

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 13, 2017

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Maui

Annual Renewal of Revocable Permits in the County of Maui. See Exhibit 2 for list of Revocable Permits.

HRS CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject action is exempt from the preparation of an environmental assessment pursuant to Exemption Class 1, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." See Exhibit 1 attached.

BACKGROUND:

At the end of each calendar year, Land Division reviews its list of current revocable permits issued statewide and determines which ones to recommend to the Board of Land and Natural Resources (Board) for renewal for the upcoming year. Generally, those revocable permits in good standing will be recommended for renewal, unless the Board has approved a different disposition for the land covered by a particular permit.

In the past, staff has brought all revocable permits to the Board for renewal in one submittal. At its meeting on December 11, 2015, Item D-14, as amended, the Board directed staff to submit revocable permit renewals by county over four meetings, with an explanation of why a revocable permit is the appropriate disposition and how the rent was set. At its meeting on June 24, 2016, Item D-7, as amended, the Board further approved the recommendations of the Department of Land and Natural Resources Revocable Permit Task Force, requesting all divisions notate any non-compliance issues and pending litigation in the renewal template. In accordance with these directives, staff is submitting the County of Maui annual revocable permit renewal request, including the additional information the Board requested.

REMARKS:

The list of revocable permits for County of Maui that staff recommends be renewed for 2018 is attached as Exhibit 2. Included in the exhibit are the revocable permit number, permittee names, tax map keys, original commencement date of the permit, character of use, land area, annual rent, method by which staff set the rent and the rationale behind the issuance of a revocable permit. General location maps of the revocable permits to be renewed are attached as Exhibit 3.

Staff has procured a contract with CBRE, Inc. through James Hallstrom (Appraiser) for appraisal services to assist in valuing the rent to charge for the use of State lands underlying revocable permits statewide as of January 1, 2018, and ground rent discounts for tenancy and use restriction, if any. Upon receipt of the portfolio appraisal report(s) for these assets, staff will obtain the Chairperson's approval for the implementation of new rents, unless the Board would prefer that staff return to the full Board for review of the rents. With respect to the assets for which it did not make financial sense to appraise (i.e. the appraisal cost far exceeded the annual revenue anticipated to be generated), staff will increase these rents by a percentage recommended by the Appraiser, or by 1.5% if the Appraiser has no recommendation for a particular permit. In the event the portfolio appraisal report has not been completed and its recommendations approved by the Chairperson by the end of the calendar year, staff will apply a 1.5% increase over the previously adjusted 2017 rents, and implement the appraisal rents in 2018 after receipt and Chairperson approval of the portfolio appraisal report.

The following State and County of Maui agencies were consulted on this action with the results indicated:

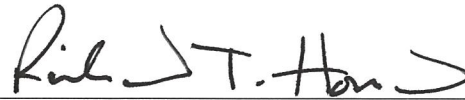
Agency:	Comment:
Division of Forestry and Wildlife	See Exhibit 4
OCCL	See Exhibit 5
State Parks	No response by suspense date
Historic Preservation	<p>Recommends continuation of revocable permits listed in Exhibit 2.</p> <p>Recommends approval of no immediate change in monthly rent provided BLNR reserves and delegates to the Chairperson the right to review and establish new rents to reflect market conditions or FMV.</p> <p>Requests the opportunity to review any permits with the potential to affect historic properties, especially any involving ground disturbing activities within the identified subject parcels.</p>
Engineering	No comments
Maui District Land Office	Incorporated comments into Exhibit 2
Commission on Water Resource Management	No response by suspense date

Division of Conservation and Resources Enforcement	No response by suspense date
Department of Hawaiian Home Lands	No response by suspense date
Department of Agriculture	No comments on specific permits, however DOA did point out that those permits slated for transfer per Act 90 require the Board of Agriculture's approval prior to the Governor's issuance of an EO. DOA staff also needs to perform due diligence of proposed transfer parcels.
Agribusiness Development Corporation	No comments
Office of Hawaiian Affairs	No response by suspense date
County of Maui Planning Dept.	No objections
County of Maui Dept. of Public Works	No comments
Department of Water Supply	No response by suspense date

RECOMMENDATION: That the Board:

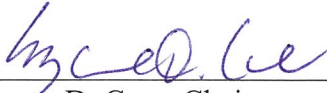
1. Approve the continuation of the revocable permits listed in Exhibit 2 on a month-to-month basis for another one-year period through December 31, 2018, except for permits that are in arrears of rental payment for more than 60 days and/or have been approved for forfeiture by a separate Board action. Permits in arrears of rental for 60 days or more and/or approved by the Board for forfeiture shall not be renewed; and
2. Approve no immediate change in current monthly rent for revocable permits as listed in Exhibit 2, provided however, that the Land Board reserves and delegates to the Chairperson the right authority at any time to review and implement new rental charges for the revocable permits listed in Exhibit 2, effective any time from and after January 1, 2018, to incorporate the finding of the portfolio appraisal report. For any revocable permits not covered by the portfolio appraisal report, the Chairperson may make rental adjustments as recommended by the Appraiser, or in the event the Appraiser makes no recommendation, then a 1.5% increase for 2018. In the event the portfolio appraisal report has not been completed and its recommendations approved by the Chairperson by December 31, 2017, a 1.5% increase will be applied to all revocable permits over the previously adjusted 2017 rents, and the appraised rents will be implemented in 2018 after receipt and Chairperson approval of the portfolio appraisal report, to reflect market conditions or the fair market rental for the rights and privileges granted by such revocable permits and to best serve the interests of the State.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rich T. Howard", written over a horizontal line.

