Resources**

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies:

- a. Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
- b. Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
- c. Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

- d. Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and
- e. Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

Response: The well site is situated inland, away from the ocean and no adverse effect on marine or coastal resources is anticipated.

In addition to the foregoing objectives and policies, SMA permit review criteria pursuant to Act 224 (2005) provides that:

No special management area use permit or special management area minor permit shall be granted for structures that allow artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes when the light:

- (1) Directly illuminates the shoreline and ocean waters; or*
- (2) Is directed to travel across property boundaries toward the shoreline and ocean waters.*

Response: The well site is not located on or near the shoreline. There are no lighting improvements associated with the establishment of the production well.

F. OTHER REGULATORY APPROVALS

Activities necessitating requirements for Department of the Army permitting and Section 401 Water Quality Certification are not anticipated. Additionally, there are no other Federal permits or licenses required which would prompt the need for a Coastal Zone Management Consistency review.

IV. ALTERNATIVES TO THE PROPOSED ACTION

IV. ALTERNATIVES TO THE PROPOSED ACTION

A. PREFERRED ALTERNATIVE

The proposed action is considered to be the preferred alternative since it satisfies the goal of locating an adequate non-drinking water source onsite at a reasonable cost. In coordination with the State Department of Land and Natural Resources, Commission of Water Resource Management, Hawaiian Cement installed an exploratory well for future conversion to production use. The proposed action of converting the exploratory well to production use fulfills the initial intent of the project.

B. NO ACTION ALTERNATIVE

The no action alternative would result in the eventual abandonment of the existing exploratory well. Under this alternative, non-drinking water for the parcel would continue to be provided by the existing onsite well, which has been assessed to have insufficient capacity to meet current operational needs at the site.

C. ALTERNATIVE SITE LOCATIONS

The location of the exploratory well was selected to minimize impacts to the existing rock quarry operations occurring at the subject property. Other areas within the property were deemed to be more intrusive than the current location with regards to impacts to existing operations.

Alternative site locations outside of the Hawaiian Cement leased boundaries were not considered, since there was available land in its existing developed site to construct the well. The use of previously disturbed lands in the midst of the Hawaiian Cement facility was considered appropriate in the context of minimizing impacts to the environment.

**V. SUMMARY OF
UNAVOIDABLE IMPACTS
AND COMMITMENTS OF
RESOURCES**

V. SUMMARY OF UNAVOIDABLE IMPACTS AND COMMITMENTS OF RESOURCES

The conversion of the exploratory well to a production well will not involve additional construction. In the long term, repair and maintenance activities will be required to ensure continued efficient well operations. These commitments of resources are, however, not considered excessive in the context of the expected benefit resulting from project implementation.

VI. SIGNIFICANCE CRITERIA ASSESSMENT

VI. SIGNIFICANCE CRITERIA ASSESSMENT

The "Significance Criteria", Section 12 of the Hawai'i Administrative Rules, Title 11, Chapter 200, "Environmental Impact Statement Rules", were reviewed and analyzed to determine whether the proposed action will have significant impacts on the environment. The following analysis is provided:

1. **Involves an irrevocable commitment to loss or destruction of any natural or cultural resource.**

The installation of the exploratory well was performed in accordance with governing laws and regulations of the Commission on Water Resource Management (CWRM). Refer to **Appendix "A"**, **Appendix "B"**, and **Appendix "C"**. The proposed action entails the conversion of the exploratory well into a production well. No significant loss or destruction of any natural or cultural resource is anticipated.

2. **Curtails the range of beneficial uses of the environment.**

The proposed action will not curtail the range of beneficial uses of the environment. The subject property is already utilized as a rock quarry and the well water will be used to implement sound site management practices and operations.

3. **Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders.**

The proposed action does not conflict with the State's Environmental Policy and Guidelines as set forth in Chapter 344, Hawai'i Revised Statutes (HRS). The exploratory well was constructed in accordance with State Department of Health (DOH) standards and CWRM standards to minimize potential environmental impacts resulting from project implementation. As a non-drinking water source, the well site does not require any permits from DOH's Safe Drinking Water Branch.

4. **Substantially affects the economic welfare, social welfare, and cultural practices of the community or State.**

The proposed action is limited to conversion of the exploratory well to production use. Consequently, no significant economic, social, or cultural impacts to the neighboring community are anticipated. The project will result in a reliable non-drinking water supply for Hawaiian Cement's and its sub-lessees' operations.

5. **Substantially affects public health.**

The proposed action is not anticipated to have any significant adverse impacts to public health. The water supplied by the well will be utilized for site management and operation purposes, and will not be used for human consumption.

6. **Involves substantial secondary impacts, such as population changes or effects on public facilities.**

The proposed action will not add to resident population in the Kihei-Makena region nor will it affect public facilities and services. As a result, the proposed action is not anticipated to result in significant adverse secondary impacts.

7. **Involves a substantial degradation of environmental quality.**

The proposed action is not anticipated to have a significant adverse impact upon the natural environment. The well site is contained within an area already utilized for industrial purposes. The use of the well water will serve to mitigate impacts (i.e., dust control) from quarrying operations to the natural environment and surrounding properties.

8. **Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions.**

The proposed well conversion action is not anticipated to have a cumulative adverse impact on the environment, nor does it involve a commitment to larger actions.

9. **Substantially affects a rare, threatened, or endangered species, or its habitat.**

The well site is located within an area currently utilized by Hawaiian Cement for its rock quarry and batching operations. The area has been designated for such use under State and County Special Use Permits (SP92-380 and CUP 2006/0002). There are no rare, threatened, or endangered species of plant or wildlife or its habitat located in the vicinity of the well site.

10. **Detrimentially affects air or water quality or ambient noise levels.**

As installation of the exploratory well is already complete, air quality impacts related to construction will not occur. Further, there are no air quality impacts related to the ongoing operation of the well. The Well Completion Report Part I of the well has been reviewed and acknowledged as complete by the CWRM. While pump operation will result in an additional noise source, the impact of this point source is not considered significant in the context of the surrounding rock quarry operations. The proposed action is not anticipated to result in adverse impacts to air or water quality or ambient noise levels.

11. **Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.**

The site is situated inland of the shoreline and is not anticipated to have any adverse impact upon coastal waters or resources. The project site is situated within Zone C, an area of minimal flooding. The site is not situated within a tsunami inundation zone. As a result, significant impacts to environmentally sensitive areas are not anticipated.

12. **Substantially affects scenic vistas and viewplanes identified in county or state plans or studies.**

The exploratory well is already installed as a subsurface element. The proposed action will not involve impacts to any previously identified scenic vistas and viewplanes.

13. Requires substantial energy consumption.

The proposed action does not involve additional construction activities. Ongoing well operations will entail the use of electricity. However, electrical use is not considered substantial in the context of providing a reliable non-drinking water supply for concrete batching and dust control operations.

Based on the foregoing analysis, it is anticipated that the proposed action will result in a Finding of No Significant Impact (FONSI).

VII. LIST OF PERMITS AND APPROVALS

VII. LIST OF PERMITS AND APPROVALS

The following permit and approval is anticipated to be needed for project implementation.

1. **State of Hawai'i**
 - A. Commission on Water Resource Management approval of Well Completion Report (Part II), Pump Installation Permit, and Pump Installation Completion Certificate.

**VIII. PARTIES
CONSULTED DURING THE
PREPARATION OF THE
DRAFT ENVIRONMENTAL
ASSESSMENT; LETTERS
RECEIVED; AND
RESPONSES TO
SUBSTANTIVE
COMMENTS**

VIII. PARTIES CONSULTED DURING THE PREPARATION OF THE DRAFT ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED; AND RESPONSES TO SUBSTANTIVE COMMENTS

The following agencies were contacted prior to the preparation of the Draft Environmental Assessment. Comments received from these agencies, as well as responses to substantive comments, are included in this Chapter.

- | | | | |
|----|--|-----|--|
| 1. | Larry Yamamoto, State Conservationist
U.S. Department of Agriculture
Natural Resources Conservation Service
P.O. Box 50004
Honolulu, Hawai'i 96850-0001 | 6. | Sandra Lee Kunimoto, Chair
Department of Agriculture
1428 South King Street
Honolulu, Hawai'i 96814-2512 |
| 2. | Ranae Ganske-Cerizo, Soil Conservationist
Natural Resources Conservation Service
U.S. Department of Agriculture
210 Imi Kala Street, Suite 209
Wailuku, Hawai'i 96793-2100 | 7. | Georgina K. Kawamura, Director
Department of Budget and Finance
P. O. Box 150
Honolulu, Hawai'i 96810 |
| 3. | George Young
Chief, Regulatory Branch
U.S. Department of the Army
U.S. Army Engineer District, Honolulu
Regulatory Branch
Building 230
Fort Shafter, Hawai'i 96858-5440 | 8. | Dan Davidson, Executive Director
Hawai'i Housing Finance and Development Corporation
677 Queen Street
Honolulu, Hawai'i 96813 |
| 4. | Patrick Leonard
Field Supervisor
U. S. Fish and Wildlife Service
300 Ala Moana Blvd., Rm. 3-122
Box 50088
Honolulu, Hawai'i 96813 | 9. | Theodore E. Liu, Director
State of Hawai'i
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804 |
| 5. | Russ K. Saito, State Comptroller
Department of Accounting and General Services
1151 Punchbowl Street, #426
Honolulu, Hawai'i 96813 | 10. | Patricia Hamamoto, Superintendent
State of Hawai'i
Department of Education
P.O. Box 2360
Honolulu, Hawai'i 96804 |
| | | 11. | Heidi Meeker
Planning Section
Office of Business Services
Department of Education
809 Eighth Avenue
Honolulu, Hawai'i 96816 |

- cc: Bruce Anderson, Complex Area Superintendent
(Central/Upcountry Maui)
12. Micah Kane, Chairman
Department of Hawaiian Home Lands
P. O. Box 1879
Honolulu, Hawai'i 96805
13. Chiyome Fukino, M.D., Director
State of Hawai'i
Department of Health
919 Ala Moana Blvd., Room 300
Honolulu, Hawai'i 96814
14. Alec Wong, P.E., Acting Chief
Clean Water Branch
State of Hawai'i
Department of Health
919 Ala Moana Blvd., Room 300
Honolulu, Hawai'i 96814
15. Herbert Matsubayashi
District Environmental Health
Program Chief
State of Hawai'i
Department of Health
54 High Street
Wailuku, Hawai'i 96793
16. Laura Thielen, Chairperson
State of Hawai'i
**Department of Land and Natural
Resources**
P. O. Box 621
Honolulu, Hawai'i 96809
17. Administrator
State of Hawai'i
**Department of Land and Natural
Resources**
State Historic Preservation Division
601 Kamokila Blvd., Room 555
Kapolei, Hawai'i 96707
18. Hinano Rodrigues
Maui/Lanai Islands Burial Council
130 Mahalani Street
Wailuku, Hawai'i 96793
- Brennon Morioka, Director
State of Hawai'i
Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813
- cc: Fred Cajigal
20. Major General Robert G.S. Lee, Director
Hawai'i State Civil Defense
3949 Diamond Head Road
Honolulu, Hawai'i 96816-4495
21. Katherine Kealoha, Director
Office Of Environmental Quality Control
235 S. Beretania Street, Suite 702
Honolulu, Hawai'i 96813
22. Clyde Namu'o, Administrator
Office of Hawaiian Affairs
711 Kapiolani Boulevard, Suite 500
Honolulu, Hawai'i 96813
23. Abbey Seth Mayer, Director
State of Hawai'i
Office of Planning
P.O. Box 2359
Honolulu, Hawai'i 96804
24. Rodney Maile, Interim Executive Officer
State of Hawai'i
State Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804
25. Charmaine Tavares, Mayor
County of Maui
200 South High Street
Wailuku, Hawai'i 96793
26. Deidre Tegarden, Director
County of Maui
Office of Economic Development
2200 Main Street, Suite 305
Wailuku, Hawai'i 96793
27. Gen Iinuma, Administrator
Maui Civil Defense Agency
200 South High Street
Wailuku, Hawai'i 96793
28. Captain Jeffrey A. Murray, Fire Chief
County of Maui

28. Captain Jeffrey A. Murray, Fire Chief
County of Maui
**Department of Fire
and Public Safety**
200 Dairy Road
Kahului, Hawai'i 96732
29. Vanessa A. Medeiros, Director
County of Maui
**Department of Housing and
Human Concerns**
One Main Plaza
2200 Main Street, Suite 546
Wailuku, Hawai'i 96793
30. Tamara Horcajo, Director
County of Maui
Department of Parks and Recreation
700 Halia Nakoia Street, Unit 2
Wailuku, Hawai'i 96793
31. Jeffrey Hunt, Director
County of Maui
Department of Planning
250 South High Street
Wailuku, Hawai'i 96793
32. Thomas Phillips, Chief
County of Maui
Police Department
55 Mahalani Street
Wailuku, Hawai'i 96793
33. Milton Arakawa, Director
County of Maui
Department of Public Works
200 South High Street
Wailuku, Hawai'i 96793
34. Cheryl Okuma, Director
County of Maui
Department of Environmental Management
One Main Plaza
2200 Main Street, Suite 176
Wailuku, Hawai'i 96793
35. Donald Medeiros, Director
County of Maui
Department of Transportation
200 South High Street
Wailuku, Hawai'i 96793
36. Jeffrey Eng, Director
County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawai'i 96793
37. **Hawaiian Telcom**
60 South Church Street
Wailuku, Hawai'i 96793
38. Neal Shinyama, Manager – Engineering
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Hawai'i 96733



Natural Resources Conservation Service
P.O. Box 50004 Rm. 4-118
Honolulu, HI 96850
808-541-2600

May 22, 2008

Michael T. Munekiyo, A.I.C.P.
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Subject: USDA- NRCS Early Consultation Review of Hawaiian Cement Pu`unene Production Wells Project

Dear Mr. Munekiyo,

Thank you for providing USDA-Natural Resources Conservation Service (USDA-NRCS), the opportunity to review this project. In review of the project site location it was found that no Prime or Important Farmlands exist or will be impacted at this site. In addition, no hydric soils are located in the project area. Hydric soils identify potential areas of wetlands. If wetlands do exist, any proposed impacts to these wetlands would need to demonstrate compliance with the "Clean Water Act", and may need an Army Corp of Engineers 404 permit.

