

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

September 27, 2019

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

Kauai

Annual Renewal of Revocable Permits on the Island of Kauai. 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 submittal. In accordance with these directives, staff is submitting the Kauai revocable permits, including the additional information the Board requested.

REMARKS:

The list of revocable permits for Kauai that staff recommends be renewed for 2020 is attached as Exhibit 2. Included in the exhibit are the revocable permit number, permittee names, tax map keys, land trust status, original commencement date of the permit, character of use, land area, annual rent, method by which staff set the rent and the rationale behind the issuance of a revocable permit. Another version of this table is attached as Exhibit 3 and highlights changes to permits and comments that have occurred since the last Board action on the approval of Hawaii revocable permits in December 14, 2018, under agenda Item D-1. General location maps of the revocable permits to be renewed are attached as Exhibit 4.

2017-2018

At its meeting on October 27, 2017, under agenda item D-3, the Board approved interim rents for the annual renewal of the revocable permits on Kauai for calendar year 2018. 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 23 of the 68 Kauai revocable permits active at the time. 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 Kauai 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 (i.e. 12/14/18 BLNR, item D-1, Ex 2).

With respect to the revocable permits in Category A, the Indicated Annual Market Rents from the PAR increased or decreased from a low of -21% to a high of 269%. Staff felt that immediately implementing these rent increases in full 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 rent 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 2018 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 designated 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 County of Kauai (COK) agencies were consulted on this action with the results indicated:

Agency:	Comment:
Division of Forestry and Wildlife (DOFAW)	DOFAW had no comments by the suspense date.
Office of Conservation and Coastal Lands	See Exhibit 5
State Parks	State Parks indicates it has no comments.
Historic Preservation	See Exhibit 6
Engineering	Engineering indicates it has no comments.
Kauai District Land Office	Kauai Land Office provided its comments herein.
Commission on Water Resource Management	See Exhibit 7

Department of Hawaiian Home Lands (DHHL)	DHHL had no comments by the suspense date.
Department of Agriculture (DOA)	DOA had no comments by the suspense date.
Office of Hawaiian Affairs	See Exhibit 8
County of Kauai Planning Department	County of Kauai Planning Department had no comments by the suspense date.
COK Department of Parks and Recreation	COK Parks & Recreation indicates it has no objections.
COK Department of Water Supply	COK Department of Water Supply had no comments by the suspense date.

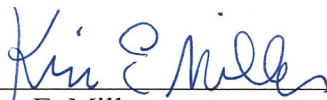
Since the last renewal of the Kauai revocable permits on December 14, 2018, the following permits have been cancelled:

RP#	Permittee	Area	TMK	Monthly Rent	Cancelled on	Use	Remarks
7683	Mary A. Kagawa-Walker	.339 acres	(4) 1-6-004:015	\$1,030	12/31/19	Residential/home business	Voluntarily cancelled; After Phase 1 ESA approx 1 year, staff will proceed with auction lease.
7727	Mervin L. and Fay T. Rapozo	15.309 acres	(4) 4-1-3:48; 4-1-2:23	\$16.76	12/31/18	Pasture	Voluntarily cancelled. Staff will proceed with auction lease.
7840	Daryll Horner	1 acre	(4) 4-1-7:046	\$42.43	08/31/19	Aquaculture	Voluntarily cancelled; After parcel clean-up possible transfer to DOA

RECOMMENDATION: That the Board:

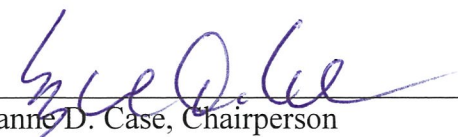
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, Hawaii Revised Statutes and Chapter 11-200.1, Hawaii Administration Rules, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment;
2. Approve the continuation of the revocable permits listed in Exhibit 2 and at the rents set forth in such exhibit on a month-to-month basis effective January 1, 2020 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. Reserve and delegate to the Chairperson the right and authority at any time to review and adjust the rental charges for any of the revocable permits listed in Exhibit 2 any time from and after January 1, 2020, where such adjustments will best serve the interests of the State.

Respectfully Submitted,



Kim E. Miller
Supervising Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

EXHIBIT 1

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

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

Project / Reference No.: Not applicable

Project Location: Various locations on the Island of Kauai

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 HAR § 11-200.1-15 and 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. There are no particularly sensitive environmental issues involved with the proposed use of the property.

Analysis:

The request pertains to renewing the revocable permits for Kauai. 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 2

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
		KAUAI									
rp3827	2	GAY & ROBINSON	(4) 1-8-3:1-2,4-5,9-10; (4) 1-8-4:3,4,13 HANAPEPE	5(b)	6/20/1965	Pasture / Zoning tmks: 003:1, 10 - agri/ conserv. & 2, 4, 5, 9, 16, 17, 18, 19- conserv; 004:3, 4, 13 -agri/ conserv/ OCCL comments : 004: 003CDUPs KA-1190 & 1423 for County DWS	366.639	1,276.18	1,316.04	1,240.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 10% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019. •Staff to explore the possibility of selling a lease at public auction. Permittee was the lessee under GL3005 (commenced 6/20/44), which encumbered 357.75 acres. 8.889 acres were added to this permit, including a portion of 1-8:004:013. Permittee asked to contact OCCL to confirm if further CDUP required beyond KA-1190 and staff will follow up with Permittee.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp5188	3	COUNTY OF KAUAI	(4) 1-8-007:001-0000 HANAPEPE	5(b)	8/1/1975	Landscaping - Beautification	1.62	0.00	0		<ul style="list-style-type: none"> •Rent is gratis. •Permit granted to a governmental entity.
rp5567	3	U H COLLEGE TROPICAL AG	(4) 4-2-1:8,10 KAPAA	5(b)	8/15/1977	Agricultural Experimental / Zoning for tmk parcels: 008, 10 - conservation; Resource subzone	32	0.00	0		<ul style="list-style-type: none"> •Rent is gratis. •Permit granted to a governmental entity. The lands underlying the permit are in the Conservation District. Permit will be cancelled as UH no longer requires land.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp6511	4	GAY & ROBINSON	(4) 1-5-001:001-0001 WAIMEA	5(b)	9/1/1987	Pasture/ Zoning for tmk parcels: agriculture , conservati on;Resour ce subzone.N ote RP is dated 1987.	1,625.00	701.06	722.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 was increased 3% over 2018. Staff recommends increasing 2020's rent by approximately 3% over 2019 rent. •The permittee uses 1,625 ac portion of the 5,212 ac parcel. Permittee asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp6842	2	GAY & ROBINSON, INC.	(4) 1-8-6:2-3; (4) 1-8-7:10; (4) 1-8-8:20 HANAPEPE	5(b)	4/16/1994	Sugar Cane Cultivation and Pasture/ Zoning: 002 - agri/conserv; 003 - agri/conserv; 010 - agriculture, conservation	1,777.59	51,046.38	56,151.00	168,800.00	•2018 rent increased 1.5% over 2017. 2019 rent was increased 10% over 2018. Staff recommends increasing 2020's rent by 10% over 2019, not withstanding market rents. •Board approved amended cancellation and reissuance of RP reflecting lower rent/ smaller area a 2/22/13 meeting,item D-1. Staff waiting for new CSF map reflecting Veteran's Cemetery expansion and DLNR base yard, and upon receipt, staff will recalculate rent and explore selling auction leases . Permittee asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp6892	E 4	MADRID, FRANCES C.	(4) 4-5-008:012-0000 KAPAA	5(b)	11/1/1993	Home Garden	0.165	480.00	494.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased to minimum rent of \$480. Staff recommends increasing 2020 rent by approximately 3% over 2019 based on CBRE escalation of rents opinion. •The parcel is adjacent to permittee's residence. Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp6893	2	MADRID, FRANCES C.	(4) 4-5-008:013-0000 KAPAA	5(b)	11/1/1993	Residential	0.146	6,645.54	7,310.04	10,640.00	<ul style="list-style-type: none"> •2018 rent increased 1.5% over 2017. 2019 was increased by 10% over 2018. Staff recommends increasing 2020's rent by approximately 10% over 2019's, notwithstanding Indicated Annual Market Rent. •Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7256	2	SUNRISE CAPITAL, INC.	(4) 1-9-10:34,35,38;11:7 HANAPEPE	5(b)	2/1/2001	Parking, Storage and/or Access	0.825	7,891.49	8,328.00	7,850.00	•2018 rent increased 1.5% over 2017. 2019 increased by 10% over 2018. Staff recommends increasing 2020's rent by approx.5.5% over 2019 to bring rents to 2020 market rent. •Staff to explore the possibility of selling a lease at public auction. No public interest in the parcels when the permit was issued.