Richard T. Howard
Land Agent

APPROVED FOR SUBMITTAL:

A handwritten signature in blue ink, appearing to read "Suzanne D. Case", written over a horizontal line.

Suzanne D. Case, Chairperson

A handwritten checkmark in black ink.

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Annual Renewal of Revocable Permits on the County of Maui.

Project / Reference No.: Not applicable

Project Location: Various locations on the County of Maui

Project Description: Renew existing revocable permits for a term of one year.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject request for annual renewal of revocable permits for the County of Maui is exempt from the preparation of an environmental assessment pursuant to Exemption Class 1, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," and Item No. 51, "Permits, licenses, registrations, an rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

The annual renewal of existing revocable permits on State lands involves the continuation of existing uses on the lands. No change in use is authorized by the renewal.

Consulted Parties: Agencies listed in submittal.

Recommendation: That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

REVOCABLE PERMIT MASTER LIST 2018

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit

Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
MAUI COUNTY							
rp4450	TEXEIRA, JOSEPH	(2) 3-1-001:001-0000	12/12/1969	Underground Pipeline Easement	0	426.72	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the Portfolio Appraisal Report's (PAR) completion and approval by the Chairperson. •The permittee is deceased. MDLO working with permittee's granddaughter to convert rp to an easement. A portion of the survey has been completed.
rp5171	HOOPII, RICHARD	(2) 3-1-004:029-0000	10/1/1975	Cultivation of Taro, Bananas and Potatoes	0.13	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The parcel is a Board approved transfer to DOA per Act 90.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp5405	MANA KAI APT OWNERS ASSN.	(2) 3-9-004:001-0000	5/27/1977	Landscaping and Maintenance	0.298	1,539.24	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Permittee using only a portion of the parcel for landscaping. The permit stipulates that the public shall have full and unrestricted use of the permit area, and permittee will install such signs as are deemed necessary by the Maui District Land Agent to indicate premises are open to the public.
rp5710	WAIAKOA HOMEOWNERS ASSOCIATION	(2) 2-2-009:070-0000	8/1/1979	Right, Privilege and Authority to Construct, Reconstruct, Use and Maintain Easement Areas for Water Tank and Pipeline	0	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The permit was supposed to be converted to an easement, applicant's engineer's drawings were not detailed enough for Survey Div. MDLO to investigate.

UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp5834	HALE PAU HANA HOMEOWNERS ASSN.	(2) 3-9-005:001-0000	3/1/1980	Construction of a Rubble Rock Revetment	0.103	3,520.44	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •At its meeting on 3/10/11, item D-5, the Board approved the cancellation of the permit and the issuance of a term easement. An appraisal was done, but the valuation was disputed by permittee, which commissioned its own appraisal.
rp5835	HALE PAU HANA HOMEOWNERS ASSN.	(2) 3-9-005:001-0000	5/10/1980	Landscaping, Maintenance and Two Stairways	0.555	441.96	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •At its meeting on 3/10/11, item D-5, the Board approved the cancellation of the permit and the issuance of a term easement. An appraisal was done, but the valuation was disputed by permittee, which commissioned its own appraisal.

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NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp5847	TEXEIRA ET AL, JOSEPH R.	(2) 3-1-006:001-0000	6/1/1975	Water Tank Site and Pipeline	0.147	200.52	<ul style="list-style-type: none"> •Rent increased by 28.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The permittee is deceased. MDLO working with permittee's granddaughter to convert rp to an easement. The survey is partially complete.
rp5900	KEAWAKAPU HOMEOWNERS ASSN.	(2) 3-9-004:140-0000	6/1/1980	Landscaping	0.338	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Permittee using only a portion of the parcel for landscaping & maintenance.
rp6047	DURO, TRAV	(2) 4-5-13:2-A; 26-A	9/16/1983	Maintenance of Existing Seawall and Landscaped Area	0.008	320.04	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to convert rp to an easement.

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp6121	KAHAKULOA PROTESTANT CHURCH	(2) 3-1-004:005-0000	4/1/1984	Community Related Activities	0.33	478.08	<ul style="list-style-type: none"> •Rent increased by 28.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff will cancel rp and recommend direct lease to a different 501 (c)(3) to rehabilitate the building. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming. Mistakenly referred to as rp6546 on Exhibit 5.
rp6199	UNITED STATES OF AMERICA	(2) 2-2-007:009-0000	3/19/1985	Weather Monitoring Instruments	0	0	<ul style="list-style-type: none"> •Rent is gratis. •RP issued to a governmental agency.
rp6648	CARTER, CHARLES G.	(2) 3-1-4:101,104, 106	8/1/1989	General Agriculture	1.094	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Parcels are either landlocked, or economically unsuitable due to size and shape.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp6766	LOOMIS, JAMES C.	(2) 2-9-003:040-0000	6/1/1991	General Agriculture	14.76	1,127.76	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.
rp6816	DEPT. OF ACCOUNTING &	(2) 5-3-005:010-0000	8/1/1992	Temporary Baseyard and Drainage Basin	4	0	<ul style="list-style-type: none"> •Rent is gratis. • RP granted to State Agency. MDLO working with DAGS, DOCARE, COM Dept. of Public Works and Dept. of Water Supply on set-aside via EO for base yard purposes.

