

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

August 23, 2019

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

Oahu

Annual Renewal of Revocable Permits on the Island of Oahu. See Exhibit 2 for list of Revocable Permits.

HRS CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

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

BACKGROUND:

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

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

REMARKS:

The list of revocable permits for Oahu that staff recommends be renewed for 2020 is attached as Exhibit 2 and attached as Exhibit 2a is a redlined spreadsheet showing the changes made to last year's revocable permits. Data categories included in Exhibit 2 are revocable permit number, permittee name(s), tax map key(s), original commencement date of the permit, character of use, land area, annual rent, method by which staff set the rent, and rationale behind the issuance of a revocable permit. General location maps of the revocable permits to be renewed are attached as Exhibit 3.

2016-2018

At its meeting on August 26, 2016, under Agenda Item D-11, the Board approved interim rents for the annual renewal of the revocable permits on Oahu for calendar year 2017. Through this submittal, staff had recommended making the interim rents permanent.

Staff procured a contract with James Hallstrom of The Hallstrom Group/CBRE, Inc. (Appraiser) for appraisal services to assist in valuing the rent to charge for the use of State lands underlying revocable permits statewide as of January 1, 2018, and ground rent discounts for tenancy and use restriction, if any, for 31 of the 63 Oahu revocable permits. The Portfolio Appraisal Report (PAR) was completed on January 15, 2018.

2019

The Appraiser recommended increasing 2019's rents by 2-3%, depending upon demand for the properties, over those indicated in the PAR. Staff thereafter recommended setting the 2019 Oahu revocable permit annual rents by the following categories:

- Category A: Revocable permits (RPs) valued by the PAR indicating an increase in the annual rent. Staff recommended increasing the 2018 Indicated Annual Market Rent by 10% for 2019.
- Category B: RPs valued by the PAR indicating a decrease in the annual rent. Staff recommended increasing the annual rent by 3% over the PAR's Indicated Annual Market Rent.
- Category C: RPs not valued by the PAR: Staff recommended increasing the 2019 annual rent by 3% over 2018's annual rent.
- Category D: RPs where the PAR's Indicated Annual Market Rent increased by less than 10% over 2018's annual rent. Staff recommended a 3% increase.
- Category E: For special cases, regardless of whether included in the PAR or otherwise. Staff's recommendations for this category are discussed further in Exhibit 2.

With respect to the revocable permits in Category A, the Indicated Annual Market Rents from the PAR increased from a low of 7% to a high of 1,000%. Staff felt that immediately implementing these rents would cause some permittees to cancel their permits, resulting not only in the loss of revenue, but also forcing the Division to expend

resources to maintain these lands. Staff viewed the 10% annual increases for these permits as a means for the Division to achieve rents closer to market over a short period of time, without causing a major disruption to the occupancy of and revenue generated from these lands.

2020

For 2020, staff continues efforts to bring RP rents in line with market rates, or to rents following the Board's minimum rents policy where applicable. Thus, based upon Appraiser's 2018 opinion that the escalation factor would be 2-3% over PAR per year, staff recommends increasing 2020 rents by 3-10% over the 2019 rents, or when applicable, staff will follow the minimum rent policy of at least \$480 per year. Staff has segregated the RPs into the following types to set annual RP rents for 2020:

- **(Type 1):** Where the RP was valued by PAR and the rent has since been brought to market rates, the 2020 rent shall be increased by 3% over the 2019 rent;
- **(Type 2):** Where the RP was valued by PAR but the rent remains below market rates, the rent shall be increased by 3-10% over the 2019 rents, with the anticipation that rents will continue to increase per annum, until market rents are achieved. Some RPs warrant increases larger than 10% and those will be designed as Type 5 RPs (special circumstances).
- **(Type 3):** Where the RP was not valued by PAR and the 2019 rent is under \$480 per annum, the 2020 rent will increase to \$480 per annum per the Board's minimum rent policy. If permittee is a government entity, no rent will be charged.
- **(Type 4):** Where the RP was not valued by PAR and the RP rent is already at or exceeds the minimum rent policy of \$480 per annum, the 2020 rent shall be increased by 3% over the 2019 rent.
- **(Type 5):** RPs in this category involve special circumstances and do not fit within Types 1-4 above. They are discussed individually in Exhibit 2 attached.

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

Agency:	Comment:
Division of Forestry and Wildlife	No comments
Office of Conservation and Coastal Lands	See Exhibit "5" for OCCL's prior comments dates 7/24/2017 and 7/9/2018.
State Parks	No comments
Historic Preservation	No response by suspense date
Engineering	No comments
Oahu District Land Office	Comments incorporated into Exhibit "2"
Commission on Water Resource Management	See Exhibit "6"

Division of Conservation and Resources Enforcement	No response by suspense date
Department of Hawaiian Home Lands	No response by suspense date
Department of Agriculture	No comments
Agribusiness Development Corporation	No comments
Office of Hawaiian Affairs	See Exhibit “4”
C&C Department of Planning and Permitting	No response by suspense date
C&C Department of Facility Maintenance	No comments
C&C Department of Parks and Recreation	No comments
Board of Water Supply	See Exhibit “7”

Since the last renewal of the Oahu revocable permits on September 14, 2018, the following permits have been cancelled:

RP#	Permittee	Area	TMK	Monthly Rent	Cancelled on	Use	Remarks
5407	Kaneohe Yacht Club	8,014 sf	4-4-022:032-A	\$1,000.00	8/31/2019	Pier/Dock	Board approved transfer of the subject RP to DOBOR at its meeting on 7/26/19
5614	City & County of Honolulu	100 sf	3-1-042:006	\$0	9/1/2019	Radio antenna	Subject RP is a portion of the Diamond Head Crater, which has been set aside to the Division of State Parks under EO
6546	C. Bryson Bush	284 sf	4-5-058:121	\$22.57	7/24/2019	Pier/Dock	Subject area [pier] now encumbered by term, non-exclusive easement, GL 6144, effective 7/25/19

7356	James C. Reynolds	14,810 sf	5-6-001:47; 61	\$698.28	9/1/2019	Electrical utility pole	Transferred to the Division of State Parks under EO 3928
7596	Hawaiian Electric Company, Inc.	Not listed ¹	9-9-044:022	\$17.26	5/1/2019	Utility	Subject area is now encumbered by perpetual, non-exclusive easement, LOD 29205, effective 5/1/19
7849	Resorttrust Hawaii, LLC.	40,460 sf	3-5-023:041	\$1,281.60	12/31/2018	Recreational	Replaced by RP 7915
7861	Warhorse Strength Camp LLC	1,350 sf	9-4-049:062	\$1,205.82	12/12/2018	Commercial	Former permittee voluntarily surrendered RP. Board approved auction of a lease for the subject property. Staff is working with AG on the auction packet.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

¹ Original Revocable Permit and Board Submittal do not state area of RP 7596. On May 24, 2010, the Board issued RP 7596 to Hawaiian Electric Company, Inc. for utility purposes which include operations related to and for maintenance of electrical equipment, utility poles, and wires.

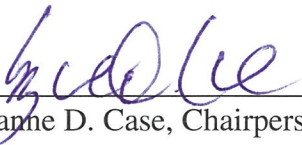
2. Approve the continuation of the revocable permits listed in Exhibit 2 on a month-to-month basis for another one-year period through December 31, 2020, except for permits that are in arrears of rental payment for more than 60 days and/or have been approved for forfeiture by a separate Board action. Permits in arrears of rental for 60 days or more and/or approved by the Board for forfeiture shall not be renewed; and
3. Approve no immediate change in current monthly rent for revocable permits as listed in Exhibit 2, provided however, that the Land Board reserves and Delegates to the Chairperson the right authority at any time to review and implement new rental charges for the revocable permits listed in Exhibit 2, effective any time from and after January 1, 2020.

Respectfully Submitted,



Andrew R. Tellio
Appraisal and Real Estate Specialist

APPROVED FOR SUBMITTAL:



✓ Suzanne D. Case, Chairperson

EXEMPTION NOTIFICATION

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

Project Title: Annual Renewal of Revocable Permits on the Island of Oahu.

Project / Reference No.: Not applicable

Project Location: Various locations on the Island of Oahu

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

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

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

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

Cumulative Impact of Planned Successive Actions in Same Place Significant? No, the requested locations have been used for same uses since the permits were granted.

Action May Have Significant Impact on Particularly Sensitive Environment? No.

Analysis: The request pertains to renewing the revocable permits for Oahu. Staff believes that the request would involve negligible or no expansion or change in use of the subject location beyond that previously existing.

Consulted Parties Agencies listed in submittal.

