

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE, MAUI BRANCH
1955 MAIN STREET ROOM 301
WAILUKU, HAWAII 96793

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

July 3, 2018

Mr. Ted Pettit
Case Lombardi and Pettit
737 Bishop Street, Suite 2600
Honolulu, Hawaii 96813

Subject: State lands and trail at Hoolawa Bay with regards to TMK No. (2) 2-9-001-032

Dear Mr. Pettit,

This follows our letters of February 6, 2017, May 16, 2017 and January 4, 2018 regarding the subject property, in which we informed you that our records indicate that a public trail crosses through TMK No. (2) 2-9-001:032, for which your client, Mr. Richard Perry, is the owner of record. In our previous correspondence with you, we noted that the trail is owned in fee simple by the State of Hawai'i, and that we would be conducting a land survey in order to identify the exact location of the trail. The initial field work for that survey is now complete, and temporary pins have been placed along the centerline of the trail. The purpose of this letter is to inform you of the results of that survey, advise you of our plans regarding the state trail, and solicit any comments or suggestions you may have regarding our intentions to establish and enforce public access to the state trail.

The Division retained the licensed survey firm of CDF Engineering, LLC to conduct the survey of the state trail that is shown on Registered Map 862 and referenced in our previous correspondence to you. We surveyed the state trail shown on Registered Map No. 862, from the south at state parcel TMK No. (2) 2-9-002:012 to the shoreline, and placed temporary stakes with flagging along the center line of the trail. The map below depicts the location of the state trail identified on Registered Map 862, as determined by the survey.

The state intends to mark the location of the trail using standard survey pins and signage, and complete a metes and bounds description for the historic trail. Upon completion of those tasks, the state intends to enforce applicable laws for public access to, and use of, those state lands, including use of the historic trail for public access to the shoreline at Hoolawa Bay. However, we understand that the exact locations of historic roads and trails may change over time according to use patterns, and would be happy to discuss any

adjustments to the location and route of the trail that may be prudent where circumstances warrant such adjustments.

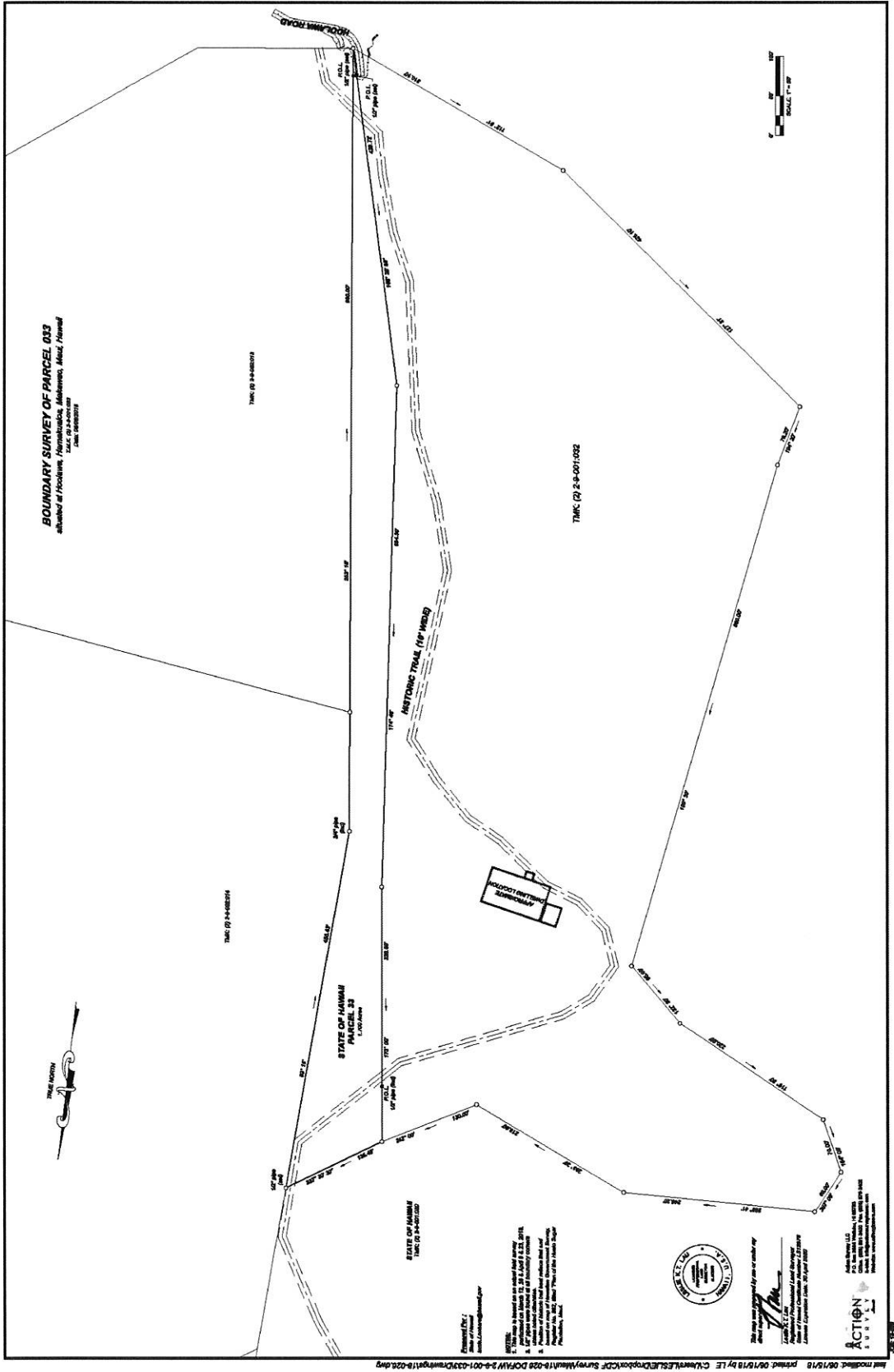
We would be happy to consider any comments you have on this matter and discuss any issues that may be of concern to your client. Please contact me or Mr. Bill Wynhoff, Deputy Attorney General, at your convenience if you would like to discuss this. If we do not hear from you within 30 days of the receipt of this letter we will assume you have no comments.

Sincerely,



Scott Fretz
Branch Manager

Cc: Bill Wynhoff, Deputy Attorney General



BOUNDARY SURVEY OF PARCEL 033
situated at Hoolawa, Hanalei, Kauai, Hawaii
T.M.C. 03-2-0-001-002
DATE: 08/15/18

T.M.C. 03-2-0-001-002

T.M.C. 03-2-0-001-002

T.M.C. 03-2-0-001-002

T.M.C. 03-2-0-001-002

HOODLAW TRAIL

STATE OF MAHAWI
PARCEL 033
1,700 Acres

Surveyor
Name: [Signature]

NOTICE:
1. This map is prepared in accordance with the provisions of the Revised Surveying Act of 1991.
2. The survey was conducted on 08/15/18.
3. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
4. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
5. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
6. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
7. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
8. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
9. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.
10. The survey was conducted in accordance with the provisions of the Revised Surveying Act of 1991.



ACTION
SURVEYING
LLC
1000 Kalia Road, Suite 200
Honolulu, Hawaii 96813
Phone: (808) 943-1234
Fax: (808) 943-1234
Email: info@action-surveying.com
Website: www.action-surveying.com