

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

April 27, 2018

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

PSF 18MD-044

Maui

Administrative Enforcement Action for Violation of Hawaii Administrative Rules Chapter 13-221, Unencumbered Public Lands, Sections 13-221-11 "Animals" and 13-221-35 "Commercial Activities", Against Paige Clew DePonte and TLR LLC, One or Both of Whom Are Doing Business as Triple L Ranch and/or Triple L Ranch Maui Private Custom Horseback Tours; DOCARE Investigation Report No. 18-0259-MA; Kanaio, Maui; Tax Map Key: (2) 2-1-002:001 and seaward of same.

SUMMARY:

This submittal requests that the Board of Land and Natural Resources (Board) find that Ms. Paige Clew DePonte and TLR LLC, a Hawaii limited liability company, one or both of whom are doing business as Triple L Ranch and/or Triple L Ranch Maui Private Custom Horseback Tours, in violation of Hawaii Administrative Rule (HAR) Sections 13-221-11 "Animals", and 13-221-35 "Commercial Activities". These sections provide in relevant part as follows:

Section 13-221-11(b): "No person shall engage in horseback riding on the beaches."

Section 13-221-35: "No person shall engage in commercial activities of any kind without a written permit from the board or its authorized representative."

Land Division hereby alleges the following violations of the HAR provisions by the following individual and entity:

Against:	Paige Clew DePonte and TLR LLC, One or Both of Whom Are Doing Business as Triple L Ranch and/or Triple L Ranch Maui Private Custom Horseback Tours.
Date of incident:	November 10, 2017.
Location of incident:	Portion of Government lands of Kanaio, Maui, identified by Tax Map

Key: (2) 2-1-002:001, and seaward of same, as shown on the attached map labeled Exhibit A.

Violations: One (1) count of engaging in horseback riding on the beach in violation of HAR Section 13-221-11; and one (1) count of engaging in commercial activity on unencumbered public lands without a written permit from the board or its authorized representative in violation of HAR Section 13-221-35.

ZONING:

State Land Use District: Conservation and Agriculture
County of Maui CZO: Agriculture and Interim. Portions of the State land are also located within the Special Management Area

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES ___ NO X

CURRENT USE STATUS:

Right-of-Entry No. 4317 issued to the Army Corps of Engineers for site inspection activities to evaluate the presence of munitions and explosives of concern and munitions constituents (expires October 4, 2018). Right-of-Entry No. 4322 issued to the State Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW), for management purposes pursuant to Board approval dated November 10, 2016 under agenda Item D-4. DOFAW is in the process of conducting field studies related to an Environmental Assessment of the subject lands at Kanaio in anticipation of the designation of a proposed Game Management Area (GMA). The GMA designation has not yet occurred, and therefore the land remains subject to the Unencumbered Public Land Rules, Hawaii Administrative Rules, Chapter 13-221 and Chapter 171, HRS.

INTRODUCTION:

The subject lands are unencumbered public lands. Pursuant to HAR Section 13-221-35, commercial activity is prohibited on unencumbered lands without a permit authorized by the Board or its authorized representative. HAR Section 13-221-2 defines "commercial activity" as:

the use of or activity on state land for which compensation is received by any person for goods or services or both rendered to customers or

participants in that use or activity. Display of merchandise or demanding or requesting gifts, money, or services, except as allowed by chapter 13-7, shall be considered commercial activity. Commercial activities include activities whose base of operations are outside the boundaries of the unencumbered state lands, or provide transportation to or from unencumbered state lands.

Furthermore, HAR Section 13-221-11 prohibits horseback riding on state beaches.

On November 10, 2017 at approximately 11:00 AM, Department of Conservation and Resources Enforcement (DOCARE) Officer Randy DeCambra conducted an investigation on the subject land and determined that Paige Clew DePonte and Triple L Ranch were conducting an unauthorized commercial horseback riding tour on the land. His findings were based on observations he made during the investigation, witness statements, and research he had done about Triple L Ranch's advertising.

FACTUAL BACKGROUND:

Paige Clew DePonte's Communications with the Maui District Land Office

On May 11, 2012, the DLNR Maui District Land Office (MDLO) received a signed application for use of government lands from Paige Clew DePonte, acting on behalf of TLR LLC, a Hawaii limited liability company. Paige Clew DePonte represented herself as owner of the limited liability company licensed to operate in the State of Hawaii. Paige Clew DePonte requested a right-of-entry, revocable permit, and land license for use of 5,948 acres of government lands situate at Kanaio Maui identified as TMK (2) 2-1-002:001 (Parcel 001) for "Business/Commercial" purposes and "Reforestation." Ms. DePonte stated:

"we would like the concession for use of State road from Piilani Hwy to Kanaio Beach for trailrides..."

Furthermore, Paige Clew DePonte went on to explain in her application that Triple L Ranch Trailrides is located at 15900 Piilani Hwy and has been in operation since 2009 conducting trail rides on 110 acres of private property situate at TMK (2) 2-1-002:023 which is adjacent and east of public lands identified as Parcel 001.

From the year 2000, Maui DOFAW staff has been in discussions with private landowner, Ulupalakua Ranch, in regards to a proposed management agreement on lands referred to as Papaka Kai, identified as TMK (2) 2-1-004:006, located adjacent to and just north of government lands at Parcel 001. As a result of this pending opportunity, both MDLO and DOFAW staff opined that it would be in the best interest of the State not to recommend any disposition to third parties affecting Parcel 001. This decision was communicated to Paige Clew DePonte by phone and email pursuant to her submission of her application in 2012 as

well as in a face-to-face meeting between Paige Clew DePonte and DLNR staff held on May 5, 2016 at 10:00 a.m. where staff repeatedly explained the State's position relative to the proposed GMA. Furthermore staff advised Paige Clew DePonte that staff was aware of her ongoing unauthorized use of government property for commercial trailrides pursuant to numerous complaints from landowners in the area.

On November 10, 2016 under agenda Item D-4, the Board approved the set-aside of Parcel 001 to DOFAW for forestry and wildlife purposes at Kanaio, Maui.

Posting of Signage on the Subject Lands

In 2016, standard DLNR regulatory signs were conspicuously posted along the road on Parcel 001 leading to Kanaio Beach advising visitors to the area that commercial activities are prohibited. In an October 2016 Maui News article, Paige Clew DePonte expressed opposition to plans for a hunting game reserve (GMA) in Kanaio. Paige Clew DePonte is quoted as saying: "almost two weeks ago, signs were placed on the property the department is considering, barring such things as campfires, alcohol, unrestrained animals and off-road vehicles. She said that the community feared the signs are the beginning of restricted access to an area used to reach the beach."

Over the years DLNR staff repeatedly advised Paige Clew DePonte that use of government property for commercial activities without a permit was a violation. For example, in addition to the meeting of May 5, 2016 noted above, DLNR staff also sent electronic mail notification, dated February 2, 2017. Notice of unauthorized commercial activity was sent and received by Paige Clew DePonte at her email address.

Therefore, staff believes at the time of citation by DOCARE on November 10, 2017, Paige Clew DePonte was fully aware that her activities were unauthorized and subject to fines pursuant to HRS Chapter 171 and HAR Chapter 13-221 related to commercial activities on unencumbered government lands.

DOCARE Investigation

Officer DeCambra explains in his investigation report (Exhibit C) that DOCARE had received numerous ongoing complaints regarding Paige Clew DePonte and Triple L Ranch conducting commercial horseback riding tours Parcel 001. He reviewed Triple L Ranch's Internet advertising and noticed that the photographs shown there appeared to depict Parcel 001.

On November 10, 2017 at approximately 11:00 AM, he went to the area and observed four adults, three saddled horses, and an early model black Jeep on Parcel 001. In the Jeep, Officer DeCambra observed beach chairs, coolers, a folding table, a large blue cloth bag

containing beach towels, a large plastic water storage container, and empty used transparent plastic water bottles. One of the female adults, later identified as Maurissa DePonte-Simpson, wore a brown t-shirt that had "Triple L Ranch" labeling on the front upper right and back of the shirt. Based on the prior complaints, the Triple L Ranch Internet advertising and his observations on November 10, 2017, Officer DeCambra believed the Triple L Ranch was unlawfully conducting a commercial horseback tour.

Officer DeCambra interviewed the adults and learned that they were part of a commercial horseback riding tour conducted by Triple L Ranch on Parcel 001. Tour customers Lisa Sanders and Erick Brendon told Officer DeCambra that they paid approximately \$500 for a half-day horseback riding tour that included a picnic lunch at the shoreline. Ms. DePonte-Simpson and a male identified only as Jobe explained that they were employees of Triple L Ranch and were conducting the horseback riding tour. Ms. DePonte-Simpson identified her mother, Paige Clew DePonte, as the owner and operator of Triple L Ranch. Officer DeCambra further determined that the Jeep, which was operated by Ms. DePonte-Simpson, was registered to Paige Clew DePonte.

