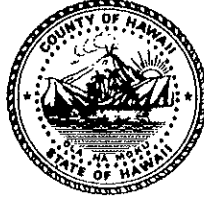


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i

PLANNING DEPARTMENT

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

May 16, 2011

Mr. Orlando "Dan" Davidson, Executive Officer
Department of Business, Economic Development & Tourism
Land Use Commission
P.O. Box 2359
Honolulu, HI 96804-2359

LAND USE COMMISSION
STATE OF HAWAII
2011 MAY 18 P 1:33

Dear Mr. Davidson:

Eleventh Amendment to LUC Docket No. SP73-159 (SPP No. 247)

Applicant: Nani Mau, Inc.

Subject: 2011 Annual Progress Report

Tax Map Key: 2-2-048:013

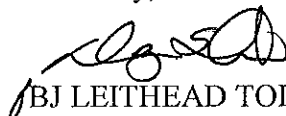
We have reviewed the 2011 annual progress report submitted in compliance with Condition No. 9 of LUC Docket No. 73-159. We find that the report is acceptable. Based on Condition No. 9, the Planning Director acknowledges that all conditions are being complied with and acknowledges that no further reports are needed at this time.

The Applicant should keep in mind that during the Ninth Amendment a motion was made to delete Condition No. 7 (roadway improvements), subject to the condition that in the event the Applicant seeks to amend the Special Use permit and said amendment involves either additional uses beyond those which are currently allowed or the expansion of the retail commercial area beyond 25,000 square feet, the Applicant shall prepare a traffic impact analysis report ("TIAR") that (i) identifies the traffic impacts attributable to the proposed development and recommended mitigative measures, (ii) reflects the latest planning efforts for transportation, and (iii) is subject to review and approval of the DOT and the County of Hawai'i. The Applicant shall further provide the appropriate mitigative measures pursuant to the TIAR.

Mr. Orlando "Dan" Davidson
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May 16, 2011

If you have any questions, please feel free to contact Daryn Arai at 961-8142.

Sincerely,


BJ LEITHEAD TODD
Planning Director

JWD:smn

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cc: Jon Hayashi