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rp7259	2	SANTOS, FRANK & ABIGAIL	(4) 1-9-7:5,7,28,29,30 HANAPEPE	5(b)	5/1/2001	Plant Nursery, Caretaker Residence, Landscaping and Pasture	16.09	11,180.93	12,299.04	15,960.00	•2018 rent was increased 1.5% over 2017. 2019 rent was increased by 10% over 2018, notwithstanding the market rents. Staff recommends increasing 2020's rent by approximately 9.9% over 2019's to bring rents closer to market rents. •Board approved transfer to DOA per Act 90. Kauai staff currently working on set aside to DOA.

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rp7302	3	CONTRAD ES, FRANKLIN M. & PATRICIA	(4) 4-8- 008:002- 0000 NAHOLA	5(b) A	7/1/2002	Home Garden	0.344	199.86	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rents was increased by 3% over 2018. Staff recommends increasing 2020 rent to minimum rents. •This R-4 zoned parcel is adjacent to DHHL lands and formerly encumbered by Certificate of Occupation, which was cancelled by the Board on 6/8/01, item D-4, for failure to keep property taxes current. Staff will explore quitclaim to DHHL.

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rp7376	5	FERNAND EZ, ROSS K.	(4) 1-2-002:032-0000 KEKAHA	5(b)	11/1/2004	Pasture and Hog Pen	44.713	2,481.73	3,593.04	3,390.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017, notwithstanding market rents. 2019 rent was increased by 10 % over 2018 to move rents closer to market rents. Staff evaluated what current market rents should be based upon CBRE escalation opinion of 3% per year from 2018, staff recommends increasing 2020's rent by approx 44.89% over 2019 rents to bring rents to market rents. •Permittee using only a portion of the parcel. At its meeting on 10/28/94, the Board approved the transfer of 20 acres from the subject parcel to DHHL as part of a larger land transfer. No long term disposition of the property is possible until DHHL has completed the subdivision of this parcel.

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rp7386	3	NONAKA, DEAN H. AND NICOL U.	(4) 1-9-1:2;1-9-2:2 HANAPEPE	5(b)	4/26/2004	Pasture	6.247	194.92	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 3% over 2018. Staff recommends increasing 2020 to \$480 minimum rent policy.. • No legal access from public road.
rp7407	5	COCO PALMS VENTURE, LLC	(4) 4-1-003:044-0001 KAPAA		2/1/2006	Access	0.01	156.00 (new rent for new permittee)	156.00		Staff recommends that since this is a new permittee to keep 2020 rents at current rents and evaluate increases in future.

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rp7444	5	COCO PALMS VENTURE, LLC	(4) 4-1-003:017-0000 KAPAA		7/16/2006	Parking	0.855	4464.00 (new rent for new permittee)	4,464.00		Staff recommends that since this is a new permittee to keep 2020 rents at current rents and evaluate increases in future.
rp7466	5	ABIGANIA, RICHARD	(4) 4-5-15:17,30 KAPAA	Parcel 17, acq. After 8/59; Parcel 30, 5(b)	12/15/2008	Pasture	37.057	2,174.57	2,514.00	2,370.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 10% over 2018. Staff evaluated what current market rents should be based upon CBRE escalation opinion of 3% per year from 2018, and Staff recommends increasing 2020 rent by approx 15.6% over 2019 to bring rent to market rent. •The permit was issued when GL5344 ended. Staff to seek the Board's approval to sell a lease at

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rp7471	3	COUNTY OF KAUAI	(4) 3-8-005:001-0000 LIHUE	5(b)	3/1/2010	Vehicle Storage	0.344	0.00	0.00		<ul style="list-style-type: none"> •Rent is gratis. •Permit granted to a governmental entity.
rp7480	3	ANDRADE, MANUEL H.	(4) 2-3-007:013-0000 KALAHEO	5(b)	7/1/2010	Pasture	32.55	207.15	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 3% over 2018. Staff recommends minimum rent for 2020. •Staff will seek Board approval to sell a lease at public auction.

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rp7498	5	KAMANA WA FOUNDATION	(4) 1-9-012:013-0000 HANAPEPE	5(b)	1/1/2010	Cultural and Educational	1.84	2,314.09	2,970.00	2,800.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 10% over 2018. Staff evaluated what current market rents should be based upon CBRE escalation opinion of 3% per year from 2018, and Staff recommends increasing 2020 rent by approx 28.34% to bring rent to Market Rent. •Staff to enter into a direct lease with this 501c3 entity.

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rp7507	2	THATCHER, STEVE	(4) 4-5-009:043-0000 KAPAA	5(b)	4/1/2010	Commercial - Storage and Display Lot for Inventory	0.172	10,770.80	11,712.00	11,040.00	•2018 rent increased 1.5% over 2017. 2019 rent was increased by 10% over 2018. Staff recommends increasing 2020 rent by approx 8.7% over 2019 to bring to market rents. At its meeting on 1/14/94, item F-13, the Board approved the sale of a 35-year lease at public auction and issuance of a revocable permit. Staff to update submittal, if necessary, and resubmit to Board for approval.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7509	2	BANK OF HAWAII, REAL ESTATE MANAGER	(4) 1-9-005:049-0000 HANAPEPE	5(b)	3/1/2010	Commercial	0.81	25,792.54	27,159.00	25,600.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 10% over 2018. Staff recommends increasing 2020 's rent by approx 5.29% over 2019 to bring rents to market rents. •Staff to seek Board approval to sell a lease at public auction.
rp7516	3	MORI, GEORGE M.	(4) 1-8-007:015-0000 HANAPEPE	5(b)	1/1/2010	Driveway	0.026	207.15	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 3% over 2018. Staff recommends minimum rent of \$480. •Permittee is using only a portion of the premises. Staff to convert to access easement.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7521	4	AKI, MICHAEL	(4) 2-5-5:4,5,6 LAWAI	5(b)	8/1/2010	General Agriculture, Employee Residence	7.54	3,457.34	3,561.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 3% over 2018's. Staff recommends 2020 rent be increased by approx 3% over 2019. •At its meeting on 4/12/91, item F-5, as amended, the Board approved the sale of a 20-year lease for general agriculture and employee residence. Staff to update the submittal, if necessary, and resubmit to Board for approval.

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rp7584	3	GAY & ROBINSON	(4) 1-8-003:011-0000 HANAPEPE	5(b)	4/1/2010	Pasture; Resource subzone	4.3	207.15	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 3% over 2018. Staff recommends increasing 2020 rent to minimum rents. •Staff will explore the possibility of selling a lease at public auction. The parcel has been in pasture use since at least 12/1/43. Permittee contacted OCCL to confirm if CDUP required and staff will follow up with Permittee.
rp7613	5	COCO PALMS VENTURE, LLC	(4) 4-1-005:017-0000 KAPAA	5(b)	6/1/2010	Commercial	0.12	3384 (new rent for new permittee)	3,384.00		Staff recommends that since this is a new permittee to keep 2020 rents at current rents and to evaluate increases in future.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7627	4	SANCHEZ, SR, WILLIAM J.	(4) 4-1-009:017-0002 KAPAA	5(b)	12/15/2008	Pasture	11.796	612.31	630.96		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019's. •Board approved the sale of a 15-year lease at public auction and issuance of a revocable permit at its meeting on 5/8/09, item D-2. Staff to prepare auction package.

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rp7628	4	SANCHEZ, SR, WILLIAM J.	(4) 3-9-5:19,20 LIHUE	5(b)	12/15/2008	Pasture	21.33	1,181.86	1,217.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019's. One year rent relief granted due to severe flooding (BLNR 3.8.19 item D-2). Period 4/15/18-4/13/19 for \$1,142.96. •Board approved the sale of a 30-year lease at public auction and issuance of a revocable permit at its meeting on 5/8/09, item D-1. Staff to put together auction package for sale of lease.

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rp7641	4	SOARES, BERNADINE A. AND UYESONO, BERNADETTE	(4) 4-5-015:045-0000 KAPAA	5(b)	3/1/2011	Storage and Landscaping	0.115	546.93	563.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019. •No access to parcel from public road.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7664	4	KILLERMAN, ADAM P.	(4) 1-8-005:021-0000 HANAPEPE	5(b)	5/1/2011	Pasture / Zoning for tmk parcels: agriculture , conservati on	45.11	546.93	563.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019. •Staff will explore the possibility of selling a lease at public auction. A portion of the parcel is within the Conservation District. The parcel was previously encumbered by GL3707, which commenced 7/1/62. Permittee was asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.

