

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



PLANNING DEPARTMENT
COUNTY OF HAWAII

2012 JUN 25 PM 2: 25



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
GUY H. KAULUKUKUI
FIRST DEPUTY
WILLIAM M. TAM
DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

BW

REF:OCCL:TM

ENF: HA 12-36

Kamehameha Schools
PO Box 3466
Honolulu, Hawaii 96801

JUN 21 2012

Bill Healy Foundation
c/o Bill Healy
14075 NW Old Germantown Rd.
Portland, Oregon 97231

SUBJECT: Unauthorized Sand Placement Within the Conservation District Located at Manini Beach, Kealakeakua Bay, South Kona, County of Hawaii, TMK: (3) 8-2-006:027

Dear Landowner and Leaseholder:

The Office of Conservation and Coastal Lands (OCCL) conducted site inspections of the Kealakeakua shoreline on May 7, 2012. Sand samples were collected from the shoreline area of the subject parcel and were taken from: near the back wall adjacent to parcel 29; near the rockwall adjacent to parcel 28; the beach face; and from about 50-feet offshore.

During the collection of the offshore sample, it was noted that most of Kealakeakua Bay was strewn with large boulders and devoid of sand with the exception of a pocket from which the sample was collected.

The adjacent shorelines were also inspected for sand and rubble caused by littoral processes. (Exhibit A). Parcel 27 has white sand with coral rubble. The nearby roadway/parcel 10 does not have white sand or coral rubble introduced by littoral processes.

In addition, samples were also collected from the shorelines southeast and southwest of Napo'opo'o Landing. These sand samples were of a much darker color than from the sand samples collected from your property's shoreline.

In this particular area, the shoreline determines the Conservation District. Submerged lands of Kealakeakua Bay lie within the Protective subzone, the most restrictive subzone of the Conservation District.

Based upon the sand samples and from shoreline observation, it appears that beach sand was introduced to the shoreline area without authorization and a Conservation District land use

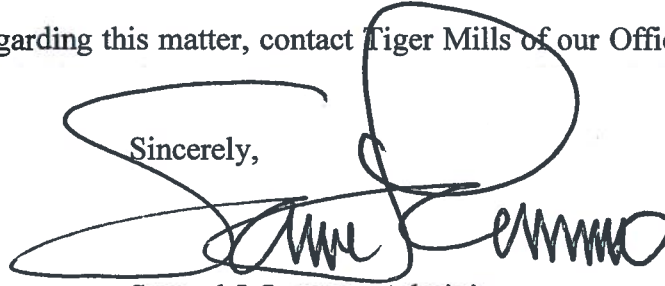
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violation has occurred. Much of the introduced sand has dissipated and mixed with the darker sand of the Kealakeakua cell. As the introduced sand appears to have been of a small quantity, appears to be native beach quality sand and does not appear to be detrimental to the ocean resource, the OCCL is recommending that the matter be resolved through our Civil Resource Violation System (CRVS).

A CRVS notice shall be forwarded to the Bill Healy Foundation to hopefully resolve this matter. Any additional sand placement within the Conservation District at this subject location, without authorization, shall be vetted by the Board of Land and Natural Resources.

Should you have any questions regarding this matter, contact Tiger Mills of our Office at (808) 587-0382.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Samuel J. Lemmo'. The signature is written over the word 'Sincerely,' and extends across the width of the signature block.

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

C: Chairperson
HDLO
County of Hawaii, Department of Planning



Parcel 27 illustrates sand and carbonate rubble on shoreline



Nearby Road/Parcel 10 illustrates no sand or rubble from littoral processes

EXHIBIT A