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

EXHIBIT 1

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp3954	5	AMERICAN LEGION DEPT OF HAWAII	(1) 2-3-034:001-0000	5(a)	10/11/1966	American Legion clubhouse	0.181	480.00	480.00		<ul style="list-style-type: none"> •2019 rent was set at \$480. Staff recommends 2020 rents of \$480. •The organization is a 501 (c)(19), and is therefore not eligible for a direct lease under HRS 171-43, which requires 501 (c)(1) or 501 (c)(3) status. •Permittee provides services to the veteran community. Staff recommends renewing the RP and that the Board adopt nominal rent (\$480) for this RP.
rp5408	4	MULLER, C. MICHAEL	(1) 4-4-001:011-A	5(b)	9/1/1977	Pier/Dock	0.016	780.66	804		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. •At its meeting on 1/13/17, under agenda item D-14, the Board approved the grant of a term, non-exclusive easement to permittee. On April 12, 2019, item D-8, the Board approved additional easement area. DAGS Survey is checking with the surveyor hired by the permittee on a map discrepancy.
rp5557	2	YAMASHIRO, INC., ED	(1) 1-2-021:042-0000	5(b)	5/1/1978	Storage of trucks, trailers, and construction equipment	0.964	39,813.48		43,260.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's to bring rents in line with market rents. •No access to parcel from public road.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp5563	3	CITY & COUNTY OF HONOLULU	(1) 9-2-005:014-0001	5(b)	3/4/1978	Radio communication	0	0	0		<ul style="list-style-type: none"> •Gratis. •Permittee is a governmental entity. Legal Access to the subject site needs to be verified. • Zoned conservation - SPA 03-29 & 13-58 on file with OCCL
rp5762	3	LIMA, SAMUEL & CATHERINE	(1) 8-5-4:34,43,44	5(b)	5/15/1980	Pasture and Access	1.247	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Parcels are irregularly shaped and provide access to permittee's landlocked kuleana lands. At its meeting on 11/10/16, under agenda item D-13, the Board approved the transfer of the subject parcel to the DOA per Act 90. Staff will continue to work with DOA to accomplish the set aside.
rp6331	5	AOAO KAUAHALE BEACH COVE	(1) 4-5-003:002-A	5(b)	4/1/1986	Pier/Dock	0.147	1,259.16	2,526.00	2,381.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •Staff has not had success in contacting the AOA's Board. A follow up letter is being prepared for the AOA regarding converting the RP to an easement. •CDUP OA-600 on file with OCCL.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7018	4	GRANDE, THOMAS R.	(1) 4-1-010:016-0000	5(b)	8/1/1996	Landscaping	0.21	669.12	688.92		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. •No access to property from public road. Annual rental makes selling the lease at public auction impracticable. The permittee withdrew his request to purchase the remnant, which was originally scheduled to go before the Board on May 11, 2018.
rp7188	2	DOONWOOD ENGINEERING, INC.	(1) 1-2-021:044-0000	5(b)	11/1/1999	Base yard for storage of engineering equipment	0.037	6,933.48	7,626.00	9,662.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •No access to parcel from public road and lack of infrastructure.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7242	2	LULUKU BANANA GROWERS COOP	(1) 4-2-010:001-0000	Acq. after 8/59	9/1/2000	Cultivation of banana	190	8,878.08	9,765.96	28,500.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •Usable acreage well below the 190-acre permit area. Much of permit area slope, road, or highly vegetated. •ODLO to work with DOFAW on the long term planning for the permit area in conjunction with the adjoining forest reserve. •Zoned agriculture, conservation - OA:616; 1748; 2143; & 3611 on file with OCCL
rp7367	1	AOAO OF KEMOO BY THE LAKE	(1) 7-3-012:011-0000	5(b)	4/1/2004	Residential parking	0.39	1,895.16	1,952.04	1,840.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •Federal covenants placed on the property limit its use to parking. Staff will look into a public auction. A letter is being prepared to the AOAO regarding a possible conversion to a lease.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7470	2	JSR EQUIPMENT, INC.	(1) 1-2-021:036-0000	5(b)	1/1/2010	Base yard, office, and storage	1.424	44,528.28	48,981.00	52,743.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's to bring rents in line with market rents. •There is no access to the parcel from public road.
rp7477	3	YANAGIHARA, RAYMOND T.	(1) 4-5-006-039-0000	5(b)	1/1/2010	Home gardening	0.077	199.92	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Parcel is located on Kaneohe Bay with no access from public road.
rp7478	3	DE MAURO, JOSEPH	(1) 9-4-010:100-0000	5(b)	1/1/2010	Cultivation of banana	0.413	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •No access to parcel from public road.
rp7489	4	HAWAIIAN ELECTRIC CO INC	(1) 9-2-005:014-0001	5(b)	1/1/2010	Microwave communication station	0	11,949.48	12,308.04		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. •RP covers only a portion of the parcel. Legal access to the site needs to be verified. •Zoned conservation - SPA 03-29 & 13-58 on file with OCCL
rp7501	3	CANSIBOG, ROBERTA	(1) 8-7-001:033-0000	5(b)	1/1/2010	Maintenance and parking of boat trailer	0.424	430.08	480.00		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Part of the parcel is prone to intermittent flooding.

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event. Some 2020 rent figures have been rounded for monthly billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7514	1	UNITED LAUNDRY SERVICES, INC.	(1) 1-2-021:046-0000	5(b)	1/1/2010	Unloading of laundry, storage of bins	0.047	1,626.36	1,674.96	1,579.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •No access to parcel from public road.
rp7517	2	OLOMANA GOLF LINKS, INC.	(1) 4-1-013:012-0000	5(b)	10/1/2010	Golf course nursery operations	4.77	11,103.60	12,213.96	23,460.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •This parcel is located between Kalaniana'ole Hwy. and Olomana Golf Course. Staff will sell a lease at public auction upon the expiration of gl4095 underlying the golf course.
rp7520	3	MIZUTA, ROBIN T.	(1) 4-1-010:049-0000	5(b)	2/1/2010	Landscaping and access to private property	0.2	318.6	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •The parcel sits between a public road and permittee's property and provides access to permittee's property as well as other private land owners. A long-term disposition of the parcel or sale as a remnant is impracticable due to the access requirements of the other private property owners.

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event. Some 2020 rent figures have been rounded for monthly billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7560	5	MOUNT WILSON FM BROADCASTERS, INC.	(1) 3-6-004:026-0000	5(b)	7/1/2010	FM radio transmission facility	0.079	119,024.45	122,595.00	41,400.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% notwithstanding the Indicated Annual Market Rent. Permittee has taken a sandwich position on the site and collects additional revenue from the other users of the site, accordingly following CBRE's escalation opinion, a rent increase is justified. •Land Div. manages parcel for DOFAW. Set aside to DOFAW pursuant to EO 4409. •Zoned conservation - OA 139 on file with OCCL
rp7561	1	HONOLULU POLO CLUB, INC.	(1) 4-1-009:262-0000	5(b)	11/1/2010	Polo field and youth athletic programs	34.5	7,905.24	8,142.00	7,675.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •ODLO staff is in communication with permittee about a long-term direct lease. The most recent communication occurred in May 2019.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7566	5	HILTON HAWAIIAN VILLAGE, LLC, JOINT VENTURE	(1) 2-6-008:029-0000	5(a)	3/4/2010	Pier/Dock	0.09	479,949.96	494,348.40		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. Per RP executed March 4, 2010 the rent is set at a base rent or \$1.50 per passenger, whichever is greater. •At its meeting on 10/27/17, under agenda item D-8, the Board agreed to keep the revocable permit in place for this property due to questions over the ownership of the improvements. •Zoned conservation - pier built in 1958, which is prior to the rules taking effect and therefore is a permitted nonconforming use pursuant to Hawaii Revised Statute Section 183C-5
rp7570	4	HAWAII MOTORSPORTS ASSN INC	(1) 5-8-002:002-0000	5(b)	3/29/2010	Motorcycle and trail bike riding	449.72	1,641.00	1,689.96		<ul style="list-style-type: none"> •Staff recommends increasing 2020's rent by 3% over 2019's •At its meeting on January 25, 2019, D-5, the Board authorized the issuance of a RFQ/RFP. LD and DOFAW have sent the bid packet to the AG for review.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7579	4	AUWAIOLIMU CONGREGATIONAL CHURCH	(1) 2-2-14:17,26	5(b)	6/1/2010	Church	0.199	554.52	570.96		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. • Staff met with permittee on 5/9/18 about the steps necessary to receive a long-term direct lease. The permittee is seeking to obtain non-profit status and is working on completing the relevant paperwork. Staff is in communication with the permittee on the conversion.
rp7587	3	KUNSTADTER, PETER	(1) 3-6-001:025-A	5(b)	5/1/2010	Pier/Dock	0.006	302.76	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Staff has written to permittee about converting to a term easement, but has not received a response. Staff visited the property trying to establish contact with the permittee, but efforts have been unsuccessful. Staff will continue to attempt to contact permittee about converting the permit to a long-term disposition.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7590	3	SAWINSKI, ROBERT G & RAY-JEN	(1) 4-6-022:026-A	5(b)	7/1/2010	Pier/Dock	0.004	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Staff discussed conversion with the permittee. Permittee was not interested. Staff suggests keeping the present status of this RP.
rp7600	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:095-0000	5(b)	4/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •At its meeting on 2/10/17, under agenda item D-4, the Board approved issuance of perpetual, non-exclusive easement. The easement is pending map from DAGS Survey.
rp7601	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 5-8-001:054-0000	5(b)	4/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •At its meeting on 2/23/18, under agenda item D-10, the Board approved the issuance of perpetual, non-exclusive easement. HECO was reminded to provide map and description.