After interviewing the witnesses, Officer DeCambra informed Ms. DePonte-Simpson that the horseback tour was being terminated and that the group could not proceed down to the beach. Ms. DePonte-Simpson complied, and the group prepared to go back up the access road. Officer DeCambra drove down to the beach where he observed horse fecal matter littered along the shoreline, which led him to believe that Triple L Ranch had recently been conducting its commercial horseback tours on the beach.

On November 25, 2017, Officer DeCambra together with his supervisor, Acting Conservation Enforcement Supervisor Wesley Mundy, made contact with Paige Clew DePonte on Lower Kula Road. Officer DeCambra apprised her of the investigation and gave her an opportunity to make a statement about the incident. Paige Clew DePonte refused to make a statement and said that she would consult with her attorney on the matter.

DCCA Records on TLR LLC

TLR LLC is registered with the State Department of Commerce and Consumer Affairs (DCCA) to do business in the State of Hawaii. The DCCA record shows that the sole member of the company is Paige Clew DePonte. The names "Triple L Ranch" and "Triple L Ranch Private Maui Custom Horseback Tours" appear to be unregistered trade names of either Paige Clew DePonte or TLR LLC, or both.

Additional Information Regarding Triple L Ranch and its Advertising

Information provided on the Triple L Ranch Maui Private Custom Horseback Tours website identifies the location of its trail-riding operation as 15900 Piilani Hwy. 15900 Piilani

Highway is not a location address recognized by the County of Maui Real Property Tax Assessment Division.

County of Maui, Department of Planning, confirmed that Ms. DePonte does not have permits to operate commercial activities on private property situate within the State Land Use Agriculture District identified as TMK (2) 2-1-003:010, 011 & 012 and TMK (2) 2-1-002:023.

On January 23, 2017 a Notice of Violation was issued by the County of Maui for “un-permitted commercial business on AG zoned property: Triple L Ranch Private Custom Trail Rides, Owner Paige L Clew-DePonte.

Advertising webpages for Triple L Ranch include the following:

<http://www.triplelranchmaui.com/>;
<https://www.yelp.com/biz/triple-l-ranch-maui-private-custom-horseback-riding-kula-2>; and
https://www.tripadvisor.com/Attraction_Review-g60633-d8784712-Reviews-Triple_L_Ranch-Kula_Maui_Hawaii.html.

Excerpts from the webpages are attached as Exhibit B.

REGULATORY AUTHORITY FOR THE ENFORCEMENT:

HAR Section 13-221-11 “Animals” prohibits horseback riding on State beaches: “No person shall engage in horseback riding on the beaches. The beach is defined in HRS 205A-1 “Definitions” as the area seaward of the shoreline.

HAR Section 13-221-35 “Commercial Activities” prohibits commercial activities on unencumbered State land: “No person shall engage in commercial activities of any kind without a written permit from the board or its authorized representative.” HAR Section 13-221-22 defines “commercial activity” as:

the use of or activity on state land for which compensation is received by any person for goods or services or both rendered to customers or participants in that use or activity. Display of merchandise or demanding or requesting gifts, money, or services, except as allowed by chapter 13-7, shall be considered commercial activity. Commercial activities include activities whose base of operations are outside the boundaries of the unencumbered state lands, or provide transportation to or from unencumbered state lands.

APPLICATION OF LAW AND RECOMMENDED PENALTY:

Ms. DePonte and/or TLR LLC, using the trade name Triple L Ranch, conducted a horseback tour business that included horseback rides on the beach. During DOCARE's investigation on Friday November 10, 2017, the witnesses admitted to participating in a commercial horseback riding tour that led to the beach where clients would be allowed to "swim, pick shells, etc." and lunch was served for a fee. Although Officer DeCambra terminated the November 10, 2017 tour before it could reach the beach, he drove down to the beach and found horse fecal matter along the shoreline. This evidence when combined with the witness statements about their intended destination being the beach and Triple L Ranch's Internet advertising showing horseback riding on the beach, is sufficient to find a violation of HAR Section 13-221-11.

Ms. DePonte and/or TLR LLC, using the trade name Triple L Ranch, engaged in commercial activity on unencumbered lands without a written permit from the Board or its authorized representative. Tour customers Lisa Sanders and Erick Brendon told Officer DeCambra that they paid approximately \$500 for a half-day horseback riding tour that included a picnic lunch at the shoreline. Ms. DePonte-Simpson and her co-worker Jobe explained that they were employees of Triple L Ranch and were conducting the horseback riding tour. This evidence is sufficient to find a violation of HAR Section 13-221-35.

Hawaii Revised Statutes Section 171-6(15) provides that the Board may:

Set, charge, and collect reasonable fines for violation of this chapter or any rule adopted thereunder. Any person engaging in any prohibited use of public lands or conducting any prohibited activity on public lands, or violating any of the other provisions of this chapter or any rule adopted thereunder, for which violation a penalty is not otherwise provided, shall be:

(A) Fined not more than \$5,000 per violation for a first violation or a violation beyond five years of the last violation; provided that, after written or verbal notification from the department, an additional \$1,000 per day per violation may be assessed for each day in which the violation persists;

(B) Fined not more than \$10,000 per violation for a second violation within five years of the last violation; provided that, after written or verbal notification from the department, an additional \$2,000 per day per violation may be assessed for each day in which the violation persists;

(C) Fined not more than \$20,000 per violation for a third or subsequent violation within five years of the last violation; provided that, after written or verbal notification from the department, an additional \$4,000

per day per violation may be assessed for each day in which the violation persists; and

(D) Liable for administrative costs and expenses incurred by the department and for payment for damages, including but not limited to natural resource damages.

In addition to the fines, administrative costs, and damages provided for hereinabove, for damage to or theft of natural resources, the board may also set, charge, and collect a fine that, in its discretion, is appropriate considering the value of the natural resource that is damaged or the subject of the theft. In arriving at an appropriate fine, the board may consider the market value of the natural resource damaged or taken and any other factor it deems appropriate, such as the loss of the natural resource to its natural habitat and environment and the cost of restoration or replacement. The remedies provided for in this paragraph are cumulative and in addition to any other remedies allowed by law.

No person shall be sanctioned pursuant to this section for the exercise of native Hawaiian gathering rights and traditional cultural practices as authorized by law or as permitted by the department pursuant to article XII, section 7, of the Hawaii state constitution;

STATUTORY FINE AND ADMINISTRATIVE COSTS

Based on the foregoing, staff is recommending imposition of a fine and the assessment of administrative costs in the amounts indicated below as provided for under Section 171-6(15), HRS:

Fine: \$5,000.00

Administrative Costs:	DOCARE:	\$1,472.58*
	MDLO:	\$1,062.14*
	Subtotal costs:	\$2,534.72

*See Exhibit D attached for a breakdown of administrative costs.

Total fine and costs: \$7,543.72

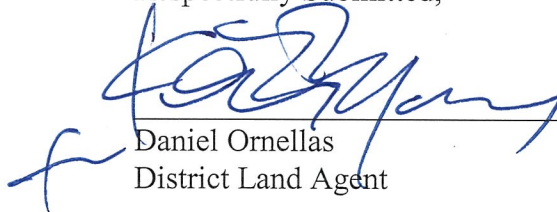
RECOMMENDATION: That the Board:

1. Impose a \$5,000.00 fine jointly and severally against Ms. Paige DePonte and TLR

LLC, for the use of public lands for unauthorized commercial activities, pursuant to Section 171-6, HRS.

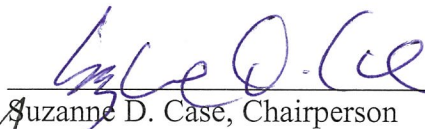
2. Assess administrative costs in the amount of \$2,534.72 jointly and severally against Ms. Paige DePonte and TLR LLC, pursuant to Section 171-6, HRS.
3. Authorize the Department of the Attorney General, the Department of Land and Natural Resources, or their agents to collect all monies due the State of Hawaii and to pursue all other rights and remedies as appropriate.

Respectfully Submitted,



Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

EXHIBIT A

SUBJECT AREA

Staging
Area
Private
Property

DEPARTMENT OF TAXATION
PROPERTY ASSESSMENT DIVISION
TAX MAPS BRANCH
STAFF OF H. W. HALL
TAX MAP

ZONE	SEC.	PLAT
2	1	02

SCALE: 1 IN. = 1000 FT.



