

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
Honolulu, Hawaii 96813

January 26, 2018

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

Land Board Members:

SUBJECT: REQUEST FOR ISSUANCE OF AN ADMINISTRATIVE FINE OF \$2,500 PURSUANT TO CHAPTER 183, HAWAII REVISED STATUTES, TO FENG YI GUO FOR VIOLATIONS OF SECTION 13-104-24, HAWAII ADMINISTRATIVE RULES, AT MAUNA KEA FOREST RESERVE, HAMAKUA, HAWAII, TMK (3) 4-4-015:001

INTRODUCTION:

This is an enforcement action for violation of section 13-104-24, Hawaii Administrative Rules (HAR), for engaging in commercial activities in a forest reserve without a written permit. Evidence exists that Ms. Feng Yi Guo, through her Hilo-based tour company, believed to be Mao Yuan Corporation,<sup>1</sup> has been conducting commercial activity without a permit in the Mauna Kea Forest Reserve (FR), in violation of section 13-104-24, HAR. The Division requests issuance of an administrative fine for this rule violation.

BACKGROUND:

The area surrounding the Maunakea Visitor Information Station is within the Mauna Kea FR. Recently this area has become a popular spot for sunset viewing and stargazing for a number of commercial tour operators. Section 13-104-24, HAR, requires that any person conducting a commercial activity of any kind within a forest reserve obtain a permit from the Board of Land and Natural Resources or its authorized representative. The Division of Conservation and Resources Enforcement (DOCARE) and the Rangers of the Office of Maunakea Management (OMKM) have documented Ms. Feng Yi Guo conducting commercial tours within Mauna Kea FR without a permit on multiple occasions. Section 183-5, Hawaii Revised Statutes (HRS), provides that any person conducting an illegal activity within the Forest Reserve System may be subject to administrative fines, fees, and costs.

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<sup>1</sup> Ms. Guo was operating a vehicle with PUC number registered to Mao Yuan Corporation. DCCA Business Registration Division records show "Fengyi Guo" as the agent, and "Feng Yi Guo" as the President, Treasurer, and Director. DCCA show the business is a Hawaii corporation "not in good standing" to conduct business in the State of Hawaii as of January 10, 2018. See <https://hbe.ehawaii.gov/documents/business.html?fileNumber=207886D1>

## VIOLATION FACTS:

### *Investigation and Documentation History*

On December 5, 2017, a Notice to Cease and Desist was served by a DOCARE Officer to Ms. Feng Yi “Grace” Guo at her place of business at Makalika Street, Hilo, HI to “immediately cease and desist all commercial activities within Mauna Kea Forest Reserve.” Ms. Guo signed and dated the Cease and Desist Notice as of the date of delivery, December 5, 2017. Prior to the issuance of the notice, OMKM Rangers documented Ms. Guo conducting commercial activities within Mauna Kea FR on 19 separate occasions within a 90-day reporting period. The notice to cease and desist also states that “[n]o person shall engage in commercial activities of any kind in a forest reserve without a written permit from the board or its authorized representative” and that “any person violating any of the provisions of these rules [HAR §13-104-24] shall be penalized with an administrative fine...<sup>2</sup>.”

On the next day after being served the Cease and Desist notice on Ms. Guo, December 6, 2017, OMKM Rangers documented Ms. Guo again conducting a commercial tour in the Mauna Kea FR. The commercial tour was seen heading into the forest reserve from the Mauna Kea Access Road/Summit Road across from the Maunakea Visitor Information Station and headed up via road FB 10 to Pu‘u Kalepeamoia within Mauna Kea FR. The OMKM Rangers photographed the tour vendor and vehicles in use during the tour and provided this documentation to DOCARE (Exhibit 1). Ms. Guo was again duly notified that such activities are illegal.

## DISCUSSION:

The Office of Maunakea Management and DOCARE have been working cooperatively in the management, documentation, and enforcement of illegal activities being conducted within the Mauna Kea FR. The increasing popularity of the sunset viewing and stargazing in the areas surrounding the Maunakea Visitor Information Station has spurred a number of commercial tour operators to utilizing the Mauna Kea FR for their tours. Per section 13-104-24, HAR, any person conducting a commercial activity within a forest reserve must first obtain a written permit from the Board of Land and Natural Resources, or its authorized representative. To date, DLNR (via BLNR) has not issued any permits to conduct commercial tours on or in the Mauna Kea FR, nor authorized any such commercial activity.

