

## Brown, Larry

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**From:** Brown, Larry  
**Sent:** Tuesday, June 28, 2011 11:51 AM  
**To:** Holmes, Jonathan; Cheplic, Ed  
**Cc:** Smith, Garrett; Surprenant, April  
**Subject:** Fotie rev. FPM (SUB 06-435  
**Attachments:** SPA Plan Guide for Applicants.pdf

In reviewing records on this application, it appears that the applicant has not fully complied with the conditions of SMM 07-51, including as they were amended by our letter of 1/1/08.

I've contacted both Na Ala Hele and Ala Kahakai NHT, and pending their feedback, my initial comments are:

1. All pedestrian easements created for the purpose of providing public pedestrian access should include the word "public" in the easement label to clearly indicate the access is for public use.
2. Easement PA-8 should extend over the King's Trail along the property line to the ocean. (This is per Moana's 5/28/10 memo)
3. In the absence of any lateral public access trail easement incorporating the coastal Ala Loa or other historic trail along the coast, a 10'-wide public pedestrian easement should be included along the shoreline/top of pali. (See SMM 07-51)
4. The applicant has not submitted a public access plan for approval by the Director within time frame (2 years after permit approval) required by Condition No. 3 of SMM 07-51. As one can see from the attached guide, there is more to a public access plan than a line on a map.
5. Cond. No. 4 of SMM 07-51 requires a written estimate of construction costs for the subdivision, which does not appear to have been provided.

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