- ● ● ● ● = 4 mile trail ride
-  = Base of commercial operation
-  = State Land

EXHIBIT A

EXHIBIT B



Experience the Real Beauty of Old Maui

Duration: 4.5 Hours

Rates: \$295 per rider (plus tax)

<http://www.triplelranchmaui.com/>

EXHIBIT B

The mountain to the sea tours are our most unique and Paige's personal favorite. This ride along opportunity takes us across the open free range areas called "pasture" through the ancient warring grounds past Pi'imoi cinder cone down the lava fields filled with Hawaiian Hale Koa and the Wili trees.

We do a tri-weekly cattle check on these tours. Essentially you are gaining your Paniolo (Hawaiian Cowboy) status! Once you arrive you are a part of the crew, (volunteering) and our job, is to make sure the cattle stay in the pasture lands, push any invasive species "goats and deer" out of the area. Horses and the "Deer and Goats" instinctively go separate ways. So it's not a lot of work! You just ride along as we wind our way down along to the picturesque seascapes that unfold at every turn. We reach the coast in approximately 2 hrs, making a few stops for photos and to stretch.

Then the coast itself: black stone and white coral stones create this Maui coastline—the likes of which you have never seen. It is only accessible by horse, by boat and perhaps the avid hiker (about 3 hours from La Perouse on foot). We however prefer the comfort of our horses!

The ride along the coast is breathtaking. Our half-day coastal ride stops at the first or second bay shaded by a huge Ki'awe Trees, this is where we break for a scrumptious lunch for our cowboys and you our volunteer paniolos. The crew fuels up on awesome Triple L Ranch Beef Burgers catered in; including fresh fruit, tasty snacks and delicious dessert for about an hour then head back up to the ranch. The total ride time is about 4.5 hours.

<http://www.triplelranchmaui.com/>



Full Day Cattle Tour

Total Time: 6.5 hours

Rate: \$395.00

<http://www.triplelranchmaui.com/>

This ride takes the same route down and the same concept applies, we only do these tours for a very important objective too! No only cattle checking but looking after the coastline. We while relax at the Kanaio coast, at a large bay where we set up a lovely cowboy lunch time. We spread out under a huge Ki'awe forest ending with scrumptious desserts.

While on this trip, you get the option to hike to an ancient Hawaiian fishing village, or to a secluded sandy beach called the Oasis, or to just revel in the sun, take a swim in the emerald-blue water, snorkel or check out the tide pools. You may just want to swing on the swing, or take a nap in the pure perfect silence that this place has to offer. The crew spends their time cleaning up the coastline of any debris left by accident (we hope). We love taking care of the aina and take pride in our tours and sharing these precious places.

This is truly the most amazing experience for anyone in Hawai'i, visitors and locals alike. Except for the occasional fisherman throwing his net, you are totally alone with nature and at peace. The ride alone is spectacular, and the time at the beach is a healing and invigorating experience.

The ride home is exciting too as we allow experienced riders to trot up the slope! You'll have so much fun that, before you know it, you're back at the ranch again.

[\[Back to Horseback Rides\]](#)

<http://www.triplelranchmaui.com/>



<https://www.yelp.com/biz/triple-l-ranch-maui-private-custom-horseback-riding-kula-2>




Aug 24, 2017

Bucket list? We live to make your dreams come true ride from the mountains to the sea !!! Culture history and an amazing adventure!! Book in advance we are a small private riding cattle ranch so space is limited!! Call today 808-280-770

84 of 240



 All photos (62)



Reviewed 3 weeks ago  via mobile

Ride of your life... really amazing

This is the quintessential Maui experience. We did a full day ride. The land is rich with history and its beauty is unmatched in all my travels. The ride stops at the ocean for the best burger on earth with beach chairs and beautiful waters.... [More](#)

Ask Jeff G about Triple L Ranch Private Custom Horseback Rides

 Thank Jeff G



This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Clew De Ponte P, Owner at Triple L Ranch Private Custom Horseback Rides, responded to this review

Responded 2 weeks ago

Oh Jeff and Jill thank you so much for all the kind words we really enjoyed sharing the aina with you and sing how much it meant to you !! Mahalo Nui loa!!

[Report response as inappropriate](#)

This response is the subjective opinion of the management representative and not of TripAdvisor LLC.

[https://www.tripadvisor.com/Attraction_Review-g60633-d8784712-Reviews-Triple L Ranch-Kula Maui Hawaii.html](https://www.tripadvisor.com/Attraction_Review-g60633-d8784712-Reviews-Triple_L_Ranch-Kula_Maui_Hawaii.html)



KelseyStory
El Paso, Texas
11 2



Reviewed November 2, 2017

4 Hour Ride to Beach

My husband and I had a nice ride and would probably recommend Triple L to a friend! Thanks to Paige, Job, and Maurissal

Ask KelseyStory about Triple L Ranch Private Custom Horseback Rides

Thank KelseyStory

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC.

Clew De Ponte P, Owner at Triple L Ranch Private Custom Horseback Rides, responded to this review

Responded November 8, 2017

Aloha Kelsey Mahalo for the review!

Report response as inappropriate

This response is the subjective opinion of the management representative and not of TripAdvisor LLC.

EXHIBIT C

CONFIDENTIAL

COPY

P.S. FWD. TO LAND Div.
Hull 12/11/17
12/11/17

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

INVESTIGATION # 18-0259-MA	District Maui	Lead Investigator DeCambra, Randy	Report Status In Progress	Key Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date/Time Reported 11/10/2017 11:00AM	Location Kanaio	Classification Unauthorized Commercial Activity		Connecting Reports

Investigation Report

BASIC	1. CLASSIFICATION Unauthorized Commercial Activity						2. SOURCE On Beat		
	3. COMPLAINANT'S NAME Randy DeCambra			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 Kanaio State Unencumbered Lands/TMK# (2) 2-1-002:001					15. DATE/TIME OCCURRED 11/10/2017 11:00AM		16. DATE/TIME REPORTED 11/10/2017 11:00AM	
VEHICLES	17. TYPE SUV	18. YEAR 1989	19. MAKE Jeep	20. MODEL	21. COLOR Black	22. LICENSE / HA No.	23. LENGTH	24. STOLEN No	
	25. REGISTERED OWNER Paige Clew DePonte		26. ADDRESS Kula, HI, 96790			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 Maurissa DePonte-Simpson			46. SEX Female	47. RACE	48. AGE 32	49. BIRTH DATE	50. OCCUPATION Tour Guide Assistant	
	51. CATEGORY Responsible		52. ADDRESS Kula, HI, 96790			53. HOME	54. WORK	55. CELL	
SYNOPSIS	56. NAME Lisa Sanders			57. SEX Female	58. RACE	59. AGE	60. BIRTH DATE	61. OCCUPATION	
	62. CATEGORY Witness		63. ADDRESS Silverdale, WA, 98383			64. HOME	65. WORK	66. CELL	
	67. NAME Erick Brendon			68. SEX Male	69. RACE	70. AGE	71. BIRTH DATE	72. OCCUPATION	
	73. CATEGORY Witness		74. ADDRESS Silverdale, WA, 98383			75. HOME	76. WORK	77. CELL	
78. SYNOPSIS Investigation reveals that on Friday 11-10-17, at approximately 1100hrs, TRIPLE L RANCH conducted an illegal unauthorized commercial horseback riding tour on State Unencumbered Lands situated in Kanaio, Maui. TRIPLE L RANCH clients SANDERS and BRENDON paid approximately \$500 for a half-day horseback riding tour that included a picnic lunch at the shoreline. On the date of the offense, DEPONTE-SIMPSON and a male only identified as "Jobe" were employed by TRIPLE L RANCH and conducted and directed the horseback riding tour. CLEW DEPONTE was identified to be the owner and operator of TRIPLE L RANCH. It was further revealed that TRIPLE L RANCH utilizes photographs and descriptions of the Kanaio State Unencumbered Lands as marketing in its advertisement website. *REFER TO ATTACHED CONTINUATION OF REPORT FOR DETAILS.*									
WRITER	79. REPORT WRITTEN BY DeCambra, Randy		80. BADGE No. 204	81. DATE/TIME WRITTEN 12/09/2017 05:38PM		82. SUPERVISOR APPROVING Mundy, Wesley		83. DATE/TIME APPROVED 12-9-17 / 1130am	84. BADGE No. 139
	85. DISPOSITION								

EXHIBIT C

INVESTIGATION # 18-0259-MA	DISTRICT Maui	LEAD INVESTIGATOR Randy DeCambra	KEY REPORT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DATE / TIME REPORTED 11/10/2017 11:00:00 AM	LOCATION Kanaio	CLASSIFICATION Unauthorized Commercial Activity	CONNECTING REPORT(S) None

Report Type: ☒ Continuation of Report ☐ Supplemental ☐ Follow Up
 Date/Time Written: 12-08-17/0900
 Written By: DeCambra, Randy

Report

ASSIGNMENT:


On Friday 11-10-17, I was on-duty and employed as a Conservation Enforcement Officer with the State of Hawaii/Department of Land and Natural Resources-Division of Conservation and Resources Enforcement (DLNR-DOCARE). I was assigned by Acting Conservation Enforcement Supervisor Wesley MUNDY to conduct routine uniformed patrols.

