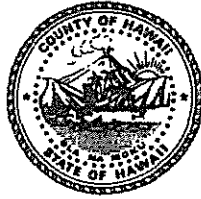


Harry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
LEED® AP
Deputy Director

County of Hawaii
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224
(808) 961-8288 • FAX (808) 961-8742

July 15, 2008

Ken Fujiyama, C.E.O.
Hawaii Outdoor Tours, Inc.
421 Makalika Street
Hilo, HI 96720

Attn: Jon Hayashi

Dear Mr. Fujiyama:

WITHDRAW SUBDIVISION APPLICATION

SUBDIVIDER: HAWAII OUTDOOR TOURS, INC.

Proposed Consolidation of Lots 3-A, 3-B, 3-C, 3-D & Road Lot 3-E,
And Resubdivision into Lots 1 through 90, Inclusive and Road Lot
Keaiwa, Ka'u, Island of Hawai'i, Hawai'i

TMK: 9-6-013:003, 007, 008, 009 & 010 (SUB-05-000077)

As requested in your e-mail of March 19, 2007, we are withdrawing the subject subdivision application from our active files. With the withdrawal of this subdivision application (SUB-05-000077), we will also withdraw Variance No. 05-106 that was associated with the subdivision request. Please accept our apologies for our oversight on this matter.

This shall also acknowledge receipt of a new subdivision application for the subject properties and your granting of a one (1) week time extension for our preliminary review of the new submittal. Formal acknowledgement of the application will follow under separate cover.

Pursuant to Article 4, Section 23-60(c), Chapter 23, Subdivision Control Code, a portion of the filing fee equivalent of ten percent (10%) of the fee or fifty dollars (\$50.00), whichever is greater, shall be retained for applications which have been withdrawn or denied before granted tentative approval. Therefore, \$247.50 (\$2475.00 x 10%) shall be retained and the remaining \$2,227.50 will be returned to you under separate cover.

Ken Fujiyama, C.E.O.
Hawaii Outdoor Tours, Inc.
Page 2
July 15, 2008

Should you have any questions, please feel free to contact Jonathan Holmes of this department.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

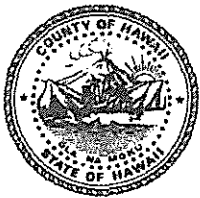
JRH:lnm

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xc: Manager, DWS
 Director, DPW
 District Environmental Health Program Chief, DOH
 District Engineer, DOT
 DLNR-Land Division (Hilo)
 Blaine W. Ito, LPLS, True North Surveys, Inc.
 Planning Department – Long Range Section
 M. Shimizu, Accountant I w/copy of Receipt #2124
 SUB 3386, 3565, 7237 & SUB-08-000768
 VAR-05-106

VAR 05-106

Harry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
LEED™ AP
Deputy Director

County of Hawaii
PLANNING DEPARTMENT
101 Aupuni Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • FAX (808) 961-8742

March 7, 2006

Mr. Jon Hayashi
Nani Mau, Inc.
421 Makalika Street
Hilo, HI 96720

Dear Mr. Hayashi:

SUBJECT: SUBDIVISION APPLICATION NO. 05-000077
APPLICANT: HAWAII OUTDOOR TOURS
TAX MAP KEY: 9-6-013:003; 007, 008, 009, 010

PDV 05-000106

On November 30, 2005, the Planning Department received an application for a variance from sec. 23-84, water system requirements, for this pending subdivision. The only description of the proposed variance was that it would be to "install a private water system by well to serve the proposed subdivision." This is not enough information for a decision on whether or not to permit the proposed variance.

While it is possible to obtain a variance to allow a private water system, you would have to select one of two possibilities: (1) that the private system would be constructed in accordance with all of the current standards of the Department of Water Supply, with respect to number of wells, tank and pipeline sizes, materials, etc., or (2) that you are requesting deviations from those standards. If the variance is for (2), you must specify each of the requested deviations (for example, to use a different specified material for storage tanks.)

Until we receive this information, we cannot accept the proposed application as complete. Under Rule 6-4 of the Planning Department rules, the director "shall neither accept nor process an application which is incomplete as to form and content."

MAR 07 2006

Mr. Jon Hayashi
Nani Mau, Inc.
Page 2
March 7, 2006

We will hold this variance application pending for 60 days. If we do not receive a complete application, with the information requested above, by **May 8, 2006**, we will reject the variance application and refund the \$100.00 filing fee.

Regarding the subdivision itself, our June 6, 2005 letter also requested some information that we have not received.

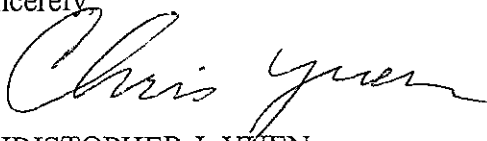
We asked for a Special Management Area Assessment ("SMAA") for the project because the proposed preliminary plat map subdivided property in the SMA. After reviewing the SMAA, we would decide whether the project required a SMA major permit, a minor permit, or was exempt. We note that the proposed subdivision would create 24 new lots within the SMA, in a currently undeveloped area.

We also inquired about the conservation district. Because the proposed preliminary plat map subdivides the conservation district, it cannot be approved without a conservation district use permit ("CDUP"). In turn, a CDUP requires an environmental assessment under H.R.S. Chap. 343. We are not aware of an application for such a permit being filed, and have not seen a notice for an environmental assessment. There is no point in reviewing the preliminary plat without a CDUP.

We also asked about the status of historic sites review. The proposed subdivision requires review by the state historic preservation division under H.R.S. sec. 6E-42. Before granting tentative approval, we would require either a letter from SHPD that the proposed subdivision will have "no effect" upon historic sites, or an inventory survey approved by SHPD.

Please address each of these issues no later than **May 8, 2006**. If you are not going to proceed with the conservation district use permit, the environmental assessment, or the historic sites review, or file the SMAA, we do not want to keep this subdivision application active.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

CJY:pak
Wpwin60:Chris/Hawaii Outdoor Tours, Inc. (Fujiyama)

Mr. Jon Hayashi
Nani Mau, Inc.
Page 3
March 7, 2006

cc: VAR 05-106
SUB 05-000077