

April 30, 1990

Mr. Tim Lui-Kwan
Carlsmith, Wichman,
Case, Mukai and Ichiki
121 Waiianuenu Avenue
Hilo, HI 96720

Dear Mr. Lui-Kwan:

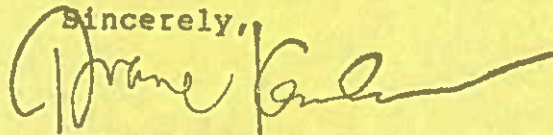
Special Management Area (SMA) Use Permit
Assessment Application
Consolidation/resubdivision of 2 lots
TMK: 8-1-9: 27, 8-1-10: 2; Kaawaloa, South Kona, Hawaii

We have received and reviewed a Special Management Area Use Permit Assessment Application for the proposed consolidation of 2 lots and resubdivision into 2 new lots. It is our understanding that there will be no ground disturbing or construction activities involved.

We find that the proposed consolidation and resubdivision of the 2 subject lots is outside the definition of "development" under Planning Commission Rule No. 9, Special Management Area Rules and Regulations. Therefore, the proposed action, as described above, is exempt from further SMA review. Be advised that this exemption for subdivision is a one-time only exemption, and the resultant parcels will not qualify for another. Also note that any use or alteration of or construction upon the land will require a separate, prior assessment under these rules.

Should you have any questions about this letter please contact Rick Warshauer of this office.

Sincerely,



DUANE KANUHA
Planning Director

FRW:aeb

cc: SMA Section
West Hawaii Planning Coordinator
Subd 90-39

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