COMPLAINTS:

Over the last several years, Maui DOCARE has received numerous ongoing complaints regarding Paige CLEW DEPONTE owner/operator of TRIPLE L RANCH unlawfully conducting horseback riding commercial tours on State Unencumbered Lands in Kanaio, Maui. Complaints detailed that the TRIPLE L RANCH's operation involved the horseback riding tour group being accompanied by a four-wheel drive vehicle, driven by a TRIPLE L RANCH staff member, which transports the picnic related items (food, drinks, chairs, tables, etc...) to their destination at the beach. Once at the beach, TRIPLE L RANCH staff provide guests with a picnic lunch. Some of the issues and concerns highlighted in the complaints were that the Kanaio State Unencumbered Lands were being subjected to commercial exploitation and being misused by TRIPLE L RANCH and that their horses were leaving behind unsightly and unsanitary fecal matter. Public users of the area that have spoken to me believe that the presence of TRIPLE L RANCH's illegal operation at the location infringes and hampers the public's enjoyment of the area. Public users further complained that TRIPLE L RANCH's operation encroaches on accessible beach access sites at the location, thus denying and limiting public access. It was also reported that TRIPLE L RANCH's unlawful commercial operation at the Kanaio State Unencumbered Land detracts from the beautiful, natural, remote, backcountry experience and enjoyment sought by those visiting the area.

INFORMATION:

The affected Kanaio State Unencumbered Lands comprises of 5,948 acres, is situated south of PIILANI HIGHWAY, and is identified as County of Maui Tax Map Key parcel (2) 2-1-002:001. The area has an unpaved roadway that begins at PIILANI HIGHWAY and culminates at and provides vehicular access to the shoreline. Said roadway is the only vehicular access to the shoreline at the location. Prominent geological and terrestrial features at the Kanaio State Unencumbered Lands are the volcanic cinder cone of PU'U PIIMOE (Elevation 1,766 Feet), the HOAPILI TRAIL (commonly referred to as the KING'S HIGHWAY), and many historical Hawaiian sites. It has been stated that the area once supported a thriving Hawaiian community. The area comprises of A'a lava fields, dryland forests, and vegetation areas. The location is frequented by pole fishermen, spear fishermen, throw net fishermen, Opihi pickers, hikers, snorkelers, swimmers, beach users, and others. Hikers regularly access the area, via the HOAPILI TRAIL, that starts at KEONEOIO/LA PERSOUSE BAY.


 DeCambra, Randy
 Officer

204
 Badge No.

12-08-17/0900
 Date / Time

INVESTIGATION # 18-0259-MA	DISTRICT Maui	LEAD INVESTIGATOR Randy DeCembra	KEY REPORT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DATE / TIME REPORTED 11/10/2017 11:00:00 AM	LOCATION Kanaio	CLASSIFICATION Unauthorized Commercial Activity	CONNECTING REPORT(S) None

Report (Continued)

I examined the TRIPLE L RANCH advertisement website and it clearly promotes its commercial horseback tour operation on the aforementioned Kanaio State Unencumbered Lands. Throughout the website are distinct photographs illustrating the coastline at the Kanaio State Unencumbered Lands. Also depicted in the TRIPLE L RANCH advertisement website, are photographs of Kanaio State Unencumbered Land's unique landscape that includes several photographs of PU'U PIIMOEO. The website also features a photograph of the beach access road at the Kanaio State Unencumbered Lands. Due to the numerous photographs and descriptions of the Kanaio State Unencumbered Lands on the TRIPLE L RANCH advertisement website, it is evident that TRIPLE L RANCH is utilizing the picturesque natural features of the Kanaio State Unencumbered Lands in its marketing strategy to promote sales.


TRIPLE L RANCH's advertisement website offers a Half-Day Ride, a Full-Day Ride, and a V.I.P. Kanaio Coast Retreat Ride. Per their website, the Half-Day Ride duration is 4.5 hours and costs \$295 per rider plus tax and the V.I.P. Kanaio coast ride duration is 6.5 hours and costs \$395.00. Website descriptions of the Half-Day Ride, Full-Day Ride, and the V.I.P. Kanaio Coast Retreat Ride clearly state that the highlight of their horseback riding tours is a visit to the shoreline that includes lunch, swimming, snorkeling, tide pool exploration, and photography opportunities. The V.I.P. Kanaio Coast Retreat Ride description explicitly mentions a swing feature. A swing is found at one of the northern coastal bays along the coastline at the Kanaio State Unencumbered Lands. Lastly, TRIPLE L RANCH's advertisement website presents their past client testimony referencing their experiences at the shoreline. The shoreline at the location is unquestionably within the Kanaio State Unencumbered Lands.

ARRIVAL:

At approximately 1100hrs, I was within my marked state law enforcement patrol vehicle heading makai along the shoreline access road within the Kanaio State Unencumbered Lands (Global Positioning Coordinates: 20 35' 41"N/156 23' 16"W). Said location is in the vicinity of a conspicuous rock that is perched up high on a neighboring ridgeline, that is sometimes referred to as the "halfway rock." I believe that it's identified as the "halfway rock," because it's at a location along the access road that is approximately halfway between from the road's beginning at PIILANI HIGHWAY and the shoreline.

OBSERVATIONS:

I observed four adult parties (two-male/two-female) in proximity of three saddled horses that were secured to Kiawe trees. It appeared that the parties were taking a break from horseback riding. Also on scene and parked, was a black early model Jeep, bearing Hawaii license plate [REDACTED]. Said vehicle was later discovered to be registered to CLEW DEPONTE. Within the Jeep were beach chairs, coolers, a folding table, a large blue cloth bag containing a beach towel and other unknown items, a large filled black plastic trash bag containing unknown items, a light blue large plastic water storage container, and empty used transparent plastic water bottles. One of the females wore a brown t-shirt that had TRIPLE L RANCH labeling on the front upper right and back of the shirt. Due the details depicted in the stated numerous and ongoing complaints and the present aforementioned facts and circumstances, I strongly believed that TRIPLE L RANCH was unlawfully conducting a commercial horseback riding tour.


DeCembra, Randy
Officer

204
Badge No.

12-08-17/0900
Date / Time

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

INVESTIGATION #
18-0259-MA

DISTRICT
Maui

LEAD INVESTIGATOR
Randy DeCamra

KEY REPORT
☒ Yes ☐ No

DATE / TIME REPORTED
11/10/2017 11:00:00 AM

LOCATION
Kanaio

CLASSIFICATION
Unauthorized Commercial Activity

CONNECTING REPORT(S)
None

Report (Continued)

OFFICER'S CONTACT:

I made contact with the parties, whom were later identified as TRIPLE L RANCH employees Maurissa DEPONTE-SIMPSON and a male only identified as "Jobe" and TRIPLE L RANCH clients Lisa SANDERS and Erik BRENDON. DEPONTE-SIMPSON was also later discovered to be CLEW DEPONTES' daughter. I verbally identified myself to the parties and informed them that the area is State Unencumbered Lands, in which unauthorized commercial activity is unlawful at the location. I informed the parties that I was conducting an investigation and that I would be speaking with them individually. I attempted to obtain a statement from "Jobe" regarding the incident. "Jobe" refused to provide any information and make a statement, stated that he is only an employee of TRIPLE L RANCH, and that I would need to speak with DEPONTE-SIMPSON regarding the incident. While I was in conversation with "Jobe," he shifted and directed all the responsibility of the illegal commercial horseback riding tour to DEPONTE-SIMPSON.

PERSON #1 STATEMENTS (Maurissa DEPONTE-SIMPSON):

I presented DEPONTE-SIMPSON with a State of Hawaii/Department of Land and Natural Resources-Division of Conservation and Resources Enforcement Advice of Constitutional Rights form. I read the form to her in its entirety, in which she acknowledged understanding her rights by scribing her signature and initials where appropriate on the form. DEPONTE-SIMPSON indicated she wished to make a statement regarding the incident.

