

LAND USE COMMITTEE

Council of the County of Maui

MINUTES

November 15, 2006

Mitchell Pauole Center, Molokai

CONVENE: 7:00 p.m.

PRESENT: Councilmember Robert Carroll, Chair
Councilmember Joseph Pontanilla, Vice-Chair
Councilmember Michelle Anderson, Member
Councilmember G. Riki Hokama, Member
Councilmember Danny A. Mateo, Member
Councilmember Michael J. Molina, Member

EXCUSED: Councilmember Jo Anne Johnson, Member
Councilmember Dain P. Kane, Member
Councilmember Charmaine Tavares, Member

STAFF: Tammy M. Frias, Committee Secretary
Carla M. Nakata, Legislative Attorney
Ella Alcon, Council Aide, Molokai Council Office
Morris Haole, Executive Assistant to Councilmember Robert Carroll

ADMIN.: Clayton Yoshida, Planning Program Administrator, Current Planning Division,
Department of Planning
Paul Fasi, Planner, Department of Planning
Nancy McPherson, Planner, Department of Planning
Michael Miyamoto, Deputy Director, Department of Public Works and Environmental
Management
James A. Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Mich Hirano, Project Manager, Munekiyo & Hiraga, Inc. (Applicant's consultant)
Dale Moore, Manager, Molokai Operations, Goodfellow Bros., Inc.
Dathan Bicoy, Goodfellow Bros., Inc.
John P. Maloney, Development Manager, Pacific Rim Land, Inc.
Yama Kaholoaa, Sr.
Additional attendees (30)

PRESS: Brennan Purtzer, *Molokai Island Times*
Sujata Gupta, *The Molokai Dispatch*

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CHAIR CARROLL: . . .(*gavel*). . . This Land Use Committee meeting of November 15th, 2006 is now in session. To Members of the public, good evening.

AUDIENCE: Good evening.

ITEM NO. 64: CONDITIONAL PERMIT FOR A ROCK QUARRY ON MOLOKAI (PALAAU) (C.C. No. 06-207)

CHAIR CARROLL: We have only one item on our agenda for today, Land Use Item 64, Conditional Permit for a rock quarry on Molokai. We have with us. . .that we have brought over from Maui: from the Planning Department, we have Mr. Fasi and Mr. Yoshida; from Corporation Counsel, Mr. Giroux; and from. . .our Public Works Department, Mr. Miyamoto. Our Staff over here, we have Ms. Nakata and Frias. Our Council Members today, I will let Mr. Mateo introduce the Council Members here today.

COUNCILMEMBER MATEO: Chairman, thank you very much. I'd be, I'd be happy to introduce all of the Members that's here with us today. On my left we have the. . .Mr. Riki Hokama from Lanai, our Council Chair; we also have with us from the up..., Makawao-Upcountry area, we have Councilmember Michael Molina; from the South Maui District we have the Council Member, Michelle Anderson; from the Kahului area we have Councilmember Joe Pontanilla; and, of course, our illustrious leader from Hana, Bob Carroll.

AUDIENCE: . . .(*applause*). . .

CHAIR CARROLL: Thank you, Mr. Mateo. We're going to start of first with the applicant giving a short presentation, after which I will ask the departments for comment, after which I will be opening. . .public testimony. If the applicant could come forward. And everyone that speaks, please identify yourself and your position at the microphone.

MR. HIRANO: Okay. Good evening, Chair Coun..., Chair Carroll and Council Committee Members. My name is Mich Hirano with Munekiyo & Hiraga. I'd also like to say good evening to the members of Molokai, and I'm sorry I have to turn my back to you when I'm making my presentation.

Our firm is assisting the applicant, Goodfellow Brothers, Inc., with a Conditional Permit application for the proposed concrete and asphalt batching facility, aggregate crushing, and stockpiling and baseyard. The project site is located at the Molokai Rock Quarry, to the northeast of the existing Molokai or Palaa Industrial Park.

The Molokai Planning Commission approved the Special Use Permit for the rock quarry operations in May of this year, 2006. During their deliberations, a petition of over 750 signatures from the residents of Molokai had signed in support of the Special Use and now the Conditional

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Permit application before you this evening, and I believe that the Council Members or Land Use Committee Members have received a copy of that petition.