If you have any questions concerning the soils for this project please contact, Tony Rolfes, Assistant State Soil Scientist, by phone (808) 541-2600 x129 or email, Tony.Rolfes@hi.usda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence T. Yamamoto".

LAWRENCE T. YAMAMOTO
Director
Pacific Islands Area

cc: Michael Robotham, Assistant Director for Soil Science and Natural Resource Assessments, USDA-NRCS, Honolulu, HI



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Lawrence T. Yamamoto, Director
U.S. Department of Agriculture
Natural Resources Conservation Service
Pacific Islands Area
P. O. Box 50004, Room 4-118
Honolulu, Hawai'i 96850

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Yamamoto:

Thank you for your letter of May 22, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

The subject property is currently being used by Hawaiian Cement to conduct its concrete batching and rock quarrying operations under State and County special use permits. The conversion of the existing exploratory well to a production facility is consistent with the existing uses at the site and thus is not anticipated to significantly impact "Prime" or "Other Important" agricultural lands in the project region.

There are no wetlands found to exist in the vicinity of Hawaiian Cement's concrete batching and quarrying facility. Nonetheless, the U.S. Department of the Army has been provided the opportunity to comment on the proposed action.

Lawrence T. Yamamoto, Director
Pacific Islands Area
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft EA will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:lfm

cc: Dave Gomes, Hawaiian Cement

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STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

April 29, 2008

Mr. Michael T. Munekiyo, Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793

Dear Mr. Munekiyo:

SUBJECT: Early Consultation Request for Hawaiian Cement Pu'unene
Production Wells Project, Pu'unene, Maui, Hawai'i
TMK (2) 3-8-008:031

The Department of Education has no comment or concern to offer as early consultation for the proposed conversion.

Should you have any questions, please call George Casen of the Facilities Development Branch at (808) 377-8308.

Very truly yours,


Patricia Hamamoto
Superintendent

PH:to

c: Randolph Moore, Assistant Superintendent, OSFSS
Duane Kashiwai, Public Works Administrator, FDB
Bruce Anderson, CAS, Baldwin/King Kekaulike/Maui Complex Areas

MAY 19 2008

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



MICHAEL KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION

KAULANA H. PARK
DEPUTY TO THE CHAIRMAN

ROBERT J. HALL
EXECUTIVE ASSISTANT

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

May 12, 2008

Mr. Michael T. Munekiyo, A.I.C.P.
Munekiyo & Hiraga, Inc.
305 High Street
Suite 104
Wailuku, Hawaii 96793

Dear Mr. Munekiyo:

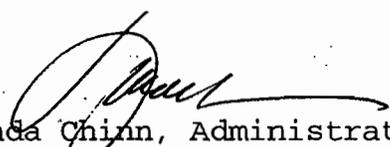
Subject: Hawaiian Cement Puunene Production Wells Project,
TMK: (2) 3-8-008:031, Puunene, Maui

Thank you for the information regarding Hawaiian Cement's proposal to convert an exploratory well into a production well and their preparation of an environmental assessment (EA).

It is our understanding that the well is located on State of Hawaii lands currently under lease to Hawaiian Cement. We also understand that the test well is currently producing non-potable water and when in production, the water will be used for concrete batching and concrete operations.

Should you or Hawaiian Cement need any information from the Department of Hawaiian Home Lands, please contact Carolyn Darr, Land Agent, Land Management Division at 620-9457, on Oahu.

Aloha and mahalo,


Linda Chinn, Administrator
Land Management Division



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Linda Chinn, Administrator
State of Hawai'i
Department of Hawaiian Homes Lands
Land Management Division
P. O. Box 1879
Honolulu, Hawai'i 96805

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Ms. Chinn:

Thank you for your letter of May 12, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

Hawaiian Cement conducts its concrete batching facility and quarrying operations on state-owned lands. They currently lease a portion of the parcel and sublease the remaining areas to other manufacturers of building materials. Upon the conversion of the existing exploratory well to a production facility, the non-potable water source will continue to serve the Hawaiian Cement facility exclusively, primarily for dust control and concrete manufacturing purposes

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:lfm

cc: Dave Gomes, Hawaiian Cement

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MAY 06 2008

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M. D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M. D., M. P. I.
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2102

May 5, 2008

Mr. Michael Munekiyo
Munekiyo & Hiraga, Inc.
305 South High Street, Suite 104
Wailuku, Hawai'i 96793

Dear Mr. Munekiyo:

Subject: **Early Consultation Request for Hawaiian Cement Pu`unene
Production Wells Project, Pu`unene, Hawaii
TMK: (2) 3-8-008: 031,**

Thank you for the opportunity to participate in the early consultation process for the conversion of the exploratory well into a production well. The following comments are offered:

1. National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. Precautions should be taken to label all outlets as "non-potable" and to protect potable water systems from cross connections.

Should you have any questions, please call me at 808 984-8230.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Matsubayashi".

Herbert S. Matsubayashi
District Environmental Health Program Chief

DF



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MIDHI" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Herbert S. Matsubayashi, District Environmental
Health Program Chief
State of Hawai'i
Department of Health
Maui District Health Office
54 High Street
Wailuku, Hawai'i 96793

**SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental
Assessment, TMK No. (2) 3-8-008:031 (por.)**

Dear Mr. Matsubayashi:

Thank you for your letter of May 5, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

1. The applicant has obtained a National Pollutant Discharge Elimination System (NPDES) permit for this project.
2. The applicant assures that precautions will be taken to label all outlets as "non-potable". There are no existing potable water systems serving the subject property which would otherwise have implications for cross connection prevention requirements.

Thank you again for your comments. A copy of the Draft EA will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:lfm

cc: Dave Gomes, Hawaiian Cement

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MAY 09 2008

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to
EMD / CWB

05028PMT.08

May 7, 2008

Mr. Michael T. Munekiyo, A.I.C.P.
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Mr. Munekiyo:

**Subject: Early Consultation Request – Draft Environmental Assessment
Proposed Hawaiian Cement Pu`unene Production Wells Project
TMK: (2) 3-8-008:031
Pu`unene, Maui, Hawaii**

The Department of Health, Clean Water Branch (CWB), has reviewed your letter dated April 21, 2008, regarding the subject project and offers these comments. Please note that our review is based solely on the information provided in your letter for the subject project and its compliance with Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at <http://www.hawaii.gov/health/environmental/env-planning/landuse/CWB-standardcomment.pdf>.

1. The increased water supply produced from the proposed project was cited to be utilized for the operation of the concrete batching and quarrying activities. Accordingly, the existing National Pollutant Discharge Elimination System (NPDES) general permit coverage for the discharge of storm water associated with industrial facilities, File No. HI R21A380, may require amendments to its Storm Water Pollution Control Plan to accommodate these changes in the operations of the facility.
2. The process wastewater associated with operation of the concrete batching activity shall not be discharged into State receiving waters. The process wastewater associated with the concrete batching operations shall be contained at the facility, and may be discharged only if a rainfall event causes an overflow from the process wastewater containment system and an NPDES individual permit has been issued authorizing the process wastewater overflow

Mr. Michael T. Munekiyo
May 7, 2008
Page 2

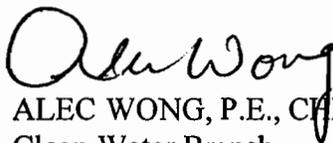
05028PMT.08

discharge from the Pu`unene facility. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. The NPDES application forms may be picked up at our office or downloaded from our website at <http://www.hawaii.gov/health/environmental/water/cleanwater/forms/indiv-index.html>.

3. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage is required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.

If you have any questions, please visit our website at <http://www.hawaii.gov/health/environmental/water/cleanwater/index.html>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


ALEC WONG, P.E., CHIEF
Clean Water Branch

MT:np



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Alec Wong, P.E., Chief
State of Hawai'i
Department of Health
Clean Water Branch
P.O. Box 3378
Honolulu, Hawai'i 96801

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Wong:

Thank you for your letter of May 7, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

1. The applicant or its engineering consultant will contact the Clean Water Branch to address applicable amendments, if any, to the National Pollutant Discharge Elimination System (NPDES) permit which was previously obtained for the site.
2. Wastewater associated with concrete batching operations will be contained onsite. An NPDES individual permit for discharge overflow will be secured, as applicable.
3. The applicant does not anticipate impacts to State waters. Should future conditions warrant, however, specific sections of Hawai'i Administrative Rules (HAR), Chapter 11-54 will be reviewed to determine their applicability.
4. The conversion of the existing exploratory well to a production facility does not require further construction. Any discharge related to the daily concrete batching and quarrying operations will be in compliance to the State's Water Quality Standards.

Alec Wong, P.E., Chief
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft Environmental Assessment (EA) will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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SEP 10 2008

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON

MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIIWARA
— CHIYOME L. FUKINO, M.D.
DONNA FAY K. KIYOSAKI, P.E.
— LAWRENCE H. MIKE, M.D., J.D.

SEN C. KAWAHARA, P.E.
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

September 8, 2008

REF: 4926-02.DEA.dr

Mr. Michael Munekiyo, AICP
Munekiyo & Hiraga
305 High Street, Suite 104
Wailuku, HI 96793

Dear Mr. Munekiyo:

SUBJECT: Puunene Hawaiian Cement Production Well Draft EA

FILE NO.: N/A
TMK NO.: 3-8-008:031

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore, all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://www.hawaii.gov/dlnr/cwrm>.

Our comments related to water resources are checked off below.

- 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- 3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
- 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense/pp/index.htm>.

DRF-GN 03/02/2006

- 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://hawaii.gov/dbedt/czm/initiative/lid.php>.
- 6. We recommend the use of alternative water sources, wherever practicable.
- 7. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.

Permits required by CWRM:

Additional information and forms are available at www.hawaii.gov/dlnr/cwm/forms.htm.

- 8. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water.
- 9. A Well Construction Permit(s) is (are) required before the commencement of any well construction work.
- 10. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
- 11. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- 12. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- 13. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a stream channel.
- 14. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
- 15. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- 16. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- OTHER:

Well Construction has been duly permitted and completed. The original application requested 216,000 gpd using a 300 gpm pump, but the well was tested at only 250 gpm. The current document notes a demand for 70,000 gpd.

Earlier application for this well elicited a requirement for obtaining a water license from the Board of Land and Natural Resources for use of State resources. As this step was not completed, the pump installation permit could not be issued. Our records indicate that a water license has not yet been obtained, and this document may be a step toward that end.

Mr. Michael Munekiyo
Page 3
September 8, 2008

The State Historic Preservation Division also opined that an archaeological field inspection should be conducted to determine whether historic sites are present and at risk; the document confines its review to the well site without addressing whether the use of the property as a quarry affects historic sites.

If there are any questions, please contact Charley Ice at 587-0218.

Sincerely,



KEN C. KAWAHARA, P.E.
Deputy Director

Cl:ss

c: DLNR, Land Division



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Ken Kawahara, Deputy Director
State of Hawai'i
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, Hawai'i 96809

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.) (REF:4926-02.dr)

Dear Mr. Kawahara:

Thank you for your letter of September 8, 2008, providing comments on the subject project. We are providing the following information in response to your comments.

1. Coordination with the County Department of Water Supply and the Engineering Division of the State Department of Land and Natural Resources are being undertaken through the Chapter 343, HRS process. We will address water efficiency measures and best management practices with these agencies.
2. A pump installation permit will be obtained from the Commission on Water Resource Management. Additionally, as noted, approval of the Well Completion Report Part II and water license from the Board of Land and Natural Resources will be obtained as part of the pump installation permitting process.
3. Hawaiian Cement will have its project archaeologist coordinate with the State Historic Preservation Division to clarify field inspection requirements for future quarry area.

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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MAY 22 2008

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EPO-08-064

May 16, 2008

Mr. Michael T. Munekiyo
Munekiyo & Horaga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Mr. Munekiyo:

SUBJECT: Pre-Assessment Consultation for Hawaiian Puunene Production Wells Project
Puunene, Maui, Hawaii
TMK: (2) 2-3-008: 031

Thank you for allowing us to review and comment on the subject application. The document was routed to the various branches of the Department of Health (DOH) Environmental Health Administration. We have the following Safe Drinking Water Branch and General comments.

Safe Drinking Water Branch

There is insufficient information to determine whether this proposed subdivision's water system infrastructure will be either a regulated public water system (PWS) either privately owned, or be dedicated to the County of Maui Department of Water Supply. Should the subdivision's system be designated as the former, they must meet the following conditions prior to operation of the water system:

1. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules, Title 11, Chapter 20 (HAR 11-20), titled "Rules Relating to Potable Water Systems."
2. All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial and financial capacity to enable the system to comply with safe drinking water standards and requirements in accordance with HAR 11-20 Section 29.5 "Capacity demonstration and evaluation."
3. Projects that propose development of new sources of potable water serving or proposed to serve a public water system must comply with the terms of HAR 11-20 Section 29, "Use of New Sources of Raw Water for Public Water Systems." This section requires that all new

public water system sources be approved by the Director of Health prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report which addresses the requirements set in Section 11-20-29.

4. The engineering report must identify all potential sources of contamination and evaluate alternative control measures which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water quality analyses for all regulated contaminants, performed by a laboratory certified by the State Laboratories Division of the State of Hawaii, must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.
5. All sources of public water system sources must undergo a source water assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the source of drinking water.
6. Projects proposing to develop new public water systems must receive construction plan approval by the Director of Health prior to construction of the proposed system or modification. These projects include treatment, storage and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.
7. All public water systems must be operated by certified distribution system and water treatment plant operators as defined by Hawaii Administrative Rules, Title 11, Chapter 11-25 titled "Rules Pertaining to Certification of Public Water System Operators."
8. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing potable water system to meet irrigation or other needs must be carefully design and operate these systems to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the potable system. The two systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the potable water supply. In addition backflow devices must be tested periodically (annually) to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 11-21 titled "Cross-Connection and Backflow Control" is also required.
9. All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawai`i Source Water Assessment Plan) within the source water protection

Mr. Munekiyo
May 16, 2008
Page 3

area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.

For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact Craig Watanabe of the Safe Drinking Water Branch at 586-4258.

General

We strongly recommend that you review all of the Standard Comments on our website: www.state.hi.us/health/environmental/env-planning/landuse/landuse.html. Any comments specifically applicable to this project should be adhered to.

If there are any questions about these comments please contact Jiakai Liu with the Environmental Planning Office at 586-4346.