Ms. Feng Yi Guo, through her tour company based in Hilo, Hawaii has been documented numerous times within the Mauna Kea FR conducting commercial activities without a permit, at least one of which was after receiving a Cease and Desist notice from the DLNR Division of Forestry and Wildlife (Division) through DOCARE. The Division is requesting that Ms. Guo be issued an administrative fine for this illegal use of the forest reserve.

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<sup>2</sup> Section 13-104-3, HAR, was adopted in 1993 and erroneously refers to penalties for violations of chapter 13-104 rule provisions as a misdemeanor. Only those persons violating the timber trespass under section 183-17, HRS, can be found guilty of a criminal misdemeanor.

Applicable and recommended penalties

In 2006, the Legislature passed into law section 183-5, HRS, allowing administrative penalties for violations as follows:

**[§183-5] General administrative penalties.** (a) Except as otherwise provided by law, the board or its authorized representative may:

- (1) Set, charge, and collect administrative fines;
- (2) Bring legal action to recover administrative fines, fees, and costs, including attorney's fees and costs and costs associated with land or habitat restoration; and
- (3) Collect administrative fees and costs pursuant to paragraph (2),

resulting from a violation of this chapter, any rule adopted, or permit issued thereunder.

(b) The administrative fines for violation of this chapter shall be as follows:

- (1) For a first violation, or any violation not preceded within a five-year period by a violation of this chapter, a fine of not more than \$2,500 per violation;
- (2) For a second violation within five years of a previous violation of this chapter, a fine of not more than \$5,000 per violation; and
- (3) For a third or subsequent violation within five years of the last violation of this chapter, a fine of not more than \$10,000 per violation.

To staff's knowledge, this appears to be Ms. Guo's first offense against DLNR's forest reserve administrative rules. This submittal only covers alleged violations by Ms. Guo up until the date of incident contained in the last dated enforcement report (December 6, 2017).

Aggravating and mitigating factors for fine amount

The definition of commercial activity in section 13-104-2 includes the provision of transportation to or from the forest reserve (see "LEGAL AUTHORITY" below). To date, Ms. Guo has denied conducting any commercial tours. The enforcement facts developed to date clearly document Ms. Guo arriving and leaving in vehicles with large groups of people. Ms. Guo led the groups into the forest reserve presumably for stargazing in the area of Maunakea pu'u. Taking all incidents into consideration, the circumstantial evidence is significant (19+ occasions in which Ms. Guo was identified leading groups into the forest reserve, use of a PUC vehicle registered to a company in which Ms. Guo is the sole officer, similar warnings from OMKM on conducting unauthorized commercial tours on OMKM managed areas).

*Reasons for imposing a larger fine include:*

- Frequent travel and use of the forest reserve without a permit
- Denial of wrongdoing
- Continued violation conduct after being warned to cease and desist
- Charged as a continuing course of conduct for over three months rather than as separate violations

*Reasons for consideration of a lesser fine amount:*

- None

**LEGAL AUTHORITY:**

Section 13-104-24, HAR, provides that “no person shall engage in commercial activities of any kind in a forest reserve without a written permit from the board or its authorized representative.” “Commercial activity” is defined by Section 13-104-2, HAR, as “the use of or activity in the forest reserve for which compensation is received by any person for goods or services or both rendered to customers or participants in that use or activity. Commercial activities include activities whose base of operations are outside the boundaries of the forest reserve, or provide transportation to or from the forest reserve.” (emphasis given)

Subsection 183-5(b), HRS, provides that administrative fines “for the first violation, or any violation not preceded within a five-year period by a violation of this chapter, a fine of not more than \$2,500 per violation.”

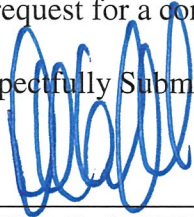
Policy considerations for imposition of the recommended fine include curtailing unmanaged or unregulated, unauthorized commercial activity in the forest reserve. As such, the Division is requesting the issuance of an administrative fine equal to \$2,500 as allowed under section 13-104-3, HAR and section 183-5, HRS.

RECOMMENDATIONS:

That the Board:

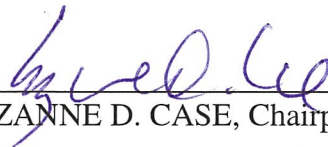
1. Find that Ms. Feng Yi Guo violated Hawaii Administrative Rules (HAR) section 13-104-24 as stated in the attached DOCARE report and as discussed above, for engaging in commercial activities in the forest reserve without a permit.
2. Authorize an administrative fine of \$2,500 to be assessed against Ms. Feng Yi Guo pursuant to Hawaii Revised Statutes (HRS) section 183-5 for the violation of HAR section 13-104-24, for engaging in commercial activities in a forest reserve without a permit.
3. Notify Ms. Feng Yi Guo that any future violation may result in additional penalties of increasing amount as provided in section 183-5, HRS.
4. Refer this matter to the Department of the Attorney General for administrative and legal enforcement in the event that a request for a contested case is made.

