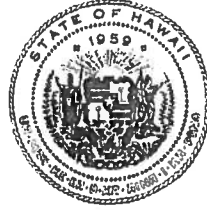


LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

PETER T. YOUNG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
DEPUTY DIRECTOR

AQUATIC RESOURCES  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

REF:OCCL:MC

FILE NO.: HA-3404

Acceptance Date: February 13, 2007  
180-Day Expiration Date: August 12, 2007

FEB 16 2007

Gregory Mooers  
Mooers Enterprises LLC  
PO Box 1101  
Kamuela, HI 96743

Dear Mr. Mooers:

**NOTICE OF ACCEPTANCE**  
**Conservation District Use Application (CDUA) File No. HA-3404**  
**(Departmental Permit)**

This acknowledges the receipt and acceptance for the processing of your CDUA for the proposed consolidation and re-subdivision of three lots in Kahuloa, South Kona, Hawai'i, TMK: (3) 8-3-05:10, 12, & 13.

The three parcels lay on Kahuloa Bay, on the north end of Keawaiki Beach Lots. The largest, 05:13, is 1.44 acres and abuts the shoreline. The other two parcels lie mauka of this, and are 0.40 acres and 0.36 acres respectively. The parcels are all in the General Subzone of the State Land Use Conservation District.

Each of the lots is fully developed, with a single-family residence and landscaping on each lot. Our records show that the permits on each lot appear to be up to date.

The applicant proposes to consolidate and re-subdivide the lots from three parcels into three. The proposed re-subdivision would give each of the lots a shoreline section. The new lots would be 28,990 square feet, 21,570 square feet, and 45,330 square feet. Each new parcel would contain one of the existing single-family residences.

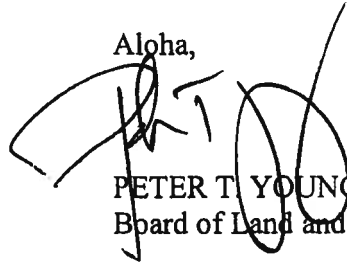
No other developments are being proposed as part of this proposal.

After reviewing the application, we find that:

1. The consolidation and re-subdivision is an identified land use within the Conservation District, pursuant to Hawai'i Administrative Rules (HAR) §13-5-24 *Identified land uses in the protective subzone*, P-11 *SUBDIVISION OR CONSOLIDATION OF PROPERTY*, (C-2) *Consolidation of property into a lesser number of legal lots of record currently existing and approved, which furthers the objectives of the subzone. Consolidation followed by a subdivision shall constitute a subdivision.* The final decision as to whether to grant or deny the permits lies with the Chair of the DLNR.
2. Pursuant to HAR §13-5-40 *Hearings*, a public hearing will not be required.
3. This project is exempt from conducting an Environmental Assessment pursuant to HAR §11-200-8.

The CDUA will be given to the DLNR Chair for his consideration after all reviews and evaluations of the proposal have been made. Should you have any questions, please contact Michael Cain at the Office of Conservation and Coastal Lands at 587-0048.

Aloha,



PETER T. YOUNG, Chairperson  
Board of Land and Natural Resources

cc: Hawai'i District Land Office  
Office of Hawaiian Affairs  
Hawai'i County Department of Planning and Permitting  
DLNR – Land Division, Historic Preservation  
Kailua-Kona Regional Library