Sincerely,



KELVIN H. SUNADA, MANAGER
Environmental Planning Office

c: EPO
WWB
EH-Maui



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINOZA

November 18, 2008

Kelvin H. Sunada, Manager
State of Hawai'i
Department of Health
Environmental Planning Office
P.O. Box 3378
Honolulu, Hawaii 96801-3378

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Sunada:

Thank you for your letter of May 16, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

The proposed production well will be a private non-potable source serving the Hawaiian Cement facility exclusively. Well water will be used for dust control and concrete and related products manufacturing purposes. Accordingly, the production well will not fall within the definition of a "public water system". In addition, we note that there are no existing potable water systems serving the subject property which would otherwise have implications for cross connection prevention requirements. Finally, there are no existing sources of water for a public water supply in the project vicinity.

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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LINDA LINGLE
GOVERNOR OF HAWAII



JUN 0 8 2008
LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 5, 2008

Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Attention: Mr. Michael T. Munekiyo

Dear Mr. Munekiyo:

SUBJECT: Early Consultation Request for Hawaiian Cement Pu'unene Production
Wells - Pu'unene, Maui, Hawaii; TMK: (2) 3-8-008:031

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

In addition to the comments previously sent you, enclosed are comments from the Division of Aquatic Resources on the subject matter. Should you have any questions, please feel free to call my office at 587-0433. Thank you.

Sincerely,


for Morris M. Atta
Administrator

Enclosures

MEMORANDUM

RECEIVED
LAND DIVISION

2008 JUN -2 A 9:56

To: Morris Atta
Land Division

From: Dan Polhemus *DP*
Aquatic Resources

3
ICES
MAIL

Subject: Early Consultation Request for Hawaiian Cement Pu'unene Production
Wells

We have no objections

We have no comments

Comments are attached

Date: 6-2-08

DIVISION OF AQUATIC RESOURCES - MAUI
DEPARTMENT OF LAND & NATURAL RESOURCES
130 Mahalani Street
Wailuku, Hawai'i 96793
May 28, 2008

To: Alton Miyasaka & Richard Sixberry, Aquatic Biologists
From: Skippy Hau, Aquatic Biologist
Subject: Early Consultation Request for Hawaiian Cement Pu'unene Production Wells (DAR 06-1600) TMK: (2) 3-8-008:031

(Received on May 20, 2008; Comments to Morris Atta (Land) by May 9, 2008)

I reviewed the brief document. Much more information about this (Well No.4926) or any additional well is needed. Has CWRM given approval for use of this well? What is the quantity and quality of the well water being proposed? There were no amounts proposed and this project should not be approved without knowing the depth and quality of the water being used. What is the drainage plan for the property area?

More information is needed if water will be used and disposed as runoff or injected into the ground for disposal after being used. There should be protection to the well head to prevent contamination, chemicals or fertilizers being added to existing groundwater in this vicinity. Runoff should be addressed and minimized with best management practices.

Please describe how water will be used for concrete batching and quarrying operations. There was inadequate information for a draft "environmental assessment."



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Morris M. Atta, Administrator
State of Hawai'i
Department of Land and
Natural Resources
Aquatics Division
P. O. Box 621
Honolulu, Hawai'i 96809

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Atta:

Thank you for your letter of June 5, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

Upon the conversion of the previously approved exploratory well to a production source, a non-potable water source will continue to serve the Hawaiian Cement facility exclusively, primarily for dust control, wash down and concrete manufacturing purposes.

There are no County wastewater collection or drainage systems at the subject property and no municipal water service to the quarry site. Wastewater generated on-site are conveyed to septic systems for treatment and disposal and rainfall runoff from the quarry site currently sheetflows onto adjoining sugar fields.

In light of the scope of the proposed action, the current water, wastewater and drainage systems will not be modified and thus is not anticipated to adversely impact downstream and adjacent properties nor will it cause an increase in the quantity of wastewater generated at the subject property.

Information and details regarding well development parameters will be provided in the Draft Environmental Assessment (EA).

Morris M. Atta, Administrator
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft EA will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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MAY 13 2008

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 12, 2008

Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Attention: Mr. Michael T. Munekiyo

Dear Mr. Munekiyo:

SUBJECT: Early Consultation Request for Hawaiian Cement Pu'unene Productions
Wells - Pu'unene, Maui, Hawaii; TMK: (2) 3-8-008:031

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from (a) Engineering Division, (b) Commission on Water Resource Management, and (c) Land Division, Maui District on the subject matter. Should you have any questions, please feel free to call my office at 587-0433. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Morris M. Atta".

M Morris M. Atta
Acting Administrator

Enclosures

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/

**Ref.: DEA Pre-consultation Letter for Proposed Pu'unene Exploratory Well Development
Maui.004**

COMMENTS

- () We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone ____.
- (X) **Please take note that the project site, according to the Flood Insurance Rate Map (FIRM) with Community-Panel No. 150003 0255 B, dated June 1, 1981, is located in Zone C. The National Flood Insurance Program does not have any regulations for developments within Zone C.**
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Robert Sumimoto at (808) 523-4254 or Mr. Mario Siu Li at (808) 523-4247 of the City and County of Honolulu, Department of Planning and Permitting.
 - () Mr. Kelly Gomes at (808) 961-8327 (Hilo) or Mr. Kiran Emler at (808) 327-3530 (Kona) of the County of Hawaii, Department of Public Works.
 - () Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
 - () Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.
- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
 - () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

() Additional Comments: _____

() Other: _____

Should you have any questions, please call Mr. Dennis Imada of the Planning Branch at 587-0257.

Signed: 
ERIC T. HIRANO, CHIEF ENGINEER

Date: 5/2/08

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIWARA
CHIYOME L. FUKINO, M.D.
DONNA FAY K. KIMURA, P.E.
LAWRENCE H. M. M.D., J.D.

KEN C. KAWAHARA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

April 29, 2008

Mr. Michael T. Munekiyo, AICP
Munekiyo and Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Dear Mr. Munekiyo:

SUBJECT: Hawaiian Cement Puunene Production Wells (Well No. 4926-02)

FILE NO.: TMK: (2) 3-8-008:031

REF: 2008-026-02.dr
2008 APR 30 P 3:51
RECEIVED
LAND DIVISION
HAWAIIAN CEMENT
STATE OF HAWAII

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore, all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://www.hawaii.gov/dlnr/cwrm>.

Our comments related to water resources are checked off below.

- 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- 3. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.

Permits required by CWRM: Additional information and forms are available at www.hawaii.gov/dlnr/cwrm/forms.htm.

- 4. The proposed water supply source for the project is located in a designated ground-water management area, and a Water Use Permit is required prior to use of ground water.
- 5. A Well Construction Permit(s) is (are) required before the commencement of any well construction work.
- 6. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.

DRF-GN 03/02/2006

Mr. Michael T. Munekiyo

Page 2

April 29, 2008

7. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
8. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
9. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a stream channel.
10. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
11. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
12. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
13. We recommend that the report identify feasible alternative non-potable water resources, including reclaimed wastewater.
- OTHER:
A well construction permit was issued and the well drilled. Your letter correctly notes that the well completion report has not yet been accepted. In addition, the issued pump installation permit is being suspended until we receive notice of approval of a required water license from the Board of Land and Natural Resources (notice attached).

If there are any questions, please contact Charley Ice at 587-0251.

Sincerely,



KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss

c: ✓ DLNR. Land Division

LINDA LINGLE
GOVERNOR OF HAWAII



RECEIVED
MAUI DISTRICT
LAND DIVISION

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

2008 MAY -5 PM 3:35



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 2, 2008

MEMORANDUM

TO: **DLNR Agencies:**
 Div. of Aquatic Resources
 Div. of Boating & Ocean Recreation
 Engineering Division
 Div. of Forestry & Wildlife
 Div. of State Parks
 Div. of Water Resource Management
 Office of Conservation & Coastal Lands
 Land Division - (Maui District Office)

RECEIVED
LAND &
NATURAL RESOURCES
STATE OF HAWAII

2008 MAY -8 A 11:31

RECEIVED
LAND DIVISION

FROM: *for* Morris M. Atta *Cravlen*
SUBJECT: Early Consultation Request for Hawaiian Cement Pu'unene Productions Wells
LOCATION: Pu'unene, Maui, Hawaii; TMK: (2) 3-8-008:031
APPLICANT: Hawaiian Cement

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 9, 2008.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *[Signature]*
Date: 5/6/08

cc: Central Files



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLEEN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Morris M. Atta, Acting Administrator
State of Hawai'i
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawai'i 96809

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Atta:

Thank you for your letter of May 12, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

1. A Flood Insurance Rate Map will be included in the Draft Environmental Assessment (EA), showing that the subject property is located on lands in Flood Zone C, which are areas of minimal flooding and low flood risk.
2. Consultation and coordination with the County of Maui, Department of Planning and Department of Water Supply is being undertaken through the Chapter 343, Hawai'i Revised Statutes environmental assessment process to promote efficient use of the county's water resources.
3. The applicable regulatory requirements for pump operation, including a pump installation permit and notice of approval of a required water license from the Board of Land and Natural Resources, will be further addressed by the applicant, Hawaiian Cement.

Morris M. Atta, Acting Administrator
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft EA will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement
F:\DATA\HawnCemt\PuuneneWell 1330\DLNR\Landresponse.ltr.wpd

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
RUSSELL Y. TSUJI
FIRST DEPUTY
KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

June 26, 2008

Mr. Michael T. Munekiyo
Munekiyo & Hiraga, Inc.
305 South High Street
Wailuku, Hawai'i 96793

LOG NO: 2008.1557
DOC NO: 0806JP19
Archaeology

Dear Mr. Munekiyo:

**SUBJECT: Chapter 6E-42 Historic Preservation Review [County] –
Early Consultation Information Request for
Hawaiian Cement Pu'unene Production Wells Project
Pulehu Nui Ahupua'a, Wailuku District, Island of Maui
TMK: (2) 3-8-008:031 (Portion)**

The proposed action consists of plans to convert the existing exploratory well into a production well to provide Hawaiian Cement with sufficient water supply to safely operate its' concrete batching and quarrying operations. The existing Well No. 4956-02 was constructed in accordance with approved well construction and pump installation permits issued by the Commission on Water Resource Management.

We concur that it is unlikely that any historic properties will be affected because:

- Intensive cultivation has altered the land
- Residential development/urbanization has altered the land
- Previous grubbing/grading has altered the land
- An accepted archaeological inventory survey (AIS) found no historic properties
- SHPD previously reviewed this project and mitigation has been completed
- Other: *According to the submitted information, the proposed project will not involve any ground altering activities. The conversion of the well from exploratory to production will not involve any further construction. The subject area has been repeatedly modified through commercial agriculture, followed by government and military usage associated with the Naval Air Station Pu'unene, and the return to agriculture in the late 1940s. There are documented historic properties in the vicinity and some of the features are slated for permanent preservation (SIHP 50-50-09-4800 and 50-50-09-4164). We appreciate the opportunity to provide comments for any future actions associated with the subject area. With respect to the proposed production wells project, we believe it is unlikely that any historic properties will be affected.*

In the event that historic resources, including human skeletal remains, are identified during routine activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance, and the State Historic Preservation Division, Maui Section, needs to be contacted immediately at (808) 243-1285, (808) 243-4640, or (808) 243-4641.

Aloha,

Nancy McMahon, Deputy SHPO/State Archaeologist
Historic Preservation Manager
State Historic Preservation Division

JP:

c: Dept of Planning, FAX (808) 270-7634
Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Laura Thielen, Chairperson
State of Hawai'i
Department of Land and Natural
Resources
State Historic Preservation Division
P. O. Box 621
Honolulu, Hawai'i 96809

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental
Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Ms. Thielen:

Thank you for your letter of June 26, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

The project area has been used for concrete quarrying and batching operations for several decades. The well site is located within the active work area of Hawaiian Cement's quarrying and batching operations. The conversion of the existing exploratory well to a production facility does not require further construction.

There are no archaeological resources within the developed quarry site and no cultural practices occurring at or in the immediate vicinity of the well site. In light of the proposed action, the conversion of the exploratory well to a production well source is not anticipated to have an adverse effect on the cultural resources and practices, nor will it impact archaeological resources in the project area.

In the event that historic resources are found on the well site, all work will cease in the immediate vicinity of the findings and Hawaiian Cement will contact the State Historic Preservation Division, Maui Section, for further instructions on the appropriate actions to be taken.

Laura Thielen, Chairperson
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

May 20, 2008

MAY 22 2008

BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

HWY-PS
2.7999

Mr. Michael T. Munekiyo, A.I.C.P.
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Mr. Munekiyo:

Subject: Early Consultation for Draft Environmental Assessment (Draft EA)
Request by Hawaiian Cement to Convert an Existing Exploratory Well into a
Production Well for Applicant's Existing Quarry and Concrete Batching Operation
Maui, Wailuku District, Puunene, TMK: (2) 3-8-008: 031

Thank you for consulting us on the subject project. We have the following comments:

The Environmental Assessment (EA) should discuss and evaluate the project's impacts on Mokulele Highway, such as but not limited to:

- a. updated project impacts of applicant's quarry/concrete batching operation at the Kamaaina Road/Mokulele Highway intersection and Mokulele Highway;
- b. vehicle and equipment type that will be used in the job site and business activity;
- c. inconvenience to the motoring public;
- d. dust/noise pollution; and
- e. monitoring maintenance program regarding leakage or falling of debris materials from truck loads on our highway. Please refer to our previous attached letters (Exhibits #1, dated 3/13/06 and #2, dated 7/6/06) for your appropriate attention and action regarding this monitoring issue.

If there are any questions, please contact Ken Tatsuguchi, Head Planning Engineer, Highways Division, at (808) 587-1830.

Very truly yours,

A handwritten signature in black ink, appearing to read "BM", with a long horizontal flourish extending to the right.

BRENNON T. MORIOKA, Ph.D., P.E.
Director of Transportation

INGLE
ERNOR



STP(ET)

RODNEY K. HARAGA
DIRECTOR

Deputy Directors

BARRY FUKUNAGA
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
DIR 1934
STP 8.2069

March 13, 2006

Mr. Michael W. Foley, Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Foley:

Subject: Puunene Quarry Expansion
Special Use Permit (SUP1 1991/0013) and
Special Permit (SP 92-380)
TMK: 3-8-004: 001 (portion)

Thank you for your transmittal requesting our comments on the proposed quarry expansion.