The Conditional Permit is for concrete and asphalt batching, rock crushing, aggregate stockpiling, and baseyard operations on a 14.9-acre parcel that is zoned Agricultural District, and then adjoining 3.4-acre parcel to be used to provide access to the site. I believe the Chair or the Committee Members had a site visit this morning, this afternoon and these. . .the property boundaries and the proposed operations were pointed out to the Committee Members. An access road from Ulili Road has been constructed over the 3.4-acre parcel to access the 14.9-acre Conditional Permit project site.

The land entitle, entitlements being requested have the following objectives. First, to permit concrete, asphalt batching operations on the subject property. Secondly, to permit rock crushing and storage of surplus aggregate on the subject property. And third, as a corrective action, to secure the appropriate land use entitlements to permit the baseyard operations on the subject property.

In according with the Maui County Code, County Agricultural Zoning District does not specifically permit batching operations, rock crushing, aggregate stockpiling, and baseyard operations. Therefore, a Conditional Permit approved by the County Council is required for these uses.

I'd like to note that even within the M-2 Heavy Industrial District, asphalt and concrete manufacturing or batching, rock crushing requires a Special Use Permit from the appropriate commission with the approval by the Council. As such, in this particular case, a Conditional Permit application is being sought to permit this activity within the Agricultural District.

At planned capacity, the batching and aggregate facility will generate approximate 7 cubic, 700 cubic yards of concrete per year and approximately 2,500 cubic yards of asphalt per year. Concrete and asphalt produced at the site will be utilized for the construction of foundations, curbs, gutters, and the asphalt will be used in the construction of roadways, parking lots, residential driveways, and routine maintenance. Proposed rock crushing operations will produce aggregate and untreated base course material. The result in aggregate materials have various uses, such as. . .uses for top soil, revetment boulders, asphalt paving products, and gravel for use in roadway and driveway construction. On-site facilities associated with the concrete and asphalt production will include an asphalt drum mixer, a cold aggregate bin, a conveyor system, office trailers, machine shop, equipment storage area, and crushed rock stockpiles.

The proposed batching plant site is located in close proximity to the Molokai Electric Facility, Molokai Industrial Park, Molokai Landfill, The Gas Company, Molokai Baseyard, and Coffees of Hawaii Production Plant. It is, it is set in an area adjacent to existing heavy and light industrial uses and, therefore, is compatible to the existing surrounding land uses. A drainage plan has been designed to retain all increases in storm water runoff on the site, and as you saw at your site visit today, there was a retention basin that has been constructed. Drainage swales have

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been graded to capture runoff and direct it to the drainage retention basin where it will percolate into the ground. A berm has also been established in the southern portion of the site to keep the runoff from flowing to adjacent properties. Best management practices protect the environment from the Conditional Permit activities include: sprinkling the site regularly will keep the dust down; the existing 20,000 gallon storage tank, 10,000 gallon trucker tank, and a new 15,000 gallon water storage tank will be used to control, to control dust and to provide firefighting capability. There will be perimeter berms around fuel storage tanks to contain fuel in case of spills, and proper maintenance of equipment and vehicles to reduce the noise and exhaust.

As you can see the site, from the site visit today, the GBI keeps the baseyard in, in a very neat and tidy and orderly manner, and all equipment is stored and properly maintained.

The proposed project will also provide a very needed source of aggregate construction material and concrete and asphalt material to support the construction activity on Molokai. We've handed out to the Members a list of projects that are currently under construction and being proposed for the upcoming construction activity on Molokai.

I'd like to just identify a few of the larger projects. There's the Waterline Replacement. It's a County of Maui project. Approximately 200 to 300 tons of asphalt paving. This is the Pano and Puili Waterline Replacement, and there will be approximately 400 to 600 tons of various aggregate materials. Current island projects that would like to purchase concrete would be: the Molokai General Hospital, Phase II, approximately 100 to 150 cubic yards of concrete and grout; there's the radio tower at Punana, about 500 and 600. . .to 600 cubic yards of concrete and grout. Projects under contract with GBI presently include: the Kaunakakai Drainage System B where there will be 600 to 700 tons of asphalt paving and approximately 1,200 to 1,500 tons of various aggregate materials; Kamehameha V Highway Resurfacing; the Maunaloa Highway Resurfacing from Kaunakakai Wharf to the Airport; the Runway Pavement Repairs and Resurfacing at the Molokai Airport; and various miscellaneous household repairs and construction activities related to house, house improvements.