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event. Some 2020 rent figures have been rounded for monthly billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7602	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-10, 4-1-25	5(b)	4/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Staff plans to submit a request for easement in September 2019 Board meeting.
rp7604	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:000-0000	5(b)	4/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Staff plans to submit a request for easement in September 2019 Board meeting.
rp7605	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-013:022-0000	5(b)	5/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Staff is currently working with permittee and DAGS Survey on easement map discrepancies. Following the resolution of the map discrepancies, staff will procure an appraisal.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7606	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 4-1-010:095-0000	5(b)	4/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •At its meeting on 2/10/17, under agenda item D-4, the Board approved issuance of perpetual, non-exclusive easement. The easement is pending the map from DAGS Survey.
rp7607	3	HAWAIIAN ELECTRIC COMPANY, INC.	(1) 5-9-006:6, 26	5(b)	6/1/2010	Maintenance of electrical equipment, utility poles, and wires	0	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Staff plans to submit a request for easement in September 2019 Board meeting. •Zoned agriculture, conservation - OA-2807 on file with OCCL
rp7643	1	SAVIO KC OPERATING COMPANY	(1) 2-3-018:045-0000	5(b)	1/1/2011	Parking for Commercial Building	0.045	7,593.96	8,148.00	7,680.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •Substandard parcel size.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7688	4	ROSLINDALE, INC.	(1) 7-3-012:011-0000	5(b)	6/1/2011	Parking for Commercial Building	0.117	568.56	585.96		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019. •Federal covenants placed on the property limit its use to parking. Staff will evaluate whether sale of the lease at public auction is possible for this parcel. The presence of this RP helped eliminate the problem of unauthorized activities. Staff suggests keeping the present status of this RP.
rp7714	1	FUKUSHIMA, RALPH	(1) 4-1-013:011-0000	5(b)	7/1/2011	Pasture	56.35	6,425.64	7,171.92	6,760.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •At its meeting on 11/10/16, under agenda item D-13, the Board approved the transfer of the subject parcel to the DOA per Act 90. Staff will continue working with the DOA on set aside. •Zoned agriculture, conservation, urban - OA 1871 on file with OCCL
rp7717	3	RAPOZA, GEORGE, JUNE, WESLEY & DESIREE	(1) 6-8-002:017-0000	Acq. after 8/59	8/1/2011	Pasture	32.05	207.12	480		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent to \$480, following the minimum rent policy. •Parcel is landlocked. DOFAW is interested in having the property set aside.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7725	1	PESTANA CORP. DBA BOB'S EQUIPMENT	(1) 1-2-021:040-0000	5(b)	8/1/2011	Base yard, including sales and rental of construction equipment	1.102	46,600.32	47,997.96	45,243.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. • No access to parcel from public road.
rp7743	3	PEOPLE AND PET PARK, INC.	(1) 3-1-042:012-0000	5(b)	8/1/2011	Dog park	1.461	0	0		<ul style="list-style-type: none"> •Gratis. • At its meeting on March 8, 2019, D 7, the Board approved the issuance of a direct lease for this non-profit entity. Staff is pending map from DAGS Survey.
rp7748	2	ROBERT'S CENTRAL LAUPAHOEHOE INC.	(1) 1-2-021:041-0000	5(b)	9/1/2011	Parking of buses	1.745	52,282.68	57,510.96	70,110.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •No access to parcel from public road.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7782	2	CARRILLO, ANTONE	(1) 8-7-001:029-0000	Acq. after 8/59	9/1/2011	Residential	0.4	9,003.48	9,903.96	23,400.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •The subject parcel was leased to Antone Pereira from 1947 [GL3197] until the lease expired in 1968. Mr. Pereira became permit holder [RP 5273] until his death in 1989, and then his wife became the permittee [RP6691]. Mrs. Pereira died in 2004 and her grandson is the permittee. ODLO does not recommend transferring the subject parcel to another government agency, cancelling the RP, or auctioning a long term lease.
rp7832	1	PRECAST, INC. AND RAYLYNN REBAR, LLC	(1) 1-2-021:045-0000	5(b)	8/1/2013	Storage of finished precast concrete products	0.97	30,137.76	31,041.96	29,260.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •RP covers only a portion of this irregularly shaped lot, the majority of which is deemed unusable due to stream banks and is vulnerable to tidal fluctuations.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7835	1	THE HARRY & JEANETTE WEINBERG, FOUNDATION INC.	(1) 1-2-021:037-0000	5(b)	8/1/2013	Storage, parking, roadway and office	0.674	18,597.72	19,155.96	18,056.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •No access to parcel from public road, parking use.
rp7851	2	HINES, JACOB KALEO	(1) 4-1-018:050-0000	5(b)	2/1/2015	Residential	0.8	6,900.00	7,590.00	12,340.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •Substandard lot size.
rp7853	2	LUM, ERNEST	(1) 9-4-049:062-0000	5(a)	3/1/2017	Storage for general contractor	0.625	32,128.44	35,340.96	39,567.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020. The renewal of the RP will give staff time to finalize the master lease document.

Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, amount per event. Some 2020 rent figures have been rounded for monthly billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7854	2	LUCERO, GARY	(1) 9-4-049:062-0000	5(a)	3/1/2017	Storage for painting contractor	0.028	14,244.00	15,667.92	18,477.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020.-The renewal of the RP will give staff time to finalize the master lease document.
rp7855	4	KAMAKA, SR., JONATHAN KAHOLOKAI	(1) 9-4-049:062-0000	5(a)	3/1/2017	Storage	0.031	15,916.80	17,508.00		<ul style="list-style-type: none"> •Staff is in communication with Permittee regarding the signing of the revocable permit. Subject premises was visited on August 12, 2019. Staff suggests using the same rate for RP 7856 which has the same permit area. Therefore, the 2020 rent should be \$17,508.00.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7856	2	KAI CONSTRUCTION HAWAII, INC.	(1) 9-4-049:062-0000	5(a)	3/1/2017	Office and storage for general contractor	0.031	15,916.80	17,508.00	19,116.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020. The renewal of the RP will give staff time to finalize the master lease document.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7857	2	WISNIEWSKI, JOHN	(1) 9-4-09:062-0000	5(a)	3/1/2017	Auto glass replacement business	0.032	16,158.00	17,773.92	20,790.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020. The renewal of the RP will give staff time to finalize the master lease document.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7858	2	TACHIBANA PAINTING LLC	(1) 9-4-049:062-0000	5(a)	3/1/2017	Office and storage for painting contractor	0.31	17,363.76	20,280.00	19,116.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020. The renewal of the RP will give staff time to finalize the master lease document.

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rp7859	2	WISNIEWSKI, JOHN	(1) 9-4-049:062-0000	5(a)	11//2017	Auto glass replacement business	0.0167	9,321.36	10,254.00	11,269.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020. The renewal of the RP will give staff time to finalize the master lease document.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7860	2	ALFONSO, VIDAL	(1) 9-4-049:062-0000	5(a)	3/1/2017	Auto body shop	0.031	15,916.80	17,508.00	20,412.00	<ul style="list-style-type: none"> • 2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. • At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff plans to return to the Board for some amendments of the prior approval before putting up the public auction which is anticipated to happen around Dec 2019/Jan 2020. The renewal of the RP will give staff time to finalize the master lease document.
rp7883	5	HIGGINS, ROLAND AND DARALYNN	(1) 3-8-004:080, 056	5(b)	9/1/2018	Residence purposes	0.1867	3,992.88	3,992.88	18,240.00	<ul style="list-style-type: none"> • 2019 rent was set by the Board at its meeting on June 22, 2018, under agenda item D-7. Per Board instruction 2020's rent shall remain unchanged until a long term disposition can be decided, notwithstanding the indicated annual market rent. • No access from public road.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7893	1	UNITED LAUNDRY SERVICES, INC.	(1) 1-2-021:045-0000	5(b)	11/1/2016	Employee parking	3.53	35,815.20	36,889.92	34,772.00	<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •Irregularly shaped lot, the majority of which is deemed unusable due to stream banks and is vulnerable to tidal fluctuations.
rp7896	4	PU'A FOUNDATION AND HUI MAHI'AI	(1) 4-1-008:por 072, 075	5(b)	11/1/2016	Community farming	7.613	501.84	516.96		<ul style="list-style-type: none"> •2019 rent was increased 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. •Site is not a legally subdivided lot and lacks proper legal access. The revocable permit is meant to be in place until a direct lease can be issued.
rp7898	1	AOAO 1942/1946 PAUOA ROAD, INC.	(1) 2-2-010:021-0000	5(b)	1/1/2017	Residential parking	0.053	1,326.48	1,941.00	1,830.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •No access to parcel from public road.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7899	2	NAKOA, MARY	(1) 8-6-002:005-0000	5(e)	3/1/2017	Horse paddock	6.407	2,224.08	2,880.96	2,716.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends 2020's rent be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •This irregularly shaped low-lying pasture sits adjacent to the Ma'ili'ili flood control channel. It is often exposed to water causing wet and muddy conditions due to inadequate drainage infrastructure.
rp7900	2	BENN, CO-TRUSTEES, ET AL, LIANA LAU AND CHARLES	(1) 2-2-010:021-0000	5(b)	1/11/2018	Residential parking	0.0826	2,032.80	2,236.00	2,610.00	<ul style="list-style-type: none"> •The 2019 rent is based on rent of an adjacent RP, which the Board previously approved as part of the 2018 Oahu RP renewal. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding the Indicated Annual Market Rent. •No access to parcel from public road.
rp7907	2	SUGARLAND FARMS, INC.	(1) 9-1-16:8, (1) 9-1-18:5	Acq. after 8/59	2/1/2018	Agriculture	131.73	21,435.60	23,578.92	32,934.00	<ul style="list-style-type: none"> •2019 rent was increased 10% over the previous year. Staff recommends increasing 2020's rent by 10% over 2019's. •Potential for future development makes property unsuitable for long term agricultural lease.