Respectfully Submitted,



\_\_\_\_\_  
DAVID G. SMITH, Administrator  
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:



\_\_\_\_\_  
SUZANNE D. CASE, Chairperson

Attachments:

Exhibit 1: DOCARE Report and Notice to Cease and Desist

## State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement

INVESTIGATION # 18-0803-HA	District Hawaii	Lead Investigator Shishido, Edwin	Report Status In Progress	Key Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date/Time Reported 12/05/2017 12:40PM	Location Mauna Kea GMA and Forest	Classification Forestry: Cease & Desist		Connecting Reports 18-0821-HA, 17-1127-HA

## Investigation Report

BASIC	1. CLASSIFICATION Forestry: Cease & Desist						2. SOURCE On Beat		
	3. COMPLAINANT'S NAME Edwin Shishido			4. SEX	5. RACE	6. AGE	7. BIRTH DATE	8. OCCUPATION	
	9. ADDRESS			10. PLACE EMPLOYED/SCHOOL ATTENDING			11. HOME	12. WORK	13. CELL
	14. LOCATION OF INCIDENT/INTERSECTING STREET Mauna Kea Access Road/Mauna Kea Summit Road Mauna Kea Forest Reserve						15. DATE/TIME OCCURRED		16. DATE/TIME REPORTED 12/05/2017 12:40PM
VEHICLES	17. TYPE	18. YEAR	19. MAKE	20. MODEL	21. COLOR	22. LICENSE / HA No.	23. LENGTH	24. STOLEN	
	25. REGISTERED OWNER		26. ADDRESS			27. HOME	28. WORK	29. CELL	
	30. NOTES								
	31. TYPE	32. YEAR	33. MAKE	34. MODEL	35. COLOR	36. LICENSE / HA No.	37. LENGTH	38. STOLEN	
PEOPLE	39. REGISTERED OWNER			40. ADDRESS			41. HOME	42. WORK	43. CELL
	44. NOTES								
	45. NAME Feng GUO			46. SEX Female	47. RACE	48. AGE	49. BIRTH DATE	50. OCCUPATION Tour Operator	
	51. CATEGORY Suspect			52. ADDRESS Hilo, HI,			53. HOME	54. WORK	55. CELL
SYNOPSIS	56. NAME			57. SEX	58. RACE	59. AGE	60. BIRTH DATE	61. OCCUPATION	
	62. CATEGORY			63. ADDRESS			64. HOME	65. WORK	66. CELL
	67. NAME			68. SEX	69. RACE	70. AGE	71. BIRTH DATE	72. OCCUPATION	
	73. CATEGORY			74. ADDRESS			75. HOME	76. WORK	77. CELL
WRITER	78. SYNOPSIS On 12-05-17/1240 hrs, Tuesday, Officer SHISHIDO contacted the aforementioned suspect, Feng YI "Grace" GUO (F) 37Y, at GUO's place of business at [REDACTED], Hilo, HI [REDACTED]. Based on the OMKM Ranger reports for the last 90 days, GUO has been seen and documented 19 times in the Mauna Kea Forest Reserve area in the vicinity of Hale Pohaku, conducting commercial activity without a permit. In direct violation of HAR 13-104-24. On this day and time, Officer SHISHIDO issued GUO a notice of Cease and Desist, dated 05DEC17. GUO signed the letter acknowledging receiving the letter. A copy of the letter was given to GUO for her records. Officer SHISHIDO left the area at 1255 without incident.  ATTACHMENTS: Cease and Desist letter, OMKM Ranger Report  DISPOSITION: CLOSED. W/R.								
	79. REPORT WRITTEN BY Shishido, Edwin			80. BADGE No. 188	81. DATE/TIME WRITTEN 12/10/2017 12:28PM		82. SUPERVISOR APPROVING Weller, James		83. DATE/TIME APPROVED 12-13-17
85. DISPOSITION									

**State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement**

<b>INVESTIGATION #</b> 18-0603-HA	<b>District</b> Hawaii	<b>Lead Investigator</b> Shishido, Edwin	<b>Report Status</b> Signoff (Supervisor)	<b>Key Report</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Date/Time Reported</b> 12/05/2017 12:40PM	<b>Location</b> Mauna Kea GMA and Forest	<b>Classification</b> Forestry: Cease & Desist		<b>Connecting Reports</b> 18-0621-HA, 17-1127-HA