DEPONTE-SIMPSON said that she is a TRIPLE L RANCH Tour Guide Assistant and that her job is to operate the stated Jeep that was transporting water, supplies, and food. DEPONTE-SIMPSON claimed that their clients provided their own lunches and that she and "Jobe" had their own lunches as well. DEPONTE-SIMPSON confirmed that CLEW DEPONTE is her mother. DEPONTE-SIMPSON related that the horseback riding tour started at 0930hrs at the TRIPLE L RANCH headquarters/corral located off PIILANI HIGHWAY. DEPONTE-SIMPSON admitted that the three (3) horses they were utilizing belonged to TRIPLE L RANCH. She said that "Jobe" is employed by TRIPLE L RANCH, as a Tour Guide, and that she didn't know his last name. DEPONTE-SIMPSON further admitted that SANDERS and BRENDON were paying customers of TRIPLE L RANCH. She additionally said that they were heading to KANAIO BEACH. KANAIO BEACH is located within the Kanaio State Unencumbered Lands. Once at KANAIO BEACH, they (her and "Jobe") would allow their customers (SANDERS and BRENDON) to swim, pick shells, etc... Per DEPONTE-SIMPSON, her job at KANAIO BEACH is to arrange the chairs, put out the food, water, etc... for the picnic lunch. DEPONTE-SIMPSON stated that the horseback riding tour they were conducting was a half-day tour. The services being provided by DEPONTE-SIMPSON and "Jobe" were consistent with what is mentioned in the TRIPLE L RANCH's advertisement website for a half-day tour. When I presented DEPONTE-SIMPSON the substantive and convincing facts supporting and surrounding the investigation, she admitted that they were actively conducting a commercial horseback riding tour. Her employment with TRIPLE L RANCH started during March 2017 and she further admitted that they (TRIPLE L RANCH) conduct approximately 4-8 illegal commercial horseback riding tours a month at the Kanaio State Unencumbered Lands. DEPONTE-SIMPSON claimed she was unaware that conducting commercial horseback riding tours at the location was unlawful and believed that the lands were held in a 5F Trust by the State of Hawaii. DEPONTE-SIMPSON further claimed that they were checking for cattle to make sure they don't trespass onto state lands from their (TRIPLE L RANCH) property. DEPONTE-SIMPSON said that horseback tour bookings and payments are made and taken by her mom, CLEW DEPONTE. It should be noted that CLEW DEPONTE's phone number is the point of contact on the TRIPLE L RANCH's advertisement website. Nothing further to add.

DeCamra, Randy
Officer

204
Badge No.

12-08-17/0900
Date / Time

INVESTIGATION #
18-0259-MA

DISTRICT
Maui

LEAD INVESTIGATOR
Randy DeCambra

KEY REPORT
[X] Yes [] No

DATE / TIME REPORTED
11/10/2017 11:00:00 AM

LOCATION
Kanaio

CLASSIFICATION
Unauthorized Commercial Activity

CONNECTING REPORT(S)
None

Report (Continued)

It appeared that some of DEPONTE-SIMPSON's verbal statements regarding the incident were premeditated and strategically crafted to justify their illegal horseback tour operation at the Kanaio State Unencumbered Lands. I offered DEPONTE-SIMPSON an opportunity to provide a written statement regarding the incident. DEPONTE-SIMPSON accepted and provided a written statement, which differed greatly from her verbal statement. In DEPONTE-SIMPSON written statement, she appears to further deceptively justify their illegal commercial horseback riding tour at the Kanaio State Unencumbered Lands.

REFER TO ATTACHED STATE OF HAWAII/DLNR-DOCARE STATEMENT OF WITNESS/PARTICIPANT FOR DETAILS.

PERSON #2 STATEMENTS (Lisa SANDERS):

SANDERS stated that they (her and BRENDON) were paid clients of TRIPLE L RANCH and that they were engaged in a commercial horseback riding tour. SANDERS booked and paid for the horseback riding tour reservation over the phone approximately 1-2 months prior to the horseback riding tour date. SANDERS additionally said that she paid approximately \$500 for her and SANDERS to participate in the half-day TRIPLE L RANCH horseback tour. SANDERS related that their horseback riding tour began at 0930hrs and that TRIPLE L RANCH was providing their lunches (contrary to what DEPONTE-SIMPSON stated earlier). At the time I made contact with them, they had stopped for water and snacks. SANDERS confirmed that "Jobe" was the Tour Guide and that DEPONTE-SIMPSON was following behind them in the Jeep transporting the food, water, and snacks that were provided by TRIPLE L RANCH. SANDERS said that after finishing their break, they were to continue to the beach, stop for lunch, and head back up the access road to conclude their horseback riding tour. SANDERS stated that they came straight down to the location that we met at, thus proving that the focus of the TRIPLE L RANCH's horseback riding tour is the Kanaio State Unencumbered Lands and its shoreline feature. SANDERS' statement was made in the presence of BRENDON. Nothing further to add.

PERSON #3 STATEMENTS (Erick BRENDON):

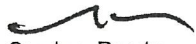
BRENDON appeared to be disturbed with incident and inquired why TRIPLE L RANCH hasn't been stopped from conducting their unlawful horseback riding tour at the location. I explained to BRENDON the challenges that we (Maui DOCARE) have had in the apprehending TRIPLE L RANCH. One of those challenges was actually observing TRIPLE L RANCH actively conducting their illegal commercial horseback riding tours at the location. BRENDON related that his statement regarding the incident was that he concurred with everything mentioned SANDERS statement. Nothing further to add.

FIELD SUPERVISOR NOTIFICATION:

I made telephone contact with Acting Conservation Enforcement Supervisor MUNDY and apprised him of the investigation and inquired about the termination of the illegal horseback riding tour. MUNDY contacted Branch Chief Howard RODRIGUES whom instructed me, via Conservation Enforcement Supervisor MUNDY, to terminate the illegal horseback riding tour.

PHOTOGRAPHIC EVIDENCE:

REFER TO ATTACHED STATE OF HAWAII/DLNR-DOCARE PHOTOGRAPH REPORT FOR DETAILS.


DeCambra, Randy
Officer

204
Badge No.

12-08-17/0900
Date / Time

INVESTIGATION # 18-0259-MA	DISTRICT Maui	LEAD INVESTIGATOR Randy DeCambra	KEY REPORT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DATE / TIME REPORTED 11/10/2017 11:00:00 AM	LOCATION Kanaio	CLASSIFICATION Unauthorized Commercial Activity	CONNECTING REPORT(S) None

Report (Continued)

OFFICER'S DEPARTURE:

I informed DEPONTE-SIMPSON that their horseback tour is being terminated and that they cannot proceed down to the beach. DEPONTE-SIMPSON did not offer any resistance and complied, in which they prepared to go back up the access road. I departed the immediate area without further contact or incident with the horseback riding tour party. I continued my patrols of the Kanaio State Unencumbered Land and observed horse fecal matter littered along the shoreline. The presence of the horse fecal matter suggested that TRIPLE L RANCH had been recently conducting their illegal horseback riding tours at the location.

CONTACT WITH PERSON #4 (Paige CLEW DEPONTE):

On Saturday 11-25-17, I along with Acting Conservation Enforcement Supervisor Wesley MUNDY made contact with CLEW DEPONTE at 4566 Lower Kula Road (Kula Bistro restaurant parking lot). I apprised CLEW DEPONTE of the investigation and afforded her the opportunity to make a statement regarding the incident. CLEW DEPONTE refused to make a statement and related that she would consult with her attorney on the matter.

ATTACHMENT(S):

- Triple L Ranch website advertisement hard copy (Attachment #1)
- Public Land Trust Information System document (Attachment #2)
- GPS Coordinate Converter, Maps and Info document (Attachment #3)
- Applicable Hawaii Administrative Rules Chapter 221 (Attachment #4)

RECOMMENDED CHARGE:

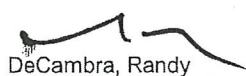
Hawaii Administrative Rule 13-221-35 Commercial Activities

INVESTIGATION:

Investigation reveals that on Friday 11-10-17, at approximately 1100hrs, TRIPLE L RANCH conducted an illegal unauthorized commercial horseback riding tour on State Unencumbered Lands situated in Kanaio, Maui. TRIPLE L RANCH clients SANDERS and BRENDON paid approximately \$500 for a half-day horseback riding tour that included a picnic lunch at the shoreline. On the date of the offense, DEPONTE-SIMPSON and a male only identified as "Jobe" were employed by TRIPLE L RANCH and conducted and directed the horseback riding tour. CLEW DEPONTE was identified to be the owner and operator of TRIPLE L RANCH. It was further revealed that TRIPLE L RANCH utilizes photographs and descriptions of the Kanaio State Unencumbered Lands as marketing in its advertisement website.

DISPOSITION:

I am recommending that the investigation be submitted to the Maui District Land Office for further review and submission to the Board of Land and Natural Resources for action.


DeCambra, Randy
Officer

204
Badge No.

12-08-17/0900
Date / Time

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

ADVICE OF CONSTITUTIONAL RIGHTS

Report/Citation No. 18-0259-MA
District KANAI

MAURISSA DEWATE-SIMPSON

I am Conservation Enforcement Officer

RANDY DECAMBRA

(Name)

(Officer's Name)

PROHIBITED COMMERCIAL ACTIVITY occurring on 11-10-17

(violation)

at KANAI STATE UNENCUMBERED LANDS. But, before I begin my questioning, I want to inform you of certain rights you have under the Constitution.