The applicant still has not provided a regular maintenance program for the access road for the review and approval by our Highways Division Maui District Office as required by Condition No. 9 of the Decision and Order Approving a Time Extension to a Special Use Permit Docket No. SP92-380 approved by the Land Use Commission on July 15, 2005.

We have had numerous incidents of reported aggregate and debris spills along the Mokulele Highway, north and south of the project driveway from the onset when this operation first began in 1990. DOT highway maintenance crews have had to be called out to remove reported spills to prevent accidents on the highway. We request that the applicant be required to submit a maintenance program for the review and approval by the DOT Highways Division Maui District Office before consideration be given for the proposed expansion. The maintenance program will ensure that the driveway and surrounding roadway area are kept clear of loose aggregate and other debris associated with the operation of the proposed quarry expansion.

We appreciate the opportunity to provide comments.

Very truly yours,

RODNEY K. HARAGA
Director of Transportation

EXHIBIT # 1

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

JUL - 6 2006

RODNEY K. HARAGA
DIRECTOR

Deputy Directors
FRANCIS PAUL KEENO
BARRY FUKUNAGA
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:
DIR 0712
HWY-PS
2.1435

Mr. Wilder W. Horneman
Vice President Concrete & Aggregate Operations
Hawaiian Cement
P. O. Box 488
Kahului, Hawaii 96732

Dear Mr. Horneman:

Subject: Puunene Quarry Expansion, Special Use Permit (SUP 1991/0013) and Special Use Permit (SUP 92-380), TMK: 3-8-004: por. 1, por. 31

Thank you for your response to our comment (STP 8.2069, dated March 13, 2006) to the Maui Department of Planning regarding the failure to meet Condition No. 9 of the Decision and Order.

Our Highways Division Maui District Engineer, Ferdinand Cajigal, is very concerned about problems regarding spilled aggregate at the intersection of Mokulele Highway and the access to the Hawaiian Cement quarry. We must conclude that the plan outlined in your attachment (undated letter to Bob Siarot, [previous] Maui District Engineer) is not being effectively carried out.

We require that Hawaiian Cement coordinate with our Maui District Engineer and develop a maintenance plan that addresses the District Engineer's concerns

If you have any questions, please contact Ronald Tsuzuki, Head Planning Engineer, at (808) 587-1830. Please reference file review 06-127 on all contacts and correspondence relating to these comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "BT" followed by a long horizontal stroke.

BRENNON T. MORIOKA
Deputy Director - Highways

c: Michael Foley (Department of Planning, County of Maui)

EXHIBIT # 2

November 18, 2008

Brennon T. Morioka, Ph.D., P.E. Director
State of Hawai'i
Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813-5097

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:0031 (por.)

Dear Mr. Morioka:

Thank you for your letter of May 20, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

1. Impacts on surrounding roadways, including Mokulele Highway and its intersection with Kama'aina Road, are not anticipated with the conversion of the exploratory well to a production facility. The new well source will be used for dust control and concrete manufacturing purposes. The proposed action will not affect production capacity which would otherwise impact traffic operations.
2. Vehicles using the quarry site will remain unchanged. Currently, operations involve the use of concrete trucks, material hauling tractor-trailers, and trucks. Activities at the subject property include quarrying and rock crushing, concrete and asphalt batching, concrete block manufacturing, and manufacturing of concrete products (e.g., pipes, manholes).
3. The proposed implementation of the production will not affect the motoring public.
4. The production well will be used for dust control and concrete manufacturing purposes. In this regard, the proposed action is considered an important component of the applicant's overall BMP program for the site. There will be no new noise impacts associated with the proposed production well.
5. A maintenance plan has been submitted to the Department, as requested. See **Exhibit "A"**.

Brennon T. Morioka, Ph.D., P.E., Director
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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Maui Concrete and Aggregate Division

August 1, 2006

Mr. Ferdinand Cajigal
State of Hawaii
Department of Transportation
Highways Division

Subject: Maintenance Plan

Dear Mr. Cajigal,

The following is Hawaiian Cement's proposed maintenance plan for the Puunene quarry (located off Mokulele Highway) and Waikapu quarry (located off Honoapiilani Highway) :

1. *Inspection(s)* – Routine daily inspections will be made by our aggregate and concrete manager's (they travel in and out of our quarry on a constant daily basis). If spillage is found during these inspections, our water wagon operator will be dispatched to shoot off any aggregate build up from the affected area.
2. *Spillage* – In the event of any material spillage (concrete or aggregate) a labor crew will be dispatched to control the flow of traffic and immediately clean the affected area of roadway (or intersection). If necessary, our water wagon and front end loader can be utilized to assist in the clean up process.
3. *Major Spillage* – In the event of a major spillage....the same actions will be taken, however, a larger work force will be dispatched and a designated manager will be sent to supervise the clean up process.
4. *Contacts* – Should the need arise to contact a Hawaiian Cement representative, please call the following phone numbers:

- Concrete - David Padgett Cell. (808) 870-7605
- Aggregate - Keoni DeRego Cell. (808) 357-7458
- Alternate to the above - Ed McCary Cell. (808) 357-7900

If we can be of any further assistance or answer any questions, please contact me at our Maui Office.

Very Truly Yours,

David Gomes
Assistant Division Manager, Maui

MAY 13 2008

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

HRD08/3650

April 8, 2008

Michael Munekiyo
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793

**RE: Early Consultation Request for Hawaiian Cement Pu'unene Production Wells Project,
Pu'unenē, Maui, TMK: 3-8-003:31.**

Aloha e Michael Munekiyo,

The Office of Hawaiian Affairs (OHA) is in receipt of the above-mentioned letter dated April 21, 2008. OHA has reviewed the project and offers the following comments.

OHA understands that this proposed project consists of converting a previously approved exploratory well (Well No. 4926-02) into a production well and that no further construction will be necessary. We also note that an environmental assessment is forthcoming for this proposed project and we look forward to reviewing in the future.

OHA appreciates having been consulted with at this stage in the project. At this time, OHA does not have any further comments. If you have any further questions or concerns please contact Grant Arnold at (808) 594-0263 or granta@oha.org.

'O wau iho nō me ka 'oia'i'o,

A handwritten signature in black ink, appearing to read "Clyde W. Nāmu'o".
Clyde W. Nāmu'o
Administrator

C: OHA Maui CRC Office



MICHAEL T. MUNEKIYO
GWEN D. HIRAGA
MITSURU "MIGHT" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE BINOZA

November 18, 2008

Clyde W. Nāmu`o, Administrator
State of Hawai`i
Office of Hawaiian Affairs
711 Kapi`olani Boulevard, Suite 500
Honolulu, Hawai`i 96813

SUBJECT: Hawaiian Cement Pu`unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Nāmu`o:

Thank you for your letter of April 8, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

This letter confirms that in order to convert the existing exploratory well to a production facility, no further construction will be necessary.

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

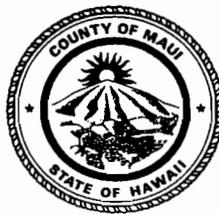
Michael T. Munekiyo, Principal

MTM:lfm

cc: Dave Gomes, Hawaiian Cement

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CHARMAINE TAVARES
Mayor
CHERYL K. OKUMA, Esq.
Director
GREGG KRESGE
Deputy Director



TRACY TAKAMINE, P.E.
Solid Waste Division
DAVID TAYLOR, P.E.
Wastewater Reclamation
Division

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2200 MAIN STREET, SUITE 175
WAILUKU, MAUI, HAWAII 96793

July 10, 2008

Mr. Michael Munekiyo
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

**SUBJECT: HAWAIIAN CEMENT PUUNENE PRODUCTION WELLS PROJECT
EARLY CONSULTATION REQUEST
TMK (2) 3-8-008:031, PUUNENE**

Dear Mr. Munekiyo,

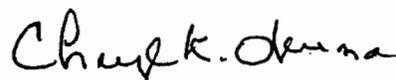
We reviewed the subject project as a pre-application consultation and have the following comments:

1. Solid Waste Division comments:
 - a. None.
2. Wastewater Reclamation Division (WWRD) comments:
 - a. None.
 - b. Although wastewater system capacity is currently available as of 7/10/2008, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
 - c. Provide discussion and calculations (sewer impact study) to substantiate that the existing wastewater system is adequate to serve this project.
 - d. Wastewater contribution calculations are required before building permit is issued.
 - e. Developer shall pay assessment fees for treatment plant expansion costs in accordance with ordinance setting forth such fees.

- f. Developer is not required to pay assessment fees for this area at the current time.
- g. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.
- h. Sewage calculations required to substantiate the slopes of the proposed sewer lines.
- i. Show or list minimum slope of new sewer laterals.
- j. Plans should show the installation of a single service lateral and advanced riser for each lot.
- k. Consultant to recheck clearances between existing sewer lines and new utility lines (18" or less requires a concrete jacket).
- l. Consultant to recheck calculations relative to pipe slopes, size, velocities and type of pipe, including friction factor
- m. Indicate on the plans the ownership of each easement (in favor of which party). Note: County will not accept sewer easements that traverse private property.
- n. Kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)
- o. Non-contact cooling water and condensate should not drain to the wastewater system.
- p. Hold Harmless should be executed. Signed agreement required before WWRD will give recommendations for final subdivision approval.

If you have any questions regarding this memorandum, please contact Gregg Kresge at 270-8230.

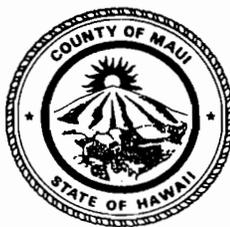
Sincerely,



Cheryl Okuma, Director

JUN 06 2008

CHARMAINE TAVARES
Mayor
CHERYL K. OKUMA, Esq.
Director
GREGG KRESGE
Deputy Director



TRACY TAKAMINE, P.E.
Solid Waste Division
DAVID TAYLOR, P.E.
Wastewater Reclamation
Division

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

2200 MAIN STREET, SUITE 175
WAILUKU, MAUI, HAWAII 96793

June 4, 2008

Mr. Michael Munekiyo
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

**SUBJECT: HAWAIIAN CEMENT PUUNENE PRODUCTION WELLS PROJECT
EARLY CONSULTATION REQUEST
TMK (2) 3-8-008:031, PUUNENE**

Dear Mr. Munekiyo,

We reviewed the subject project as a pre-application consultation and have the following comments:

1. Solid Waste Division comments
 - a. None.
2. Wastewater Reclamation Division comments:
 - a. None. No County sewer in the area.

If you have any questions regarding this memorandum, please contact Gregg Kresge at 270-8230.

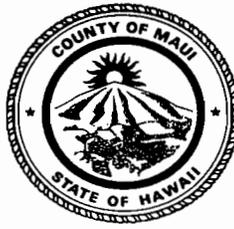
Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl Okuma".

Cheryl Okuma, Director

MAY 28 2008

CHARMAINE TAVARES
Mayor
CHERYL K. OKUMA, Esq.
Director
GREGG KRESGE
Deputy Director



TRACY TAKAMINE, P.E.
Solid Waste Division
DAVID TAYLOR, P.E.
Wastewater Reclamation
Division

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2200 MAIN STREET, SUITE 175
WAILUKU, MAUI, HAWAII 96793

May 23, 2008

Mr. Michael Munekiyo
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

**SUBJECT: HAWAIIAN CEMENT PUUNENE PRODUCTION WELLS PROJECT
EARLY CONSULTATION REQUEST
TMK (2) 3-8-008:031, PUUNENE**

Dear Mr. Munekiyo,

We reviewed the subject project as a pre-application consultation and have the following comments:

1. Solid Waste Division comments
 - a. None.
2. Wastewater Reclamation Division comments:
 - a. None. No County sewer in the area.

If you have any questions regarding this memorandum, please contact Gregg Kresge at 270-8230.

Sincerely,

A handwritten signature in black ink that reads 'Cheryl K. Okuma'.

Cheryl Okuma, Director



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINOZA

November 18, 2008

Cheryl Okuma, Director
County of Maui
Department of Environmental Management
2200 Main Street, Suite 175
Wailuku, Hawai'i 96793

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment; TMK No. (2) 3-8-008:031 (por.)

Dear Ms. Okuma:

Thank you for your letter of July 10, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

- 2b. A building permit is not required to convert the existing exploratory well to a production source.
- 2c. There are no County wastewater collection or drainage systems on-site and no municipal water servicing the area. Wastewater generated on-site is conveyed to existing local waste disposal facilities. The proposed action is not anticipated to cause an increase in the quantity of wastewater generated at the subject property.
- 2d. A building permit is not required for the proposed action. There are no resulting increases in wastewater generation from the proposed action.
- 2e-f. This letter confirms that the proposed conversion of the existing exploratory well into a production source does not require any assessment fees at this time.
- 2g. There are no off-site collection systems and wastewater pump stations in the immediate vicinity of the well site.
- 2h-m. The proposed project does not require any new sewage systems or amendments of any existing sewer lines or laterals nor any further construction. The scope of this project is limited to the conversion on the existing exploratory well to a production source.

Cheryl Okuma, Director
November 18, 2008
Page 2

2n-p. In light of the limited scope of this project, comments "n", "o", and "p" are not applicable to the conversion of an exploratory well into a production source.

Thank you again for your comments. A copy of the Draft EA will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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MAY 1 5 2008

CHARMAINE TAVARES
MAYOR



JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY
FIRE PREVENTION BUREAU

780 ALUA STREET
WAILUKU, HAWAII 96793
(808) 244-9161
FAX (808) 244-1363

May 13, 2008

Munekiyo & Hiraga, Inc.
Attention: Michael T. Munekiyo
305 High Street, Suite 104
Wailuku, Hawaii 96793

Subject: Early Consultation Request for Hawaiian Cement, Puunene Production Wells
TMK: (2)3-8-008:031

Dear Mr. Munekiyo,

I have received your request concerning the well project for Hawaiian Cement in Puunene. I understand that the project's main objective is to turn the testing well in to a production well. No other buildings or structures are proposed with this well and the water will be used to produce cement products etc. We have no further comments on this issue.

It would be beneficial to have water available in the area for fire fighting personnel although it is not a requirement for this request. Brush fires have occurred here in the past and the accessibility of water in the area is limited. The nearest areas are at the National Guard Armory and Mehameha Loop. Any help in this area would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Valeriano F. Martin".