**WARNINGS**

**Issuing Officer** Shishido, Edwin **Issue Date/Time** 12/05/2017 12:40PM  
**Defendant** GUO, Feng (Suspect)  
**Notes**

**Violation** 13-104-24 COMMERCIAL ACTIVITIES WITHOUT A PERMIT **Activity Code** 1200 Forestry

**Vehicle**

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DAVID Y. IGE  
GOVERNOR OF  
HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

19 EAST KAWILI STREET  
HILO, HAWAII 96720  
PH: (808) 974-4221 FAX: (808) 974-4226

5 DEC 17

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

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. FEARSON, 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

Feng Yi Guo  
Hilo, HI  
[Redacted]

Re: Notice to Cease and Desist Commercial Activities within the Mauna Kea Forest Reserve,  
Island of Hawaii

Dear Ms Guo,

It has come to the attention of the Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) that you are conducting commercial activities on a portion of Mauna Kea Forest Reserve (TMK 3-4-4-015-001).

HAR §13-104-24 states "No person shall engage in commercial activities of any kind in a forest reserve without a written permit from the board or its authorized representative" (HAR §13-104-24).

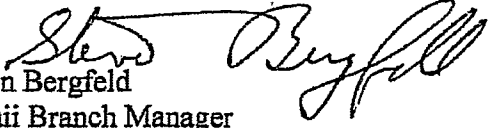
Any person violating any of the provisions of these rules shall be penalized with an administrative fine from the Board of Land and Natural Resources (HAR §13-104-3).

You must immediately cease and desist all commercial activities within Mauna Kea Forest Reserve. DLNR and DOFAW will be monitoring activities in the area for compliance and will take further action as needed to enforce the rules and regulations of the State of Hawaii.

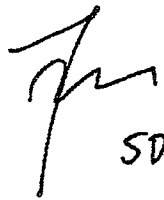
Please feel free to contact the Hawaii Branch Forest Management Supervisor with any questions or concerns on this matter. His contact information is provided below.

18-0603-117

Mahalo for your cooperation,

  
Steven Bergfeld  
Hawaii Branch Manager  
Division of Forestry & Wildlife

Jay Hatayama  
Forest Management Supervisor  
Div. of Forestry & Wildlife  
19 E. Kawili St.  
Hilo, HI 96720  
Office: 808-974-4221  
Email: Jay.M.Hatayama@hawaii.gov

X  
received   
5 DEC 17/1240

## State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement

INVESTIGATION # 18-0621-HA	District Hawaii	Lead Investigator Shishido, Edwin	Report Status In Progress	Key Report [X] Yes [ ] No
Date/Time Reported 12/06/2017 11:00PM	Location Mauna Kea GMA and Forest	Classification Forestry: Prohibited Activity		Connecting Reports 17-1127-HA, 18-0603-HA