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7208	RAYCOM NATIONAL, INC.	(2) 2-2-007:015-0000	1/16/2000	Television Translator, Shelter and Tower Facility	0.204	11,295.00	<ul style="list-style-type: none"> •Rent increased by 25.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction. <p>With respect to OCCL's comments, a letter dated November 8, 1989 from the Chairperson informing Robert J. Smolenski, attorney for King Broadcasting Company that its Conservation District Use Application for a transmitter, building, antennas and related site improvements for television station KOGG at Haleakala, Maui was approved on October 27, 1989, subject to certain conditions (MA-2271).</p>
rp7209	RAYCOM NATIONAL, INC.	(2) 2-2-007:014-0000	1/16/2000	Test Site Facility for Television Signal Transmission	0.166	11,295.00	<ul style="list-style-type: none"> •Rent increased by 25.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction.

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REVOCABLE PERMIT MASTER LIST 2018

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7220	STATE OF HAWAII, DLNR	(2) 1-3-004:015-0000	8/1/2000	Storage	0.344	0	<ul style="list-style-type: none"> •Rent is gratis. • At its meeting on 2/12/16, Item D-6, the Board approved the cancellation of DOFAW's rp and the issuance of an rp to the Maui Invasive Species Committee.
rp7343	CLUB LANAI PROPERTIES, LLC	(2) 4-9-003:027-0000	3/1/2000	Channel Clearing, Buoy Placement, Pier Construction and Maintenance, and Conducting of Commercial Activities (Docking, Loading and Unloading of Commercial Tour Boats)	2.073	27,017.64	<ul style="list-style-type: none"> •Rent increased by 25.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to convert rp to an easement.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7345	HUNTER, MURRAY	(2) 2-9-013:014-0000	9/1/2002	Pasture	79.1	249.96	<ul style="list-style-type: none"> •Rent increased by 22.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore with DOA the possibility of transfer under Act 90. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming.
rp7479	HERTZ, MARY MAXWELL	(2) 2-1-005:122-0000	1/1/2010	General Agriculture	6	3,520.44	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.
rp7484	YAMADA PACIFIC, INC.	(2) 4-5-001:053-0000	1/1/2010	Patio/Lanai in Conjunction with Bar and Restaurant Operations Conducted on Permittee's Adjacent Property	0.043	18,492.00	<ul style="list-style-type: none"> •Rent increased by 15% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to convert to an easement.

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7485	NOBRIGA'S RANCH INC.	(2) 3-1-006:003-0000	2/1/2010	Pasture	136.4	426.72	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The parcel sits in the Conservation District. Staff could not find any record of a conservation permit or application in permittee's file. Due to understaffing at the MDLO, the CDUA has not been submitted. Staff to explore with DOA the possibility of transfer under Act 90.
rp7487	NOBRIGA'S RANCH INC.	(2) 3-1-006:002-0000	1/1/2010	Pasture	187.465	579.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access to parcel from public road. Staff to explore with DOA the possibility of transfer under Act 90.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7493	NOBRIGA'S RANCH, INC.	(2) 3-1-001:004-0000	1/1/2010	Pasture	78.6	243.84	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore with DOA the possibility of transfer under Act 90.
rp7495	YOUNG, LAFAYETTE	(2) 2-9-3:17, 20	2/1/2010	Pasture	110.36	1,386.84	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction or explore with DOA the possibility of transfer under Act 90.
rp7505	AOAO NAPILI SURF APARTMENTS	(2) 4-3-002:099-0000	3/1/2010	Landscaping and Maintenance	0.23	1,813.56	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Landscaping and maintenance purposes. Amend permit to require signage stating the permit area is open to the public.