1. You have a right to remain silent. MS (initial)
2. You do not have to say anything to me or answer any of my questions.
3. Anything you say may be used against you in a court of law.
4. You have a right to talk to an attorney and to have him present while I ask you questions.
5. If you cannot afford an attorney, the court will appoint one for you before I question you.
6. If you decide to answer my questions without an attorney present, you still have a right to stop answering at any time.

[To be read to minors]

You also have a right to have your parents or any other adult present while I ask you questions.

SIGN YOUR INITIALS IN THE APPROPRIATE SPACE PROVIDED:

Do you understand your rights which I have just read? Yes MS No MS

Do you want an attorney now? Yes MS No MS

[To be answered by minors]

Do you want your parents or any other adult present? Yes MS No MS

Are you willing to answer questions or make a statement? Yes MS No MS

RANDY DECAMBRA 204

Officer

Badge No.

[Signature]

Subject's Signature

11-10-17 11:14

Date/Time

11/10/17 11:14

Date/Time

KANAI STATE UNENCUMBERED LANDS

Location

KANAI STATE UNENCUMBERED LANDS

Location

Witnessed By:

N/A

Name

REMARKS (unable to sign, refused to sign, etc.): NONE

Address

Date/Time

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT

INVESTIGATION REPORT
STATEMENT OF WITNESS/ PARTICIPANT


Last Name: DEPONTÉ-SIMPSON		First Name: MAURISSA		Middle Initial: K.H.	Date Of Birth: [REDACTED]
License or SS#: [REDACTED]		Employment: TRIPLE L RANCH			
Home Address: [REDACTED]		Home Phone: [REDACTED]		Alternative Phone: [REDACTED]	
City: KULA	State: Hawaii	Zip code: 96790			
Sex: F	Race: [REDACTED]	Height: 5'4.5"	Weight: [REDACTED]	Eyes: BRO.	Hair: BRO.
Investigation: PROHIBITED COMMERCIAL ACTIVITY Key Report #: 18-0259-MA Report Page: 1 of 1		Date Of Incident: 11-10-17 Location Of Incident: KANAI STATE UNENCUMBERED LANDS		Investigator: RANDY DECAMBER Statement Taken By: SAUE	

Statement; Describe what happened, "(Attach additional STATEMENT forms as necessary)"

I am Maurissa Deponté-Simpson. I have told Officer that I didn't know that it was a violation to come down Kanai beach. I believed this land to be held in SF trust by the state. We come and check our cattle almost every week to ensure that they are not wandering down to the beach and to make sure the wild goat and deer stay below Piimoi.

We do our Ranch tours that cross our land above to check cattle, water lines, and fencing. Our tours are booked online and phone. I check people in and drive our ranch jeep that carries refreshments and gear that may be needed. We have chairs and towels and table in case me, other guide or guests of friends have brought lunch they can help themselves to their food. I am an independent contractor for T.L.R. Ranch is held in ~~the~~ trust. Paige is executor.

This Statement is true and correct to the best of my knowledge and belief;

DATE: 11/10/17	Time: 11:14	Signature: 	Location Of Interview: KANAI STATE UNENCUMBERED LANDS
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INVESTIGATION # 18-0259-MA	DISTRICT Maui	LEAD INVESTIGATOR Randy DeCambra	KEY REPORT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DATE / TIME REPORTED 11/10/2017 11:00:00 AM	LOCATION Kanaio	CLASSIFICATION Unauthorized Commercial Activity	CONNECTING REPORT(S) None

Report Description: Unauthorized Commercial Activity

Date/Time Taken: 11-10-17/1100

Taken By: DeCambra, Randy

Scene: Kanaio State Unencumbered Lands

Equipment: Apple iPhone

Weather Conditions: Clear

Lighting: Daylight

Focus: Automatic

1	Photograph depicts TRIPLE L RANCH employees DEPONTE-SIMPSON and "Jobe" in proximity of three (3) TRIPLE L RANCH horses.	2	Photograph depicts CLEW DEPONTE's Jeep, bearing Hawaii License Plate [REDACTED] that was operated by DEPONTE-SIMPSON during the illegal commercial horseback riding tour.
REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.		REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.	
3	Photograph depicts the Jeep's contents which consisted of miscellaneous picnicking paraphernalia.	4	Photograph depicts the same as Photograph #3
REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.		REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.	

INVESTIGATION # 18-0259-MA	DISTRICT Maui	LEAD INVESTIGATOR Randy DeCambra	KEY REPORT [X] Yes []
DATE / TIME REPORTED 11/10/2017 11:00:00 AM	LOCATION Kanaio	CLASSIFICATION Unauthorized Commercial Activity	CONNECTING REPORT(S) None

5	Photograph depicts the same as Photograph #3.	6	Photograph depicts TRIPLE L RANCH employee (Tour Guide Assistant) DEPONTE-SIMPSON.
REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.		REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.	
7	Photograph depicts the TRIPLE L RANCH marking on the front upper right of DEPONTE-SIMPSON's shirt.	8	Photograph depicts the TRIPLE L RANCH marking on the back of DEPONTE-SIMPSON's shirt.
REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.		REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.	

INVESTIGATION # 18-0259-MA	DISTRICT Maui	LEAD INVESTIGATOR Randy DeCembra	KEY REPORT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DATE / TIME REPORTED 11/10/2017 11:00:00 AM	LOCATION Kanaio	CLASSIFICATION Unauthorized Commercial Activity	CONNECTING REPORT(S) None

13 Photograph depicts more horse fecal matter deposited at a fourth (4) and different location along the shoreline.

REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.

14 Photograph depicts the "half-way rock" just north of the shoreline access road.

REFER TO CORRESPONDING ATTACHMENT FOR ENLARGED PHOTOGRAPH.