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rp7669	5	BRUN, TONY T.	(4) 1-8-006:003-0000 HANAPEPE	5(b)	5/1/2011	Pasture/ Zoning for tmk parcels: agriculture , conservati on; 5-10% Resource subzone	287.13	1,664.65	2,037.00	1,920.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 10% over 2018, not withstanding market rent. Staff evaluated market rents using the CBRE 2018 escalation ion of 3% per year and, to bring rent to market, staff recommends increasing 2020's rent by approx 22.36% over 2019. •Board approved the sale of a 20-year lease at public auction at its meeting on 7/23/99, item D-4. Staff to update submittal, if necessary, and resubmit to Board for approval. A portion of the lands underlying the permit are in the Conservation District. Permittee was asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.

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rp7695	3	KAONA, CLARENC E E.	(4) 5-5-006:005-0000 HANAIEI	5(b)	4/1/2012	Taro Cultivation	0.4	207.15	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rents policy of \$480. •The land is used to grow taro. The parcel's small size, the costs and staff time makes the sale of a lease impracticable.

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rp7701	3	VASQUES, STANLEY	(4) 4-6-005:005-0000 KAPAA	5(b)	7/1/2011	Pasture and Home Gardening	2.6	207.15	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rents policy of \$480. •Board approved sale of a 20-year lease at public auction and the issuance of a revocable permit upon expiration of prior lease on 3/13/98, item D-5. Staff to update submittal, if necessary, and resubmit to Board for approval.

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rp7710	4	FERNANDES, MICHAEL J.	(4) 4-1-009:008-0000 KAPAA	5(b)	8/1/2011	Pasture	11.746	577.09	594.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased 3% over 2018 rent. Staff recommends increasing 2020's rent by approx. 3% over 2019's. •The property was previously encumbered by GL5117. Staff to seek Board approval to sell a lease at public auction.

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rp7712	3	MARTINS, JEANNETT VIRGINIA	(4) 4-6-005:010-0000 KAPAA	5(b)	7/1/2011	Pasture	6.24	194.92	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rents policy of \$480. •Sale of a 20-year lease at public auction deferred by Board at its meeting on 3/27/98, item D-6. Staff to revise submittal and resubmit to Board for approval.

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rp7721	2	FALKO PARTNER S, LLC	(4) 4-6-9:28,44,45 KAPAA	5(b)	8/1/2011	Natural Recreational	77.13	3,996.40	4,116.00	3,880.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by 3% over 2018. •The permittee is the current owner of the Valley House property adjacent to the subject parcels. These parcels were formerly a quarry, consisting largely of steep and unusable terrain. The permittee has left the parcels in their natural state, which acts as a buffer between its property and the Makai neighbors. Staff to explore the possibility of selling a lease at public auction.

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rp7729	3	FALKO PARTNER S, LLC	(4) 4-6-009:046-0000 KAPAA	5(b)	8/1/2011	Pasture	6.5	199.86	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rents policy of \$480. •Board approved the sale of a 20-year lease at public auction and issuance of a revocable permit on 1/28/00, item D-9, and amended the prior action on 2/9/01, item D-1, authorizing a 1-year holdover of GL5116 and the issuance of a revocable permit upon its expiration. Staff to prepare auction lease package for sale.

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rp7734	4	JASPER, RICHARD	(4) 4-5-013:029-0000 KAPAA	5(b)	9/1/2011	Landscaping and Parking	0.113	812.55	837.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by 3% over 2019's rent. •Permittee owns adjacent parcels. No ingress or egress to or from the parcel is allowed from State highway per DOT.

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rp7739	3	LANEY, LANCE	(4) 5-4-2:33, 42 HANAIEI	5(b)	9/1/2011	Pasture/ Zoning for tmk parcels: 033, 42 conservati on; Protective and Resource subzone	7.3	199.86	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent.Staff recommends increasing 2020's rent to minimum annual rent \$480. •Board approved 20-year lease sold at auction and issuance of RP,on 1/28/00 item D-9, & amended the action on 2/9/01, item D-1, authorizing a 1-year holdover of GL5122 and RP at expiration.Staff will prepare lease auction package.Parcels originally encumbered by GL2702, commencing 1/5/39. Permittee was asked to contact OCCL to confirm if CDUP required. Staff will follow up with Permittee.

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rp7744	4	SUMMER S, TOM	(4) 4-5-008:004-0000 KAPAA	5(b)	9/1/2011	Maintenance and Beautification	0.402	480.00	494.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased to minimum rents. Staff recommends increasing 2020's rent by 3% over 2019. •The permittee owns the adjacent property and uses this parcel for beautification purposes. Staff will continue its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. Prior to any turnover, staff will consult with SHPD concerning any cultural and historic properties on the site.

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rp7749	3	JURASSIC KAHILI RANCH LLC	(4) 5-1-2:4,6 KILAUEA	Parcel 14, 5(b); Parcel 16, 5(a)	9/1/2011	Pasture / Zoning for tmk parcels: 004 , agriculture (5%), conservati on (95%), 006- conservati on	200.93	194.92	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent.Staff recommends increasing 2020's rent to minimum annual rent \$480. •No legal access to parcel, permittee owns adjacent parcel. At Board meeting 8/10/90, item F-19, parcels set aside to DOFAW.At its meeting on 3/25/04, item D-7, Board rescinded the set aside due to a survey backlog and lack of access to parcels.The current RP is appropriate as staff explores if DOFAW requires the parcel. Permittee asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.

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rp7753	3	SPECIALTY LUMBER, INC.	(4) 4-5-011:029-0000 KAPAA	Acq. After 8/59	9/1/2011	Parking and Landscaping	0.016	194.92	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rents policy of \$480. •Staff to cancel RP for a road right of way.
rp7770	3	CHING, LINCOLN Y.T.	(4) 4-5-015:029-0000 KAPAA	5(b)	9/1/2011	Pasture	0.987	177.74	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rent \$480. •At its meeting on 4/8/88, item F-8, the Board approved the sale of a 15-year lease. Staff to update the submittal, if necessary, and resubmit to Board for approval.

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rp7785	5	JINTA, LLC to transfer to -WONG RESTAURANT	(4) 1-9-010:042-0000 HANAPEPE	5(b)	9/1/2011	Landscaping and Business Parking	0.281	1,391.28	2,004.96	1,890.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased 10% over 2018 rent. Staff evaluated the current market rent using the CBRE escalation opinion of 3% per year, and Staff recommends increasing 2020's rent by 44% over 2019's to bring rent to market rent. •Jinta, LLC has sold property next door and KDLO is in the process of cancelling this RP and issuing a new RP to new land owner Wong restaurant. New owner understands that in future, this parcel will go to public auction for a long term lease. Yet parcel is zoned open and undeveloped so auction lease may require zone changes.

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rp7790	4	CHING, LINCOLN Y.T.	(4) 4-5-15:10, 28 KAPAA	5(b)	9/1/2011	Pasture	30.353	577.09	594.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 was increased by 3% over 2018. Staff recommends increasing 2020's rent by 3% over 2019's rent. •Board approved the sale of a 20-year lease at public auction at its meeting on 9/14/07, item D-1. Staff to prepare auction lease package for sale.

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rp7795	3	ISHIDA, ERIC AND GRACINDA	(4) 4-6-008:030-0000 KAPAA	5(b)	9/1/2011	Landscaping and Maintenance	0.005	201.96	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent to the minimum annual rents policy of \$480. •No access to parcel from public road, permittee using only a portion of the parcel.