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7512	MEDEIROS, JOHN S. AND YVONNE	(2) 2-2-013:010-0000	10/1/2011	Pasture	3.096	200.52	<ul style="list-style-type: none"> •Rent increased by 28.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access to parcel per State Highways FAP No. BF-037-1 (1)/Kula Highway System.
rp7513	DAY, JOSEPH J.	(2) 1-1-006:038-0000	8/1/2010	General Agriculture	0.85	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.
rp7526	CAMBRA, JR., LOUIS G.	(2) 2-3-008:026-0000	1/1/2010	Pasture	18.365	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Irregularly shaped parcel, no legal access from public road. The parcel is a gulch, which is prone to flooding.
rp7529	KAAUAMO, JR., SOLOMON & HANNAH K.	(2) 1-1-4:13,30	2/1/2010	Intensive Ag (Taro)	2.99	609.6	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7534	DUNN, LESLIE A.	(2) 3-1-005:028-0000	2/1/2010	Raising Taro for Home Consumption Together with Use of Ditch Water	0.352	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access to parcel from public road.
rp7537	HALEAKALA RANCH CO.	(2) 1-8-001:005-0000	1/1/2010	Pasture	361.2	2,118.36	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Parcel is landlocked with no access from public road. Staff to inquire with DOFAW about the possibility of transferring parcel for forest restoration purposes.
rp7539	OLSEN, RICHARD L.	(2) 2-1-007:010-0000	1/1/2010	Recreational Fishing and Storage of Fishing Equipment	0.19	4,297.68	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7545	BROWNE, ROAN AND SUSAN	(2) 2-9-001:020-0000	2/1/2010	General Agriculture	9.63	259.08	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.
rp7549	COUNTY OF MAUI	(2) 5-7-007:016-0000	12/1/2010	Operate and Maintain a Temporary Fire Control and Rescue Station Site, Housing Fire/Rescue Personnel and Fire Fighting Apparatuses, and Maintenance of Vehicular Access to the Premises.	0.115	0	<ul style="list-style-type: none"> •Rent is gratis. • RP granted to another governmental agency as the location of the Puko'o Fire Station.
rp7551	HERTZ, MARY	(2) 2-1-005:119-0000	2/1/2010	Development, Use, Operation and Maintenance of a Water Tank Site	0.152	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to seek Board approval for sale of lease at public auction for water tank site.

UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit

consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7552	FRANCO, STEVEN J. & CAROL JEAN	(2) 2-2-003:001-0000	3/1/2010	To Construct, Maintain, Repair and Use Non-Exclusive Road Right-of-Way For Vehicular Access	0.052	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to convert to an easement.
rp7558	KAAUAMO, WILKENS P.	(2) 1-1-4:28; 1-1-5:52	3/1/2010	Agriculture	3.88	792.48	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access to parcel 28 from public road. Staff to explore with DOA the possibility of transfer under Act 90.
rp7562	HALEAKALA RANCH COMPANY	(2) 2-4-016:001-0000	3/1/2010	Pasture	142.3	1,752.60	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction or explore with DOA the possibility of transfer under Act 90.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7568	LATHAM, WILLIAM	(2) 1-1-003:092-0000	6/1/2010	Agriculture	0.67	530.4	<ul style="list-style-type: none"> •Rent increased by 10% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access from public road.
rp7571	NOBRIGA'S RANCH INC.	(2) 3-1-002:011-0000	3/1/2010	Pasture	82	518.16	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Only 10 acres usable for pasture, not suitable for long term lease. Staff to explore with DOA the possibility of transfer under Act 90. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming.
rp7573	AOAO OF THE ROYAL MAUIAN	(2) 3-9-005:001-0000	3/1/2010	Maintenance and Landscaping	0.053	502.92	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to convert to an easement. Staff sent a letter to permittee dated 3/11/13 regarding the conversion to an easement, and outlined several encroachments.

UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7581	ULUPALAKUA RANCH, INC .	(2) 2-2-007:003-0000	4/1/2010	Right-of-Way for Pipeline	2.43	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff has sought an opinion from the AG's office as to whether the permittee needs to apply for a water lease pursuant HRS 171-58. The parcel has been encumbered by land licenses or RPs since 1901. Staff consulted with OCCL, which agreed the pipeline was a non-conforming use, and does not require a CDUP. Staff to convert to an easement.
rp7583	LAHAINA RESTORATION FOUNDATION	(2) 4-6-018:005-0000	4/1/2010	To Restore, Operate and Maintain Hale Pa'i Printshop Building for Museum Purposes	0.063	0	<ul style="list-style-type: none"> •Rent is gratis. •Staff to explore entering into a direct lease with this 501(c)(3) entity.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7608	JACINTHO, WILLIAM F.	(2) 1-4-7:9,17	5/1/2010	Pasture	25.077	530.4	<ul style="list-style-type: none"> •Rent increased by 10.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The permit excludes the conservation district area. Staff to explore with DOA the possibility of transfer under Act 90.
rp7618	STABLE ROAD BEACH RESTORATION FOUNDATION	(2)3-8-2:65,70,71,74,76-78,94A	4/12/2010	Category II Small-Scale Beach Nourishment	0.894	0	<ul style="list-style-type: none"> •Cancellation of rp approved by Board at its meeting on Sept. 26, 2014 (Item D-6). •Staff to convert rp to an easement.
rp7621	SOUZA, JR., BARRON THOMAS	(2) 2-9-1:8, 11	10/1/2010	Pasture	10.403	530.4	<ul style="list-style-type: none"> •Rent increased by 10.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Permittee has requested surrender of parcel 008 (1.8 ac.) and to retain parcel 11 (8.78 ac.). Staff to issue new permit and explore the possibility of selling a lease at public auction. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming.

UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7622	BUTTERFLY, SAMADHI	(2) 1-6-009:017-0000	11/1/2010	Agriculture	1.253	530.4	<ul style="list-style-type: none"> •Rent increased by 10.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction.
rp7639	DEPT. OF LAND AND NATURAL RESOURCES, C/O MAUI DISTRICT MANAGER	(2) 4-8-003:008-0000	11/1/2010	Native Plant Species Restoration	1.1	0	<ul style="list-style-type: none"> •Rent is gratis. • RP granted to State Agency (DOFAW).
rp7686	AOAO OF MAUI KAMAOLE, INC.	(2) 3-9-004:146-0000	6/1/2011	Landscaping and Maintenance	0.894	200.52	<ul style="list-style-type: none"> •Rent increased by 28.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Landscaping and maintenance purposes.
rp7699	DOOR OF FAITH CHURCH AND BIBLE SCHOOL	(2) 2-9-008:018-0000	7/1/2011	Access, Parking and Church Related Purposes	1.24	590.04	<ul style="list-style-type: none"> •Rent increased by 18% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Permittee using only a portion of the parcel.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7707	ALEXANDER, JEFFREY & DONNA	(2) 2-3-008:027-0000	7/1/2011	Pasture	3.12	200.52	<ul style="list-style-type: none"> •Rent increased by 28.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The parcel is a steep-sloped gully with approximately one acre of usable pasture. No access from public road, unsuitable for long term lease.
rp7723	AOAO OF MANA KAI-MAUI	(2) 3-9-004:001-0000	8/1/2011	Gravel Parking and Propane Gas Tank	0.425	1,132.56	<ul style="list-style-type: none"> •Rent increased by 21% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Permittee using only a portion of parcel for parking and propane tank. Staff to convert to utility easement.
rp7746	DORRIS, STEPHEN	(2) 2-9-003:008-0000	9/1/2011	General Agriculture	9.82	1,722.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7755	MARTIN, JR., NORMAN D.	(2) 1-1-6:41,43	9/1/2011	General Agriculture	0.56	203.28	<ul style="list-style-type: none"> •Rent increased by 21% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.
rp7760	MARINO, DOMINICK & PATRICIA	(2) 2-3-007:028-0000	9/1/2011	Pasture	0.63	198.12	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Low interest for property, no water. Infeasible to sell long-term lease due to small size of parcel.
rp7762	BOERNER, CHARLES J.	(2) 1-6-5:8,21,22,23	8/1/2011	Pasture	14.354	191.16	<ul style="list-style-type: none"> •Rent increased by 22.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •There is no access to the parcels from a public road. Staff to explore with DOA the possibility of transfer under Act 90.

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7769	HECHT, MARGARET ANN	(2) 1-6-8:2,4	9/1/2011	Pasture	62.534	426.36	<ul style="list-style-type: none"> •Rent increased by 22.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access to parcels from public road. Staff to explore with DOA the possibility of transfer under Act 90.
rp7778	KAUPO RANCH, LTD.	(2) 1-7-003:032-0000	11/1/2011	Pasture	20.9	264.6	<ul style="list-style-type: none"> •Rent increased by 22.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore with DOA the possibility of transfer under Act 90. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming.
rp7780	RUBY & SONS HOSPITALITY LLC	(2) 3-9-004:149-0000	9/1/2011	Parking Lot	0.694	1,661.16	<ul style="list-style-type: none"> •Rent increased by 9% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •The rp was issued for additional parking for GL 4212, which ends 9/3/33.

UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7781	JOHNSON, JAMES L. AND NANCY K.	(2) 1-1-003:064-0000	9/1/2011	Landscaping and Maintenance	0.214	191.16	<ul style="list-style-type: none"> •Rent increased by 22.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction, as there may be potential for a significant revenue increase. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming.
rp7783	WEINBERG FOUNDATION, INC., THE HARRY & JEANETTE	(2) 4-5-001:009-A	9/1/2011	Commercial	0.028	17,691.60	<ul style="list-style-type: none"> •Rent increased by 15% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to convert to an easement.
rp7787	PACIFIC RADIO GROUP, INC.	(2) 2-2-004:089-0000	9/1/2011	Operate and Maintain an FM Radio Transmission Facility	1	11,430.00	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction.

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NON-COMPLIANCE ISSUES OR PENDING LITIGATION

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REVOCABLE PERMIT MASTER LIST 2018

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consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7796	KANOA, ISAAC A. & GLADYS R.	(2) 1-1-3:33,43,44	9/1/2011	Agriculture	1.497	261.6	<ul style="list-style-type: none"> •Rent increased by 9% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Board approved transfer to DOA per Act 90.
rp7804	KAHIAMOE, JR., MOSES	(2) 2-9-8:18, 24	5/1/2012	Pasture	5.26	516	<ul style="list-style-type: none"> •Rent increased by 7.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •At its meeting on 10/27/89, item F-11 the Board approved the public auction sale of a lease. Staff to explore with DOA the possibility of transfer under Act 90.
rp7816	AOAO OF MAUI HILL	(2) 3-9-004:140-0000	2/1/2013	Landscaping, Pedestrian Path and Maintenance	0.916	670.56	<ul style="list-style-type: none"> •Rent increased by 27% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Permittee using only a portion of the parcel for landscaping, pedestrian path and maintenance. Staff to explore the possibility of selling a lease at public auction as there is a potential for significant revenue increase.