PHOTOGRAPH #1



PHOTOGRAPH #2



PHOTOGRAPH #3



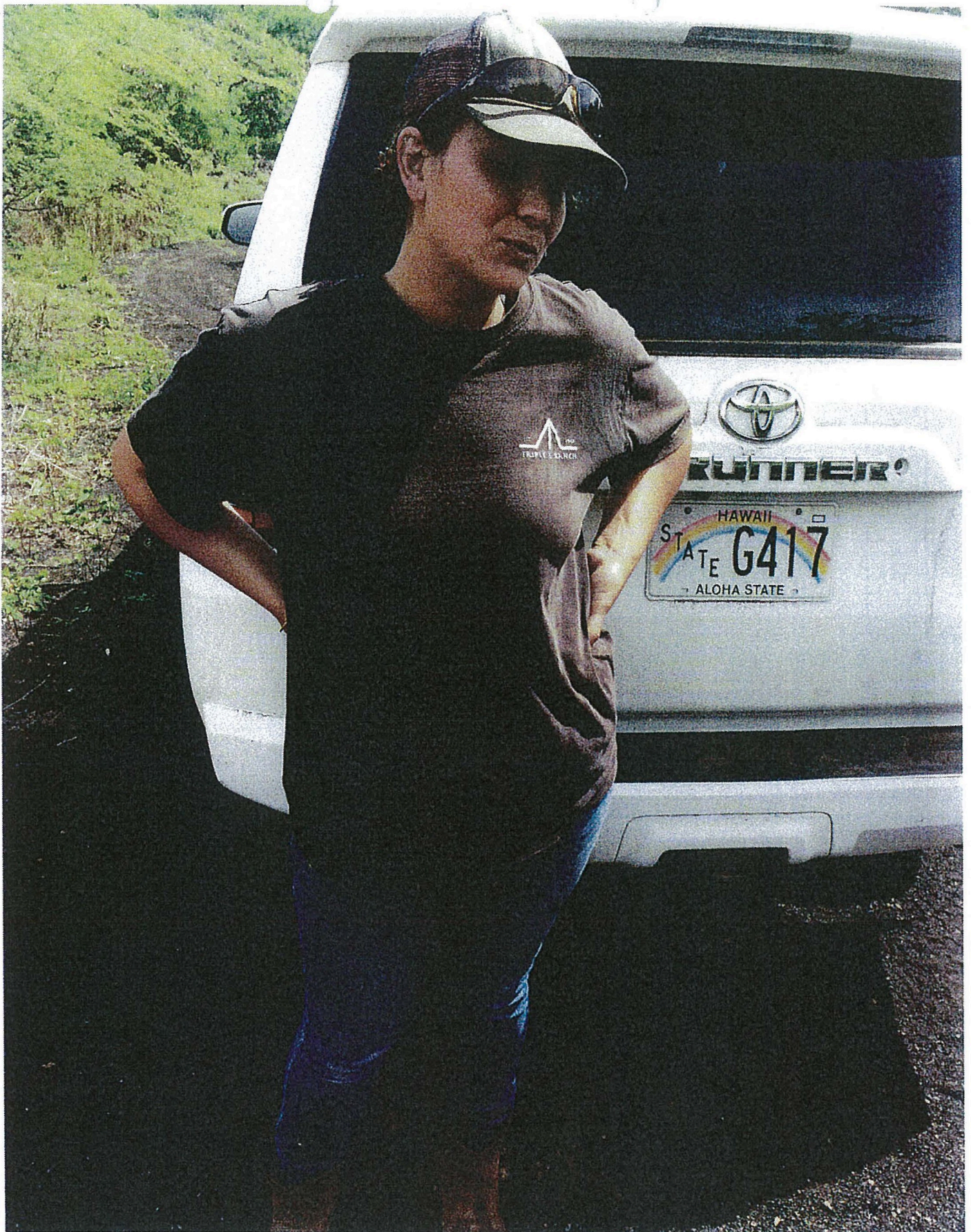
PHOTOGRAPH #4

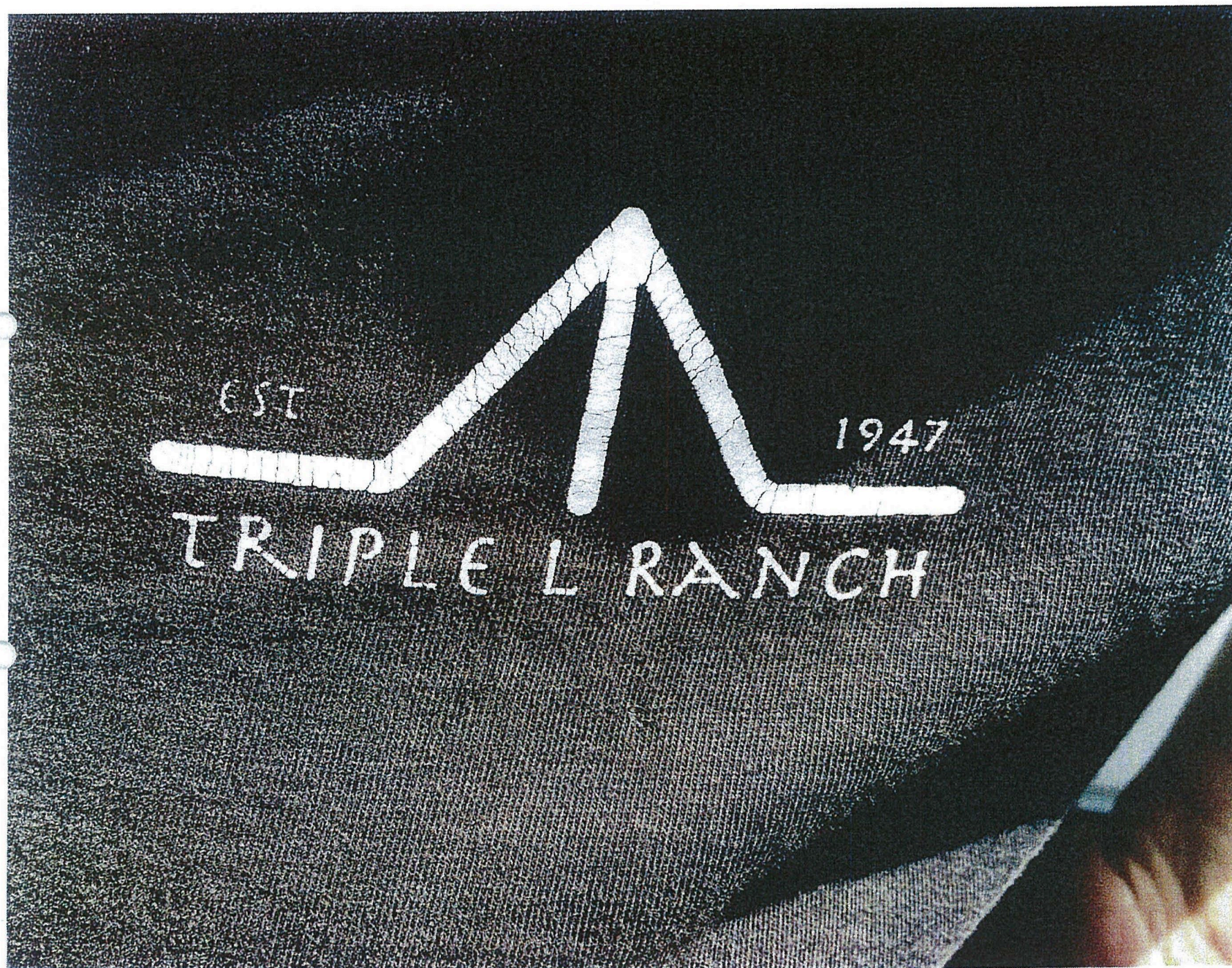


PHOTOGRAPH #5



PHOTOGRAPH #6







PHOTOGRAPH #9



PHOTOGRAPH #10



PHOTOGRAPH #11



PHOTOGRAPH #12



PHOTOGRAPH #13





ATTACHMENT #1

CALL NOW 808-280-7070

x

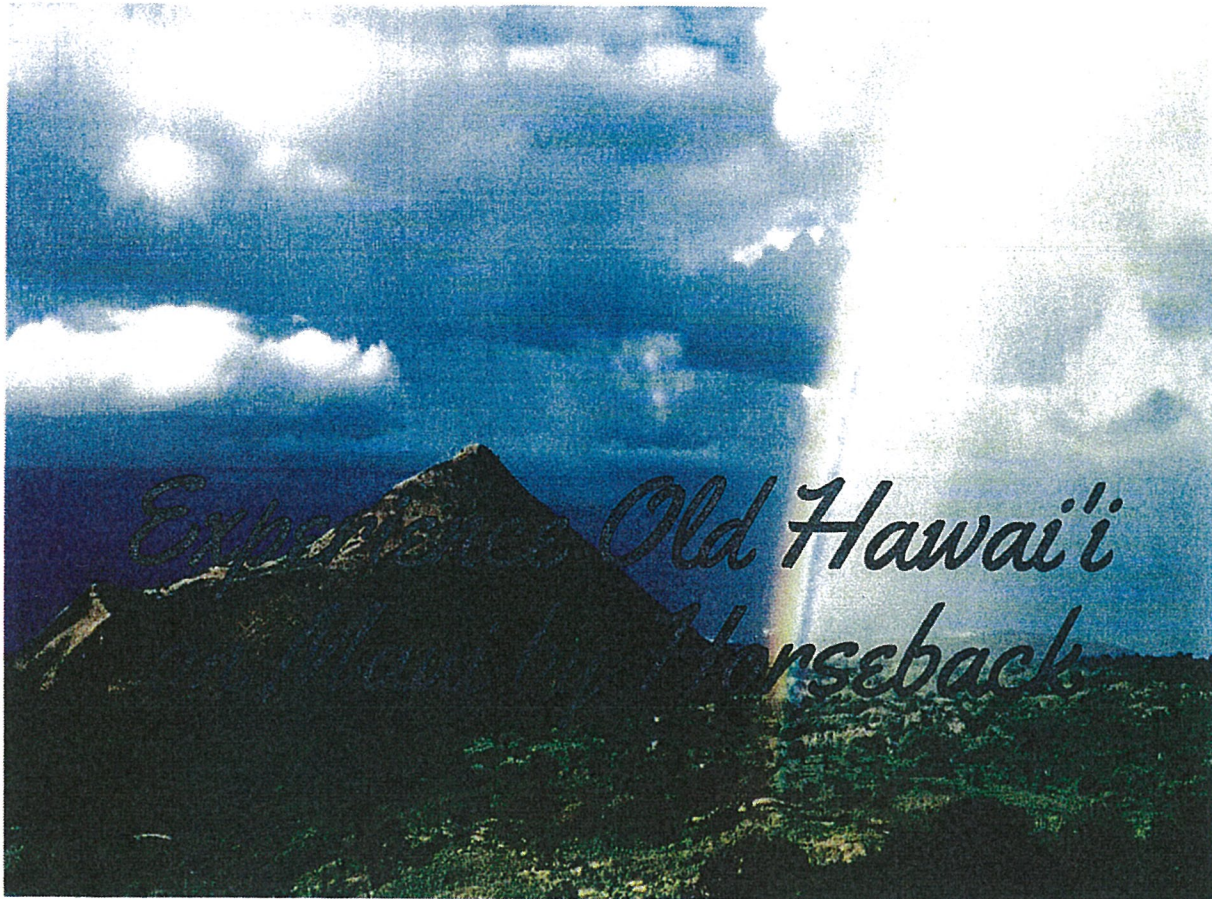
[HOME \(/\)](#)

[ABOUT](#)

TRIPLE L RANCH MAUI PRIVATE
HORSEBACK RIDES (/HORSEBACK-RIDES/)
CUSTOM HORSEBACK RIDES (/)

[BULLY'S BURGERS \(/BULLYS-BURGERS/\)](#)

[CONTACT \(/CONTACT/\)](#)



Get the Authentic "Paniolo" Experience!

