



# LAND USE COMMISSION

*Komikina Ho'ohana 'Āina*

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

*Ka 'Oihana Ho'omōhala Pā'oihana, 'Imi Wai a Ho'omāka'ika'i*

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August 9, 2023

Walton D. Y. Hong, Esq.  
3135-A Akahi Street  
Līhu'e, Hawai'i 96766

**SUBJECT: SP05-399 Kaua'i ATV LLC**

Dear Mr. Hong:

The Land Use Commission ("LUC") recently received an inquiry from the public about the status of Special Permit SP05-399 Kaua'i ATV LLC.

The last annual report we have on file is dated December 30, 2010. It sets forth that the Applicant had submitted a request to the Kaua'i Planning Commission on November 3, 2010, seeking a five-year extension to the Special Permit.

It also represented that the application for extension of time had been accepted for processing by the County, but no hearing date had been set by the Kaua'i Planning Commission.

LUC staff could not locate any further updates in the file to report what had occurred during and after the Kaua'i Planning Commission review of this issue.

The public caller also reported that recreational activities were currently being conducted on the property and that they were seeking further information from the County on whether these activities were permissible.

This matter is of concern to the LUC as the SP05-399 State Special Permit has expired and no current LUC permit is in effect to authorize any operations being conducted in the Petition Area and adjoining properties.

If you are still the attorney representing Kaua'i ATV LLC, we would request a comprehensive update on this matter. If you no longer represent the entity, please advise and/or provide any available contact information so that we may obtain information on current status of activity on the property and the SP.

Walton D.Y. Hong, Esq.  
SP05-399 Kaua'i ATV LLC  
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Should you have any questions, please contact LUC planner Riley Hakoda, at (808) 587-3824 or via email at [riley.k.hakoda@hawaii.gov](mailto:riley.k.hakoda@hawaii.gov).

Mahalo!

Sincerely,



Daniel Orodener  
Executive Officer  
Land Use Commission  
State of Hawai'i

Enclosure- Copy of 2010 SP05-399 annual report submittal

CC: Kaua'i Planning Commission c/o Ka'āina Hull  
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