REVOCABLE PERMIT MASTER LIST 2020

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Area	2019 Annual Rent	Proposed 2020 Rent	Indicated Annual Market Rent 2018	Comments re rent amount and why no long-term disposition
rp7910	4	TEXIERA, RICHARD R. AND KATHLEEN V.	(1) 4-1-013:022-0000	5(b)	3/27/2018	Pasture and stabling of horses	6.86	1,981.20	2,040.96		<ul style="list-style-type: none"> •2019's rent was increased by 3% over the previous year. Staff recommends increasing 2020's rent by 3% over 2019's. •At its meeting on 11/10/16, under agenda item D-13, the Board approved the transfer of the subject parcel to DOA per Act 90. Staff will continue to work with the DOA to complete the set aside.

EXHIBIT 2A

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

Doc No.	Permittee Name	Comments re rent amount and why no long-term disposition
rp3954	AMERICAN LEGION DEPT OF HAWAII	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5% over the previous year, set at \$480. Staff <u>recommends 2020 rents of \$480.</u> •The organization is a 501 (c)(19), and is therefore not eligible for a direct lease under <u>HRS</u> 171-43, HRS, which requires 501 (c)(1) or 501 (c)(3) status. Staff recommends renewing the permit based on its conversations with permittee. Due to the specific language in HRS, it cannot qualify for a direct lease at a minimum rent. Based on the information provided by the permittee, it <u>Permittee</u> provides services to the veteran community. Therefore, staff <u>Staff</u> recommends <u>renewing the RP and that the Board adopt the nominal rent (\$480) for a a typical non-profit lease for this RP.</u>
rp5407	KANEOHE YACHT CLUB	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's rent by 3% over 2018's. •Staff met with the club's Board members who had some concerns over possible easement conditions, like public access. Awaiting further response from the permittee.
rp5408	MULLER, C. MICHAEL	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>2019's</u>. •At its meeting on 1/13/17, under agenda item D-14, the Board approved the grant of <u>a</u> term, non-exclusive easement to permittee. The Governor's and Legislative concurrence were also obtained toward <u>On April 12, 2019, item D-8, the issuance of an</u> <u>Board approved additional</u> easement. Pending map and description from area. DAGS Survey is checking with the surveyor hired by the permittee. <u>on a map discrepancy.</u>

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp5557	YAMASHIRO, INC., ED	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's, notwithstanding the Indicated Annual Market Rent<u>2019's to bring rents in line with market rents.</u> •No access to parcel from public road.
rp5563	CITY & COUNTY OF HONOLULU	<ul style="list-style-type: none"> •Gratis. •Permittee is a governmental entity. Legal Access to the subject site needs to be verified. • <u>Zoned conservation - SPA 03-29 & 13-58 on file with OCCL</u>
rp5614	CITY & COUNTY OF HONOLULU	<ul style="list-style-type: none"> •Gratis. •For C&C of Honolulu radio tower and related structures located within Diamond Head Crater.
rp5762	LIMA, SAMUEL & CATHERINE	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's to \$480, following the minimum rent policy. •Parcels are irregularly shaped and provide access to permittee's landlocked kuleana <u>lands</u>. At its meeting on 11/10/16, under agenda item D-13, the Board approved the transfer of the subject parcel to the DOA per Act 90. Staff will continue to work with DOA to accomplish the set aside.
rp6331	AOAO KAUAHALE BEACH COVE	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over be 2018's, notwithstanding the Indicated Annual Market Rent <u>PAR increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •Staff has not had any success in contacting the condo's<u>AOAO's</u> Board. <u>A follow up letter is being prepared for the AOAO</u> regarding converting the rpRP to an easement. •<u>CDUP OA-600 on file with OCCL.</u>

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp6546	BUSH, C. BRYSON	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's rent by 3% over 2018's. •At its meeting on 12/9/2016, under agenda item D-20, the Board approved the grant of term, non-exclusive easement for permittee. The Board approved additional area for the easement at its meeting on June 8, 2018, under agenda item D-8. CDUA Permit OA-3017B covering piers under the Kaneohe Bay Pier Amnesty Program was approved by the Board on July 13, 2001, under agenda item D-32.
rp7018	GRANDE, THOMAS R.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>2019's</u>. •No access to property from public road. Annual rental makes selling the lease at public auction impracticable. The permittee withdrew his request to purchase the remnant, which was originally scheduled to go before the Board on May 11, 2018.
rp7188	DOONWOOD ENGINEERING, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •No access to parcel from public road and lack of infrastructure.
rp7242	LULUKU BANANA GROWERS COOP	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •RP covers less than 10% Usable acreage well below the 190-acre permit area. Much of the parcel. Staff permit area slope, road, or highly vegetated. •<u>ODLO</u> to work with DOFAW on the long term planning for the permit area in conjunction with the adjoining forest reserve.

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

		<ul style="list-style-type: none"> • <u>Zoned agriculture, conservation - OA:616; 1748; 2143; & 3611 on file with OCCL</u>
rp7356	REYNOLDS, JAMES C.	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's rent by 3% over 2018's. • Staff to convert to a utility easement.
rp7367	AOAO OF KEMOO BY THE LAKE	<ul style="list-style-type: none"> • 20182019 rent was increased 1.53% over the previous year. Staff recommends increasing 2019's 2020's rent by 3% over the Indicated Annual Market Rent 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. • Federal covenants placed on the property at the time it was returned to the State limit its use to parking. Staff will evaluate whether sale of lease at look into a public auction. A letter is being prepared to the AOAO regarding a possible for this parcel conversion to a lease.
rp7470	JSR EQUIPMENT, INC.	<ul style="list-style-type: none"> • 20182019 rent was increased 1.510% over the previous year. Staff recommends increasing 2019's 2020's rent by 10% over 2018's, notwithstanding the Indicated Annual Market Rent. 2019's to bring rents in line with market rents. • There is no access to the parcel from a public road.
rp7477	YANAGIHARA, RAYMOND T.	<ul style="list-style-type: none"> • 20182019 rent was increased 1.53% over the previous year. Staff recommends increasing 2019's 2020's rent by 3% over 2018's to \$480, following the minimum rent policy. • Parcel is located on Kaneohe Bay with no access from public road.
rp7478	DE MAURO, JOSEPH	<ul style="list-style-type: none"> • 20182019 rent was increased 1.53% over the previous year. Staff recommends increasing 2019's 2020's rent by 3% over 2018's to \$480, following the minimum rent policy. • No access to parcel from public road.

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rp7489	HAWAIIAN ELECTRIC CO INC	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>2019's</u>. •RP covers only a portion of the parcel. Legal access to the site needs to be verified. •<u>Zoned conservation - SPA 03-29 & 13-58 on file with OCCL</u>
rp7501	CANSIBOG, ROBERTA	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>2018's to \$480, following the minimum rent policy.</u> •Part of the parcel is an<u>prone to</u> intermittent flood area where rainwater drains into the Mailiili Channel during heavy downpours<u>flooding.</u>
rp7514	UNITED LAUNDRY SERVICES, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>Indicated Annual Rent, be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •No access to parcel from public road.
rp7517	OLOMANA GOLF LINKS, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •This parcel is located between Kalaniana'ole Hwy. and Olomana Golf Course. Staff will sell <u>a</u> lease at public auction upon the expiration of gl4095 underlying the golf course.

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rp7520	MIZUTA, ROBIN T.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1-53<u>1-53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>to \$480, following the minimum rent policy.</u> •The parcel sits between a public road and permittee's property and provides access to permittee's property as well as for other private land owners. A long-term disposition of the parcel or sale as a remnant is impracticable due to the access requirements of the other private property owners.
rp7560	MOUNT WILSON FM BROADCASTERS, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1-53<u>1-53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% notwithstanding the Indicated Annual Market Rent. Permittee has taken a sandwich position on the site, and collects additional revenue from the other users of the site, <u>accordingly following CBRE's escalation opinion, a rent increase is justified.</u> •Land Div. manages parcel for DOFAW. Staff found a submittal referenced OA 7/7/13-139 amending a prior Board CDUP action. In addition, the current permit area is a legally subdivided lot under Land Court Application 656, Map 248, Lot 1222 A, with an area of 0.079 acre. It has been set<u>Set</u> aside to DOFAW pursuant to EO 4409. It is our understanding that the Land Court system would not approve the subdivision of Lot 1222 into Lots 1222-A and 1222-B without a proper subdivision approval. •<u>Zoned conservation - OA 139 on file with OCCL</u>

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rp7561	HONOLULU POLO CLUB, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>increasing 2020's</u> rent 3% to the Indicated Annual Market Rent<u>3% to the 2018's PAR</u> increased 3% per year, compounded annually, following CBRE's escalation opinion. •ODLO staff has written to<u>is in communication with</u> permittee outlining the necessary steps it must take for<u>about</u> a long-term direct lease, but has so far received no response.<u>The most recent communication occurred in May 2019.</u>
rp7566	HILTON HAWAIIAN VILLAGE, LLC, JOINT VENTURE	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>2019's</u>. Per RP executed March 4, 2010 the rent is set at a base rent or \$1.50 per passenger, whichever is greater. •At its meeting on 10/27/17, under agenda item D-8, the Board agreed to keep the revocable permit in place for this property due to questions over the ownership of the improvements. •<u>Zoned conservation - pier built in 1958, winch is prior to the rules taking effect and therefore is a permitted nonconforming use pursuant to Hawaii Revised Statute Section 183C-5</u>
<u>rp7570</u>	<u>HAWAII MOTORSPORTS ASSN INC</u>	<ul style="list-style-type: none"> •Staff recommends increasing 2020's rent by 3% over 2019's •<u>At its meeting on January 25, 2019, D-5, the Board authorized the issuance of a RFQ/RFP. LD and DOFAW have sent the bid packet to the AG for review.</u>

