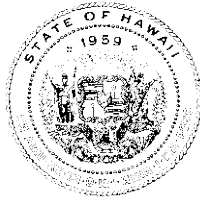


DAVID Y. IGE  
Governor



DANIEL E. ORODENKER  
Executive Officer

**LAND USE COMMISSION**

Department of Business, Economic Development & Tourism  
State of Hawai'i

September 15, 2021

Calvert G. Chipchase  
Cades Schutte L.L.P.  
1000 Bishop Street, Suite 1200  
Honolulu, Hawai'i 96813

Subject: Errata for State of Hawai'i Land Use District Boundary Interpretation No. 01-20, Tax Map Key: 5-6-001: 074, 56-102 Old Coast Guard Road, Kapaa-Upolu, North Kohala, Hawai'i

Dear Mr. Chipchase,

Our sincerest apologies but we regret to inform you that in re-reviewing Boundary Interpretation No. 01-20, dated October 27, 2021, we were in error both with regard to the maps and dates of the relevant documents and some of the information provided. To be specific, we erroneously stated:

“It is our understanding the SLU Agricultural / Conservation District designation for the subject parcel was established during the original 1964 Boundary Review, effective dated August 23, 1964.”

This is incorrect, the subject parcel at that time was in the SLU Agricultural District based on the original 1964 District Boundaries Map H-3, Mahukona Quadrangle effective dated August 23, 1964.

The correct SLU Agricultural / Conservation Districts was established during the 1969 Boundary Review when the commission proposed and approved a 300 foot setback from the “line of wave action” or shoreline for the subject parcel and the surrounding area. In our original, analysis we had concluded the conservation district was in part

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delineated by a trail or roadway. The actual demarcation or reference point was redefined in 1969, rendering the 1964 determination inapplicable.

The SLU Agricultural / Conservation District designation for the subject parcel is depicted on the SLU 1969 District Boundaries Map H-3, Mahukona Quadrangle, effective dated August 04, 1969, and is unchanged for the current SLU 1974 District Boundaries Map H-3, Mahukona Quadrangle, effective dated December 20, 1974.

We enclosed the copy of the survey map entitled, "Shoreline Survey Map of Lot 19-A as Shown on Map 34 of Land Court Application 1120", with the certification of the SLU District Boundaries for your reference.

Please except our apologies for your inconvenience and our erroneous information. We hope our clarification is acceptable and if you have any questions please contact our office at 808.587.3822.

Sincerely,



Daniel Orodener  
Executive Officer

c: Nathan Eggen, P.O. Box 1599, Kapaau, HI 96755  
Samuel J. Lemmo, Administrator, Office of Conservation and Coastal Lands,  
(w/enclosure)  
Michael Yee, Planning Director, County of Hawaii Planning Department  
(w/enclosure)  
Bethany Morrison, County of Hawai'i Planning Department  
Mary Aken, Tax Map & Records Supervisor, County of Hawai'i Planning  
Department (w/enclosure)  
Gilbert Bailado, GIS Analyst, County of Planning Department (w/enclosure)