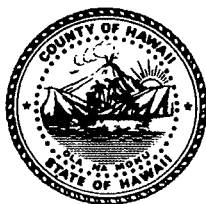


Harry Kim  
Mayor

Roy Takemoto  
Managing Director

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**County of Hawai'i**  
PLANNING DEPARTMENT

Michael Yee  
Director

April Surprenant  
Acting Deputy Director

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101 Pauahi Street, Suite 3  
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July 10, 2020

Mr. Derek B. Simon  
Carlsmith Ball LLP  
1001 Bishop Street, Suite 2100  
Honolulu, Hawai'i 96813

Dear Mr. Simon:

**SUBJECT: SMA Compliance Request**  
**Applicants: Kevin M. Barry and Monica S. Barry, Trustees of the Barry**  
**Family Trust Dated November 15, 2006**  
**Tax Map Key: (3) 1-5-059:059 Kea'au, Puna, Hawai'i**

This is in response to your letter dated May 28, 2019 requesting written confirmation from the Planning Department that the processing of the SMAA application after the SLUB action has been completed is acceptable. This letter confirms that the SMAA application can be submitted to the Planning Department for processing after the SLUB action has been completed is acceptable.

We apologize for the delay in responding. If you have any questions, please feel free to contact Jeff Darrow at 961-8158.

Sincerely,

MICHAEL YEE  
Planning Director

JWD: ks

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**EXHIBIT 16**