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp7579	AUWAIOLIMU CONGREGATIONAL CHURCH	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>2019's</u>. • Staff met with permittee on 5/9/18 about the <u>steps</u> necessary steps it must take for it to receive a long-term direct lease. The permittee is interested in obtaining<u>seeking to obtain</u> non-profit status, and must complete<u>is working on completing</u> the relevant paperwork from. Staff is in <u>communication with</u> the IRS<u>permittee on the conversion</u>.
rp7587	KUNSTADTER, PETER	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>to \$480, following the minimum rent policy</u>. •Staff has written to permittee about converting to a term easement, but has not received a response. <u>Staff visited the property trying to establish contact with the permittee, but efforts have been unsuccessful</u>. Staff will continue in its<u>to</u> attempt to contact permittee about converting the permit to a long-term disposition.
rp7590	SAWINSKI, ROBERT G & RAY-JEN	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>to \$480, following the minimum rent policy</u>. •Staff has written to discussed conversion with the permittee about converting to a term easement, but has. Permittee was not received a response<u>interested</u>. Staff will continue in its attempt to contact permittee about converting the permit to a long-term disposition<u>suggests keeping the present status of this RP</u>.

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rp7596	HAWAIIAN ELECTRIC CO INC	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's rent by 3% over 2018's. •At its meeting on 7/8/16, under agenda item D-5, as amended to include HiTelcom as applicant, the Board approved issuance of perpetual, non-exclusive easement. Pending acceptance of appraised value by permittee.
rp7600	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>2018's to \$480, following the minimum rent policy.</u> •At its meeting on 2/10/17, under agenda item D-4, the Board approved issuance of perpetual, non-exclusive easement. Pending appraisal process.<u>The easement is pending map from DAGS Survey.</u>
rp7601	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>2018's to \$480, following the minimum rent policy.</u> •At its meeting on 2/23/18, under agenda item D-10, the Board approved the issuance of perpetual, non-exclusive easement. <u>HECO was reminded to provide map and description.</u>
rp7602	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>2018's to \$480, following the minimum rent policy.</u> •Staff awaiting plans to submit a survey map and description from permittee. Once received, staff will go to the Board to request a perpetual non-exclusive for <u>awaiting plans to submit a survey map and description from permittee. Once received, staff will go to the Board to request a perpetual non-exclusive for</u> <u>easement. in September 2019 Board meeting.</u>

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rp7604	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>to \$480, following the minimum rent policy.</u> •Staff awaiting a survey map and description from permittee. Once received, staff will go to the Board<u>plans to submit a request a perpetual non-exclusive</u>for easement- <u>in September 2019 Bord meeting.</u>
rp7605	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's. •Board action dated 12/15/89, agenda item F-15, amending Board action dated 9/13/85, agenda item F-14, adding additional area for a perpetual non-exclusive easement.<u>to \$480, following the minimum rent policy.</u> •Staff is currently working with permittee and DAGS Survey on easement map discrepancies. Following the resolution of the map discrepancies, staff will procure an appraisal.
rp7606	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.53</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>to \$480, following the minimum rent policy.</u> •At its meeting on 2/10/17, under agenda item D-4, the Board approved issuance of perpetual, non-exclusive easement. Pending appraisal process.<u>The easement is pending the map from DAGS Survey.</u>

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp7607	HAWAIIAN ELECTRIC COMPANY, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.53<u>1.5</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's to \$480, following the minimum rent policy. •Staff awaiting plans to submit a survey map and description from permittee, which it expects to receive request for easement in September 2018. Staff will then go to the 2019 Board requesting a perpetual non-exclusive easement. Although staff could find no evidence of permittee applying for a CDUP in its files, there is a letter dated 2/6/1961 from the director of the Department of Agriculture and Conservation approving the easement. If meeting. •<u>Zoned agriculture, conservation - OA-2807 on file with OCCL requires, staff will instruct permittee to apply for a CDUP or provide proof to OCCL that the use/structure is nonconforming.</u>
rp7643	SAVIO KC OPERATING COMPANY	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.51<u>1.5</u>10% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over be 2018's, notwithstanding the Indicated Annual Market Rent. PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. •Substandard parcel size.

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp7688	ROSLINDALE, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends using the Indicated Annual Market Rent for rp7367 (\$1,840 for 0.39 Ac) as a benchmark and increasing that benchmarked 2020's rent by 3% over 2019. •Federal covenants placed on the property at the time it was returned to the State limit its use to parking. Staff will evaluate whether sale of the lease at public auction is possible for this parcel. <u>The presence of this RP helped eliminate the problem of unauthorized activities. Staff suggests keeping the present status of this RP.</u>
rp7714	FUKUSHIMA, RALPH	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's 2020's rent by 10% over be 2018's, notwithstanding the Indicated Annual Market Rent <u>PAR increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •At its meeting on 11/10/16, under agenda item D-13, the Board approved the transfer of the subject parcel to the DOA per Act 90. Staff will continue working with the DOA on set aside. •<u>Zoned agriculture, conservation, urban - OA 1871 on file with OCCL</u>
rp7717	RAPOZA, GEORGE, JUNE, WESLEY & DESIREE	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's 2020's rent by 3% over 2018's to \$480, following the minimum rent policy. •Parcel is landlocked. DOFAW is interested in having the property set aside.
rp7725	PESTANA CORP. DBA BOB'S EQUIPMENT	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's 2020's rent by 3% over be 2018's. PAR increased 3% per year, compounded annually, following CBRE's escalation opinion. • No access to parcel from public road.

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rp7743	PEOPLE AND PET PARK, INC.	<ul style="list-style-type: none"> •Gratis. •Staff has spoken to representatives of <u>At its meeting on March 8, 2019, D-7, the</u> permittee about <u>Board approved the</u> possibility <u>issuance</u> of a long-term direct lease, and permittee for this non-profit entity. <u>Staff is interested. Staff to follow</u> up <u>pending map from DAGS Survey.</u>
rp7748	ROBERT'S CENTRAL LAUPAHOEHOE INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1-5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •No access to parcel from public road.
rp7782	CARRILLO, ANTONE	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1-5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •Staff will contact <u>The subject parcel was leased to Antone Pereira from 1947 [GL3197] until the CCH's Office of Housing about</u> lease expired in 1968. Mr. Pereira became permit holder [RP 5273] until his death in 1989, and then his wife became the possibility of setting aside this parcel <u>permittee [RP6691]. Mrs. Pereira died in 2004 and her grandson is the permittee. ODLO does not recommend transferring the subject parcel to another government agency, cancelling the RP, or auctioning a long term lease.</u>

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rp7832	PRECAST, INC. AND RAYLYNN REBAR, LLC	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>Indicated Annual Rent</u> be <u>2018's PAR</u> <u>increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •RP covers only a portion of this irregularly shaped lot, the majority of which is deemed unusable due to stream banks and vulnerability<u>is vulnerable</u> to tidal fluctuations.
rp7835	THE HARRY & JEANETTE WEINBERG, FOUNDATION INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>3</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 3% over <u>Indicated Annual Rent</u> be <u>2018's PAR</u> <u>increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •No access to parcel from public road, parking use.
RP7849	RESORTTRUST HAWAII LLC	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's rent by 3% over 2018's. •Staff plans to request a new rp for permittee using an appraiser to determine the rent. The renewal will allow staff time to procure the appraisal.
rp7851	HINES, JACOB KALEO	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •Substandard lot size. Permittee's rent is 1 month in arrears.