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rp7798	4	AJIMURA, CLYDE	(4) 1-9-005:038-0000 HANAPEPE	5(b)	11/1/2011	Home Garden/ Vacant parcel zoned General Commercial	0.232	670.04	690.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by 3% over 2019's rent. •Staff will seek Board approval to sell a lease at public auction.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7805	2	GARDEN ISLE RACING ASSOCIATION	(4) 1-2-002:36, 40 WAIMEA	5(b)	2/1/2012	Motorized Sports / Zoning for parcels: 036, 040 agri. and conserv; limited subzone conserv; Parcel 036: KA-3760; SPAs13-33, 17-23 parcel 040: KA-1380, KA-3760; SPAs13-33, 17-23	80.5	2,160.44	2,376.00	4,480.00	•2018 rent increased 1.5% over 2017 rent. 2019 rent increased by 10% over 2018 rent. Staff recommends increasing 2020's rent by 10% over 2019's, notwithstanding Indicated Annual Market Rent. •Permittee uses portion of both parcels. Dragstrip was built by State DOT with appropriation for Kauai Recreational Facility Phase I. It was to be set aside to COK. but COK declined to accept control/management of the site. Permittee reconfirmed it has CDUP for parcels.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7818	2	NUNES-HOOPII, DONNA	(4) 4-5-011:010-0000 KAPAA	5(b)	7/1/2012	Residential	0.189	4,479.29	4,928.04	13,880.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 10% over 2018 rent. Staff recommends increasing 2020's rent by approx 10% over 2019s, notwithstanding the Indicated Annual Market Rent. •Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7821	4	HASHIMOTO, JUNEDALE	(4) 5-3-007:005-0000 KILAUEA	5(b)	2/1/2012	Residential	1.735	6,122.77	6,306.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by approx 3% over 2019's rent. •Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7833	2	AIWOHI, LORRIN J.	(4) 4-6-6:28, 29 KAPAA	5(b)	8/1/2013	Pasture	9.17	2,435.95	2,508.96	2,365.00	•2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased 3% over 2018 rent. Staff recommends increasing 2020's rent by approx 3% over 2019's rent. •At Board meeting 5/15/98, item D-5, the Board authorized sale of 20-year lease and RP to R.J. Farias. Subsequent Board action on 9/25/98, item D-24, rescinded RP approval and instead approved RP to K.C. Ching. Further Board action on 2/26/99, item D-12 rescinded RP approval to K.C. Ching and approved RP to Mr. Edwin Martin. Staff to update submittal re sale of lease at auction, if necessary, and resubmit to Board for approval.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7842	4	SOUZA, VERNON AND CHARLETT E	(4) 4-1-002:020-0000 KAPAA	5(b)	12/1/2013	Pasture / Zoning for tmk parcel: conservation, Protective subzone.	3.99	531.97	548.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by approx 3% over 2019's. •Staff will seek Board approval to sell a lease at public auction. Permittee was asked to contact OCCL to confirm if CDUP required and staff will follow up.
rp7845	4	MEDEIRO S, WILLIAM D.	(4) 2-7-4:11,12 KOLOA	5(b)	12/2/2013	Pasture	5.916	531.97	548.04		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by approx 3% over 2019's. •Staff will seek Board approval to sell a lease at public auction.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7848	5	G & K KALAHEO SHELL REPAIR SHOP, LLC.	(4) 1-9-005:007-0000 HANAPEPE	5(b)	2/14/2014	Automotive Repair Shop	0.158	13,265.87	13,266.00	14,280.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by 10% over 2018 rent, notwithstanding the Indicated Annual Market Rent. Staff recommends maintaining current rents (but rounded to nearest dollar for fiscal billing purposes) since a lease will soon be sold at auction. •Staff seeks Board approval on 08/23/19 to sell a lease at public auction, and the lease auction will occur in 2020.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7865	4	KAPAA KI-AKIDO CLUB, INC.	(4) 4-1-009:018-0000 KAPAA	5(b)	8/1/2015	Clubhouse	0.358	516.90	480.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. In 8/23/19 Board submittal, item D-3 the Board approved minimum rent of \$480 per year for 501c3 non-profit entity. •Staff working on direct lease with Hawaii Ki Federation, a 501c3 entity, per 8.23.19 item D-3 Board approval.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7870	4	MANUEL, CHARMAI NE	(4) 1-3-002:030-0000 KEKAHA	5(b)	4/1/2016	Pasture	0.4	509.36	525.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by approx 3% over 2019's rent. •Wedge-shaped, residentially zoned remnant parcel from GL4222 to Kekaha Sugar Company. Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels, although it is not clear if this parcel is buildable. The current disposition is appropriate at this time.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7872	2	SILVA, KEITH A.	(4) 1-2-006:018-0000 WAIMEA	5(b)	4/1/2016	Pasture	50.264	3,196.17	3,351.96	3,160.00	<ul style="list-style-type: none"> •2018 rent increased 1.5% over 2017 rent. 2019 rent increased 3% over 2018 rent. Staff recommends increasing 2020's rent approx 4.8% over 2019's to bring to market rent. •Sloped rocky hillside parcel with only a limited area suitable for pasture use. Staff will explore the possibility of selling a lease at public auction.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7881	4	FERNANDES, MICHAEL	(4) 4-1-009:020-0000 KAPAA	5(b)	6/1/2014	Pasture / Zoning for tmk parcel: conservation, urban (90%) and limited subzone & 10% protective subzone	25.60	509.36	525.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased by approx. 3% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019's rent. •The permittee was the lessee under GL5584, which ended 5/26/14. Staff will seek Board approval to sell a lease at public auction. The lands underlying the permit are in the Conservation District. Permittee was asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7882	4	FERNANDES, MICHAEL	(4) 4-1-9:7; 4-1-10:16 KAPAA	5(b)	6/1/2014	Pasture / Zoning for tmk parcels: 007-conservation, urban, 016-urban	7.452	509.36	525.00		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx. 3% over 2019's rent. •The permittee was the lessee under GL5582, which ended 5/26/14. Staff will seek Board approval to sell a lease at public auction. Permittee was asked to OCCL to confirm if CDUP required and staff will follow up with Permittee.

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Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7897	2	ENOKA, KATHERINE	(4) 1-9-005:053-0000 HANAPEPE	5(b)	2/1/2017	Business	0.136	13,997.70	14,405.04	13,590.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent increased by 3% over 2018 rent. Staff recommends increasing 2020's rent by approx 3% over 2019. •At its meeting on 4/22/16, under agenda item D-1, the Board approved the sale of a lease at public auction.

REVOCABLE PERMIT MASTER LIST 2019/ Note: Permits showing "0" annual rent may be gratis, or subject to a non-fixed rental amount, e.g. % of net revenue, or amount per event. Rent is reflected in US dollars and rounded for fiscal billing purposes.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Revocable Permit From	Char of Use / CDUP Info, as Applicable	Permit Area	2019 Annual Rent	Proposed 2020 Annual Rent	Indicated Annual Market Rent (CBRE 2018)	Comments re rent amount and why no long-term disposition
rp7903	2	HARTUNG BROTHERS OF HAWAII, LLC	(4) 1-2-002:040-0000 KEKAHA	5(b)	12/1/2017	Agricultural Purpose/ Zoning for tmk: agriculture, conservation; for parcel 040: KA-1380, KA-3760	60.2	14,183.10	14,595.96	13,770.00	<ul style="list-style-type: none"> •Rent approved by Board at its meeting on 2/4/2017, agenda item D-2. 2019 rent increased by 3% of 2018 PAR value. Staff recommend increasing 2020's rent by 3% over 2019 rent. •This revocable permit replace rp5983 issued to Pride Company, Inc. Board approved transfer to DOA per Act 90. Permittee reconfirmed to staff it has CDUPs for parcel.
rp7908	3	COUNTY OF KAUAI	(4) 2-8-017:001-A KOLOA	5(b)	9/22/2017	Portable lifeguard tower site	0.0028	0.00	0.00		<ul style="list-style-type: none"> •Gratis •Issued to a governmental agency. A short-term disposition is more appropriate as the lifeguard station might need to be relocated due to wave action.

EXHIBIT 3

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

Doc No.	Permittee Name	Char of Use / <u>CDUP</u> <u>Info, as</u> <u>Applicable</u> <u>e</u>	2019 Proposed Annual Rent	<u>Proposed</u> <u>2020</u> <u>Annual</u> <u>Rent</u>	Indicated Annual Market Rent (<u>CBRE</u> <u>2018</u>)	Comments re rent amount and why no long-term disposition
rp3827	KAUAI GAY & ROBINSON	Pasture <u>Pasture /</u> <u>Zoning</u> <u>tmks:</u> <u>003:1, 10</u> <u>- agri/</u> <u>conserv.</u> <u>& 2, 4, 5,</u> <u>9, 16, 17,</u> <u>18, 19-</u> <u>conserv;</u> <u>004:3, 4,</u> <u>13 -agri/</u> <u>conserv/</u> <u>OCCL</u> <u>commen</u> <u>ts: 004:</u> <u>003CDU</u> <u>Ps KA-</u> <u>1190 &</u> <u>1423 for</u> <u>County</u> <u>DWS</u>	1,276.18	<u>1,316.04</u>	1,240.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the <u>previous year. 2017.</u> <u>2019 was increased by 10% over 2018.</u> Staff recommends increasing <u>2019's 2020's</u> rent by <u>10% approx 3% over 2019.</u> •Staff to explore the possibility of selling a lease at public auction. Permittee was the lessee under GL3005 (commenced 6/20/44), which encumbered 357.75 acres. 8.889 acres were added to this permit, including a portion of 1-8:004:013. The lands underlying the permit are in the Conservation District. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming. Permittee asked to contact OCCL to confirm if further CDUP required beyond KA-1190 and staff will follow up with Permittee.