The residents of Molokai will also benefit from the project from the creation of employment. It is anticipated that the proposed batching and crushing facilities would create an equivalent of full, of four full-time jobs. The residents will also benefit from a supply of construction based materials, concrete, and asphalt materials to support the construction industry and for needed public facilities.

Thank you for the opportunity to present this information to you, Members. Mr. Dale Moore, Manager of Goodfellow Brothers, Molokai Operations is available this evening to answer any questions you may have. Thank you.

CHAIR CARROLL: Thank you.

AUDIENCE: . . .(applause). . .

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CHAIR CARROLL: I'd now like to ask if the Planning Department, Mr. Fasi, if you have anything you'd like to say at this time?

MR. FASI: The Planning Department has no comment at this time.

CHAIR CARROLL: Thank you. And Public Works, Mr. Miyamoto, do you have anything you'd like to bring forward?

MR. MIYAMOTO: Thank you, Mr. Chair. None at, no comments at this time.

CHAIR CARROLL: Thank you. I'm now going to open public testimony. Public testimony is now open. Anybody wishing to testify, please come forward. Ms. Nakata, has anyone signed up?

MS. NAKATA: Mr. Chair, no one has signed up to testify.

CHAIR CARROLL: Is there anyone wishes to give public testimony, please come forward. . . .Please identify yourself at the microphone and any position or organization you represent.

. . .BEGIN PUBLIC TESTIMONY. . .

MR. KAHOLOAA: Okay. Good evening, Mr. Chair and Council. . .and to Molokai residents. My name is Yama Kaholoaa. I'm a resident here on Molokai for 38 years and my. . .profession is I'm a mason, and I support. . .um. . .the Goodfellow Brothers in having another quarry here on Molokai simply because, you know, we. . .you can't. . .we've been having a monopoly game here on Molokai for the longest time. At one point, I was one of Patterson Construction biggest concrete. . .person that used to buy the most concrete from Patterson. And then it. . .when Molokai Ranch came and developed on, on the west side, then it became a monopoly game. So when I started asking for concrete, I were [*sic*] put on hold for months and months and I had a lot of. . .um. . .problem with that, that one concrete company. So, I support Goodfellow Brothers simply because. . .I talked, asked Dale Moore that if he would open up a quarry here and start making concrete where. . .because I ran into the problem where Patterson Construction would, would never give me any concrete, and there's witnesses here, homeowners here on Molokai that. . .um. . .you know, they were threatened by, because of an incident that happened with Mr. Patterson and I. And. . .(*inaudible*). . .you can, you can check all my records about paying, I always paid on time. There were. . .I haven't had any bill, but just because that one incident that Patterson Construction made me wait eight hours before I could get concrete, and I was scheduled a month ahead for the concrete and they never brought the concrete till 3:30 in the evening. So, I appreciate Goodfellow Brothers, especially Dale, that have opened up a company at that time; otherwise, I would've been out of business. And so a lot of the other con. . ., contractors here on Molokai, we would, we would have all been out of business if not for Goodfellow Brothers. So, I believe that, you know, we need competition, you know, we need another quarry, and because of the amount of concrete we pour here on the island, one company cannot supply us all the concrete. If there's a 200-yard concrete poured today, you know, that

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day, nobody else going have, be able to get concrete, and that backs up all our jobs. And so everyone suffers, the homeowners and, and the contractors especially.

So, I, I'm in favor, I'm in full support for the quarry and I just want to thank, tell Goodfellow Brothers, especially Dale, thank you for supporting us contractors here on Molokai. Thank you.

AUDIENCE: . . .(applause). . .

CHAIR CARROLL: Any questions for the testifier? Hearing none, thank you very much. Is there anyone else who wishes to give testimony, please come forward. Seeing none, if there's no objection, we will close public testimony.

COUNCIL MEMBERS: No objections.