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NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7819	VELLINA, FELIX AND ROXANNE	(2) 3-1-4:92,95,97	3/1/2012	Intensive Agriculture	0.823	516	<ul style="list-style-type: none"> •Rent increased by 7.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Parcels are landlocked. Staff to explore with DOA the possibility of transfer under Act 90.
rp7822	REDO, VALENTINE	(2) 1-1-004:006-0000	6/1/2012	Intensive Agriculture	1.53	516	<ul style="list-style-type: none"> •Rent increased by 7.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff to explore the possibility of selling a lease at public auction.
rp7824	KAIWI, JULIA	(2) 3-1-4:46,56,59,61	7/1/2012	Agriculture	0.844	516	<ul style="list-style-type: none"> •Rent increased by 7.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Infeasible to auction due to size and use of parcels. Staff to explore with DOA the possibility of transfer under Act 90.

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NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

REVOCABLE PERMIT MASTER LIST 2018

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Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7846	SCOTT, LURLYN	(2) 2-9-001:018-0000	12/1/2014	Intensive Agriculture	5	501.6	<ul style="list-style-type: none"> •Rent increased by 4.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No access from public road. Staff to explore with DOA the possibility of transfer under Act 90.
rp7863	KAUPO COMMUNITY ASSOCIATION, INC.	(2) 1-7-002:015-0000	5/1/2015	Landscaping and Maintenance	2.214	494.4	<ul style="list-style-type: none"> •Rent increased by 3% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Staff working on set-aside to the County of Maui.
rp7864	COSTON, JOHN AND GLORIA	(2) 3-1-004:049-0000	7/1/2015	General Agriculture	0.263	494.4	<ul style="list-style-type: none"> •Rent increased by 3% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •Size of parcel and lack of interest make public auction of lease unfeasible. Staff to explore with DOA the possibility of transfer under Act 90.

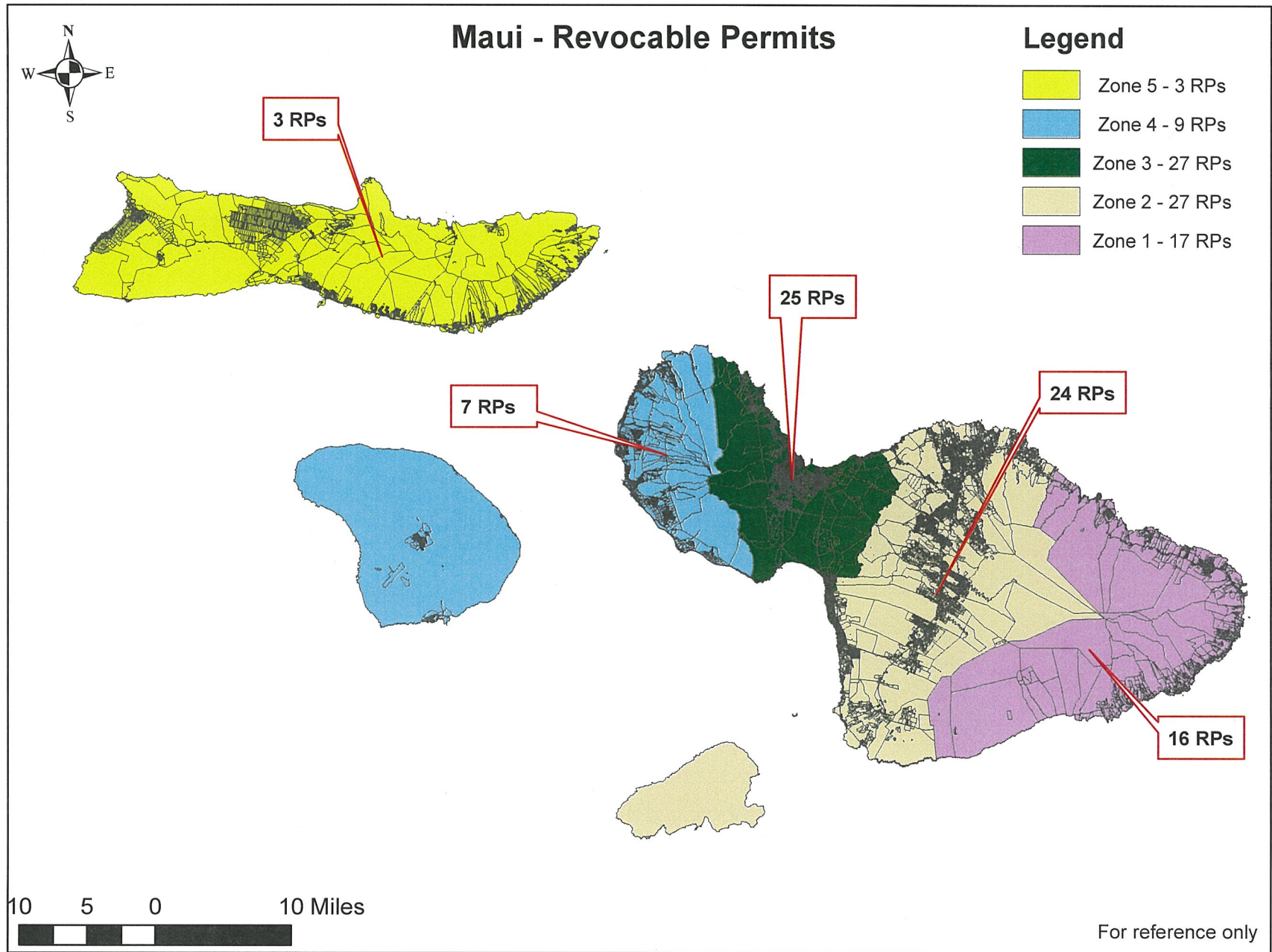
UNLESS OTHERWISE NOTED, THERE ARE NO
NON-COMPLIANCE ISSUES OR PENDING LITIGATION