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

rp5188	COUNTY OF KAUAI	Landscaping - Beautification	<u>0.00</u>	<u>0</u>	<ul style="list-style-type: none"> •Rent is gratis. •Permit granted to a governmental entity.
rp5567	U H COLLEGE TROPICAL AG	Agricultural Experimental/ <u>Zoning for tmk parcels: 008, 10 - conservation; Resource subzone</u>	<u>0.00</u>	<u>0</u>	<ul style="list-style-type: none"> •Rent is gratis. •Permit granted to a governmental entity. The lands underlying the permit are in the Conservation District. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming. Permit will be cancelled as UH no longer requires land.
rp6511	GAY & ROBINSON	Pasture <u>Pasture/ Zoning for tmk parcels: agriculture, conservation; Resource subzone. Note RP is dated 1987.</u>	701.06	<u>722.04</u>	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. <u>2017 rent. 2019 was increased 3% over 2018.</u> Staff recommends increasing <u>2019's 2020's</u> rent by <u>approximately</u> 3% over <u>2018's. 2019 rent.</u> •The permittee is using only <u>uses 1,625 ac</u> portion of the <u>5,212 ac</u> parcel. The parcel is within the Conservation District. Staff will instruct permittee <u>Permittee asked to apply for a contact OCCL to confirm if CDUP or provide proof to OCCL that its use/structure is nonconforming required and staff will follow up with Permittee.</u>

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

rp6842	GAY & ROBINSON, INC.	Sugar Cane Cultivation and Pasture/ <u>Zoning:</u> <u>002 - agri/conserv;</u> <u>003 - agri/conserv;</u> <u>010 - agriculture, conservation</u>	51,046.38	<u>56,151.00</u>	168,800.00	<p>•2018 rent <u>increased 1.5% over 2017. 2019 rent</u> was increased <u>1.510% over the previous year</u>2018. Staff recommends increasing <u>2019's</u>2020's rent by 10% over <u>2018's</u>, <u>notwithstanding the Indicated Annual Market Rent</u>2019, <u>not withstanding market rents</u>. •Board approved amended cancellation and reissuance of RP reflecting lower rent <u>and/</u> smaller area <u>at its</u><u>2/22/13</u> meeting <u>on 2/22/13,</u> item D-1. Staff waiting for new CSF map reflecting Veteran's Cemetery expansion and DLNR base yard. <u>Once completed, and upon receipt</u>, staff will recalculate rent and explore <u>the possibility of selling a lease at public auction.</u> <u>Small portions of two of the parcels are in the Conservation District.</u> <u>Staff were not able leases</u> . Permittee asked to find <u>any evidence of permittee applying for a contact</u> OCCL to confirm if CDUP in its files. Staff <u>required and staff</u> will <u>inform</u> permittee that it needs to <u>apply for a CDUP</u><u>follow up with Permittee.</u></p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp6892	MADRID, FRANCES C.	Home Garden	480.00	<u>494.04</u>		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year.<u>2017. 2019 rent was increased to minimum rent of \$480.</u> Staff recommends increasing 2019's rent to the minimum allowable rent.<u>2020 rent by approximately 3% over 2019 based on CBRE escalation of rents opinion.</u> •The parcel is adjacent to permittee's residence. Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.
rp6893	MADRID, FRANCES C.	Residential	6,645.54	<u>7,310.04</u>	10,640.00	<ul style="list-style-type: none"> •2018 rent <u>increased 1.5% over 2017.</u> 2019 was increased 4.5 by 10% over the previous year.<u>2018.</u> Staff recommends increasing 2019's<u>2020's</u> rent by <u>approximately 10% over 2018's</u>2019's, notwithstanding the Indicated Annual Market Rent. •Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current

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

disposition is
appropriate at this time.

rp7256	SUNRISE CAPITAL, INC.	Parking, Storage and/or Access	7,891.49	<u>8,328.00</u>	7,850.00	<ul style="list-style-type: none">•2018 rent was increased 1.5% over the previous year. <u>2017. 2019 increased by 10% over 2018.</u> Staff recommends increasing 2019's <u>2020's</u> rent by 10%. <u>approx.5.5% over 2019 to bring rents to 2020 market rent.</u>•Staff to explore the possibility of selling a lease at public auction. There was previously <u>no</u> public interest in the parcels when the permit was issued.
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7259	SANTOS, FRANK & ABIGAIL	Plant Nursery, Caretake r Residenc e, Landscap ing and Pasture	11,180.93	<u>12,299.04</u>	15,960.00	<p>•2018 rent was increased 1.5% over 2017. 2019 rent was <u>increased by 10% over 2018, not withstanding the previous year, market rents.</u> Staff recommends increasing <u>2020's rent by approximately 9.9% over 2019's rent by 10% over 2018's,</u> notwithstanding the Indicated Annual Market Rent. <u>to bring rents closer to market rents.</u> •Board approved transfer to DOA per Act 90. <u>Kauai staff currently working on set aside to DOA.</u></p>
rp7302	CONTRADES, FRANKLIN M. & PATRICIA	Home Garden	199.86	<u>480.00</u>		<p>•2018 rent was increased 1.5% over the previous year.2017. 2019 <u>rents was increased by 3% over 2018.</u> Staff recommends increasing <u>2019's2020 rent by 3% over 2018's to minimum rents.</u> •This R-4 zoned parcel is adjacent to DHHL lands. It was and <u>and</u> formerly encumbered by a Certificate of Occupation, which was cancelled by the Board on 6/8/01, item D-4, for failure to keep property taxes current. Staff to<u>will</u> explore the possibility of quitclaiming this parcel<u>quitclaim</u> to DHHL.</p>

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

rp7376	FERNANDEZ, ROSS K.	Pasture and Hog Pen	2,481.73	<u>3,593.04</u>	3,390.00	<p>•2018 rent was increased 1.5% over the previous year.<u>2017, not withstanding market rents. 2019 rent was increased by 10 % over 2018 to move rents closer to market rents.</u> Staff <u>evaluated what current market rents should be based upon CBRE escalation opinion of 3% per year from 2018, staff recommends increasing 2019's</u>2020's rent by 10<u>approx 44.89%</u> over 2018's, <u>notwithstanding the Indicated Annual Market Rent.</u>2019 rents to bring rents to market rents.</p> <p>•Permittee using only a portion of the parcel. At its meeting on 10/28/94, the Board approved the transfer of 20 acres from the subject parcel to DHHL as part of a larger land transfer. No long term disposition of the property is possible until DHHL has completed the subdivision of this parcel.</p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7386	NONAKA, DEAN H. AND NICOL U.	Pasture	194.92	<u>480.00</u>	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. <u>2017. 2019 was increased by 3% over 2018.</u> Staff recommends increasing 2019's <u>2020</u> to \$480 <u>minimum</u> rent by 3% over 2018's. <u>policy..</u> • No legal access from public road. Staff recommends that <u>since this is a new permittee to keep 2020 rents at current rents and evaluate increases in future.</u>
<u>rp7407</u>	<u>COCO PALMS VENTURE, LLC</u>	<u>Access</u>	<u>156.00 (new rent for new permittee)</u>	<u>156.00</u>	
<u>rp7444</u>	<u>COCO PALMS VENTURE, LLC</u>	<u>Parking</u>	<u>4464.00 (new rent for new permittee)</u>	<u>4,464.00</u>	<u>Staff recommends that since this is a new permittee to keep 2020 rents at current rents and evaluate increases in future.</u>

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

rp7466	ABIGANIA, RICHARD	Pasture	2,174.57	<u>2,514.00</u>	2,370.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous2017. 2019 was <u>increaded by 10% over 2018.</u> Staff evaluated <u>what current market rents should be based upon CBRE escalation opinion of 3% per year.</u> from 2018, and Staff recommends increasing <u>2019's2020</u> rent by <u>10%</u> over 2018's, notwithstanding the Indicated Annual Market Rent,approx 15.6% over 2019 to bring rent to <u>market rent.</u> •The permit was issued when GL5344 ended. Staff to seek the Board's approval to sell a lease at public auction. •Rent is gratis. •Permit granted to a governmental entity.
rp7471	COUNTY OF KAUAI	Vehicle Storage	0.00	<u>0.00</u>		
rp7480	ANDRADE, MANUEL H.	Pasture	207.15	<u>480.00</u>		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year.2017. 2019 was <u>increased by 3% over 2018.</u> Staff recommends <u>increasing 2019'sminimum</u> rent by 3% over 2018's. <u>for 2020.</u> •Staff will seek Board approval to sell a lease at public auction.