CHAIR CARROLL: Public testimony is now closed.

. . .END OF PUBLIC TESTIMONY. . .

CHAIR CARROLL: Members, the floor is now open.

COUNCILMEMBER MOLINA: Question.

COUNCILMEMBER MATEO: Mr. Chairman.

CHAIR CARROLL: Mr. Molina.

COUNCILMEMBER MOLINA: Yeah. Thank you, Mr. Chair. Mr. Chairman, question, I guess, either for the Planning Department or the applicant. With regards to the best management practices plan, which is part of the conditional approval, I guess first for the applicant's representative, is the, the plan. . .how far along are you with the plan? Is it in the preliminary stages or are you nearly complete?

MR. HIRANO: Well, there are two plans. One is--

CHAIR CARROLL: Identify yourself.

MR. HIRANO: Oh, yeah, my name is Mich Hirano with Munekiyo & Hiraga. There are two plans that cite the best management practices. One is with the grading operations in the swales that were put up, and those plans are part of the engineering design package that has gone on to create the best management practices. There's also best management operational practices that Goodfellow Brothers practices on site with respect to fueling tanks; putting, as Dale said, the concrete aprons around stationary fuel tanks that will be carried out; and the drainage and dust control. . .to control dust on site.

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COUNCILMEMBER MOLINA: So, so it's not in its final, is the plan in its final stages already or is that just preliminary?

MR. HIRANO: The, the engineering best management practices are in. They're, they're already established, and the management practices that I just cited regarding the operations are just practices that are followed. I don't--are they written down anywhere, Dale?

MR. MOORE (from the audience): . . . *(inaudible)* . . .

MR. HIRANO: They're not written down, they're just followed through. Yes.

COUNCILMEMBER MOLINA: Okay. Alright, thank you. Mr. Chair, if I could ask the next question to the Planning Department representative. Mr. Fasi, just for, for procedure sake. So without the best management practices plan that Mr. Hirono [*sic*] had mentioned, can they still proceed--if, if say this body were to approve the, the process here tonight or the application here tonight, can they proceed without submitting, I guess, the final best management practices plan?

MR. FASI: On April 17th, 2006, the applicant submitted its first preliminary compliance report to meet the 14 conditions that were in the Recommendation Report before the Maui, Molokai Planning Commission. And the Planning Department is comfortable with their compliance with all 14 conditions of that report. And so yes, my answer would be yes.

COUNCILMEMBER MOLINA: Okay. Alright, thank you. Thank you, Chairman.

CHAIR CARROLL: Any further discussion. . . before the Chair gives his recommendation? Mr. Mateo?

COUNCILMEMBER MATEO: Thank you, Chairman. Mr. Hirono [*sic*], in your presentation you referenced water in terms of fire flow needs and capacities.

MR. HIRANO: Yes.

COUNCILMEMBER MATEO: The property that Goodfellows are on right now, that has a storage tank on it.

MR. HIRANO: Yes, they do.

COUNCILMEMBER MATEO: The capacity of that tank?

MR. HIRANO: Currently, there is a 20,000 gallon water storage tank. There is also a 10,000 gallon water truck that pumps water.

COUNCILMEMBER MATEO: Was there, was there a requirement for a specific amount of water that would be available on the property?

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MR. HIRANO: The . . .there wasn't a requirement specifically for the operations because there were no buildings involved and the, the equipment at the . . .quarry operations and the rock crushing operations are machines basically and there will be, there is no buildings so there is no--but we had a letter from the Department of Fire during the permitting application process review, and the Department of Fire had written that because there were no buildings involved that, you know, they had no comment on the fire flow. But just for safety purposes, there is water on the site, there is water. . .there's a water pump truck and a water tower tank, 20,000 gallons--

COUNCILMEMBER MATEO: The, the property right before you, the property, that's where they're selling. . .it's a gas, The Gas Company?

MR. HIRANO: The . . .it's the Molokai Gas,, The Gas Company baseyard, yes.

COUNCILMEMBER MATEO: They, they don't have a water storage tank?

MR. HIRANO: No, they don't and not that I'm aware of.

COUNCILMEMBER MATEO: And the property across of you, Molokai Electric?

MR. HIRANO: Molokai Electric has a large water storage tank.