Valeriano F. Martin
Captain
Fire Prevention Bureau



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINZA

November 18, 2008

Valeriano F. Martin, Captain
County of Maui
Department of Fire and Public Safety
780 Alu Street
Wailuku, Hawai'i 96793

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Captain Martin:

Thank you for your letter of May 13, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

This letter confirms that in order to convert the existing exploratory well to a production facility, no further construction will be necessary.

Hawaiian Cement has indicated its willingness to support the Department in its efforts to fight brush fires in the project vicinity. In this regard, you may contact Mr. Dave Gomes of Hawaiian Cement to discuss opportunities for collaboration in addressing fire suppression requirements.

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

F:\DATA\HawnCemt\PuuneneWell 1330\MFDresponse.ltr.wpd

CHARMAINE TAVARES
Mayor



MAY 27 2008
TAMARA HORCAJO
Director

ZACHARY Z. HELM
Deputy Director

(808) 270-7230
Fax (808) 270-7934

DEPARTMENT OF PARKS & RECREATION

700 Hali'a Nako'a Street, Unit 2, Wailuku, Hawaii 96793

May 21, 2008

Munekiyo & Hiraga
Attention: Michael T. Munekiyo
305 High Street Suite 104
Wailuku, HI 96793

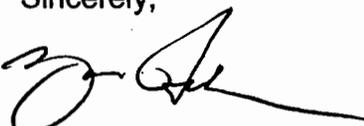
Dear Mr. Michael T. Munekiyo

SUBJECT: Early Consultation Request for Hawaiian Cement Pu'unene Production Wells Project: TMK (2) 3-8-008-031; Pu'unene, Maui, Hawai'i

We have reviewed the Early Consultation Request for Hawaiian Cement Pu'unene Production Wells Project: TMK (2) 3-8-008-031; Pu'unene, Maui, Hawai'i, and we have no comments or objections to the subject project.

Thank you for the opportunity to comment. Please contact me or Patrick Matsui, Chief of Planning and Development, at 270-7387 if there are any questions.

Sincerely,


For TAMARA HORCAJO
Director, Parks & Recreation

xc: Patrick Matsui, Chief of Planning & Development

TH:PM:tk

MAY 09 2008

CHARMAINE TAVARES
Mayor

MILTON M. ARAKAWA, A.I.C.P.
Director

MICHAEL M. MIYAMOTO
Deputy Director



RALPH M. NAGAMINE, L.S., P.E.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES ADMINISTRATION
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

May 7, 2008

Mr. Michael Munekiyo, A.I.C.P.
MUNEKIYO & HIRAGA, INC.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Subject: EARLY CONSULTATION REQUEST FOR PRODUCTION WELLS
AT HAWAIIAN CEMENT, PUUNENE
TMK (2) 3-8-008:031

Dear Mr. Munekiyo:

We reviewed the subject application and have no comments at this time.

Please call Michael Miyamoto at 270-7845 if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Milton M. Arakawa".

Milton M. Arakawa, A.I.C.P.
Director of Public Works

ls S:\LUCACZMHawn_Cem_Prod_wells_erly_38008031_ls.wpd
xc: Highways Division
Engineering Division

JUN 12 2008

CHARMAINE TAVARES
Mayor



JEFFREY K. ENG
Director

ERIC H. YAMASHIGE, P.E., L.S.
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

May 28, 2008

Mr. Michael T. Munekiyo, A.I.C.P.
Munekiyo & Hiraga, Inc.
305 South High Street, Suite 104
Wailuku HI 96793

Re: Early Consultation Request for Hawaiian Cement Pu`unene Production Wells Project,
TMK 3-8-08:031; Pu`unene, Maui, Hawai`i

Dear Mr. Munekiyo:

Thank you for the opportunity to comment on this early consultation for preparing an Environmental Assessment (EA). Please find attached our comments to the December 13, 2006 well construction/pump installation permit application.

The production well would withdraw from the Paia aquifer. As we stated in our December 13, 2006 letter, the well would not have an immediate effect on existing DWS wells, but the overall aquifer could be impacted from the approved number of wells, should sugar cane irrigation cease over the Paia aquifer. Permitted pumpage is already exceeding sustainable yield. The Department is currently not serving the subject property. The EA should include the change in sources and demand for the existing operation.

We recommend that the following Best Management Practices be included in the EA and implemented in the immediate area around the well site:

- Do not park vehicles in the immediate well area, even when working on well maintenance or repair, unless required for power supply
- Do not store or use motor oil, fuel, paints, and any maintenance chemicals in the pump house or immediate zone.
- Remove or relocate underground storage tanks, hazardous materials, and septic systems from this zone, where possible

"By Water All Things Find Life"

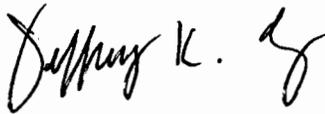


Michael T. Munekiyo
Page 2

- Store hazardous materials in a secure building on an impermeable surface with adequate spill containment
- Use propane gas for power pumps
- Keep any non-water supply activities out of immediate well area

Should you have any questions, please contact our Water Resources and Planning Division at 244-8550.

Sincerely,



Jeffrey K. Eng, Director
emb

c: engineering division

attachment:
DWS letter 12/13 2006

C:\EA EIS SLUD\HawaiianCement Puunene ProductionWell pre EA.wpd

ALAN M. ARAKAWA
Mayor



GEORGE Y TENGAN
Director

ERIC H. YAMASHIGE, P.E., L.S.
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

RECEIVED
06 DEC 26 9:41
COMMISSION ON WATER
RESOURCE MANAGEMENT

December 13, 2006

Mr. Dean Nakano, Acting Deputy Director
State of Hawaii Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, Hawaii 96809

Re: Well Construction/Pump Installation Permit Application
Puunene-Hawaiian Cement Well (Well No. 4926-02)

Dear Mr. Nakano:

Thank you for the opportunity to comment on this well construction/pump installation permit application. We have the following comments:

Aquifer Status and Proposed Amount of Withdrawal

The proposed well would withdraw .216 MGD from Paia aquifer, which has a sustainable yield of 8 MGD. The majority of wells in Paia aquifer have no reported withdrawals in the January 2006 CWRM database. Reported withdrawals exceed 85 mgd. The proposed well would not have an immediate effect on existing DWS wells, but the overall aquifer could be impacted from the approved number of wells, should sugar cane irrigation cease over the Paia aquifer.

Ground Water Protection

In order to protect ground water resources, we encourage the applicant to adopt Best Management Practices (BMPs) designed to minimize infiltration and runoff from daily activities. Sample BMPs are as enumerated below.

1. Inspect exposed parts of the well periodically for problems such as: cracked or corroded well casing, broken or missing well cap, damage to protective casing, settling and cracking of surface seals
2. Slope the area around the well so that surface runoff drains away from the well
3. Provide a well cap or sanitary seal to prevent unauthorized use of or entry into the well

"By Water All Things Find Life"

The Department of Water Supply is an Equal Opportunity provider and employer. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington DC 20250-9410. Or call (202) 720-5964 (voice and TDD)



Dean Nakano
Page 2

4. Provide for sediment removal or well cleaning as necessary.
5. Have the well tested at least once a year for fecal coliform or other constituents that may of concern
6. Keep accurate records of any well maintenance, such as disinfection or sediment removal. that might require use of chemicals in the well.
7. Avoid mixing or using pesticides, fertilizers, herbicides, degreasers, fuels, or other pollutants near the well
8. Do not locate any type of potentially polluting activity up slope from the well

Should you have any questions, please contact our Water Resources and Planning Division at (808) 244-8550.

Sincerely,



George Y. Teng
Director
emb

c: engineering division

C:\WPdocs\Well constr PIP comments\Puunene-Hawaiian Cement Well 4926-02.wpd



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINDZA

November 18, 2008

Jeffrey Eng, Director
County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawai'i 96793

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Eng:

Thank you for your letter of May 28, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

The Draft EA will describe the proposed conversion of the test well to a production facility in the context of other sources and demands relating to the operations of the facility.

Best Management Practices will be implemented during well operation for activities related to parking, storage or relocation of hazardous materials, the use of propane gas, and any non-water supply activities that may occur near the well site.

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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POLICE DEPARTMENT

COUNTY OF MAUI



CHARMAINE TAVARES
MAYOR

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

THOMAS M. PHILLIPS
CHIEF OF POLICE

OUR REFERENCE
YOUR REFERENCE

GARY A. YABUTA
DEPUTY CHIEF OF POLICE

May 5, 2008

Mr. Michael T. Munekiyo, A.I.C.P.
Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Dear Mr. Munekiyo:

SUBJECT: Early Consultation Request for Hawaiian Cement Pu'unene
Production Wells Project: TMK (2) 3-8-008:031

This is in response to your letter of April 21, 2008, requesting comments on the above subject.

We have reviewed the information for the above mentioned subject and offer the enclosed comments.

Thank you for giving us the opportunity to comment on this project.

Very truly yours,

Assistant Chief Wayne T. Ribao
for: Thomas M. Phillips
Chief of Police

c: Jeffrey Hunt, Maui County Planning Department

COPY

TO : THOMAS PHILLIPS, CHIEF OF POLICE, COUNTY OF MAUI
VIA : CHANNELS
FROM : STEPHEN ORIKASA, ADMINISTRATIVE SERGEANT,
WAILUKU PATROL DIVISION
SUBJECT : RESPONSE TO REQUEST FOR EARLY CONSULTATION
COMMENTS AND RECOMMENDATIONS

CONCURRED:
AC [Signature]
04/28/08

This communication is submitted as a response to a request for early consultation comments and recommendations, by Munekiyo & Hiraga, inc., Project Manager Michael T. Munekiyo, A.I.C.P., regarding the below subject;

SUBJECT : Hawaiian Cement Pu'unene Production Wells Project
TMK : (2) 3-8-008:031; Pu'unene, Maui, Hawai'i

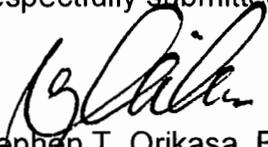
RESPONSE:

In review of the provided documents, the project is within an agricultural area which is well away from any major roadway and industrial or residential area. There will also be minimal impact upon the existing Mokulele Highway, which is the nearest main thoroughfare.

CONCLUSION:

No objections to the progression of this project at this time. Should any health or safety issues arise upon commencement of this project, they will need to be addressed and corrected immediately.

Respectfully submitted for your review and approval.


Stephen T. Orikasa E#716
Administrative Sergeant/Wailuku Patrol Division
04/28/08 @ 1100 Hours

I HAVE NO COMMENTS
AMV. [Signature]
04/27/08 @ 1230



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GONZA

November 18, 2008

Thomas M. Phillips, Chief of Police
County of Maui
Maui Police Department
55 Mahalani Street
Wailuku, Hawai'i 96793

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Chief Phillips:

Thank you for your letter of May 5, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

The subject property is accessible via a signalized intersection where Kama`aina Road intersects Mokulele Highway. Surrounding the immediate subject property, neighboring construction companies also conduct their concrete operational facilities and asphalt production operations. The well site is surrounded by agricultural, light and heavy industrial, open space, and recreational uses.

The conversion of an existing exploratory well to a production source will not result in additional vehicle trips affecting traffic flows on area roadways. As a result, no adverse impacts to the roadway system are anticipated.

Should any health or safety issues arise upon commencement of this project, appropriate actions will be taken in order to address and correct these issues immediately.

Thomas Phillips, Chief of Police
November 18, 2008
Page 2

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,



Michael T. Munekiyo, Principal

MTM:lfm

cc: Dave Gomes, Hawaiian Cement

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Network Engineering and Planning
OSP Engineering - Maui

Hawaiian Telcom

60 South Church St.
Wailuku, HI 96793
Phone 808 242-5102
Fax 808 242-8899

April 24, 2008

Munekiyo & Hiraga, Inc.
305 High St., Suite 104
Wailuku, HI 96793

ATTN: Michael T. Munekiyo, A.I.C.P.

SUBJECT: Hawaiian Cement Puunene Production Wells Project
TMK: (2)3-8-008:31

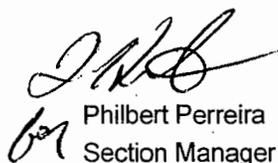
Dear Michael,

Thank you for allowing us to review and comment on the Early Consultation Request for Hawaiian Cement Production Wells Project. Your plans have been received and put on file.

Hawaiian Telcom, Inc. has no comment, nor do we require any additional information at this time.

We look forward to receiving the Draft EA document. Should you require further assistance, please call Tom Hutchison at 242-5107.

Sincerely,



Philbert Perreira
Section Manager – Network Engineering

PP/TH/SBV

CC: Engineer
BICS File # 0804-037 (3030)

MAY 15 2008



May 14, 2008

Mr. Michael Munekiyo, Project Manager
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Mr. Munekiyo,

Subject: Early Consultation for Hawaiian Cement
Pu'unene Production Wells Project
Kama'aina Road via Mokulele Highway
Pu'unene, Maui, Hawaii 96784
Tax Map Key: (2) 3-8-008:031

Thank you for allowing us to comment on the Early Consultation for the production wells project for Hawaiian Cement.

In reviewing our records and the information received, Maui Electric Company (MECO) has no objections to the subject project at this time. If the customer plans to add any additional electrical load to our system, we highly encourage the customer to submit an electrical service request so that any service upgrade can be provided on a timely basis.

Should you have any questions or concerns, please call me at 871-2340.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ray Okazaki'. The signature is fluid and cursive, with the first name 'Ray' being more prominent.

Ray Okazaki
Staff Engineer



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY
KYLE GINOZA

November 18, 2008

Ray Okazaki, Staff Engineer
Maui Electric Company, Ltd.
210 West Kamehameha Avenue
P.O. Box 398
Kahului, Hawai'i 96733-6898

SUBJECT: Hawaiian Cement Pu'unene Production Well Environmental Assessment, TMK No. (2) 3-8-008:031 (por.)

Dear Mr. Okazaki:

Thank you for your letter of May 14, 2008, providing pre-assessment comments on the subject project. We are providing the following information in response to your comments.

At this time, the applicant, Hawaiian Cement does not anticipate additional electrical service requirements in order to convert the existing approved exploratory well to a production facility. However, in the event new electrical loads are envisioned in the future, coordination will be undertaken with Maui Electric Company, Ltd. to ensure service upgrades can be provided in a timely manner.

Thank you again for your comments. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

Michael T. Munekiyo, Principal

MTM:tn

cc: Dave Gomes, Hawaiian Cement

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IX. REFERENCES

IX. REFERENCES

County of Maui, The General Plan of the County of Maui, September 1990 Update.