One of the remaining Paniolo working cattle ranches on Maui, away from the hustle and bustle of the "tourist strip". The perfect place on Maui for a trail ride. Triple L Ranch invites you to enjoy the last of real Hawaiian cowboy culture with us.

The Triple L Ranch Maui is located on the pristine, sacred and undeveloped country above the Kanaio coastline on the southwest side of Maui's volcanic crater, Haleakala. We offer private ranch tours by horseback, with routes starting on the dormant volcano's slopes and winding down through grazing cattle, lush vegetation and lava flows that feature incredible views of the ocean, Kaho'olawe and the Big Island. Our guests are treated with local aloha, so in addition to having an incredible ride, you'll come away feeling like you're part of the family while learning to ride paniolo-style.

[VIEW RIDES & PRICING \(/HORSEBACK-RIDES\)](#)

What Visitors are Saying About Triple L Ranch

“

When you reach the onyx ocean from the rigorous ride down the mountain, you're treated to the natural wonder that is miles of salt and pepper shoreline made from bleached coral rocks stacked atop scorched cinder rock lava.

— Jen Russo, Maui Time

“

Triple L Ranch is the finest of down home country and cowboy life for sure. And I say this having grown up on a ranch in Santa Cruz, CA, and learning how to ride a horse before I could walk.

— Tiffani Le Anne E, Yelp



(<http://mauitime.com/culture/maui-time/>)

staffers-pick-the-most-romantic-spots-on-maui/)



(<https://www.yelp.com/biz/triple-l-ranch-maui>)

l-ranch-maui-private-custom-horseback-riding-kula-2)



(<https://www.google.com/maps/place/Triple+L+Ranch+Maui,+Hawaii/@20.72311,-156.36845,15z>)

4m5!3m4!1s0x0:0xd9f6d31fd6cb6a36!8m2!3d20.619419!4d-156.368451)



(<https://www.facebook.com/triplel.ranch.maui/>)

“

And the beach that you ride to is worth the long trip - there's no one else around, which is so rare in such a tourist destination like Hawaii. The beach is rocky, with a mixture of volcanic rocks and coral. We had some of the best burgers I've ever eaten for lunch, grilled right on the beach.

— Megan B, Yelp

“

We visited Triple L Ranch on our honeymoon, the half-day ride was fabulous. I'm a good rider and my husband intermediate, the horses were fun to ride - not the regular robotic trail horses but still very manageable even for beginners. The guide was very knowledgeable and the sites amazing! I highly recommend this ranch.

— Hailey B, Yelp

“

My husband and I go on a lot of these ranch rides, but triple L is literally the BEST we've been to. It's not a touristy place. I LOVED the horses, they had so much character. Lots of beautiful views, saw a lot of cattle and goats!

— Sara Gray, Google
Reviews

BOOK A RIDE
(TEL:8082807070)

Get news and updates from the Triple L!

Email Address

SIGN ME UP!

TRIPLE L RANCH MAUI , 15900 PIILANI HWY, KULA, HI 96790,

USA 808-280-70707 DEPONTEPAIGE@YAHOO.COM (MAILTO:DEPONTEPAIGE@YAHOO.COM)

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CALL NOW 808-280-7070

x

[HOME \(/\)](#)

[ABOUT](#)

TRIPLE L RANCH MAUI PRIVATE
HORSEBACK RIDES (/HORSEBACK-RIDES/)
CUSTOM HORSEBACK RIDES (/)

[BULLY'S BURGERS \(/BULLYS-BURGERS/\)](#)

[CONTACT \(/CONTACT/\)](#)



Private, Custom Trail Rides

We're the only boutique ranch on Maui that allows you to choose your destination for the 1.5 and two- hour rides. We cater to all levels of riders, with horses fit for every riding ability, with landscapes as varied as beautiful as anything this earth has to offer. Our rides are small, never routine and always different, and the Kanaio landscape is totally unlike any other in Maui. On all of

our rides, you can learn about the amazing ancient ruins, battle and burial grounds that we strive to protect as Hawaiian sacred sites. Please note every ride is a private ride, this means it is just you and the guide. We always offer the utmost personal private experience to each and every rider.

Triple L Ranch has been riding these hills for over 50 years, and there are over 623 archeological sites in Kanaio alone – our guides are happy to point them out and fill you in on Kanaio's unique history. For more information about our ride policies, please read our Policies page (/policies).

For fastest results call or send us a text.

Few notes:

At Triple L Ranch we offer 5 rides a week.

Please keep in mind its always busy season in Hawaii book in advance, Mahalo :)

Our age minimum is 11 years old or 4'11"

Weight Max 230lbs

Max group 4 persons

CALL or TEXT # 808-280-7070

BOOK A RIDE (/CONTACT)



1.5-2 Hour Rides

Choose your own route! On this ride, you can choose from a volcanic cinder path along the the cattle walk or a paniolo rough ride to the reservoir. It's not just a ride, but a tour of Hawai'ian history and cultural practices. Fun for the whole family!

[LEARN MORE \(/152-HOUR-RIDES\)](#)

Half-Day Ride

This route takes you from the backside of Haleakala, winding through cattle country and historic sites to end up on the coast for a scrumptious lunch, complete with Bully's Burgers, savory treats, fresh fruit and delicious desserts.

[LEARN MORE \(/HALFDAY-RIDES\)](#)

Full-Day Ride

A similar ride as the half-day, with a longer ride along the coast as well as swimming, snorkeling and a full Bully's burger meal! Trotting back up the slope is permitted only on this ride for experienced riders.

[LEARN MORE \(/FULLDAY-RIDES\)](#)

Get news and updates from the Triple L!

Email Address

SIGN ME UP!

TRIPLE L RANCH MAUI , 15900 PIILANI HWY, KULA, HI 96790,

USA 808-280-70707 DEPONTEPAIGE@YAHOO.COM ([MAIL TO:DEPONTEPAIGE@YAHOO.COM](mailto:DEPONTEPAIGE@YAHOO.COM))

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CALL NOW 808-280-7070

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ABOUT

TRIPLE L RANCH MAUI PRIVATE
HORSEBACK RIDES (/HORSEBACK-RIDES/)
CUSTOM HORSEBACK RIDES (/)

BULLY'S BURGERS (/BULLYS-BURGERS/)

CONTACT (/CONTACT/)



The Story of the Triple L Ranch

In the early 1950's, Louis De Ponte Sr. founded the Triple L Ranch to fulfill his dream of raising purebred Bar Angus Beef with his son.



Louis Jr. was nicknamed "Bully" (after the fighter John Bull), and his father instilled in Bully a deep love for ranching, as well as protecting the land he worked and lived on. Bully was an "old-school Paniolo" – a Hawai'ian cowboy – and eventually became a champion bull rider. He worked hard to keep the Triple L Ranch and surrounding Kanaio land alive and thriving until his death in 2011.

Bully was a legendary figure in Maui, and his presence was sorely missed in the cowboy community. So as to not let him "just slip away into the sunset", his wife Paige and son Zach opened Bully's Burgers (/bullys-burgers), a food truck located just below the ranch that serves up 100% Natural, Certified Organic, Free-Range All Beef Burgers, right from the ranch's cattle herd. Since opening, the burger stand has had

a steady flow of traffic. Locals and tourists alike come for the huge burgers and incredible views.

Bully's love of Kanaio passed down to his children and grandchildren who, together with his wife Paige, work hard to maintain the Triple L Ranch as the **"Last Free-Range Frontier"** on Maui. Please come visit our little piece of Maui heaven!

Get news and updates from the Triple L!

Email Address

SIGN ME UP!

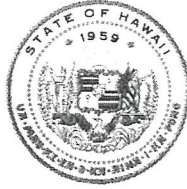
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EXHIBIT D

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
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JEFFREY. T. PEARSON, P.E.
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

April 13, 2018

PROJECT: Imposition of Fines and Assessment of Administrative Costs for Unauthorized Commercial Activity on Public Lands Without a Permit

LOCATION: Kanaio Maui, TMK (2) 2-1-002:001 and Seaward of 001

APPLICANT: Paige Clew DePonte and TLR LLC

SUBJECT: ITEMIZATION OF STAFF TIME TO RESOLVE LAND USE VIOLATION

DOCARE Investigation:	
Officer	28 hrs. x 52.60/hr* = \$1,472.58
Land Division Review & Processing:	
District Land Agent	16 hrs. x 66.38/hr* = \$1,062.14

*Hourly rates include fringe benefits

EXHIBIT D