COUNCILMEMBER MATEO: Is it as large as your 20,000 gallon tank?

MR. HIRANO: It's . . .I think it's, we, we looked at that today, it was about 100,000 we thought. It looked like it was about 100,000, that one.

COUNCILMEMBER MATEO: Okay. Thank you. Thank you, Chairman.

CHAIR CARROLL: Any further discussion? Ms. Anderson.

COUNCILMEMBER ANDERSON: Thank you, Mr. Chairman. I'm referencing the June 8th letter sent to Munekiyo & Hiraga regarding the Molokai Planning Commission's Special Use Permit that was issued, and on Condition 14. . .it states that should the quarry cease operation under GBI--I'm assuming that's Goodfellow Brothers--

MR. HIRANO: Yes, it is.

COUNCILMEMBER ANDERSON: --or any similar action occurs and, for whatever reasons, that GBI is fully and solely responsible in all aspects and in its entirety to completely and promptly fully restore the quarry site to then prevailing current County Department of Public Works' requirements and standards. Now when we were at the site inspect..., site inspection, you mentioned something about the Health Department having standards to . . .or having some kind of regulation to restore the, the site?

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MR. HIRANO: I believe. . .it was either the Department of Public Works or the Department of Health that had some I think general standards to. . .regarding. . .I know that landfills and quarries are to be rehabilitated in terms of, you know, safe slopes, revegetation, if possible, on, on certain slopes for slope stability. There will be those kinds of aspects that will be carried out in a closure plan for the quarry.

COUNCILMEMBER ANDERSON: But you're not going to necessarily fill up the hole?

MR. HIRANO: No. It's, it's. . .I think it's to make the quarry in a safe condition so that it wouldn't, that would prevent rock slides or, you know, hazardous slopes and. . .proper gating and closure. So there are certain precautionary measures that are taken to make the, the land, the quarry site safe when it's closed.

COUNCILMEMBER ANDERSON: Could, could I ask our Public Works' representative?

CHAIR CARROLL: Proceed.

COUNCILMEMBER ANDERSON: Or, or maybe if the Planner has an answer. What, what I'd like to know, Mr. Chair, is what is the current County requirement and standard?

MR. FASI: I, I can't answer for Public Works. But the intent of this Condition No. 14 was to give Public Works the leeway to make a determination at that point in time as to what they want to do with that particular site and just kind of keep it open-ended and not necess..., the intent wasn't necessarily to fill up the hole, but to give them the leeway to decide how they want to use it.

MR. MIYAMOTO: Mr. Chair, Mike Miyamoto, Deputy Director, Department of Public Works and Environmental Management. Public Works does not regulate mining activities. In the recent Planning, the Maui Planning Commission, they recently had another facility that was proposed, I guess, in Central Maui area, and at that meeting we, we let the Commission know that it wasn't our responsibility to regulate it, but there was requirements for them to. . .as part of the mining permit on a higher level--I think it was, I'm not sure if it was a State level--but they were to do remedial action, and they couldn't keep it just completely open. Dust control and those types of things had to be, had to be. . .handled. And there was a certain degree of reclamation that had to be done whether they vegetate it. But as far as the depth down, I mean it had to be safe for the public also if should someone happen to be in that area.

COUNCILMEMBER ANDERSON: So there isn't anything standard within the County Code right now regarding that at all?

MR. MIYAMOTO: Mr. Chair. Nothing from mining specifically, no, not at this point.

COUNCILMEMBER ANDERSON: So, I'm gonna ask Mr. Goodfellow, Mr. Dale, what, what is the intention of Goodfellow Brothers once they're done with this site? What do they intend to do to, you know, stabilize it or use it for something else or. . .?

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MR. MOORE: Dale Moore, Goodfellow Brothers. Well, we're trying to get a quarry opened up and now we're trying to close it already. That kind of hits me in a hurry.

ALL: . . .(laughter). . .

MR. MOORE: . . .(laughter). . .

COUNCILMEMBER ANDERSON: No, no, no. We don't want to have any unintended consequences like dengue fever. . . .(chuckle). . .