County of Maui, Kihei-Makena Community Plan, March 1998.

County of Maui, Office of Economic Development, Maui County Data Book, December 2006.

Cultural Surveys Hawai'i, An Archaeological Inventory Survey for a 15.20-Acre Parcel Located at Pulehu Nui Ahupua'a, TMK (2)3-8-008:001, prepared for SSFM International, April 2006.

Munekiyo & Hiraga, Inc., Draft Environmental Assessment Proposed Lahaina Wastewater Pump Station No. 1 Modifications, January 2008.

Munekiyo & Hiraga, Inc., Draft Environmental Impact Statement Proposed Kihei Residential Project, September 2007.

SMS, Maui County Community Plan Update Program: Socio-Economic Forecast, June 2006.

SSFM, Final Environmental Assessment for Abandoned Vehicle Scrap Metal and White Goods Facility, prepared for the County of Maui, Department of Public Works and Environmental Management, September 2006.

State of Hawai'i, Department of Business, Economic Development and Tourism, State of Hawai'i Data Book, 2005.

State of Hawai'i, Department of Labor and Industrial Relations, <http://www.hiwi.org/>, November 2008.

State of Hawai'i, Land Use Commission, <http://luc.state.hi.us/>, October 2006.

University of Hawai'i, Land Study Bureau, Detailed Land Classification, Island of Maui, May 1967.

U. S. Department of Agriculture, Soil Conservation Service, The Soil Survey of the Islands of Kaua'i, O'ahu, Maui, Moloka'i and Lana'i, State of Hawai'i, August 1972.

APPENDIX A.

Pump Installation Permit

LINDA LINGLE
GOVERNOR OF HAWAII



PETER T. YOUNG
CHAIRPERSON

MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIWARA
CHIYOME L. FUKINO, M.D.
LAWRENCE H. MIKE, M.D., J.D.
STEPHANIE A. WHALEN

DEAN A. NAKANO
ACTING DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

November 21, 2006

Ref: 4926-02.pip

Mr. Michael Robertson
Wailani Drilling, Inc.
P.O. Box 790299
Paia, HI 96799

Dear Mr. Robertson:

Pump Installation Permit
Puunene-Hawaiian Cement Well (Well No. 4926-02)

Enclosed are two (2) originals of your approved Pump Installation Permit for the captioned well(s) that authorize permanent pump installation work for your well(s). As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 11:

Special Conditions

1. If the elevation benchmark needs to be altered, the permittee, well operator, and/or well owner shall ensure that the benchmark is transferred (or the well resurveyed) and documentation of the new benchmark shall be submitted to the Commission within sixty (60) days after the pump is installed.

The permittee is responsible for all conditions of the permit. This includes ensuring the submission of a completed Well Completion Report Part II form within sixty (60) days after the pump installation work is completed. Be advised that you may be subject to fines of up to \$5,000 per day for any violations of your permit conditions starting from the permit approval date.

Please sign both permit originals and return one for our files.

IMPORTANT - Pump installation shall not commence until a fully signed permit is returned to the Commission.

If you have any questions, please call Charley Ice of the Commission staff at 587-0251.

Sincerely,

A handwritten signature in black ink that reads "W. Roy Young" with a small "in" written below it.

Peter T. Young
Chairperson

Enclosure

c: Hawaiian Cement
USGS
Maui DWS

PUMP INSTALLATION PERMIT
Puunene-Hawaiian Cement Well, Well No. 4926-02

Note: This permit shall be prominently displayed at the site until the work is completed

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Puunene-Hawaiian Cement Well (Well No. 4926-02) at TMK 3-8-8:31, Maui, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson to the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work covered by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules.
2. No withdrawal of water shall be made other than for testing until a Certificate of Pump Installation Completion has been issued by the Commission.
3. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.
4. The pump installation permit shall be for installation of a 300 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.
5. A water-level measurement access shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels.
6. The permittee shall install an approved meter or other appropriate means for measuring and reporting withdrawals and appropriate devices or means for measuring chlorides and temperature at the well head.
7. Well Completion Report Part II shall be submitted to the Chairperson within 60 days after completion of work. This form can be obtained by contacting staff or on the internet at www.hawaii.gov/dlnr/cwrm.
8. The permittee, well operator, and/or well owner shall comply with all applicable laws, rules, and ordinances, and non-compliance may be grounds for revocation of this permit.
9. The pump installation permit application and any related staff submittal approved by the Commission are incorporated into this permit by reference. This permit is also subject to the HWCPIS. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.
10. The work proposed in the pump installation permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.
11. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.
12. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

W. Young
in

Date of Approval: **November 20, 2006**
Expiration Date: **November 20, 2008**

PETER T. YOUNG, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the pump installer have signed, dated, and returned the permit to the Commission. I understand that this permit is not to be transferred to any other entity. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to \$5,000 per day starting from the permit date of approval.

Installer's Signature: Michael Robertson or A License #: 20115 Date: _____

Printed Name: Michael Robertson Firm or Title: Wailani Drilling, Inc.

Please sign both copies of this permit, return one to the Chairperson, and retain the other for your records.

Attachments

APPENDIX B.

Well Construction Permit

LINDA LINGLE
GOVERNOR OF HAWAII



PETER T. YOUNG
CHAIRPERSON
MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIWARA
CHIYOME L. FUKINO, M.D.
LAWRENCE H. MIKE, M.D., J.D.
STEPHANIE A. WHALEN
DEAN A. NAKANO
ACTING DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809



November 21, 2006

Ref: 4926-02.wcp

Mr. Michael Robertson
Wailani Drilling, Inc.
P.O. Box 790299
Paia, HI 96799

Dear Mr. Robertson:

Well Construction Permit
Puunene-Hawaiian Cement Well (Well No. 4926-02)

Enclosed are two (2) copies of your approved Well Construction Permit for the captioned well(s) that authorize well construction activities but excludes installation work for a permanent pump. As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 13:

Special Conditions

1. Attached for your information are copies of the Department of Health's (DOH) review comments. Please note DOH's requirements related to discharge of effluent from well drilling and testing activities.
2. Attached for your information is a copy of the State Department of Land and Natural Resources Land Division's comments related to water lease requirements.

Please refer to the Permit Processes Worksheet (transmitted with your acknowledgement letter) for further information regarding the process of drilling a well and installing a pump.

No withdrawal of water shall be made other than for testing purposes until a certificate of pump installation completion has been issued by the Commission.

Please sign both permit originals and return one for our files. For copies of the aquifer pump test worksheet, please call staff or visit www.state.hi.us/dlnr/cwrm/forms.htm.

IMPORTANT - Drilling work shall not commence until a fully signed permit is returned to the Commission. The permit shall be prominently displayed or made available at the construction site during construction. Be advised that you may be subject to fines of up to \$5,000 per day for any violations of your permit conditions starting from the permit approval date.

If you have any questions, please call Charley Ice of the Commission staff at 587-0251 or toll-free at 984-2400, extension 70251.

Sincerely,

A handwritten signature in blue ink that reads "Peter T. Young".

Peter T. Young
Chairperson

Enclosures

- c: Hawaiian Cement (with applicable comments – DOH SDWB, WWB, CWB, Land Division, Maui Planning)
USGS
Maui DWS

WELL CONSTRUCTION PERMIT

Puunene-Hawaiian Cement Well, Well No. 4926-02

Note: This permit shall be prominently displayed at the construction site until the work is completed

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of **Puunene-Hawaiian Cement Well (Well No. 4926-02)** at **TMK 3-8-8:31, Maui**, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson of the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work authorized by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules.
2. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.
3. The well construction permit shall be for construction and testing of the well only. The permittee shall coordinate with the Chairperson and conduct a pumping test in accordance with the HWCPIIS (the latest pump test worksheet can be obtained by contacting Commission staff or at www.hawaii.gov/dlnr/ewrm/forms.htm). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson. No withdrawal of water shall be made for purposes other than testing without a Certificate of Pump Installation Completion. The permitted pump capacity described on the pump installation permit may be reduced in the event that the pump test does not support the capacity.
4. In basal ground water, the depth of the well may not exceed one-fourth (1/4) of the theoretical thickness (41 times initial head) of the basal ground water unless otherwise authorized by the Chairperson.
5. The permittee shall incorporate mitigation measures to prevent construction debris from entering the aquatic environment, to schedule work to avoid periods of high rainfall, and to revegetate any cleared areas as soon as possible.
6. In the event that historically significant remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee shall stop work and immediately contact the Department of Land and Natural Resources' Division of Historic Preservation.
7. The proposed well construction shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards. This permit or the authorization to construct the well shall not constitute a determination of correlative water rights.
8. The Well Completion Report Part I shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/ewrm/forms.htm for current form).
9. The permittee shall comply with all applicable laws, rules, and ordinances; non-compliance may be grounds for revocation of this permit.
10. The well construction permit application and any related staff submittal approved by the Commission are incorporated into this permit by reference. This permit is also subject to the HWCPIIS. If the HWCPIIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result. Any variances from the HWCPIIS shall be approved by the Chairperson prior to invoking the variance.
11. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.
12. If the well is not to be used it must be properly capped. If the well is to be abandoned during the course of the project then the permittee must apply for a well abandonment permit in accordance with §13-168-12(f) prior to any well sealing or plugging work.
13. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.
14. This permit shall apply to the location shown on the application only. If the well is to be relocated, the permittee shall apply for a new well construction/pump installation permit in accordance with Hawaii Administrative Rules §13-168-12(f).
15. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

W. Roy Young
for

Date of Approval: **November 20, 2006**

Expiration Date: **November 20, 2008**

PETER T. YOUNG, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I have signed, dated, and returned the permit to the Commission. I understand that this permit is not to be transferred to any other entity. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to \$5,000 per day starting from the permit date of approval.

Michael Robertson

Driller's Signature: _____ C-57 License #: **20115** Date: _____

Printed Name: Michael Robertson Firm or Title: Wailani Drilling, Inc.

Please sign both copies of this permit, return one to the Chairperson, and retain the other for your records.

Attachment

APPENDIX C.

Well Completion Report Part I

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON

KEN C. KAWAHARA, P.E.
DEPUTY DIRECTOR

MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIWARA
CHIYOME L. FUKINO, M.D.
DONNA FAY K. KIYOSAKI, P.E.
LAWRENCE H. MIIKE, M.D., J.D.

April 29, 2008

4926-02.wcr1.acc

Mr. Michael Robertson
P.O. Box 790299
Paia, HI 96779

Dear Mr. Robertson:

Well Completion Report Part I for Well No. 4926-02

We received the final well construction reporting requirement for the Puunene-Hawaiian Cement Well (Well No. 4926-02) on **September 6, 2007** and acknowledge that your Well Completion Report Part I is complete.

This completes your obligation under the well construction permit. A certificate of well construction completion will be issued to the well operator/landowner and you will receive a copy. This certificate transfers responsibility of specific aspects of well usage and maintenance from you to the well operator/landowner.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0251 or toll-free at 984-2400, extension 70251.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken C. Kawahara".

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss

c: Hawaiian Cement



State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
WELL COMPLETION REPORT - PART I
Well Construction

For Official Use Only:

Instructions: Please print in ink or type and send completed report (with attachments, if applicable) to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete reports. This form shall be submitted within 60 days of the completion of work. For assistance, please consult the Hawaii Well Construction and Pump Installation Standards or call the Regulation Branch at 587-0225. For updates to this form or additional information, please visit our website at <http://www.state.hi.us/dlnr/cwrm/>

- State Well No.: 4926-02 Well Name: Puunene - Hawaiian Cement Island: Mau
- Address: P.O. Box 488 Kahului HI 96732 Tax Map Key: 3-8-08: P1+P31
- Drilling Company: Wailani Drilling Inc.
- Drilling method used during construction: Rotary Percussion Other (describe)
- Date Well Construction (drilled, cased, grouted) completed: 6/5/07 Attach Completed Driller's Log
month/day/year
- Was the subject well cored? Yes No
- Step-Drawdown Test completed? No Yes Attach Step-Drawdown Test form (12/17/97 SDPTD Form)
- Constant Rate Aquifer Test completed? No Yes Attach Constant Rate Aquifer Test form (12/17/97 CRPTD Form)

Water Level Data:	Reference point elevation	Depth to water (feet)	Water Level ft. above mean sea level (see note below)	Date/time of measurement
9. Initial encountered during drilling (this should also be filled in on the driller's log)	Ground = 176 ft. msl	174.0	2	6/1/07
10. Just prior to casing installation	Ground = 176 ft. msl	174.0	2	6/4/07
11. After casing installation (this information should be before any pump tests are performed with casing installed) Chloride: <u>2.00</u> ppm. Temperature: <u>70</u> °F	if this reference point is not the benchmark, the difference between the benchmark and this point is: <u>.39</u> ft.	175.0	2.65	6/5/07

note: for all elevations referenced to mean sea level, take the ground elevation (surveyed or estimated if survey not required at this time) and subtract the depth to the water level.

- As-built section filled in completely
- Photograph of well and concrete pad showing benchmark on concrete pad attached
- GPS coordinates provided in degrees, minutes, seconds
- If a pump is not planned to be installed, please describe (below in the remarks section) how well is secured to prevent unauthorized access (example: lockable cover, threaded coupling, etc.)
- Remarks: _____

Licensed Driller (print) Michael Robertson
 Signature Michael Robertson

C-57 Lic. No. 20115
 Date 7/10/07

12. AS-BUILT WELL SECTION (Please attach as-built if different from diagram provided below)

Elevation at top of casing 77.65 ft., msl* (to nearest 0.01 ft.)

Hole Diameter: 14.5 in.

Minimum of 2' Radius & 4" Thick Concrete Pad

Ground Elevation: 175.2 ft., msl Surveyed Estimated

Please refer to the
**HAWAII WELL CONSTRUCTION AND
PUMP INSTALLATION STANDARDS**
to ensure that your as-built is in compliance
with applicable standards.

Bench mark elevation: 177.26 ft., msl*
 (Surveyed to nearest 0.01 ft.)
 (Estimated)

Cement Grout: 160 ft.
(min. 70% of distance from ground elevation to top of water surface or 500 ft., whichever is less.)

Annular space between hole and casing (1.5" for positive displacement, 3" for other methods):
3 in.