## Investigation Report

BASIC	1. CLASSIFICATION Forestry: Prohibited Activity						2. SOURCE Other		
	3. COMPLAINANT'S NAME Edwin Shishido			4. SEX	5. RACE	6. AGE	7. BIRTH DATE	8. OCCUPATION	
	9. ADDRESS			10. PLACE EMPLOYED/SCHOOL ATTENDING		11. HOME	12. WORK	13. CELL	
	14. LOCATION OF INCIDENT/INTERSECTING STREET Mauna Kea Access Road/Mauna Kea Summit Road Mauna Kea Forest Reserve					15. DATE/TIME OCCURRED 12/06/2017 05:00PM		16. DATE/TIME REPORTED 12/06/2017 11:00PM	
VEHICLES	17. TYPE	18. YEAR	19. MAKE	20. MODEL	21. COLOR	22. LICENSE / HA No.	23. LENGTH	24. STOLEN	
	25. REGISTERED OWNER		26. ADDRESS			27. HOME	28. WORK	29. CELL	
	30. NOTES								
	31. TYPE	32. YEAR	33. MAKE	34. MODEL	35. COLOR	36. LICENSE / HA No.	37. LENGTH	38. STOLEN	
PEOPLE	39. REGISTERED OWNER		40. ADDRESS			41. HOME	42. WORK	43. CELL	
	44. NOTES								
	45. NAME Feng GUO		46. SEX	47. RACE	48. AGE	49. BIRTH DATE	50. OCCUPATION Tour Operator		
	51. CATEGORY Suspect		52. ADDRESS Hilo, HI, 96720				53. HOME	54. WORK	
SYNOPSIS	55. NAME		56. SEX	57. RACE	58. AGE	59. BIRTH DATE	60. OCCUPATION		
	61. CATEGORY		62. ADDRESS				63. HOME	64. WORK	
	65. NAME		66. SEX	67. RACE	68. AGE	69. BIRTH DATE	70. OCCUPATION		
	71. CATEGORY		72. ADDRESS				73. HOME	74. WORK	
WRITER	75. SYNOPSIS On 12-06-17/2120 hrs, Wednesday, Officer SHISHIDO received an email from the OMKM Mauna Kea Rangers of "Grace" GUO conducting her tour at the Mauna Kea Forest Reserve. Located off of the Mauna Kea Access Road/Mauna Kea Summit Road. Further located at the Hale Pohaku Visitor Station. Tour was seen headed into the Forest Reserve across the Hale Pohaku VIS, into the Mauna Kea Forest Reserve up on Puu Kalepeamoia off of FB-10 Road. OMKM Rangers photographed tour vendor and vehicles used. This activity was conducted despite GUO being issued a Cease & Desist notice the prior day, dated 12-05-17. REFER TO REPORT 18-0603-HA & 17-1127-HA. Although GUO being warned and being issued C&D letters it is apparent that GUO is ignoring the fact that a permit is required. Therefore, due to DOFAW Forestry Admin Rules being Admin penalties, Officer SHISHIDO is referring this case to DOFAW for their review and disposition.  CONNECTING CASES: 17-1127-HA & 18-0603-HA.  PHOTOGRAPHS: REFER TO PHOTO REPORT FOR VISUAL DETAILS.  ATTACHMENTS: R.O. VEHICLES ZDJ760 & ZDT643.  DISPOSITION: CASE REFERRED TO DOFAW.  SEND A COPY OF THIS CASE & CONNECTING REPORTS TO DOFAW ATTN: STEVE BERGFELD, JAY HATAYAMA, DAVE SMITH.								
	79. REPORT WRITTEN BY Shishido, Edwin		80. BADGE No. 188	81. DATE/TIME WRITTEN 12/10/2017 07:07AM		82. SUPERVISOR APPROVED Weiner, James		83. DATE/TIME APPROVED 12/10/17	84. BADGE No. 19
	85. DISPOSITION								

INVESTIGATION # 18-0621-HA	DISTRICT Hawaii	LEAD INVESTIGATOR Edwin Shishido	KEY REPORT [ X ] Yes [ ]
DATE / TIME REPORTED 12/6/2017 11:00:00 PM	LOCATION Mauna Kea GMA and Forest Reserve	CLASSIFICATION Forestry: Prohibited Activity	CONNECTING REPORT(S) 17-1127-HA, 18-0603-HA

Report Description: Unpermitted Commercial Activity

Date/Time Taken: 12-06-17/1740

Taken By: WALTJEN/Thomas OMKM Mauna Kea Ranger

Scene: Mauna Kea FR parking area Hale Pohaku VIS

Equipment: Cell phone

Weather Conditions: Cloudy overcast

Lighting:

Focus:

1 Depicts vehicle ZDJ760.



2 Depicts vehicle ZDJ760 PUC#5776-C MYC



3 Depicts vehicle ZDT 643.



4 Depicts vehicle ZDT643 PUC#5776-C MYC.



INVESTIGATION # 18-0621-HA	DISTRICT Hawaii	LEAD INVESTIGATOR Edwin Shishido	KEY REPORT [ X] Yes [ ]
DATE / TIME REPORTED 12/6/2017 11:00:00 PM	LOCATION Mauna Kea GMA and Forest Reserve	CLASSIFICATION Forestry: Prohibited Activity	CONNECTING REPORT(S) 17-1127-HA, 18-0603-HA

5 Depicts Feng Yi “Grace” GUO fronting vehicle ZDJ760.



18-0621-HA

Dec 10, 2017 7:03:23 AM

Printed By: H15SHISE from: DLNR02

Received Time: 06:55:25 12-10-17 Source ORI: HI0020702  
Summary: M55L: LIC=ZDJ760 TYP=1  
View Message Details

DLNR02 00010 AT 06:55 12/10/2017  
RX05M55L  
MRI-997196

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Received Time: 07:00:12 12-10-17 Source ORI: HILIC0000  
Summary: M55L: LIC=ZDJ760 TYP=1  
View Message Details

