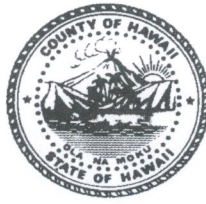


William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

West Hawai'i Office
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County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

August 3, 2015

Mr. Gregory R. Mooers
Mooers Enterprises, LLC
P.O. Box 1101
Kamuela, HI 96743

Dear Mr. Mooers:

SUBJECT: Revision of Condition No. 5
Special Management Area Use Permit No. 14-001154 (SAA 14-001154)
Project: Construct a Single-Family Residence, Install Additional
Landscaping and Re-outfit the Irrigation Well
TMK: 8-3-005:001, 020 and 021, South Kona, Hawai'i

This is to acknowledge receipt of your request dated September 29, 2014, concerning the removal of Condition No. 5 of SAA 14-001154 dated August 28, 2014. Please accept our apologies for the delayed response.

Condition No. 5 of the subject SMA determination reads as follows:

"5. A public access plan shall be submitted and approved by the Planning Director prior to issuance of a building permit for the single-family residence. This plan shall, at a minimum, provide a mauka-makai vehicular and pedestrian public access on or along Ke'ei Beach Road from Puuhonua Road to the intersection of Ke'ei Beach Road/southern end of Keawaiki Road where a parking easement sufficient to accommodate approximate ten (10) vehicles shall be provided. The access shall be reasonably safe, as determined by the Planning Department. The public access plan shall address each of the elements outlined in the "What should be included in a Public Access Plan" guide which is enclosed for your reference."

Per your letter, "[t]he requested mauka-makai vehicular and pedestrian access along Ke'ei Beach Road already exists" and "...the public will be free to continue to walk and drive along this section of roadway to the village of Ke'ei".

Mr. Gregory R. Mooers
Mooers Enterprises, LLC
August 3, 2014
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In view of the above, the Planning Department has revised Condition No. 5 to read as follows:

“5. Public vehicular and pedestrian access along Ke‘ei Beach Road, which occurs within the subject property identified by TMK: (3) 8-3-005:001 and connects the County-owned Pu‘uhonua Road to the village of Ke‘ei, shall be allowed. Any restriction of public access along this portion of the road shall first be detailed in a public access plan approved by the Planning Department. The applicant may change the status of this access should a proposed realignment of the road be approved by the Office of Conservation and Coastal Lands, the proposed realignment be constructed, and public access to Ke‘ei be granted over the proposed realignment.”

As a reminder, however, the applicant, its successors or assigns shall be responsible for complying with all other stated conditions of approval in SAA-14-0001154.

If you have questions, please contact Esther Imamura of this office at (808) 961-8139.

Sincerely,



DUANE KANUHA
Planning Director

ETI:cs

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cc: Planning Department, Kona