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rp7853	LUM, ERNEST	<p>•2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent.</p> <p>•At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. happen around Dec 2019/Jan 2020. The renewal of the rpRP will give staff sufficient time to finalize the master lease document and procure an appraisal prior to the public auction.</p>
rp7854	LUCERO, GARY	<p>•2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent.</p> <p>•At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. This happen around Dec 2019/Jan 2020.-The renewal of the RP will give staff sufficient time to finalize the master lease document and procure an appraisal prior to the public auction.</p>

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<u>rp7855</u>	<u>KAMAKA, SR.,</u> <u>JONATHAN KAHOLOKAI</u>	<ul style="list-style-type: none"> •<u>Staff is in communication with Permittee regarding the signing of the revocable permit. Subject premises was visited on August 12, 2019. Staff suggests using the same rate for RP 7856 which has the same permit area. Therefore, the 2020 rent should be \$17,508.00.</u>
rp7856	KAI CONSTRUCTION HAWAII, INC.	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •<u>At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. happen around Dec 2019/Jan 2020. The renewal of the rpRP will give staff sufficient time to finalize the master lease document and procure an appraisal prior to the public auction.</u>

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rp7857	WISNIEWSKI, JOHN	<ul style="list-style-type: none">•2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent.•At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. happen around Dec 2019/Jan 2020. The renewal of the rpRP will give staff sufficient time to finalize the master lease document and procure an appraisal prior to the public auction.
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Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp7858	TACHIBANA PAINTING LLC	<ul style="list-style-type: none">•2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent.•At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. happen around Dec 2019/Jan 2020. The renewal of the rpRP will give staff sufficient time to finalize the master lease document and procure an appraisal prior to the public auction.
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Redlined changes made to 2019 Revocable Permits on the Island of Oahu

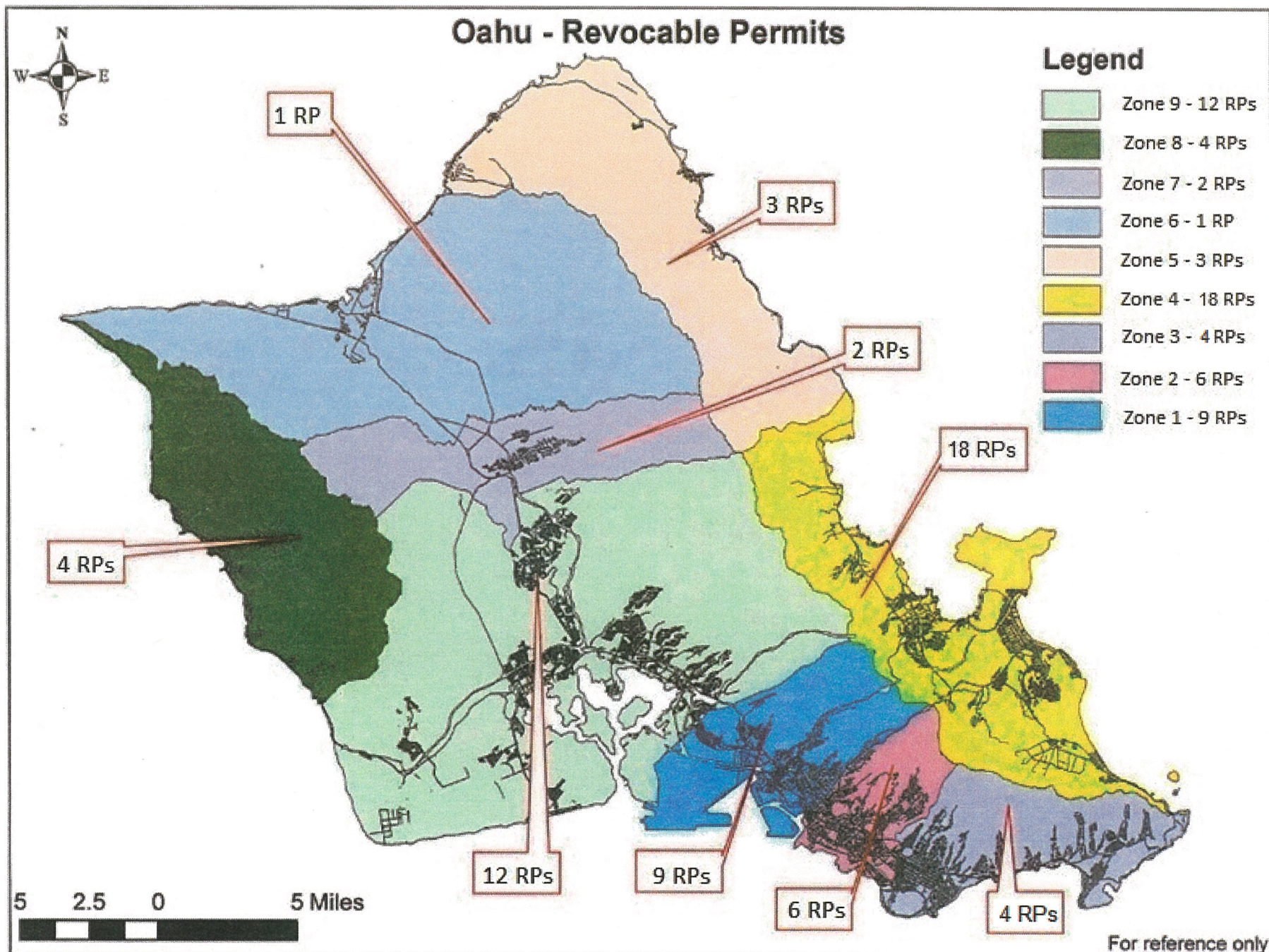
rp7859	WISNIEWSKI, JOHN	<p>•Rent set by in-house valuation dated 8/4/16.<u>2019 rent was increased 10% over the previous year.</u> Staff recommends increasing <u>2020's rent by 10% over 2019's rent by 10% over 2018's</u>, notwithstanding the Indicated Annual Market Rent.</p> <p>•At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. happen around Dec 2019/Jan 2020. The renewal of the rpRP will give staff <u>sufficient</u> time to finalize the master lease document and procure an appraisal prior to the public auction.</p>
rp7860	ALFONSO, VIDAL	<p>•2018<u>2019</u> rent was increased 1-5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent.</p> <p>•At its meeting on 09/14/2018, under agenda item D-16, the Board approved the sale of a master lease at public auction. Staff is scheduled plans to submit a request return to the Board seeking for some amendments of the prior approval before putting up the public auction which is anticipated to sell the master lease underlying RPs 7853, 7854, 7856-7858, 7860 & 7861 at public auction. happen around Dec 2019/Jan 2020. The renewal of the rpRP will give staff <u>sufficient</u> time to finalize the master lease document and procure an appraisal prior to the public auction.</p>

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rp7883	HIGGINS, ROLAND AND DARALYNN	<ul style="list-style-type: none"> •Rent <u>2019 rent was</u> set by <u>the</u> Board at its meeting on June 22, 2018, under agenda item D-7. <u>Per Board instruction 2020's rent shall remain unchanged until a long term disposition can be decided, notwithstanding the indicated annual market rent.</u> •No access from public road.
rp7893	UNITED LAUNDRY SERVICES, INC.	<ul style="list-style-type: none"> •20182019 rent was increased 1.53% over the previous year. Staff recommends <u>increasing 2019's2020's rent by 3% over Indicated Annual Rent.</u> •RP covers only a portion of this irregularly <u>be 2018's PAR increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •<u>Irregularly</u> shaped lot, the majority of which is deemed unusable due to stream banks and vulnerability <u>is vulnerable</u> to tidal fluctuations.
rp7896	PU'A FOUNDATION AND HUI MAHI'AI	<ul style="list-style-type: none"> •20182019 rent was increased 1.53% over the previous year. Staff recommends increasing <u>2019's2020's</u> rent by 3% over <u>2018's2019's.</u> •Site is not a legally subdivided lot and <u>and</u> lacks proper legal access. The revocable permit is meant to be in place until a direct lease can be issued.
rp7898	AOAO 1942/1946 PAUOA ROAD, INC.	<ul style="list-style-type: none"> •20182019 rent was increased 1.510% over the previous year. Staff recommends <u>increasing 2019's2020's</u> rent by 10% over <u>be 2018's, notwithstanding the Indicated Annual Market Rent. PAR increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •No access to parcel from public road.

Redlined changes made to 2019 Revocable Permits on the Island of Oahu

rp7899	NAKOA, MARY	<ul style="list-style-type: none"> •2018<u>2019</u> rent was increased 1.5<u>10</u>% over the previous year. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over<u>be</u> 2018's, notwithstanding the Indicated Annual Market Rent<u>PAR increased 3% per year, compounded annually, following CBRE's escalation opinion.</u> •This irregularly shaped low-lying pasture sits adjacent to the Ma'ili'ili flood control channel. It is often exposed to water causing wet and muddy conditions due to inadequate drainage infrastructure.
rp7900	BENN, CO-TRUSTEES, ET AL, LIANA LAU AND CHARLES	<ul style="list-style-type: none"> •The 2018<u>2019</u> rent is based on rent of an adjacent rp<u>RP</u>, which the Board previously approved as part of the 2018 Oahu rp<u>RP</u> renewal. Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's<u>2019's</u>, notwithstanding the Indicated Annual Market Rent. •No access to parcel from public road.
rp7907	SUGARLAND FARMS, INC.	<ul style="list-style-type: none"> •Staff used the ratio of 2019 rent/area from<u>was increased 10% over the permittee's</u> previous rp to calculate the new rent for the reduced permit area.<u>year.</u> Staff recommends increasing 2019's<u>2020's</u> rent by 10% over 2018's, notwithstanding the Indicated Annual Market Rent<u>2019's.</u> •Potential for future development makes property unsuitable for long term agricultural lease.
rp7910	TEXIERA, RICHARD R. AND KATHLEEN V.	<ul style="list-style-type: none"> •The 2018<u>2019's</u> rent is the same paid<u>was increased by 3% over</u> the previous permittee as approved by the Board.<u>year.</u> Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's.<u>2019's.</u> •At its meeting on 11/10/16, under agenda item D-13, the Board approved the transfer of the subject parcel to DOA per Act 90. Staff will continue to work with the DOA to complete the set aside.