M55L/1/ZDJ760

PLATE: ZDJ760 STATUS: A SPEC-PLT: EMBLEM: H28142 EXPIR-DATE: 08 18  
VIN: 1FBVU4XG2FKB26110 MAKE: FORD TYPE: BUS YR-MODEL: 15 COLOR: Q  
RO-NAME: MAO YUAN CORP PHON-CODE: \*5050 COUNTY: H  
RO-ADDRESS: PO BOX 4244 RO-CITY: HILO HI 96720  
LO-NM: SAME SF-EXP: 08 18 TCI-NO: ZDJ760-17  
LO-ADDRESS: LO-CITY:  
1ST-SOLD: 09 21 15 DT-ISS: 08 04 17 TX-RT: P HVUC: TVB: BAD-CK: SP-VEH:  
NET-WT: 06750 GVW: 000000 EXMPT: FUEL: G ODOM: 016908 ODOM-EXC: N ODOM-DSC: N  
MO-TX: 12 TAX-COLL: 264.38 PENALTY-AMT: 0.00 PLT-EMB: 25.50 OT-PND:  
PRI-PT: XRF-PT: VO: N MO: N DUP-DT: LS-UDT: 08 04 17  
ELT KEY:  
F1:MPL F2:MOT F3:MCP F5:MFC F6:MAC F7:MCMT F10:MNR F11:MVRN F12:MFEE

MRI 997364 IN: RX05M55L 360 AT 10DEC2017 07:00:12  
OUT: DLNR02 8 AT 10DEC2017 07:00:12

18-0621-44

Dec 10, 2017 7:03:56 AM

Printed By: H15SHISE from: DLNR02

Received Time: 07:03:52 12-10-17 Source ORI: HI0020702  
Summary: M55L: LIC=ZDT643 TYP=1  
View Message Details

DLNR02 00012 AT 07:03 12/10/2017  
RX05M55L  
MRI-997531

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Received Time: 07:03:52 12-10-17 Source ORI: HILIC0000  
Summary: M55L: LIC=ZDT643 TYP=1  
View Message Details

M55L/1/ZDT643  
PLATE: ZDT643 STATUS: A SPEC-PLT: EMBLEM: ZDT643 EXPIR-DATE: 05 17  
VIN: 1FBVU4XG6FKA85416 MAKE: FORD TYPE: BUS YR-MODEL: 15 COLOR: G  
RO-NAME: MAO YUAN CORP PHON-CODE: \*5050 COUNTY: H  
RO-ADDRESS: P O BOX 4244 RO-CITY: HILO HI 96720  
LO-NM: SAME SF-EXP: 06 16 TCI-NO: ZDT643-16  
LO-ADDRESS: LO-CITY:  
1ST-SOLD: 06 22 15 DT-ISS: 05 26 16 TX-RT: P HVUC: TVB: BAD-CK: SP-VEH:  
NET-WT: 06750 GVW: 010360 EXMPT: FUEL: G ODOM: 000010 ODOM-EXC: N ODOM-DSC: N  
MO-TX: 12 TAX-COLL: 264.38 PENALTY-AMT: 0.00 PLT-EMB: 25.50 OT-PND:  
PRI-PT: XRF-PT: VO: N MO: N DUP-DT: LS-UDT: 05 26 16  
ELT KEY:  
F1:MPL F2:MOT F3:MCP F5:MFC F6:MAC F7:MCMT F10:MNR F11:MVRN F12:MFEE

MRI 997532 IN: RX05M55L 366 AT 10DEC2017 07:03:52  
OUT: DLNR02 10 AT 10DEC2017 07:03:52

**State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement**

<b>INVESTIGATION #</b> 18-0742-HA	<b>District</b> Hawaii	<b>Lead Investigator</b> Shishido, Edwin	<b>Report Status</b> In Progress	<b>Key Report</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Date/Time Reported</b> 01/07/2018 01:25PM	<b>Location</b> Mauna Kea GMA and Forest	<b>Classification</b> Forestry: Prohibited Activity		<b>Connecting Reports</b> 17-1127-HA, 18-0603-HA, 18-0621-HA, 18-0699-HA

**Incident & Report Control Form**

DOCARE-5 (Rev. 8/03)

**A. COMPLAINT**

**Taken By:** Edwin Shishido **Reported Date/Time:** 01/07/2018 01:25PM  
**How Taken:** Other

**Complainant:** Paul PAIVA  
**Home** **Work** **Cell**  
**Phone:** 808-969-9613 808-960-2952  
**Address:** 1169 Kaumana Dr, Hilo, HI, 96720

**Incident Summary:** Description: Prohibited Commercial Activity  
 Suspect: Feng Yi "Grace" GUO

Vehicle/Vessel: ZCF089

**Location:** Mauna Kea GMA and Forest Reserve **Occured From:** 01/06/2018 05:45PM  
**Location Notes:** Mauna Kea summit road/Mauna Kea Access Road **Occured To:**

**B. REPORT CONTROL**

**Branch:** Hawaii  
**District:** Hawaii  
**Lead Investigator:** Edwin Shishido  
**Date Assigned:** 01/09/2018 10:13AM

**C. NOTES/DISPOSITION/OTHER INFO**

CASE REFERRED TO DOFAW.