Rock or Gravel Packing:
Material: NA ft.
 Crushed Basalt
 Rounded Gravel

Water Level Elevation:
2.65 ft., msl*
(item 11 from page 1)

Grouting method:
 Positive displacement (if annular space is less than two inches, attach photo of tremie)
 Other

Total Depth: 196 ft.

Solid Casing: ($\geq 90\% \times (\text{Ground Elev.} - \text{Water Level Elev.})$)
Length: 176 ft.
Nominal Diameter: 8 in.
Wall Thickness: .25 in.
Bottom Elevation: 0 ft., msl

Open Casing: Perforated Screen
Length: 20 ft.
Nominal Diameter: 8 in.
Wall Thickness: .25 in.
Bottom Elevation: -20 ft., msl

Open Hole:
Length: NA ft.
Diameter: NA in.
Bottom Elevation: NA ft., msl

*msl = mean sea level

Solid Casing Material:

- Carbon Steel: compliant with (check one or more): ANSI/AWWA C200 API Spec. 5L ASTM A53 ASTM A139
And compliant with (check one or more): ASTM A242 or A606 Type E Type S Grade B Other
- Stainless Steel: (check one): ASTM A409 (production wells) ASTM A312 (monitor wells)
- ABS Plastic conforming to ASTM F480 and ASTM D1527: (check one) Schedule 40 Schedule 80
- PVC Plastic conforming to ASTM F480 and (ASTM D1785 or ASTM D2241): (check one): Schedule 40 Schedule 80 Schedule 120
- Thermoset Plastic: (check one) Filament Wound Resin Pipe conforming to ASTM D2996
 Centrifugally Cast Resin Pipe conforming to ASTM D2997
 Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
 Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C950
 PTFE Fluorocarbon Tubing conforming to ASTM D3296
 FEP Fluorocarbon Tubing conforming to ASTM D3296

Open Casing Material:

- Carbon Steel: compliant with (check one or more): ANSI/AWWA C200 API Spec. 5L ASTM A53 ASTM A139
And compliant with (check one or more): ASTM A242 or A606 Type E Type S Grade B Other
- Stainless Steel: (check one): ASTM A409 (production wells) ASTM A312 (monitor wells)
- ABS Plastic conforming to ASTM F480 and ASTM D1527: (check one) Schedule 40 Schedule 80
- PVC Plastic conforming to ASTM F480 and (ASTM D1785 or ASTM D2241): (check one): Schedule 40 Schedule 80 Schedule 120
- Thermoset Plastic: (check one) Filament Wound Resin Pipe conforming to ASTM D2996
 Centrifugally Cast Resin Pipe conforming to ASTM D2997
 Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
 Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C950
 PTFE Fluorocarbon Tubing conforming to ASTM D3296
 FEP Fluorocarbon Tubing conforming to ASTM D3296

DRILLER'S LOG

WELL NUMBER: 4926-02 In addition to the driller's log, if a geologic log was prepared, please submit with this form

Depths (ft.)	Rock Description	Water Level	Cl-	Dates	Depths (ft.)	Rock Description	Water Level	Cl-	Dates
0 to 25	Clay & Boulders			5/28/07					
25 to 60	Tan Rock			"					
60 to 105	Blue rock			"					
105 to 150	Tan Rock			"					
150 to 190	Blue rock			5/29					
190 to 196	Cinders 2 1/2'			5/30					
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				
to					to				

Remarks:

STEP-DRAWDOWN PUMP TEST DATA

(not required for wells producing < 100,000 gpd or 70 gpm)

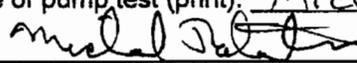
Pumped Well No. 4926-02 Observation Well No. N.A.
 Pumped Well Name Puvvenc-HI cement Distance between Obs. & Pumped Well N.A. ft.
 Target Q 300 gpm Reference pt. for depth to water 177.65 ft. msl
 Static Water Level @ start of test 2.65 ft. msl
 Water level measurements by: electrical sounder pressure transducer airline
 START TEST Date: 6/7/07 Time of day: 9:00 AM
 Flow Meter Reading Start: 0.5 gallons

Suggested Elapsed time t (min)	Actual Elapsed Time t (min)	Depth to water (nearest 0.1 ft)	Drawdown S (unadjusted to nearest 0.1 ft)	Pumping rate Q (at least 3 steps) (gpm)	EC (μmhos)	Cl ⁻ (mg/l)	Temp. $\frac{\text{or}}{\text{or}}$ °F or °C	Data in this table is for: <input checked="" type="checkbox"/> Pumped Well <input type="checkbox"/> Observation Well Remarks
-45		175.0		0			.	Start test/ Step 1
-30		"		0			.	
-15		"		0			.	
0		"					.	Start pump
1		175.50	.50	200			.	
1.5		"	|				.	
2		"	|				.	
2.5		"	|				.	
3		"	|				.	
4		"	|				.	
5		175.49	.49				.	
6		"	"				.	
7		"	"				.	
8		175.50	.50				.	
10		"	"				.	
15		"	"				.	
20		"	"				.	
25		"	"				.	
30 ²		"	"			200 ³	.	Chloride sample taken
31		175.55	.55	250			.	Step 2 begin?
40		175.61	.61				.	
50		"	"				.	

Suggested elapsed time t (min)	Actual elapsed time t (min)	Depth To Water (nearest 0.1 ft)	Recovery Drawdown S (unadjusted to nearest 0.1 ft)	Pumping rate Q (gpm)	EC (µmhos)	Cl ⁻ (mg/l)	Temp. °F or °C	Data in this table is for:
								<input checked="" type="checkbox"/> Pumped Well <input type="checkbox"/> Observation Well Remarks
0	0	175.67	.67	0				Pump off, start recovery
1		175.58	.58	0				
1.5		175.56	.56	0				
2		175.54	.54	0				
2.5		175.0	0	0				full recovery
3				0				
4				0				
5				0				
6				0				
7				0				
8				0				
10				0				
15				0				
20				0				
25				0				
30				0				
40				0				
50				0				
60				0				
70				0				
80				0				
90				0				
100				0				
150				0				
200				0				
250				0				<input checked="" type="checkbox"/> 80% recovery achieved <input type="checkbox"/> 80% recovery not achieved

END TEST Date: 6/1/07 Time of day: 10:40 AM
 ADDITIONAL REMARKS: _____

Person in charge of pump test (print): Michael Robertson

Signature: 

The signature above indicates that the data reported on this form is accurate and true to the best of the person's knowledge who operated this pump test.

CONSTANT-RATE PUMP TEST DATA

Pumped Well No. 4926-02
 Pumped Well Name Puynene HT Cement
 Target Q 250 gpm

Observation well no. _____
 Distance between Obs. & Pumped Well NA ft.
 Reference pt. for depth to water 177.65 ft. msl
 Static Water Level @ start of test 2.65 ft. msl

Water level measurements by: steel tape pressure transducer airline

START TEST Date: 6/8/07 Time of day: 900 Am

Flow Meter Reading Start: 22520 gals

Suggested elapsed time t (min)	Actual elapsed time t (min)	Depth to water (nearest 0.1 ft)	Drawdown s (unadjusted to nearest 0.1 ft)	Pumping rate Q (gpm)	EC (µmhos)	Cl- (mg/l)	Temp. °F or °C	Data in this table is for: <input checked="" type="checkbox"/> Pumped Well <input type="checkbox"/> Observation Well Remarks
-45		175						Start Test
-30								
-15								
0	0		0.00			1		Start pump/Cl- taken
1		175.55	.55	250		190	69	
1.5		"	|					
2		"	|					
2.5		"	|					
3		"	|					
4		"	|					
5		175.54	.54					
6			|					
7			|					
8		175.53	.53					
10			"					
15		175.52	.52					
20			|					
25		175.51	.51					
30			"					
40		175.50	.50					
50		"	|					
60		"	|					
70		"	|					
80		"	|					
90		175.51	.51					
100		"	"					

Table 2 (CRPTD Form 12/17/97)

Suggested elapsed time t (min)	Actual elapsed time t (min)	Depth to water (nearest 0.1 ft)	Drawdown s (unadjusted to nearest 0.1 ft)	Pumping rate Q (gpm)	EC (µmhos)	Cl ⁻ (mg/l)	Temp /°F or °C	Data in this table is for <input checked="" type="checkbox"/> Pumped Well <input type="checkbox"/> Observation Well Remarks
150		175.50	.50	250				
200		"	"	↓		180	69	
250		"	"	↓				
300		175.51	.51	↓				
400		175.50	.50	↓		180	68	Cl ⁻ sample taken
500	480	"	"	↓		↓	↓	
600		"	"	↓				
700		"	"	↓				
800		"	"	↓		1		Cl ⁻ sample taken
900		"	"	↓				
1000		"	"	↓		1		Cl ⁻ sample taken
1500	1440	175.50	.50	↓		↓	↓	Cl ⁻ sample taken
2000						1		Cl ⁻ sample taken
2500						1		Cl ⁻ sample taken
3000						1		Cl ⁻ sample taken
4000						1		Cl ⁻ sample taken
5000						1		Cl ⁻ sample taken
6000						1		Cl ⁻ sample taken
7000						1		Cl ⁻ sample taken
8000						1		Cl ⁻ sample taken
9000						1		Cl ⁻ sample taken
10000								Max possible duration: water level or quality did not stabilize for any 24 period
			²	0				Begin recovery data next page Flow meter reading at end of pumped period: <u>3600.50</u> gals

¹ Chloride sampling required

² Use same ending drawdown figure as start for recovery

Table 2 (CRPTD Form 12/17/97)

Suggested elapsed time t (min)	Actual elapsed time t (min)	Depth to water (nearest 0.1 ft)	Recovery Drawdown s (unadjusted to nearest 0.1 ft)	Pumping rate Q (gpm)	EC (µmhos)	Cl ⁻ (mg/l)	Temp. °F or °C	Data in this table is for: <input checked="" type="checkbox"/> Pumped Well <input type="checkbox"/> Observation Well Remarks
0	0	175.5		0			.	Start recovery
1		175.0		0			.	full recovery
1.5				0			.	
2				0			.	
2.5				0			.	
3				0			.	
4				0			.	
5				0			.	
6				0			.	
7				0			.	
8				0			.	
10				0			.	
15				0			.	
20				0			.	
25				0			.	
30				0			.	
40				0			.	
50				0			.	
60				0			.	
70				0			.	
80				0			.	
90				0			.	
100				0			.	
150				0			.	
200				0			.	
250				0			.	<input checked="" type="checkbox"/> 80% recovery achieved <input type="checkbox"/> 80% recovery not achieved

END TEST Date: 6/8/07 Time of day: 5:05 PM

ADDITIONAL REMARKS:

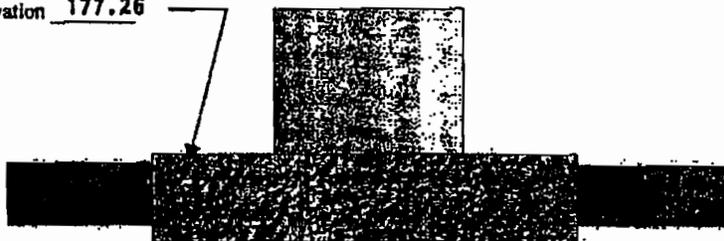
Person in charge of pump test (print): Michael Robertson

Signature: Michael Robertson

The signature above indicates that the data reported on this form is accurate and true to the best of the person's knowledge who operated this pump test.

Well Elevation

Benchmark Elevation 177.26



Attach photos of completed well and concrete pad showing benchmark location.

I certify that the elevation shown above:

- 1) Was done in accordance with acceptable surveying practices
- 2) Is accurate to the nearest 0.01 ft.
- 3) Is referenced to mean sea level



Kirk T. Tanaka

Surveyor Kirk T. Tanaka

7223-LS
License No.

06/12/07
Date

APPENDIX D.

Certificate of Well Completion

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIWARA
CHIYOME L. FUKINO, M.D.
DONNA FAY K. KIYOSAKI, P.E.
LAWRENCE H. MIKE, M.D., J.D.

KEN C. KAWAHARA, P.E.
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

April 29, 2008

4926-02.ccwc

Mr. Dave Gomes
Hawaiian Cement
P.O. Box 488
Kahului, HI 96732

Dear Mr. Gomes:

Certificate of Well Construction Completion for Well No. 4926-02

We are pleased to inform you that the Well Construction work permitted for the Puunene-Hawaiian Cement Well (Well No. 4926-02) is complete and acceptable and welcome you as a new member to the community of well owners and groundwater users in Hawaii.

To protect Hawaii's natural ground water resources for the benefit of all, the following requirements apply to the use of your well:

1. Before this well can be pumped on a regular basis, a certificate of pump installation completion must be obtained.
2. If the well is not in use it must be properly capped.
3. If the well is to be abandoned then the landowner must cause a licensed contractor to apply for a well abandonment permit in accordance with §13-168-12(f) prior to any well sealing or plugging work.
4. In the event that the well operator and/or landowner changes, the Commission shall be notified of the change prior to the change, and all forms shall be transferred to the new owner.
5. In the event the benchmark in the concrete base of the well is altered in any way, an updated elevation survey (page 5 of the Well Completion Report Part I) shall be submitted to the Commission. The Well Completion Report Part I can be obtained by contacting staff or at www.hawaii.gov/dlnr/cwrm/forms.htm

Because groundwater in Hawaii is a public trust, and adverse effects at one well may affect other water resources, any violation of the above conditions, or any other provision of the Hawaii Administrative Rules, may be subject to fines of up to \$5,000/day. The Commission needs your help and asks that you to do your part in utilizing this shared resource. We prefer to work with you in meeting the goal of protecting our ground water resources together.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0251 or toll-free at 984-2400, extension 70251.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken C. Kawahara".

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss

c: Maui Department of Water Supply
Wailani Drilling, Inc.

APPENDIX E.

