



Maika'i Kamakani 'O Kohala, Inc., 501(c)(3)

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Chris Yuen, Planning Director

County of Hawaii Planning Department
101 Pauahi St., Suite 3
Hilo, HI 96720

July 3, 2008

RE: Surety Kohala/Kohala Preserve Land Trust Permits at Mahukona

Aloha, Mr. Yuen,

The conditions and context under which the permits for the proposed Mahukona development were originally issued have significantly changed and the permits should be let to expire and/or revoked. We encourage you to revoke the permits issued to Surety Kohala for its resort and luxury home development at Mahukona and will support the County in all possible ways during any revocation process. Surety Kohala is in violation of its permits and has not made the necessary progress to justify yet another time extension.

Furthermore, we have reason to believe that Surety Kohala may be trying to legitimize its plans at Mahukona and legitimize its request for yet another extension by insinuating that it has diverse community support and deep relationships with Island groups interested in community programs at Mahukona sponsored by Surety. These claims are exaggerated and please know that Surety's proposed luxury development continues to be strongly opposed by most of North Kohala.

Previously Surety tried to justify the extension of their permits by stating that the Kohala ditch would not be repaired if their permits were not extended. Time has proven how false this assertion was. The majority of funding secured for the ditch repairs is the result of hard work by area farmers and ranchers, not Surety Kohala. In fact, it is common knowledge that Surety Kohala has been disorganized in moving forward with repairs, was slow to come forward with any funding, and has resisted ensuring ditch water will be reserved for agricultural purposes. Please do not allow Surety's attempts to legitimize itself in ways that have nothing to do with the proposed project and permits sway the County. It is time to let this project expire.

The draft North Kohala Community Development Plan directs the County to honor permit deadlines and not continually renew development permits. The plan also calls for protection of the coast in open space and proposes that Mahukona be acquired to preserve the cultural sites and cultural context of the area in whole, as well as preserve the incredible viewplanes and open space of the coast.

We have had preliminary discussions with the Native Hawaiian Legal Corporation and are prepared to take legal action if another time extension is granted. However, we hope this is not necessary.

Sincerely,
Stephanie N. Naihe Laxton
President, Board of Directors