HAR 13-104-24

**State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement**


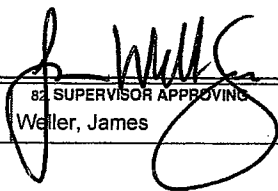

INVESTIGATION # 18-0742-HA	District Hawaii	Lead Investigator Shishido, Edwin	Report Status In Progress	Key Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date/Time Reported 01/07/2018 01:25PM	Location Mauna Kea GMA and Forest	Classification Forestry: Prohibited Activity		Connecting Reports 17-1127-HA, 18-0603-HA, 18-0621-HA, 18-0699-HA

**Investigation Report**

<b>BASIC</b>	1. CLASSIFICATION Forestry: Prohibited Activity						2. SOURCE Other	
	3. COMPLAINANT'S NAME Paul PAIVA			4. SEX Male	5. RACE	6. AGE 61	7. BIRTH DATE 11/07/1956	8. OCCUPATION
	9. ADDRESS 1169 Kaumana Dr, Hilo, HI, 96720			10. PLACE EMPLOYED/SCHOOL ATTENDING		11. HOME	12. WORK 808-969-9613	13. CELL 808-960-2952
	14. LOCATION OF INCIDENT/INTERSECTING STREET Mauna Kea summit road/Mauna Kea Access Road					15. DATE/TIME OCCURRED 01/06/2018 05:45PM		16. DATE/TIME REPORTED 01/07/2018 01:25PM

<b>VEHICLES</b>	17. TYPE SUV	18. YEAR 2013	19. MAKE Ford	20. MODEL MPVH	21. COLOR Black	22. LICENSE / HA No. ZCF089	23. LENGTH -	24. STOLEN No
	25. REGISTERED OWNER Feng GUO		26. ADDRESS P.O. Box 4244, Hilo, HI, 96720			27. HOME	28. WORK	29. CELL 808-989-3374
	30. NOTES							
	31. TYPE	32. YEAR	33. MAKE	34. MODEL	35. COLOR	36. LICENSE / HA No.	37. LENGTH	38. STOLEN
39. REGISTERED OWNER		40. ADDRESS				41. HOME	42. WORK	43. CELL
44. NOTES								

<b>PEOPLE</b>	45. NAME Feng GUO			46. SEX Female	47. RACE Chinese	48. AGE 37	49. BIRTH DATE 03/19/1980	50. OCCUPATION Tour Operator
	51. CATEGORY Suspect		52. ADDRESS 345 Makalika Street, Hilo, HI, 96720			53. HOME	54. WORK	55. CELL 808-989-3374
	56. NAME			57. SEX	58. RACE	59. AGE	60. BIRTH DATE	61. OCCUPATION
	62. CATEGORY		63. ADDRESS			64. HOME	65. WORK	66. CELL
67. NAME			68. SEX	69. RACE	70. AGE	71. BIRTH DATE	72. OCCUPATION	
73. CATEGORY		74. ADDRESS			75. HOME	76. WORK	77. CELL	

<b>SYNOPSIS</b>	78. SYNOPSIS On 01-09-18/0700, Officer SHISHIDO assigned to follow-up on unpermitted commercial tours being conducted in the Mauna Kea Forest Reserve/GMA. E-mail sent to Officer SHISHIDO identified Feng Yi "Grace" GUO as the tour operator. GUO has been contacted before on several occasions and given a cease and desist on 12-05-17. However, GUO is ignoring warnings and C&D letter. See connecting reports. This recent incident occurred on 01-06-18/1745 on the Mauna Kea summit. OMKM Mauna Kea Ranger Kelvin ANDRADE took a photo of her vehicle, license # ZCF089, on this date. Printout of vehicle registration is attached.  ATTACHMENTS: E-mail of incident from Paul "Scotty" Paiva, photograph of vehicle ZCF089, R.O. of vehicle ZCF089.  DISPOSITION: CASE REFERRED TO DOFAW.  ROUTE A COPY OF THIS REPORT TO STEVER BERGFELD, JAY HATAYAMA, & (DAVE SMITH; ATTN IRENE SPRECHER DOFAW).							
	<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  </div> <div style="text-align: center;">  </div> <div style="text-align: center;">  </div> </div>							
	<div style="display: flex; justify-content: space-between;"> <div>79. REPORT WRITTEN BY Shishido, Edwin</div> <div>80. BADGE No. 188</div> <div>81. DATE/TIME WRITTEN 01/09/2018 11:39AM</div> <div>82. SUPERVISOR APPROVING Weller, James</div> <div>83. DATE/TIME APPROVED 01/09/18</div> <div>84. BADGE No. 19</div> </div>							
	85. DISPOSITION							