MR. MOORE: Yeah. There's certain standards you have to do when you're quarrying and all. You make the right slope and the benches, and you do it in a safe manner. . . .(inaudible). . .and all involved and, you know, they kind of control how we have to leave it. But I can guarantee we'll leave it in a safe way, but it'll be done probably on a bench type structure like they require. As far as filling it back up or sloping it, I, I, I don't see that.

COUNCILMEMBER ANDERSON: That's not standard?

MR. MOORE: No.

COUNCILMEMBER ANDERSON: Okay. Thank you very much.

MR. MOORE: Thank you.

CHAIR CARROLL: Thank you, Ms. Anderson. Any further questions before the Chair gives his recommendation?

COUNCILMEMBER HOKAMA: I have a question, Chair.

CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: This, this is for the Planning Department, please?

CHAIR CARROLL: Proceed.

COUNCILMEMBER HOKAMA: In the Molokai Planning Commission minutes of May 24th, on Page 47 you have a Mr. Ribao commenting about Commissioners Dunbar and Steve regarding necessary amendments. Can you just help us understand what amendments were the Commissioners discussing and are they included in the proposal before the Committee this evening?

MR. FASI: I believe they were addressing the conditions of the State Special Use Permit, the 14 conditions that I just mentioned. And if I may just revisit Ms. Anderson's concern regarding

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this. I purposely put in language regarding what's gonna happen to the quarry site at the then prevailing and current County requirements so should there be ordinances passed by the Council that would cover such an activity, that the applicant would be subject to the current and prevailing standards at that given time, whatever they may be. But to get back to your question, I believe their amendments were referring to the conditions, sir.

CHAIR CARROLL: Thank you, Mr. Hokama. Any further discussion? Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you. This is for Mr. Hirono [*sic*]. This afternoon we took a look at the quarry and there were fencing around the quarry.

MR. HIRANO: Yes.

VICE-CHAIR PONTANILLA: The fencing would only take care of the 14 acres that is desig..., that's going to be the quarry. And I understand that looking at the report here, there were six sites, archaeological sites within the 14 acres and there's more outside of the, the fence area, and based on the recommendation, the fencing is actually to keep the equipment from going into areas outside of the quarry?

MR. HIRANO: Yes, Mich Hirano with Munekiyo & Hiraga. Yes, Councilor Pontanilla, that is correct. The fencing was a requirement from the State Historic Preservation Division as their comment on the application that the fencing be...erected around the perimeter of the quarry site, the 14.9 acre site to keep the equipment, to define the boundaries of that area to make sure that they don't move outside that area, yes.

VICE-CHAIR PONTANILLA: As far as expanding in the future, I, I, you know, according to the report all of the sites have been identified.

MR. HIRANO: Yes, the...there was...during the application process and the assessment of the project an archaeological inventory survey was carried out on that particular area as well as a cultural impact assessment where they inter..., interviewed knowledgeable native Hawaiians and residents, residents of Molokai about cultural resources in the area. The cultural, the archaeological inventory survey had been completed and the sites that were found within the area were inventoried and that was appropriate mitigation because they were documented. And then there was mention during the cultural impact assessment about some petroglyphs, and the applicant had got the archaeologist to go back out on the site to locate those, and they were well outside the property boundary. So they won't be impacted.

VICE-CHAIR PONTANILLA: Okay. Thank you. Thank you, Chair. --(*CHANGE OF TAPE, start 1B*)--

CHAIR CARROLL: Thank you, Mr. Pontanilla. Ms. Anderson.

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COUNCILMEMBER ANDERSON: Thank you, Chair. I have just two quick questions for Mich. . . .Hopefully you'll know the answers. . . .*(chuckle)*. . .

MR. HIRANO: Yes, so do I. . . .*(chuckle)*. . .

COUNCILMEMBER ANDERSON: Where do they get their sand from?

MR. HIRANO: We discussed that after you left because that was a question I asked. That's, that sand came from Piihana. It was a Goodfellow Brothers' site that, that was excavated. They brought the sand by barge to Molokai and had stored it, they used it on some of the construction material and. . .or for some construction and then, then they just stored it on site. But that was in Waihee, Waiehu or Waihee and Piihana.

COUNCILMEMBER ANDERSON: Piihana?