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

rp7498	KAMANAWA FOUNDATION	Cultural and Educational	2,314.09	<u>2,970.00</u>	2,800.00	<p>•2018 rent was increased 1.5% over the previous2017. 2019 was <u>increased by 10% over 2018</u>. Staff evaluated <u>what current market rents should be based upon CBRE escalation opinion of 3% per year- from 2018, and</u> Staff recommends increasing <u>2019's2020</u> rent by <u>10%</u> over 2018's, notwithstanding the Indicated Annual<u>approx 28.34% to bring rent to</u> Market Rent. •Staff to enter into a direct lease with this 501c3 entity.</p>
rp7507	THATCHER, STEVE	Commercial - Storage and Display Lot for Inventory	10,770.80	<u>11,712.00</u>	11,040.00	<p>•2018 rent <u>increased 1.5% over 2017</u>. 2019 <u>rent</u> was increased 1.5<u>by 10%</u> over the previous year2018. Staff recommends increasing <u>2019's2020</u> rent by 10<u>approx 8.7%</u> over 2018's, notwithstanding the Indicated Annual <u>Market Rent.</u> •2019 <u>to bring to market rents.</u> At its meeting on 1/14/94, item F-13, the Board approved the sale of a 35-year lease at public auction and issuance of a revocable permit. Staff to update submittal, if necessary, and resubmit to Board for approval.</p>

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

rp7509	BANK OF HAWAII, REAL ESTATE MANAGER	Commer cial	25,792.54	<u>27,159.00</u>	25,600.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2017. <u>2019 was increased by 10% over 2018.</u> Staff recommends increasing 2019's 2020 's rent by 10%. <u>approx 5.29% over 2019 to bring rents to market rents.</u> •Staff to seek Board approval to sell a lease at public auction. •2018 rent was increased 1.5% over the previous year. 2017. 2019 <u>was increased by 3% over 2018.</u> Staff recommends increasing 2019's minimum rent by 3% over 2018's. of \$480. •Permittee is using only a portion of the premises. Staff to convert to access easement. •2018 rent was increased 1.5% over the previous year. <u>Staff recommends increasing 2019's 2017. 2019</u> rent <u>was increased</u> by 3% over 2018's. <u>Staff recommends 2020 rent be increased by approx 3% over 2019.</u> •At its meeting on 4/12/91, item F-5, as amended, the Board approved the sale of a 20-year lease for general agriculture and <u>and</u> employee residence.
rp7516	MORI, GEORGE M.	Driveway	207.15	<u>480.00</u>		
rp7521	AKI, MICHAEL	General Agriculture, Employee Residence	3,457.34	<u>3,561.00</u>		

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Staff to update the submittal, if necessary, and resubmit to Board for approval.

rp7584	GAY & ROBINSON	Pasture; <u>Resource</u> <u>subzone</u>	207.15	<u>480.00</u>
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•2018 rent was increased 1.5% over ~~the previous year.~~2017. 2019 was increased by 3% over 2018. Staff recommends increasing ~~2019's~~2020 rent ~~by 3% over 2018's to minimum rents.~~ •Staff will explore the possibility of selling a lease at public auction. ~~The parcel is within the Conservation District, but staff could not find a CDUP in permittee's files.~~The parcel has been in pasture use since at least 12/1/43. Staff- Permittee contacted OCCL to confirm if CDUP required and staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is

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

nonconforming follow up
with Permittee.

rp7613	<u>COCO PALMS</u> <u>VENTURE, LLC</u>	<u>Commer</u> <u>cial</u>	<u>3384</u> (new rent for new permittee)	<u>3,384.00</u>
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Staff recommends that
since this is a new
permittee to keep 2020
rents at current rents
and to evaluate
increases in future.

rp7627	SANCHEZ, SR, WILLIAM J.	Pasture	612.31	<u>630.96</u>
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- 2018 rent was increased 1.5% over ~~the previous year.~~ 2017. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx 3% over 2019's rent by 3% over 2018's.
- Board approved the sale of a 15-year lease at public auction and issuance of a revocable permit at its meeting on 5/8/09, item D-2. Staff to prepare auction package.

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rp7628	SANCHEZ, SR, WILLIAM J.	Pasture	1,181.86	<u>1,217.04</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017. 2019 rent was increased by 3% over 2018.</u> Staff recommends increasing <u>2020's rent by approx 3% over 2019's</u>rent by 3% over 2018's. <u>One year rent relief granted due to severe flooding (BLNR 3.8.19 item D-2). Period 4/15/18-4/13/19 for \$1,142.96.</u> •Board approved the sale of a 30-year lease at public auction and issuance of a revocable permit at its meeting on 5/8/09, item D-1. Staff to put together auction package for sale of lease.</p>
rp7641	SOARES, BERNADINE A. AND UYESONO, BERNADETTE	Storage and Landscap ing	546.93	<u>563.04</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017. 2019 rent was increased by 3% over 2018.</u> Staff recommends increasing <u>2019's</u>2020's rent by <u>approx 3% over 2018's.</u> <u>2019.</u> •No access to parcel from public road.</p>

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rp7664	KILLERMANN, ADAM P.	Pasture P asture / Zoning for tmk parcels: agricultu re, conserva tion	546.93	<u>563.04</u>	<p>•2018 rent was increased 1.5% over the previous year. <u>2017. 2019</u> <u>rent was increased by 3% over 2018.</u> Staff recommends increasing <u>2019's</u>2020's <u>rent by approx 3% over 2018's</u>2019. •Staff will explore the possibility of selling a lease at public auction. A portion of the parcel is within the Conservation District. The parcel was previously encumbered by GL3707, which commenced 7/1/62. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming. <u>Permittee was asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.</u></p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7669	BRUN, TONY T.	<u>Pasture</u> <u>Pasture/</u> <u>Zoning</u> <u>for tmk</u> <u>parcels:</u> <u>agricultu</u> <u>re,</u> <u>conserva</u> <u>tion; 5-</u> <u>10%</u> <u>Resource</u> <u>subzone</u>	1,664.65	<u>2,037.00</u>	1,920.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 was increased by 10% over 2018, not withstanding market rent. Staff evaluated market rents using the previous CBRE 2018 escalation ion of 3% per year. Staff and, to bring rent to market, staff recommends increasing 2019's 2020's rent by 10 approx 22.36% over 2018's, notwithstanding the Indicated Annual Market Rent, 2019. •Board approved the sale of a 20-year lease at public auction at its meeting on 7/23/99, item D-4. Staff to update submittal, if necessary, and resubmit to Board for approval. A portion of the lands underlying the permit are in the Conservation District. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming. Permittee was asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7683	KAGAWA WALKER, MARY A.	Residenti al and Home Business	12,360.00	12,000.00	<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 the Indicated Annual Market Rent. •Staff will continue in its efforts to have the Kauai County Housing Agency take over the administration of the Division's residentially zoned parcels.
rp7695	KAONA, CLARENCE E.	Taro Cultivation	207.15	<u>480.00</u>	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's rent by 3% over 2018's.<u>2020's rent to the minimum annual rents policy of \$480.</u> •The land is used to grow taro.-The parcel's small size, <u>the costs and staff time</u> makes the sale of a lease impracticable.

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

rp7701	VASQUES, STANLEY	Pasture and Home Gardenin g	207.15	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's rent by 3% over 2018's. <u>2020's rent to the minimum annual rents policy of \$480.</u> •Board approved sale of a 20-year lease at public auction and the issuance of a revocable permit upon expiration of prior lease on 3/13/98, item D-5. Staff to update submittal, if necessary, and resubmit to Board for approval.</p>
rp7710	FERNANDES, MICHAEL J.	Pasture	577.09	<u>594.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased 3% over 2018 rent.</u> Staff recommends increasing 2019's<u>2020's</u> rent by approx. 3% over 2018's. <u>2019's.</u> •The property was previously encumbered by GL5117. Staff to seek Board approval to sell a lease at public auction.</p>

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

rp7712	MARTINS, JEANNETT VIRGINIA	Pasture	194.92	<u>480.00</u>		<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's rent by 3% over 2018's<u>2020's rent to the minimum annual rents policy of \$480.</u> •Sale of a 20-year lease at public auction deferred by Board at its meeting on 3/27/98, item D-6. Staff to revise submittal and resubmit to Board for approval.</p>
rp7721	FALKO PARTNERS, LLC	Natural Recrea- tional	3,996.40	<u>4,116.00</u>	3,880.00	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's<u>2020's</u> rent by 3% over the Indicated Annual Market Rent. 2018. •The permittee is the current owner of the Valley House property adjacent to the subject parcels. These parcels were formerly a quarry, consisting largely of steep and unusable terrain. The permittee has left the parcels in their natural state, which acts as a buffer between its property and the Makai neighbors. Staff to explore the possibility of</p>

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

selling a lease at public
auction.