EXHIBIT 2

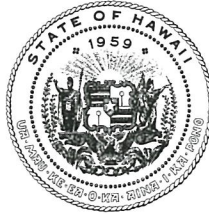
REVOCABLE PERMIT MASTER LIST 2018

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event, or amount per unit

consumed (some water permits)							
Doc No.	Permittee Name	TMK	Permit From	Char of Use	Permit Area	Annual Rent	Comments re rent amount and why no long-term disposition
rp7868	ASSOCIATION OF APARTMENT OWNERS	(2) 3-9-004:87, por 01	9/1/2017	Landscaping, maintenance and recreation	2.5	7,500.00	<ul style="list-style-type: none"> •Permittee using only a portion of parcel 001 for landscaping. The only access to the parcel from the public road is through permittee's property or over State owned land. The permit stipulates the public shall have full and unrestricted use of the cleared and landscaped permit areas at all times. Permittee shall post a sign reading that the area is open to the public. •Rent set via appraisal from the Hallstrom Group dated 4/27/15.
rp7869	KELIIKOA, NOEL AND LINDA	(2) 5-8-003:023-0000	1/1/2016	Residential and Agricultural	0.291	1,242.36	<ul style="list-style-type: none"> •Rent increased by 1.5% on 1/1/17 as an interim measure subject to the PAR's completion and approval by the Chairperson. •No other interest in the property.



DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

August 17, 2017

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

TO: RUSSELL Y. TSUJI
LAND DIVISION, ADMINISTRATOR

FROM: DAVID G. SMITH
FORESTRY AND WILDLIFE, ADMINISTRATOR

DGS

SUBJECT: ANNUAL RENEWAL OF REVOCABLE PERMITS FOR THE ISLAND OF MAUI

Thank you for the opportunity to comment on Land Division's annual renewal of revocable permits for the island of Maui. After reviewing the revocable permits listed in Exhibit 2 of the Board of Land and Natural Resources submittal dated, September 22, 2017, the Division of Forestry and Wildlife (DOFAW) provides the following comments.

Doc No.	TMK	Comment
rp7545	(2) 2-9-001:020	This parcel contains a government road that provides public access to the shoreline at Hoolawa Bay, pursuant to HRS 264-1, as shown on Registered Map 862. Please include conditions in the RP to ensure that public access to this road is not obstructed.

In addition to our comments submitted above for rp7545 please refer to our memo dated July 1, 2016 (Attachment A), sent in response to the 2016 revocable permit renewal. Thank you again for the opportunity to review and comment on the renewal of the revocable permits being issued for the island of Maui. Please contact Scott Fretz, DOFAW Maui Branch Manager, at (808) 984-8100 or by email at Scott.Fretz@hawaii.gov if you have any questions or would like to follow-up on our comments.

cc: Richard Howard, Land Agent
Irene Sprecher, Forestry Program Manager

EXHIBIT "4"

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

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

KEKOA KALUHIWA
FIRST DEPUTY


JEFFREY T. PEARSON, P.E.
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AQUATIC RESOURCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT

ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

July 1, 2016

TO: DAVID G. SMITH
Administrator

FROM: J. SCOTT FRETZ 
Maui Branch Manager

Subject: Annual renewal of revocable permits for Maui

Thank you for the opportunity to comment of the subject permits. Maui district has reviewed the list and provides the following comments. For additional information please call me at 984-8107.

1. General comment: We did not see any request for RPs to A&B or EMI for water use on lands in East Maui, Koolau Forest Reserve, Hanawi NAR, and Hana FR. We are interested to know the status of those and would like the opportunity to comment on those before they go to the board.
2. Comments on specific RPs on the list:
 - a. RP 7220: (2)1-3-004:015 – We are not sure why this shows RP to State Agency. This parcel was formerly RP'd to DOFAW but is being used by the Maui Invasive Species Committee for satellite 'Hana' baseyard operations. It is our understanding that the paperwork and board approval have already been completed and set up with Maui Invasive Species Committee. If this RP is to MISC or UH for MISC purposes we are in support and have no further comments.
 - b. RP 7537: (2)1-8-001:005 – This parcel is makai of, and adjacent to, the Na Kula NAR and Kahikinui FR and a public hunting area. It has resource management value for native species or public hunting. We have contacted Haleakala Ranch to discuss with them whether this parcel may better serve the public interest by set aside to DOFAW.
 - c. RP 7562: (2)2-4-016:001 – This parcel is adjacent to the Makawao FR public hunting area. It has resource management value for native species or public

hunting. We have contacted Haleakala Ranch to discuss with them whether this parcel may better serve the public interest by set aside to DOFAW.

