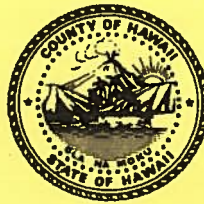


William P. Kenoi
Mayor



SMA 345
BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
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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

May 10, 2013

Mr. Byron Moku
1250 Oceanside Partners
P.O. Box 2059
Kealahou, Hawaii 96750

Dear: Mr. Moku:

SUBJECT: Public Access Complaint at Hokulia

On April 29, 2013 a complaint was filed with the West Hawai'i office of the Hawai'i County Planning Department that a member of the public was denied access to the shoreline by the security guard at the entrance to Hokuli'a subdivision. The complainant states that the security guard told him that he was being denied access because he was on a bicycle and that pedestrian access was not allowed and that access was allowed by motor vehicle only.

After a review of the Shoreline Park Management and Public Access Plan (November 1998) for The Villages at Hokukano (the Plan), which was submitted by Oceanside 1250 pursuant to Conditions "K" and "L" of Ordinance 96-7, Conditions "H" and "I" of Ordinance 96-8 and Conditions 8 and 10 of SMA Use Permit No. 345, which was approved by the Planning Director's letter of January 29, 1999, we find that the plan provides no restrictions limiting public access to motor vehicular access only over the public road from the mauka property boundary at Haleki'i Street to the shoreline or the shoreline park area.

Furthermore, any restrictions on public access prohibiting pedestrian or bicycle access by the public over roadways perfectly capable of accommodating such access would be counter to the increasing public and private efforts to reduce the public's dependence on the use of automobiles and to encourage more active lifestyles and healthy for our residents and visitors alike.

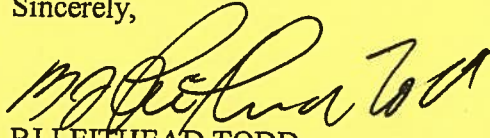
Insofar as the approved Shoreline Park Management and Public Access Plan does not stipulate that pedestrian and bicycle public access is prohibited over the public road extending from Haleki'i Street to the shoreline and shoreline park areas, we must insist that your security staff be instructed to no longer deny access to any pedestrians or bicyclists desiring to access shoreline, shoreline park areas or pedestrian trails within the 1250 Oceanside Partners development area as otherwise provided for in the Plan.

MAY 14 2013

Mr. Byron Moku
1250 Oceanside Partners
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May 10, 2013

Should you have questions, please feel welcome to contact Larry Brown of my staff at 961-8135.

Sincerely,



BJ LEITHEAD TODD
Planning Director

LMB:cs

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cc: Mr. Duane A. Girmsman
SunChase Holdings, Inc.
2260 Douglas Blvd., Ste. 240
Roseville, CA 95661

Mr. Randy Lovato, West Hawai'i Planning Office
Mr. Larry Brown, Long Range Planning
SMA 345
REZ 765
REZ 812