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[XX] **VIA HAND-DELIVERY**

January 27, 2016

Mr. George I. Atta
Director Department of Planning and Permitting
City & County of Honolulu
650 S. King Street, 7th Floor
Honolulu, Hawai'i 96813

Re: Hanapohaku LLC
File Nos. 2015/SMA-8, 2015/SMA-24 and 2015/SMA-47

Dear Mr. Atta:

We represent a group of landowners who have an ownership interest in Pahoe Road, a private road, located in the Pupukea area on the North Shore. Our clients are very concerned about the three SMA Permits (Minor) ("Permits"), referenced above, that was issued by the Department of Planning and Permitting ("DPP") to Hanapohaku LLC.

Hanapohaku LLC ("Hanapohaku") is the owner of three contiguous parcels that border Pahoe Road: 59-063 Pahoe Road, TMK No. (1) 5-9-11-70; 59-712 Kamehameha Hwy., TMK No. (1) 5-9-11-68 and 59-716 Kamehameha Hwy., TMK No. (1) 5-9-11-69 (collectively "Project"). Pursuant to the Permits which were submitted by Hanapohaku and approved by DPP, the total value of the Permits exceeds \$1,427,000. Although the Permits were submitted separately, our clients strongly feel that the Permits should be consolidated and considered collectively. The Project is owned entirely by Hanapohaku and it is clear that the Permits were separately submitted to avoid certain requirements as set forth below.

The Project is within the special management area as set forth in Haw. Rev. Stat. § 205A-23. As such, the Project is subject to ROH Chapter 25's requirements and restrictions.

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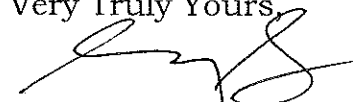
ROH Sec. 25-1.3 provides that "Special management area use permit means an action by the agency authorizing development, the valuation of which is not in excess of \$500,000 and which has not substantial adverse environmental or ecological effect, taking into account potential cumulative effects." (internal quotations omitted). In this case, although Hanapohaku has received three separate SMA Permits (Minor), the collectively Project is clearly exceeds the development maximum. As such, Hanapohaku must be required to obtain a Special management area use permit (Major). *Id.*

As you are well aware, among other requirements, a Special management area use permit (Major) requires the applicant to submit an environmental assessment or a completed environmental impact statement. *See* ROH Sec. 25-5.1. Hanapohaku has not submitted either.

Accordingly, our clients respectfully requests that DPP rescind the Permits, require Hanapohaku to submit a consolidated Special management area use permit (Major), and require Hanapohaku to comply with all of the necessary requirements of a Special management area use permit (Major).

We look forward to hearing from you.

Very Truly Yours,



Margery S. Bronster
Sunny S. Lee