MR. HIRANO: Piihana. Piihana, is that--

COUNCILMEMBER ANDERSON: Where the heiau is?

MR. HIRANO: No. No, it's the. . .Goodfellow Brothers owns, owns land there, yeah. Dale, can you. . .? Dale will--

MR. MOORE: Dale Moore. This sand was. . .we got put out of business because our neighbor wouldn't give us any sand for our concrete because we were his competitor. So in order to keep a few of our people in business, I called Maui and got a load of sand that came out of the sand dunes from. . .oh, what's above Wailuku down around the--

COUNCILMEMBER ANDERSON: Happy Valley?

MR. MOORE: Yeah, yeah. In that big sand by where Goodfellows was doing all that excavation, and that's where that sand came. It's a real good sand, wind blown sand and they had it all checked, but that's where it came from. And that was only because we. . .either that or shutdown.

COUNCILMEMBER ANDERSON: So there's no sand source here on Molokai?

MR. MOORE: No, no way.

COUNCILMEMBER ANDERSON: So any sand you need has to come from Maui?

MR. MOORE: Right. But we use a crushed rock sand and that's a number four, and that's what we use now.

MR. HIRANO (from the audience): It'll be made. . .*(inaudible)*. . .

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MR. MOORE: Yeah, it's--

COUNCILMEMBER ANDERSON: Not beach quality sand?

MR. MOORE: Yeah. Not, not that. Really surprising, this made sand is better than that other sand, the real sand. So it'll work out fine.

COUNCILMEMBER ANDERSON: Okay, great. And then just one other question. You have 14 acres. Do you folks intend to mass grade that site or will there be, will there be mass grading of the site?

MR. MOORE: Mass grading?

COUNCILMEMBER ANDERSON: Yeah, grading the whole 14 acres at once?

MR. MOORE: No. No, we want to just grade it as we use it and work our way up the hill and probably, if I may, put another CAT trailer around the, on the outside of the fence and the inside for fire protection is all. But no. . .as. . .and as we finish one area and work in we'll--

COUNCILMEMBER ANDERSON: Great.

MR. MOORE: --clear it and go that way.

COUNCILMEMBER ANDERSON: Happy to hear that. Thank you.

MR. MOORE: Yeah. Gotta keep them deer running around a little bit. . . .*(chuckle)*. . .

AUDIENCE: . . .*(chuckle)*. . .

CHAIR CARROLL: Thank you, Ms. Anderson. Any further questions? Hearing none, the Chair will give his recommendation. The Chair will entertain a motion to pass on for first reading "A BILL FOR AN ORDINANCE GRANTING GOODFELLOW BROS., INC. A CONDITIONAL PERMIT FOR USES RELATING TO A ROCK QUARRY WITHIN THE COUNTY AGRICULTURAL DISTRICT FOR PROPERTY SITUATED AT MOLOKAI, HAWAII", and filing of the communication.

VICE-CHAIR PONTANILLA: So moved.

COUNCILMEMBER MATEO: Second.

CHAIR CARROLL: Been moved by Mr. Pontanilla, seconded by Mr. Mateo. Discussion, Mr. Pontanilla?

VICE-CHAIR PONTANILLA: I yield to Mr. Mateo.

LAND USE COMMITTEE MINUTES
Council of the County of Maui

November 15, 2006 (Molokai)

CHAIR CARROLL: Thank you to all the members of the public of this beautiful island of Molokai that came out today. Thank you for participating with us. Members, do you have any announcements? Hearing none--

MR. MOORE: On behalf of Goodfellow Brothers and the Molokai people--as you can see everyone in here is supporters--thank you for coming over and taking the time to come and support us and get this thing moving. We really appreciate it.

AUDIENCE: . . .(applause) . . .

CHAIR CARROLL: Thank you. And to all of those here, I will say that this is probably my last trip since I did not run for office and I will no longer be on the Council, but I will truly miss coming to one of my favorite places.

AUDIENCE: . . .(applause) . . .

CHAIR CARROLL: Having no further discussion, this Land Use Committee meeting of November 15, 2006 stands adjourned. . . .(gavel) . . .

ADJOURN: 7:38 p.m.

APPROVED:



ROBERT CARROLL, Chair
Land Use Committee