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

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In The Matter Of The Application Of	)	DOCKET NO. SP92-380
)	
HAWAIIAN CEMENT	)	DECISION AND ORDER
	)	APPROVING A TIME
For A Special Permit To Allow A Rock	)	EXTENSION TO A
Quarrying/Crushing Operation And Related	)	SPECIAL USE PERMIT
Uses On Approximately 105.957 Acres Of)	
Land Situated Within The State Land Use)	
Agricultural District At Pulehunui, Wailuku,)	
Maui, Tax Map Key: 3-8-08: Portion Of 1 And)	
Portion Of 31)	
_____)	

DECISION AND ORDER APPROVING A TIME
EXTENSION TO A SPECIAL USE PERMIT

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

JUL 15 2005

Date

by

Executive Officer

Anthony P. Acuña

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In The Matter Of The Application Of	)	DOCKET NO. SP92-380
)	
HAWAIIAN CEMENT	)	DECISION AND ORDER
	)	APPROVING A TIME
For A Special Permit To Allow A Rock	)	EXTENSION TO A
Quarrying/Crushing Operation And Related	)	SPECIAL USE PERMIT
Uses On Approximately 105.957 Acres Of)	
Land Situated Within The State Land Use)	
Agricultural District At Pulehunui, Wailuku,)	
Maui, Tax Map Key: 3-8-08: Portion Of 1 And)	
Portion Of 31)	
_____)	

DECISION AND ORDER APPROVING A TIME
EXTENSION TO A SPECIAL USE PERMIT

On February 13, 2002, Hawaiian Cement ("Applicant") filed a written request to amend the special use permit issued in the above-entitled docket with the County of Maui Department of Planning ("DP"), pursuant to section 205-6, Hawai'i Revised Statutes ("HRS"), and sections 15-15-95 and 15-15-96, Hawai'i Administrative Rules ("HAR"). The Applicant requested a 15-year time extension to the life of the special use permit to allow for the continued operation of the Applicant's rock quarry and concrete aggregate operations ("Request").¹

¹ By Findings Of Fact, Conclusions Of Law, And Decision And Order issued on July 13, 1992, the Land Use Commission ("Commission") approved the special use permit to establish the rock quarry on approximately 45.957 acres of land. The special use permit was valid for a period of 10 years to July 13, 2002. By Findings Of Fact, Conclusions Of Law, And Decision And Order ("Decision and Order") issued on November 25, 1996,

The Commission has jurisdiction over the Applicant's Request. Section 205-6, HRS, and sections 15-15-95 and 15-15-96, HAR, authorize this Commission to approve special use permits and amendments thereto for areas greater than 15 acres.

On July 8, 2003, the County of Maui Planning Commission ("Planning Commission") conducted a hearing on the Applicant's Request. A member of the public provided testimony on the Request. After due deliberation, the Planning Commission recommended approval of the Applicant's Request to this Commission, subject to the following amendments to Condition Numbers 1, 2, 3, 4, 6, 7, 8, 9, and 12 of the Decision and Order issued on November 25, 1996:

1. That the State Land Use Commission Special Use Permit shall be valid until for a period of fifteen (15) years from the date of its granting, 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.
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;

the Commission approved an additional 60 acres of land to the quarry for a total special use permit area of 105.957 acres. The 60 acres of land were previously the subject of another special use permit approved in LUC Docket No. SP90-376/Hawaiian Cement.

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 thirty (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.

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.
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.

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.
7. That a detailed drainage plan be submitted to the Department of Public Works and Department of Transportation for their review and approval.
8. That a detailed solid waste management plan be submitted to Public Works for their review and approval.
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.
12. That the applicant shall submit to the Maui Planning Department copies of a detailed report addressing its compliance with the conditions established with the subject State Land Use Commission Special Use Permit. The compliance report shall be reviewed and approved by the Maui Planning Department prior to a time extension request or an amendment to the existing Land Use Commission Special Use Permit.

The Planning Commission also recommended that Condition Number 5 be retained and that Condition Numbers 10 and 11 be deleted.

On January 29, 2004, the Commission received a copy of the decision and a portion of the record of the Planning Commission's proceedings on the Applicant's

Request. On April 6, 2005, the Commission received the remaining portion of the record.

On May 5, 2005, the Commission met in Makena, Maui, to consider the Applicant's Request. Bill Horneman appeared on behalf of the Applicant. Jane E. Lovell, Esq., and Robyn Loudermilk appeared on behalf of the DP. John W. K. Chang, Esq.; Abe Mitsuda; and Mary Alice Evans also were present on behalf of the State Office of Planning ("OP").

At the meeting, Commissioner Ransom Piltz disclosed that he served on the Planning Commission when the Applicant's Request was considered. There were no objections to Commissioner Piltz's participation in this proceeding. Following a presentation by the Commission's staff on the Applicant's Request, the Commission raised questions regarding the Applicant's compliance with the conditions of approval. The OP and the DP affirmed that the Applicant complied with Condition Numbers 6, 7, 8, 9, 10, and 11. Upon further questioning by the Commission, the DP and the Applicant stated that they had no objections to retaining the requirement that the Applicant file an annual report with the Planning Director and the Commission. The DP also clarified that the Planning Commission's recommendation to approve the Applicant's Request for a 15-year time extension was based on the understanding that it would commence from the July 13, 2002, expiration date of the special use permit.

Following further discussion, the Commission noted that the Applicant should continue to comply with all required permits for its operations and the restoration of the site.

Thereafter, a motion was made and seconded to approve the Applicant's Request, subject to the following conditions to replace all previous conditions imposed on the special use permit:

1. That the State Land Use Commission Special Use Permit shall be valid for a period of fifteen (15) years from July 13, 2002, 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.
2. That the conditions of this Land Use Commission Special Use Permit shall be enforced pursuant to Sections 205-12 and 205-13, Hawai'i 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 thirty (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.

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.
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 Hawai'i as an additional named insured, insuring and defending the applicant, County of Maui and State of Hawai'i 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.
5. That full compliance with all applicable governmental requirements shall be rendered.
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.

7. That a detailed drainage plan be submitted to the Department of Public Works and Department of Transportation for their review and approval.
8. That a detailed solid waste management plan be submitted to Public Works for their review and approval.
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.
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.
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.

Following deliberation by the Commissioners, a vote was taken on the motion. There being a vote tally of 6 ayes, 0 nays, and 3 absent, the motion carried.

ORDER

Having duly considered the complete record of the Applicant's Request and the oral arguments presented by the parties present in the proceeding, and a

motion having been made at a meeting on May 5, 2005, in Makena, Maui, and the motion having received the affirmative votes required by section 15-15-13, HAR, and there being good cause for the motion, this Commission hereby APPROVES the Applicant's Request, subject to the following conditions to replace all previous conditions imposed on the special use permit:

1. That the State Land Use Commission Special Use Permit shall be valid for a period of fifteen (15) years from July 13, 2002, 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.
2. That the conditions of this Land Use Commission Special Use Permit shall be enforced pursuant to Sections 205-12 and 205-13, Hawai'i 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 thirty (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.

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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 Hawai'i as an additional named insured, insuring and defending the applicant, County of Maui and State of Hawai'i 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.
5. That full compliance with all applicable governmental requirements shall be rendered.
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.

7. That a detailed drainage plan be submitted to the Department of Public Works and Department of Transportation for their review and approval.
8. That a detailed solid waste management plan be submitted to Public Works for their review and approval.
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.
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.
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.

ADOPTION OF ORDER

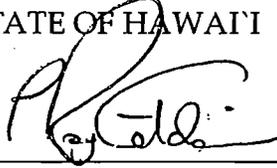
The undersigned Commissioners, being familiar with the record and proceedings, hereby adopt and approve the foregoing ORDER this 15th day of July, 2005. This ORDER and its ADOPTION shall take effect upon the date this ORDER is certified and filed by this Commission.

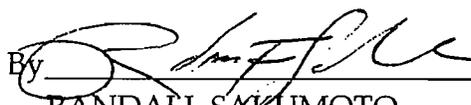
Done at Honolulu, Hawai'i, this 15th day of July, 2005, per motion on May 5, 2005.

APPROVED AS TO FORM

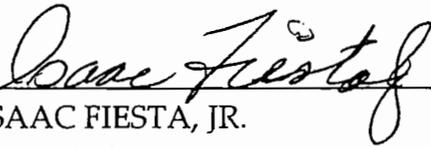

Deputy Attorney General

LAND USE COMMISSION
STATE OF HAWAII

By 
P. ROY CATALANI
Chairperson and Commissioner

By 
RANDALL SAKUMOTO
Vice-Chairperson and Commissioner

By (absent)
STEVEN LEE MONTGOMERY
Vice Chair and Commissioner

By 
ISAAC FIESTA, JR.
Commissioner

By 
MICHAEL FORMBY
Commissioner

By _____ (absent)
KYONG-SU IM
Commissioner

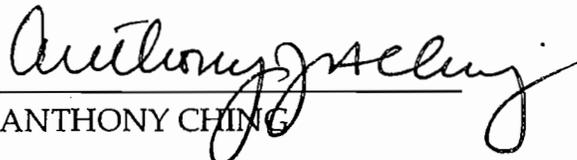
By 
LISA M. JUDGE
Commissioner

By 
RANSOM A.K. PILTZ
Commissioner

Filed and effective on
JUL 15 2005

By _____ (absent)
PETER YUKIMURA
Commissioner

Certified by:


ANTHONY CHING

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In The Matter Of The Application Of) DOCKET NO. SP92-380
)
HAWAIIAN CEMENT) CERTIFICATE OF SERVICE
)
For A Special Permit To Allow A Rock)
Quarrying/Crushing Operation And Related)
Uses On Approximately 105.957 Acres Of)
Land Situated Within The State Land Use)
Agricultural District At Pulehunui, Wailuku,)
Maui, Tax Map Key: 3-8-08: Portion Of 1 And)
Portion Of 31)
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Decision And Order Approving A Time Extension To A Special Use Permit was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by regular or certified mail as noted:

DEL. LAURA THIELEN, Director
Office of Planning
P. O. Box 2359
Honolulu, Hawaii 96804-2359

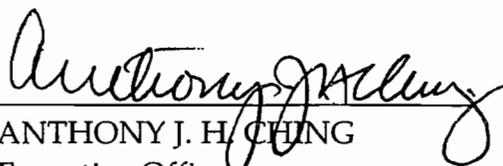
JOHN CHANG, Esq.
Deputy Attorney General
Hale Auhau, Third Floor
425 Queen Street
Honolulu, Hawaii 96813

MICHAEL FOLEY, Director
County of Maui, Planning Department
250 South High Street
Wailuku, Hawaii 96793

BRIAN MOTO, Esq.
Corporation Counsel
County of Maui
250 South High Street
Wailuku, Hawaii 96793

CERT. WILDER W. HORNEMAN
Vice President Concrete & Aggregate Operations
Hawaiian Cement
P. O. Box 488
Kahului, Hawaii 96732

Dated: Honolulu, Hawaii, JUL 15 2005


ANTHONY J. H. CHING
Executive Officer

APPENDIX F.

**County Special Use Permit
CUP 2006/0002**

101- HAW
10/27
10/27

ALAN M. ARAKAWA
Mayor

MICHAEL W. FOLEY
Director

Don Couch
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 27, 2006

Mr. Wilder W. Hornerman
Vice President
Hawaiian Cement
P. O. Box 488
Kahului, Hawaii 96733

Dear Mr. Hornerman:

RE: Amendment to State Land Use Commission Special Use Permit and a County Special Use Permit to Move the Location of the Pu'unene Rock Quarry at TMK (2) 3-8-004: 001 por., Pulehunui, Wailuku, Island of Maui, Hawaii (SUP 92-380), (SUP1 91-0013), (CUP 2006/0002)

At its regular meeting on June 27, 2006, the Maui Planning Commission reviewed the above requests and voted to recommend approval for the amendment to the State Land Use Commission Special Use Permit (SUP 92-380) (SUP1 91-0013) subject to the following conditions:

STATE SPECIAL USE PERMIT AMENDMENT CONDITIONS:

In addition to compliance with conditions 1 through 11 from the July 15, 2005 Order approving the timeline extension, compliance with the following additional conditions for the proposed quarry sites of 24.47 acres and 41.96 acres:

12. That a grading permit from the Public Works Department shall be obtained prior to any land disturbance in the new quarry areas;
13. That prior to issuance of a grading permit, the applicant shall provide evidence of approval from the State Department of Transportation regarding a maintenance program for the driveway and surrounding roadway;
14. That prior to issuance of a grading permit, the applicant will provide evidence of approval from the State Department of Health regarding modifications to the Clean Air Branch permit;

Mr. Wilder W. Hornerman
June 27, 2006
Page 2

15. That prior to issuance of a grading permit, the applicant shall submit an archeological inventory survey to the State Historic Preservation Division for their review; and shall comply with their subsequent comments; and
16. 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).

Furthermore, at its regular meeting on June 27, 2006, the Maui Planning Commission voted to approve the County Special Use Permit (CUP 2006/0002) to include the new quarry area, subject to the following conditions:

STANDARD CONDITIONS:

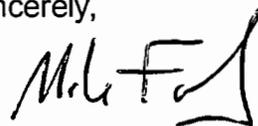
1. That the County Special Use Permit shall be valid until July 31, 2018, or the expiration date for the State Land Use Commission Special Use Permit, whichever is longer, subject to extension by the Maui Planning Commission upon a timely request for extension filed at least ninety (90) days prior to its expiration. The Commission may require a public hearing on the time extension;
2. That the County Special Use Permit shall not be transferred without the prior written approval of the Maui Planning Commission;
3. 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 County Special Use Permit and shall procure at its own cost and expense, and shall maintain during the entire period of this County 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 as an additional named insured, insuring and defending the applicant and County of Maui 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 non-observance or non-performance 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;

Mr. Wilder W. Hornerman
June 27, 2006
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4. That full compliance with all applicable governmental requirements shall be rendered; and
5. That the applicant shall submit to the Planning Department five copies of a detailed report addressing its compliance with the conditions established with the subject County Special Use Permit and State Land Use Commission Special Use Permit SUP 91/0013 (SP 92-380). The compliance report shall be submitted to the Planning Department for review and approval prior to a time extension request or an amendment to the existing County Special Use Permit.

Thank you for your cooperation. If additional clarification is required, please contact Mr. Jeff Hunt, AICP, Staff Planner, of this office at 270-6271.

Sincerely,



MICHAEL W. FOLEY
Planning Director

Enclosure

MWF:JH:sec

c: Clayton I. Yoshida, AICP, Planning Program Administrator
Aaron H. Shinmoto, Planning Program Administrator (2)
Development Services Administration (2)
Anthony Ching, Executive Officer, State Land Use Commission
Herbert S. Matsubayashi, State Department of Health, Maui District
Rodney K. Haraga, State Department of Transportation
Melanie Chinen, State Historic Preservation Division
Jeff Hunt, AICP, Staff Planner
Bob Tanaka, Tanaka Engineers, Inc.
Project File
General File
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