- d. RP 7571: (2)3-1-002:011 – Parcel is designated as Maui Coastal Critical Habitat Unit 10 for several listed plant species and contains active seabird nesting habitat. This parcel should be surveyed for biological resources and assessed for its potential to serve as a plant or wildlife sanctuary to assist efforts to recover endangered species. Listed plant species present on this parcel, or for which this parcel may serve as recovery habitat, include *Sesbania tomentosa*, *Schenkia sebaeoides*, and *Brighamia rockii*.
- e. RP 5847: (2)3-1-006:001-0000 – This TMK # refers to portions of the West Maui Forest Reserve. DOFAW would like additional information on exactly what uses are being proposed within the FR under this RP.
- f. RP7485: (2)3-1-006:003 – Pasture parcel adjacent and makai of West Maui FR and NAR – Makamakaole section. This parcel is important for access to critical operations in those reserves, including ongoing maintenance of a predator-proof seabird exclosure. Current agreements for use and access with the permit holder, Mr. Nobriga, are effective and cooperative. DOFAW supports annual RP to Mr. Nobriga but would have concerns about access if other dispositions were to be considered for this parcel. County TMK records show this parcel as West Maui FR, does LD have any record of this land being EO'd as a FR?
- g. RP 7639: (2)4-8-003:008 – This is a 634 acre parcel that was EO'd to DOFAW for Game Management Area purposes some time ago. We are not sure what 1.1 acres is being referred to on this RP list.

DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: AJR

COR: MA-18-28

MEMORANDUM

TO: Richard T. Howard, Land Agent
DLNR – Land Division

FROM: Samuel J. Lemmo, Administrator
DLNR – Office of Conservation and Coastal Lands

SUBJECT: Annual Renewal of Revocable Permits for Maui
Various Districts, Island of Maui
TMKs: (2) various

AUG 22 2017

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LAND DIVISION
2017 AUG 22 PM 2:31
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Dear Mr. Howard,

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your letter and documentation regarding the *Annual Review of Revocable Permits* (RP) of Maui. Based on our review of the submitted RP spreadsheet, we offer the following list of parcels located within the State Land Use (SLU) Conservation District:

- RP5847: TMK: 3-1-006:001; Located within the Conservation District, Resource and Protective Subzones (*CDUPs: MA1088; MA1282; MA1591, MA1955; MA2235*).
- RP6546: TMK: 3-1-004:005; Portion of parcel (~10%) located in Conservation District, Resource Subzone (*No Permits found in OCCL Database*).
- RP6199: TMK: 2-2-007:009; Located within the Conservation District, General Subzone (*CDUPs: MA1990; MA3664; SPA: MA-99-05*).
- RP7208: TMK: 2-2-007:015; Located within the Conservation District, Limited Subzone (*No Permits found in OCCL Database*).
- RP7209: TMK: 2-2-007:014; Located within the Conservation District, Limited Subzone (*CDUP: MA3664*).

EXHIBIT "5"

- RP7345: TMK: 2-9-013:014; Makai portion (~5%) located within the Conservation District, Limited Subzone (*No permits found in OCCL Database*).
- RP7485: TMK: 3-1-006:003; Located within the Conservation District, Resource Subzone (*SPA: MA-12-25*).
- RP7534: TMK: 3-1-005:028; Located within the Conservation District, Resource Subzone (*CDUP: MA1436*).
- RP7545: TMK: 2-9-001:020; ~15% of parcel located within Conservation District, Limited Subzone (*No permits found in OCCL database*).
- RP7571: TMK: 3-1-002:011; Located within the Conservation District, Limited Subzone (*No permits found in OCCL database*).
- RP7621: TMK: 2-9-001:011; Northern ~20% located within the Conservation District, Limited Subzone (*No permits found in OCCL database*).
- RP7778: TMK: 1-7-003:032; Makai ~25% located within the Conservation District, General Subzone (*No permits found in OCCL database*).
- RP7781: TMK: 1-1-003:064; Portion (~50%) may be located within the Conservation District, Resource Subzone (*No permits found in OCCL database*).

The OCCL would like to take this opportunity to remind those persons or entities that utilize parcels located within the SLU Conservation District that permittees/applicants are required to inform this office of any proposed land uses that may occur in the Conservation District.

If you have any questions regarding this correspondence please contact Alex J. Roy, M.Sc. of our *Office of Conservation and Coastal Lands* staff at 808-587-0316 or via email at alex.j.roy@hawaii.gov

Thank you.

CC: Chairperson