For reference only

Exhibit 3



**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS**
560 N. NIMITZ HWY., SUITE 200
HONOLULU, HAWAII 96817

HRD19-7890D

July 19, 2019

Andrew Tellio
Appraisal and Real Estate Specialist
Department of Land and Natural Resources, Land Division
P.O. Box 621
Honolulu, HI 96809

Re: Annual Renewal of Revocable Permits for O'ahu

Aloha e Mr. Tellio:

RECEIVED
LAND DIVISION
2019 JUL 29 AM 10:51
DEPT OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

The Office of Hawaiian Affairs (OHA) received the Department of Land and Natural Resources (DLNR) Land Division request for comments on the draft submittal to the Board of Land and Natural Resources (BLNR), dated July 2, 2019. The DLNR Land Division is recommending that the BLNR renew 61 month-to-month revocable permits (RPs) held on O'ahu for a period of one year. The 2020 Revocable Permit Master List (master list), included as Exhibit 2 of the draft submittal, provides a table of the subject RPs.

Although OHA notes an increase in the level of detail provided compared to previous master lists and appreciates the efforts made to expedite the rent appraisal process, there still is insufficient information to determine whether some of these requested renewals should be approved by the BLNR. OHA again reiterates, as has been done in prior comment letters and testimonies, that the master list should include pertinent information regarding some of the RPs as required by the DLNR Revocable Permit Task Force (Task Force) recommendations adopted by the BLNR on June 24, 2016. OHA notes that the BLNR has confirmed that the Task Force recommendation "checklist" should be applied to both new and renewed RPs, to ensure that the Task Force's recommendations are considered during RP renewals. OHA also reiterates its requests and recommendations for additional information pertaining to the trust status and the protection of sensitive public trust resources and habitats that may be found on the RP parcels. Accordingly, OHA offers the following comments regarding: compliance with task force recommendations; ceded land status and fiduciary responsibilities; and, conservation district and Special Management Area (SMA) use compliance.

More Information is Needed to Comply with the Task Force Recommendations

First, the Task Force's recommended checklist includes the provision of a lease conversion timetable for RPs that are pending lease conversions or executive set-aside orders. In general, RPs

are meant to be temporary, and long-term lease conversions allow for better long-term management by establishing lease terms that are amenable to the State and a more stable revenue source for DLNR's Special Land and Development Fund. Accordingly, a timetable for each RP pending a lease or other long-term disposition would provide an opportunity to assess whether progress towards such conversions is being made in a timely manner. However, in many instances in the draft submittal, no such timetable is provided. Several of these RPs (RP5408, RP6331, RP7356, RP7714) were first cited as needing timetables by OHA in our August 26, 2016 testimony to the BLNR regarding the 2017 master list, and again last year in our comment letter (dated July 26, 2018) to the DLNR regarding the 2019 master list.

Notably, all of these cited RPs also have comments in the master list that are identical to comments made in the 2019 master list, giving no indication of what progress, if any, has been made for their respective conversions to long-term dispositions. For example, the comments for RP5408¹ (permitted since 1977) in both the 2019 and 2020 master lists detail that "at its meeting on 1/13/17... the Board [BLNR] approved the grant of term, non-exclusive easement to permittee... pending map and description from the permittee." The lack of any change in the comments and a failure to include a timeline or updates for this and other RPs slated for conversion to a lease or other long-term disposition make it unclear as to whether the DLNR is following up on these RPs. If no timeline is available, OHA recommends the DLNR at least include information regarding future and past meetings and/or deadlines relating to their conversion. This information is particularly important to RPs that have been in place for decades, as it could assist the BLNR with determining whether to approve these RPs that have existed well beyond their intended temporary status.

Furthermore, OHA finds the continuance of some of these RPs questionable, particularly where the lack of progress towards a long-term lease or other disposition may be due to the actions or lack thereof of their respective permittees. For example, in the comments for RP6331 (permitted since 1986), it states that "staff has not had any success in contacting" respective permittees to negotiate a lease or easement conversion. No timetable or further detail is provided. Similarly, RP7590 (permitted since 2010) states that staff "has not received a response" to inquiries made by staff regarding a lease conversion. A few other RPs (RP7561, RP7587) also have the same type of comments. OHA notes that these comments have not changed from what was listed in the 2019 master list. A timetable including response deadlines and consequences for non-responsive permittees, including RP suspension or revocation, may accordingly provide permittees with incentives to facilitate the timely conversion of these RPs to long-term leases or other dispositions, and allow staff to identify and rectify potentially inappropriately issued RPs.

Second, the Task Force recommends including more details regarding RPs with apparent unusual circumstances. OHA finds this particularly relevant to RP7566. Regarding RP7566 (permitted since 2010), OHA submitted testimony on October 27, 2017 to the BLNR questioning the issuance of this RP. It appeared to OHA that a private corporate entity (the permittee) was seeking an exclusive easement over submerged lands via an RP, where public access and use should be allowable. It was our understanding that the permittee was asserting ownership over an

¹ Regarding RP5408, OHA believes there is a clerical error on the 2020 master list TMK number. The 2020 master list TMK is (1)4-4-001:011, whereas the 2019 master list TMK is (1)4-1-001:011.

improvement (i.e., a pier) on the parcel that they had not built, but only repaired. In turn, the permittee used their claim of ownership over the improvement to argue for their continued exclusive use of submerged State land via an RP. In the current master list, the comments column for this RP states that “the Board agreed to keep the revocable permit in place for this property due to questions over the ownership of the improvements.” This statement is taken verbatim from 2019’s master list. This repeated statement does not provide any insight as to whether the DLNR is making an effort to clarify and ultimately resolve the ownership issue. Without such resolution or further details (with a timeline for steps to be taken towards a resolution), the BLNR cannot properly assess whether to approve this RP as part of the 2020 master list.

Ceded and Public Land Trust Status of Parcels and Other Information Relevant to the State’s Fiduciary Responsibilities Should be Included

Aside from the Task Force recommendations, OHA again asks that RP master lists also include an indication as to the “ceded” and public land trust status of each parcel. OHA has a substantial stake in the appropriate use and disposition of the State’s “ceded” lands, which were acquired without the consent of the Native Hawaiian people, and most of which are classified as public land trust lands held in trust for the benefit of Native Hawaiians and the public. As the trustee of the “ceded” lands and the public land trust, the BLNR also has specific fiduciary and moral obligations with respect to the use and disposition of such lands. Accordingly, an indication of the ceded and public land trust status of parcels being recommended for RPs may assist both OHA and the BLNR in applying an appropriate level of scrutiny. OHA notes that for all other counties, the ceded land status was included as its own column within their respective 2019 master lists.

OHA also reiterates its request that RP renewal recommendations include explicit, substantive considerations relevant to the BLNR’s primary, public trust duties to conserve and protect Hawai‘i’s natural and cultural resources. Such duties include the fulfillment of the constitutional mandate that the state “conserve and protect Hawai‘i’s . . . natural resources . . . and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the state. All public natural resources are held in trust by the state for the benefit of the people.”² The BLNR holds a constitutional duty to protect cultural resources, as well as the practices which rely upon them.³

The State of Hawai‘i Office of the Auditor (Auditor) also recently⁴ questioned whether the Land Division’s fiduciary obligations were being met as they found that a “lack of complete and coherent policies and procedures prevents the Land Division from adequately managing its leases and revocable permits.” The Auditor emphasized that the “status quo” will continue unless steps are taken by the DLNR to prepare long-range management and strategic planning. The Auditor further noted that RP rent adjustments have been severely limited over the years, resulting in loss revenue of nearly 63%. Notably, revenues from RPs, leases, and other jurisdictions provide critical

² HAW. CONST. ART. XI SEC. 1

³ HAW. CONST. ART. XII SEC. 7; *Ka Pa‘akai o ka ‘Āina v. Land Use Comm’n*, 94 Hawai‘i 31 (2000).

⁴ State of Hawai‘i, Office of the Auditor. June 2019. *Audit of the Department of Land and Natural Resources’ Special Land and Development Fund*. A report to the Governor and the Legislature of the State of Hawai‘i.

support for DLNR's programs and activities relating to the protection and management of our public trust natural and cultural resources.

OHA does appreciate DLNR's current efforts to contract a third-party appraiser and make recommendations to gradually increase rents to be more on par with fair market prices and demand. However, OHA notes that the draft submittal currently recommends that BLNR "approve no immediate change in current monthly rent for revocable permits... provided however, that the Land Board reserves and Delegates to the Chairperson the right authority at any time to review and implement new rental charges for the revocable permits." Although increases in RP rent between 2018 and 2019 have occurred (as indicated in the comments of the 2020 master list), OHA requests assurances that the effort to increase rent to fair market prices continues consistent with the recommended rent increases. Failure to fulfill the proposed rent increases would in turn shortchange beneficiaries of the public land trust, including Native Hawaiians, and deprive the State of much needed revenue.

The DLNR's fiduciary responsibilities should also include periodic inspections of RP parcels to ensure that permittees are adequately maintaining onsite improvements and that the parcel is being used for the purposes it was originally permitted for. As indicated in the State Auditor's 2019 report (see footnote #4), the Land Division staff does not conduct annual inspections and typically only inspects a fraction of leased and RP parcels. Although OHA notes that annual inspections may not necessarily be needed in all instances, RP master lists should include the date of the last affirmative review of the permit holder's compliance with the most recent permit term. The BLNR can then decide if more frequent inspections are necessary to ensure the parcel is being maintained in an appropriate manner.