<b>WRITER</b>	79. REPORT WRITTEN BY Shishido, Edwin		80. BADGE No. 188	81. DATE/TIME WRITTEN 01/09/2018 11:39AM	82. SUPERVISOR APPROVING Weller, James	83. DATE/TIME APPROVED 01/09/18	84. BADGE No. 19
	85. DISPOSITION						

18-0742-HA

**Shishido, Edwin A**

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**From:** Scotty Paiva <ppaiva@hawaii.edu>  
**Sent:** Monday, January 08, 2018 8:11 AM  
**To:** Shishido, Edwin A  
**Cc:** Joy Yoshina  
**Subject:** Fwd: 01-06-18 Daily Photos  
**Attachments:** 01-06-18 People snow playing and taking photos below Subaru.jpg; 01-06-18 Grace GUO on the summit near Hoku Kea.jpg

Aloha Edwin - Grace on the summit 01/06/18, unknown amount of passengers.

Mahalo,  
Scotty

----- Forwarded message -----

**From:** Kelvin Andrade <[kelvinan@hawaii.edu](mailto:kelvinan@hawaii.edu)>  
**Date:** Sun, Jan 7, 2018 at 8:45 AM  
**Subject:** 01-06-18 Daily Photos  
**To:** OMKM Ranger Photos <[omkm-ranger-photos-grp@hawaii.edu](mailto:omkm-ranger-photos-grp@hawaii.edu)>

Aloha All,

Please find attached photos taken during today's patrols.

~~Photo #1 is snow play/photoshoot activity below Subaru. I contacted this group to advise against filming/photoshoot activity without proper permits.~~

Photo #2 is unpermitted tour operator Grace GUO parked near Hoku Kea for sunset in her Dark Brown Ford Expedition (ZCF0890) with unknown amount of passengers.

Mahalo,

Kelvin

You received this message because you are subscribed to the Google Groups "OMKM Ranger Photos" group. To post to this group, send email to [omkm-ranger-photos-grp@hawaii.edu](mailto:omkm-ranger-photos-grp@hawaii.edu).

18-0742-AA



18-0742-HA

Jan 9, 2018 8:39:52 AM

Printed By: H15SHISE from: DLNR02

Received Time: 08:39:47 01-09-18 Source ORI: HI0020702  
Summary: M55L: LIC=ZCF089 TYP=1  
View Message Details

DLNR02 00018 AT 08:39 01/09/2018  
RX05M55L  
MRI-668417

Received Time: 08:39:47 01-09-18 Source ORI: HILIC0000  
Summary: M55L: LIC=ZCF089 TYP=1  
View Message Details

M55L/1/ZCF089

PLATE: ZCF089 STATUS: A SPEC-PLT: EMBLEM: H08097 EXPIR-DATE: 03 18  
VIN: 1FMJU2A53DEF64454 MAKE: FORD TYPE: MPVH YR-MODEL: 13 COLOR: A  
RO-NAME: GUO FENG YI PHON-CODE: G000F COUNTY: H  
RO-ADDRESS: PO BOX 4244 RO-CITY: HILO HI 96720  
LO-NM: ALLY FINANCIAL SERVICES SF-EXP: 10 17 TCI-NO: ZCF089-17  
LO-ADDRESS: PO BOX 8143 LO-CITY: COCKEYSVILLE MD 21030  
1ST-SOLD: 04 04 14 DT-ISS: 04 18 17 TX-RT: P HVUC: TVB: BAD-CK: SP-VEH:  
NET-WT: 05710 GVW: 000000 EXMPT: FUEL: F ODOM: 030565 ODOM-EXC: N ODOM-DSC: N  
MO-TX: 00 TAX-COLL: 0.00 PENALTY-AMT: 0.00 PLT-EMB: .00 OT-PND:  
PRI-PT: XRF-PT: VO: N MO: N DUP-DT: LS-UDT: 04 18 17  
ELT KEY:  
F1:MPL F2:MOT F3:MCP F5:MFC F6:MAC F7:MCMT F10:MNR F11:MVRN F12:MFEE

MRI 668418 IN: RX05M55L 370 AT 09JAN2018 08:39:47  
OUT: DLNR02 13 AT 09JAN2018 08:39:47