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

rp7727	RAPOZO, MERVIN L. & FAY T.	Pasture	207.15	2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's rent by 3% over 2018's. Sale of a 20-year lease at public auction deferred by Board at its meeting on 3/27/98, item D-6. Staff to revise submittal and resubmit to Board for approval. The lands underlying the permit are in the Conservation District. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming.
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7729	FALKO PARTNERS, LLC	Pasture	199.86	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's rent by 3% over 2018's<u>2020's rent to the minimum annual rents policy of \$480.</u> •Board approved the sale of a 20-year lease at public auction and issuance of a revocable permit on 1/28/00, item D-9, and amended the prior action on 2/9/01, item D-1, authorizing a 1-year holdover of GL5116 and the issuance of a revocable permit upon its expiration. Staff to prepare auction <u>lease</u> package for sale of lease.</p>
rp7734	JASPER, RICHARD	Landscaping and Parking	812.55	<u>837.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by 3% over</u> 2019's rent by 3% over 2018's. •Permittee owns adjacent parcels. No ingress or egress to or from the parcel is allowed from State highway per DOT.</p>

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

rp7739	LANEY, LANCE	<u>Pasture</u> <u>Pasture/</u> <u>Zoning</u> <u>for tmk</u> <u>parcels:</u> <u>033, 42</u> <u>conserva</u> <u>tion;</u> <u>Protectiv</u> <u>e and</u> <u>Resource</u> <u>subzone</u>	199.86	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year. <u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's <u>2020's</u> rent by 3% over 2018's <u>to minimum annual rent \$480.</u> •Board approved the sale of a 20-year lease <u>sold</u> at public auction and issuance of a revocable permit RP, on 1/28/00, item D-9, and <u>&</u> amended the prior action on 2/9/01, item D-1, authorizing a 1-year holdover of GL5122 and the issuance of a revocable permit upon its RP at expiration. Staff to will <u>will</u> prepare <u>lease</u> auction package for sale of lease. Both parcels are within the Conservation District. The parcels were. <u>Parcels</u> originally encumbered by GL2702, which commenced <u>commencing</u> 1/5/39. <u>Permittee was asked to contact OCCL to confirm if CDUP required.</u> Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming <u>follow up with Permittee.</u></p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7744	SUMMERS, TOM	Mainten ance and Beautific a-tion	480.00	<u>494.04</u>	<ul style="list-style-type: none">•2018 rent was increased 1.5% over the previous year. <u>2017 rent.</u> <u>2019 rent was increased to minimum rents.</u> Staff recommends increasing <u>2019's rent to the minimum allowable.</u> <u>2020's rent by 3% over 2019.</u>•The permittee owns the adjacent property and uses this parcel for beautification purposes. Staff will continue its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. Prior to any turnover, staff will consult with SHPD concerning any cultural and historic properties on the site.
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7749	JURASSIC KAHILI RANCH LLC	<u>Pasture</u> <u>Pasture /</u> <u>Zoning</u> <u>for tmk</u> <u>parcels:</u> <u>004 ,</u> <u>agricultu</u> <u>re (5%),</u> <u>conserva</u> <u>tion</u> <u>(95%),</u> <u>006-</u> <u>conserva</u> <u>tion</u>	194.92	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year. <u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing <u>2019's</u> <u>2020's</u> rent by 3% over 2018's. <u>to minimum annual rent \$480.</u> •No legal access to parcel, permittee owns adjacent parcel. At its <u>Board</u> meeting on 8/10/90, item F-19, the Board <u>parcels</u> set aside these parcels to DOFAW. At its meeting on 3/25/04, item D-7, the Board rescinded the set aside due to a survey backlog and lack of access to parcels. Both parcels are within the Conservation District, and Staff could find no evidence of permittee applying for a CDUP in its files. Staff will instruct permittee to apply for a CDUP. Current disposition <u>The current RP is appropriate in the event as staff explores if DOFAW requires the property</u> <u>parcel.</u> <u>Permittee asked to contact OCCL to confirm if CDUP required and staff will follow up with Permittee.</u></p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7753	SPECIALTY LUMBER, INC.	Parking and Landscaping	194.92	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's rent by 3% over 2018's. <u>2020's rent to the minimum annual rents policy of \$480.</u> •Staff to cancel RP for this<u>a</u> road right of way.</p>
rp7770	CHING, LINCOLN Y.T.	Pasture	177.74	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's. <u>to the minimum annual rent \$480.</u> •At its meeting on 4/8/88, item F-8, the Board approved the sale of a 15-year lease. Staff to update the submittal, if necessary, and resubmit to Board for approval.</p>

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rp7785	JINTA, LLC <u>to</u> <u>transfer to -WONG</u> <u>RESTAURANT</u>	Landscap ing and Business Parking	1,391.28	<u>2,004.96</u>	1,890.00	<p>•2018 rent was increased 1.5% over <u>2017 rent. 2019 rent was increased 10% over 2018 rent. Staff evaluated the previouscurrent market rent usinf the CBRE escalation opinion of 3% per year-, and Staff recommends increasing 2019's2020's rent by 10% over 2018's, notwithstanding the Indicated Annual Market Rent. 44% over 2019's to bring rent to market rent.</u> •Jinta, LLC has sold property next door and KDLO is in the process of cancelling this RP and issuing a new RP to new land owner- <u>Wong restuarant</u>. New owner understands that in future, this parcel will go to public auction for a long term lease.<u>Yet parcel is zoned open and undeveloped so auction lease may require zone changes.</u></p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7790	CHING, LINCOLN Y.T.	Pasture	577.09	<u>594.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>over 2017 rent.</u> 2019 was increased by 3% over <u>2018.</u> Staff recommends increasing 2019's<u>2020's</u> rent by 3% over 2018's<u>2019's</u> <u>rent.</u>•Board approved the sale of a 20-year lease at public auction at its meeting on 9/14/07, item D-1. Staff to prepare auction <u>lease</u> package for sale of lease.</p>
rp7795	ISHIDA, ERIC AND GRACINDA	Landscap ing and Mainten- ance	201.96	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> 2019 rent was increased <u>by 3% over 2018 rent.</u> Staff recommends increasing 2019's rent by 3% over 2018's. <u>2020's rent to the minimum annual rents policy of \$480.</u>•No access to parcel from public road, permittee using only a portion of the parcel.</p>

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rp7798	AJIMURA, CLYDE	Home Garden/ <u>Vacant</u> <u>parcel</u> <u>zoned</u> <u>General</u> <u>Commer</u> <u>cial</u>	670.04	<u>690.00</u>		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year.<u>2017.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by 3% over</u> 2019's rent by 3% over 2018's. •Vacant parcel zoned General Commercial in Hanapepe. •Staff will seek Board approval to sell a lease at public auction.
rp7805	GARDEN ISLE RACING ASSOCIATION	Motorize & SportsMo <u>torized</u> <u>Sports /</u> <u>Zoning</u> <u>for</u> <u>parcels:</u> <u>036, 040</u> <u>agri. and</u> <u>conserv;</u> <u>limited</u> <u>subzone</u> <u>conserv;</u> <u>Parcel</u> <u>036: KA-</u> <u>3760;</u> <u>SPAs13-</u> <u>33, 17-</u> <u>23 parcel</u> <u>040: KA-</u> <u>1380,</u> <u>KA-3760;</u> <u>SPAs13-</u> <u>33, 17-</u> <u>23</u>	2,160.44	<u>2,376.00</u>	4,480.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent increased by 10% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by 10% over</u> 2019's rent by 10% over 2018's, notwithstanding the Indicated Annual Market Rent.• •Permittee uses only a portion of both parcels. The dragstrip<u>Dragstrip</u> was built by the State DOT using an<u>with</u> appropriation by the Legislature as part of the <u>for</u> Kauai Recreational Facility Phase I. It was to be set aside to the CoK,<u>COK.</u> but the County<u>COK</u> declined due to its reluctance to accept control and <u>/</u>management of the

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site. The lands underlying
the permit are in the
Conservation District. Staff
will instruct permittee to
apply for a Permittee
reconfirmed it has
CDUP ~~or provide proof to~~
~~OCCL that its~~
~~use/structure is~~
~~nonconforming for~~
parcels.