Conservation District and Special Management Area (SMA) Use Compliance

OHA notes that there are several RPs issued to permittees that occupy either conservation lands or lands within Special Management Areas (SMA). Land uses in these areas should incur a greater level of scrutiny as these lands are meant to conserve, protect, and preserve important natural and cultural resources. Inappropriate uses or non-conforming structures not in compliance with relevant statutes and rules could have the potential to adversely impact the environment and/or public use of these areas.

Regarding RPs (RP5614, RP7242, RP7489, RP7560, RP7607, and RP7714) on conservation lands, existing uses and improvements are to be in accordance with Hawai'i Administrative Rules (HAR) 13-5 and permitted through the Office of Conservation and Coastal Lands (OCCL). For each of these RPs, the comments section states that the permittees are "on file with OCCL". However, it is unclear how old the filings are or if OCCL has recent comments on any of these RPs. In other counties of the State of Hawai'i, draft RP master lists have included a copy of letters from OCCL detailing their review of the master list for conservation district use compliance. In turn, this has aided in the review of and recommendations for these RPs, particularly in instances that OCCL has noted non-compliance. OHA thus recommends that any comment letter generated by OCCL regarding the 2020 master list be supplied with the master list prior to submission to the BLNR for renewal.

Regarding RPs (ex., RP5408, RP5557, RP6331, RP7356) in the SMA, uses and improvements must be in accordance with Hawai'i Revised Statutes §205A and allowed review via application by the permittee to the City & County of Honolulu, Department of Permitting and Planning (DPP). As compliance and the terms of each individual SMA permit are unknown, OHA requests that the DLNR Land Division staff provide comments from the DPP that speak to whether or not permittees utilizing SMA lands are compliant with HRS §205A. If the DPP has never commented on this issue, OHA recommends that the DLNR Land Division staff specifically request that DPP provide substantive comment on RPs on SMA lands.

In summary, the draft master list does not provide sufficient information for the BLNR to make an informed decision on whether to approve renewal of some of the RPs. As requested in past comment letters and testimonies, OHA asks that the RP master list be revised to include: the Task Force's recommendations; ceded land status; the date of the last affirmative review of the permit holder's compliance with the most recent permit terms; and, relevant comments from OCCL and DPP regarding parcel use compliance with conservation district and SMA rules, respectively. OHA staff is also willing to discuss these issues with DLNR Land Division staff to try and resolve some of these concerns as many of our comments have been consistent over the years with little to no change in the way RP master lists are presented.

Mahalo for the opportunity to comment. Should you have any questions, please contact Kamakana Ferreira, OHA Lead Compliance Specialist, at (808) 594-0227 or kamakanaf@oha.org.

‘O wau iho nō me ka ‘oia ‘i‘o,



Sylvia M. Hussey, Ed.D.
Ka Pouhana, Interim Chief Executive Officer

KC:kf

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

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

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

REF: OCCL: AJR

COR: OA-17-256

MEMORANDUM

JUL 24 2017

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

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

SUBJECT: Annual Renewal of Revocable Permits for Oahu
Various Districts, Island of Oahu
TMKs: (1) various

Dear Mr. Howard,

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

- RP5563: TMK: 9-2-005:014; Located within the SLU Conservation District; Resource Subzone (CDUPs: OA1888; OA2172; OA2628; OA3502).
- RP5614: TMK: 3-1-042:006; Located within the SLU Conservation District; Resource Subzone (CDUPs: OA589; OA1719 & SPAs: OA1702, OA1740).
- RP6546: TMK: 4-5-058:121; Portion of parcel located in water – submerged lands of the state, SLU Conservation District, Resource Subzone (*No Permits found in OCCL Database*).
- RP7242: TMK: 4-2-010:001; Located within the SLU Conservation District; Resource and Protective Subzones (CDUPs: OA616, OA1748, OA2143, OA3611).
- RP7489: TMK: 9-2-005:014; Located within the SLU Conservation District, Resource Subzone (CDUPs: OA1888, OA2172, OA2628, OA3502).

Exhibit 5

- RP7560: TMK: 3-6-004:026; Located within the SLU Conservation District, Resource Subzone (*No permits found in OCCL Database*).
- RP7566: TMK: 2-6-008:029; Submerged Lands of the State - Conservation District, Resource Subzone (*No permits found in OCCL Database*).
- RP7607(1): TMK: 5-9-006:006; Located within the SLU Conservation District, General and Resource Subzone (*No permits found in OCCL Database*).
- RP7607(2): TMK: 5-9-006:026; Located within the SLU Conservation District, Resource Subzone (*CDUPs: OA2807, OA3402*).
- RP7714: TMK: 4-1-013:011; Property is approximately 90% SLU Conservation District, General Subzone and 10% SLU Urban District (*CDUP: OA1871*).
- RP7849: TMK: 3-5-023:041; Beach – Submerged Lands of the State – SLU Conservation District, Resource Subzone (*SPA: OA0729*).

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

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

Thank you.

CC: Chairperson

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

ROBERT K. MASUDA
FIRST DEPUTY

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

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

REF: OCCL: AJR

MEMORANDUM

COR: OA-19-03

JUL - 9 2018

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

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

SUBJECT: Annual Renewal of Revocable Permits for Oahu
Various Districts, Island of Oahu
TMKs: (1) various

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- RP6546: TMK: 4-5-058:121; Portion of parcel located in water – submerged lands of the state, SLU Conservation District, Resource Subzone (No Permits found in OCCL Database).
- RP7242: TMK: 4-2-010:001; Located within the SLU Conservation District; Resource and Protective Subzones (CDUPs: OA616, OA1748, OA2143, OA3611).
- RP7489: TMK: 9-2-005:014; Located within the SLU Conservation District, Resource Subzone (CDUPs: OA1888, OA2172, OA2628, OA3502).

- RP7560: TMK: 3-6-004:026; Located within the SLU Conservation District, Resource Subzone (*No permits found in OCCL Database*).
- RP7566: TMK: 2-6-008:029; Submerged Lands of the State - Conservation District, Resource Subzone (*No permits found in OCCL Database*).
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- RP7714: TMK: 4-1-013:011; Property is approximately 90% SLU Conservation District, General Subzone and 10% SLU Urban District (*CDUP: OA1871*).
- RP7849: TMK: 3-5-023:041; Beach – Submerged Lands of the State – SLU Conservation District, Resource Subzone (*SPA: OA0729*).

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

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

Thank you.

CC: Chairperson

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON

BRUCE S. ANDERSON, PH.D.
KAMANA BEAMER, PH.D.
NEIL J. HANNAHS
WAYNE K. KATAYAMA
PAUL J. MEYER

M. KALEO MANUEL
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

July 30, 2019

REF: RFD.5181.3

TO: Mr. Andrew Tellio, Appraisal and Real Estate Specialist
Land Division

FROM: M. Kaleo Manuel, Deputy Director *M. Kaleo Manuel*
Commission on Water Resource Management

SUBJECT: Request for Comments on Annual Revocable Permits Renewal - Oahu Island

FILE NO.: RFD.5181.3
TMK NO.: Various TMKs

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://dlnr.hawaii.gov/cwrn>.

Our comments related to water resources are checked off below.

- ☐ 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- ☐ 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- ☐ 3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
- ☐ 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EAP as having high water efficiency can be found at <http://www.epa.gov/watersense>.
- ☐ 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://planning.hawaii.gov/czm/initiatives/low-impact-development/>
- ☐ 6. We recommend the use of alternative water sources, wherever practicable.
- ☐ 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>.
- ☐ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf.

Exhibit 6

- ☐ 9. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.
- ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
- ☐ 11. A Well Construction Permit(s) is (are) are required before the commencement of any well construction work.
- ☐ 12. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
- ☐ 13. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- ☐ 14. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- ☒ 15. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a stream channel.
- ☒ 16. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
- ☐ 17. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- ☒ 18. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.

☐ OTHER:

If you have any questions, please contact Ayron Strauch of the Commission staff at 587-0234.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



August 2, 2019

KIRK CALDWELL, MAYOR

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MAX J. SWORD

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ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

Mr. Andrew R. Tellio
Appraisal and Real Estate Specialist
State of Hawaii
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Tellio:

Subject: Your Memorandum Dated July 2, 2019, Regarding Request for Comments on
Annual Revocable Permits Renewal-Oahu Island, Reference No. Annual RP
Renewal-Oahu

We have reviewed the list of revocable permits. A majority of the permits do not affect the Board of Water Supply (BWS). But, on those that do, we offer the following comments:

1. rp6331 to AOA O Kauhale Beach Cove, Tax Map Key (TMK) 4-5-003:002. Renewal of this permit should be subject to the waterline easements granted to BWS. BWS has an 8-inch waterline that passes through the parcel.
2. rp7602 and rp7604 to Hawaiian Electric Company, Inc. (HECO), TMKs 4-1-10 and 4-1-025. It is difficult to determine if these permits affect BWS as they pertain to entire tax maps. BWS respectfully requests that any easements granted to HECO under these permits not interfere with any BWS infrastructure and facilities.
3. rp7898 to AOA O 1942/1946 Pauoa Road Inc., TMK 2-2-010:021. Renewal of this permit should be subject to a water pipeline easement granted to BWS, directly across from Bates Street and a utility and access easements that passes through the parcel. BWS has a 16-inch waterline within this utility and access easement.

If you have any questions, please contact Michael Matsuo of our Land Division at 748-5951.

Very truly yours,


ERNEST Y.W. LAU, P.E.
Manager and Chief Engineer