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rp7818	NUNES-HOOPII, DONNA	Residenti al	4,479.29	<u>4,928.04</u>	13,880.00	<p>•2018 rent was increased 1.5% over the previous year.<u>2017. 2019 rent was increased 10% over 2018 rent.</u> Staff recommends increasing 2019's<u>2020's</u> rent by <u>approx 10%</u> over 2018's<u>2019s</u>, notwithstanding the Indicated Annual Market Rent. •Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.</p>
rp7821	HASHIMOTO, JUNEDALE	Residenti al	6,122.77	<u>6,306.00</u>		<p>•2018 rent was increased 1.5% over the previous year.<u>2017 rent. 2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by approx 3% over</u> 2019's rent by 3% over 2018's. •Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels. The current disposition is appropriate at this time.</p>

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rp7833	AIWOHI, LORRIN J.	Pasture	2,435.95	<u>2,508.96</u>	2,365.00	<p>•2018 rent was increased 1.5% over the previous year. <u>2017 rent.</u> <u>2019 rent was increased 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by approx 3% over 2019's rent</u> by 3% over the Indicated Annual Market Rent. <u>At its</u> Board meeting on 5/15/98, item D-5, the Board authorized the sale of a 20-year lease and the issuance of a Revocable Permit RP to R.J. Farias. Subsequent Board action on 9/25/98, item D-24, rescinded <u>RP</u> approval of the RP and <u>instead</u> approved the issuance of a new rp <u>RP</u> to K.C. Ching. Further Board action on 2/26/99, item D-12 rescinded the RP approval of the rp issued to Mr <u>K.C.</u> Ching and approved the issuance of an rp <u>RP</u> to Mr. Edwin Martin. Staff to update submittal re sale of lease at auction, if necessary, and resubmit to Board for approval.</p>
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7840	HORNER, DARRELL	Aquaculture	524.43		<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. •Parcel lacks legal access from public road. Permittee's previous permit was cancelled so the Div. of Aquatic Resources could develop a consolidation and resubdivision master plan for State property. Lack of funding prevented this from happening and the permit was reissued.
rp7842	SOUZA, VERNON AND CHARLETTE	<u>Pasture / Zoning for tmk parcel: conservation, Protective subzone.</u>	531.97	<u>548.04</u>	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. <u>2017 rent. 2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by approx 3% over 2019's rent by 3% over 2018's.</u> •Staff will seek Board approval to sell a lease at public auction. <u>The lands underlying the permit are in the Conservation District. Staff will instruct permittee</u> <u>Permittee was asked to apply for a contact OCCL to confirm if CDUP or provide proof to OCCL that its use/structure is nonconforming, required and staff will follow up.</u>

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

rp7845	MEDEIROS, WILLIAM D.	Pasture	531.97	<u>548.04</u>		<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. <u>2017 rent.</u> <u>2019 rent was increased by 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent by approx 3% over 2019's rent</u> by 3% over 2018's. •Staff will seek Board approval to sell a lease at public auction.
rp7848	G & K KALAHEO SHELL REPAIR SHOP, LLC.	Automot ive Repair Shop	13,265.87	<u>13,266.00</u>	14,280.00	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. <u>Staff recommends increasing 2019's</u> 2017. <u>2019</u> rent <u>was increased by 10% over 2018's</u> 2018 rent, notwithstanding the Indicated Annual Market Rent. <u>Staff recommends maintaining current rents (but rounded to nearest dollar for fiscal billing purposes) since a lease will soon be sold at auction.</u> •Staff will seek <u>seeks</u> Board approval <u>on 08/23/19</u> to sell a lease at public auction, <u>and the lease auction will occur in 2020.</u>

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

rp7865	KAPAA KI-AKIDO CLUB, INC.	Clubhouse	516.90	<u>480.00</u>	<p>•2018 rent was increased 1.5% over the previous year. Staff recommends increasing 2019's2017 rent. 2019 rent was increased by 3% over 2018's.</p> <p>•Staff to enter into a2018 rent. In 8/23/19 Board submittal, item D-3 the Board approved minimum rent of \$480 per year for 501c3 non-profit entity. •Staff working on direct lease with Hawaii Ki Federation, a 501c3 entity-, per 8.23.19 item D-3 Board approval.</p>
rp7870	MANUEL, CHARMAINE	Pasture	509.36	<u>525.00</u>	<p>•2018 rent was increased 1.5% over the previous year.2017 rent. 2019 rent was increased by 3% over 2018 rent. Staff recommends increasing <u>2020's rent</u> by approx 3% over 2019's rent by 3% over 2018's. •Wedge-shaped, residentially zoned remnant parcel from GL4222 to Kekaha Sugar Company. Staff will continue in its efforts to have the CoK's Housing Agency take over the administration of the Division's residentially zoned parcels, although it is not clear if this parcel is buildable. The current disposition is appropriate at this time.</p>

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

rp7872	SILVA, KEITH A.	Pasture	3,196.17	<u>3,351.96</u>	3,160.00	<p>•2018 rent was increased 1.5% over the previous year, 2017 rent. <u>2019 rent increased 3% over 2018 rent.</u> Staff recommends increasing <u>2020's rent approx 4.8% over 2019's to bring to market rent</u> 3% over 2018's.</p> <p>•Sloped rocky hillside parcel with only a limited area suitable for pasture use. Staff will explore the possibility of selling a lease at public auction.</p>
rp7881	FERNANDES, MICHAEL	<u>Pasture / Zoning for tmk parcel: conservation, urban (90%) and limited subzone & 10% protective subzone</u>	509.36	<u>525.00</u>		<p>•2018 rent was increased 1.5% over the previous year, over 2017. <u>2019 rent was increased by approx. 3% over 2018.</u> Staff recommends increasing <u>2020's rent by approx 3% over 2019's rent</u> by 3% over 2018's. •The permittee was the lessee under GL5584, which ended 5/26/14. Staff will seek Board approval to sell a lease at public auction. The lands underlying the permit are in the Conservation District. Staff will instruct permittee to apply for a CDUP or provide proof to OCCL that its use/structure is nonconforming. <u>Permittee was asked to contact OCCL to confirm if CDUP</u></p>

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

required and staff will follow up with Permittee.

rp7882 FERNANDES,
MICHAEL

Pasture
Pasture /
Zoning
for tmk
parcels:
007-
conserva
tion,
urban,
016-
urban

509.36

525.00

•2018 rent was increased 1.5% over ~~the~~ previous year.2017 rent. 2019 rent was increased by 3% over 2018. Staff recommends increasing 2020's rent by approx. 3% over 2019's rent ~~by 3% over 2018's.~~

•The permittee was the lessee under GL5582, which ended 5/26/14. Staff will seek Board approval to sell a lease at public auction. Permittee was asked to OCCL to confirm if CDUP required and staff will

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

follow up with
Permittee.

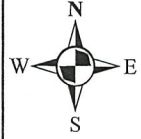
rp7897	ENOKA, KATHERINE	Business	13,997.70	<u>14,405.04</u>	13,590.00	<ul style="list-style-type: none">•2018 rent was increased 1.5% over the previous year.<u>2017 rent.</u> <u>2019 rent increased by 3% over 2018 rent.</u> Staff recommends increasing 2019's<u>2020's</u> rent by <u>approx</u> 3% over the Indicated Annual Market Rent.<u>2019.</u>•At its meeting on 4/22/16, under agenda item D-1, the Board approved the sale of a lease at public auction.
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Redlined changes made to 2019 Revocable Permits on the Island of Kauai

rp7903	HARTUNG BROTHERS OF HAWAII, LLC	Agricultural Purposes Agricultural Purpose/ Zoning for tmk: agricultural conservation; for parcel 040: KA- 1380, KA-3760	14,183.10	<u>14,595.96</u>	13,770.00	<ul style="list-style-type: none"> •Rent approved by Board at its meeting on 2/4/2017, agenda item D-2. <u>2019 rent increased by 3% of 2018 PAR value.</u> Staff recommends<u>recommend</u> increasing 2019's<u>2020's</u> rent by 3% over the Indicated Annual Market Rent. <u>2019 rent.</u> •This revocable permit replace rp5983 issued to Pride Company, Inc. Board approved transfer to DOA per Act 90. <u>Permittee reconfirmed to staff it has CDUPs for parcel.</u>
rp7908	COUNTY OF KAUAI	Portable lifeguard tower site	0.00	<u>0.00</u>		<ul style="list-style-type: none"> •Gratis •Issued to a governmental agency. A short-term disposition is more appropriate as the lifeguard station might need to be relocated due to wave action.

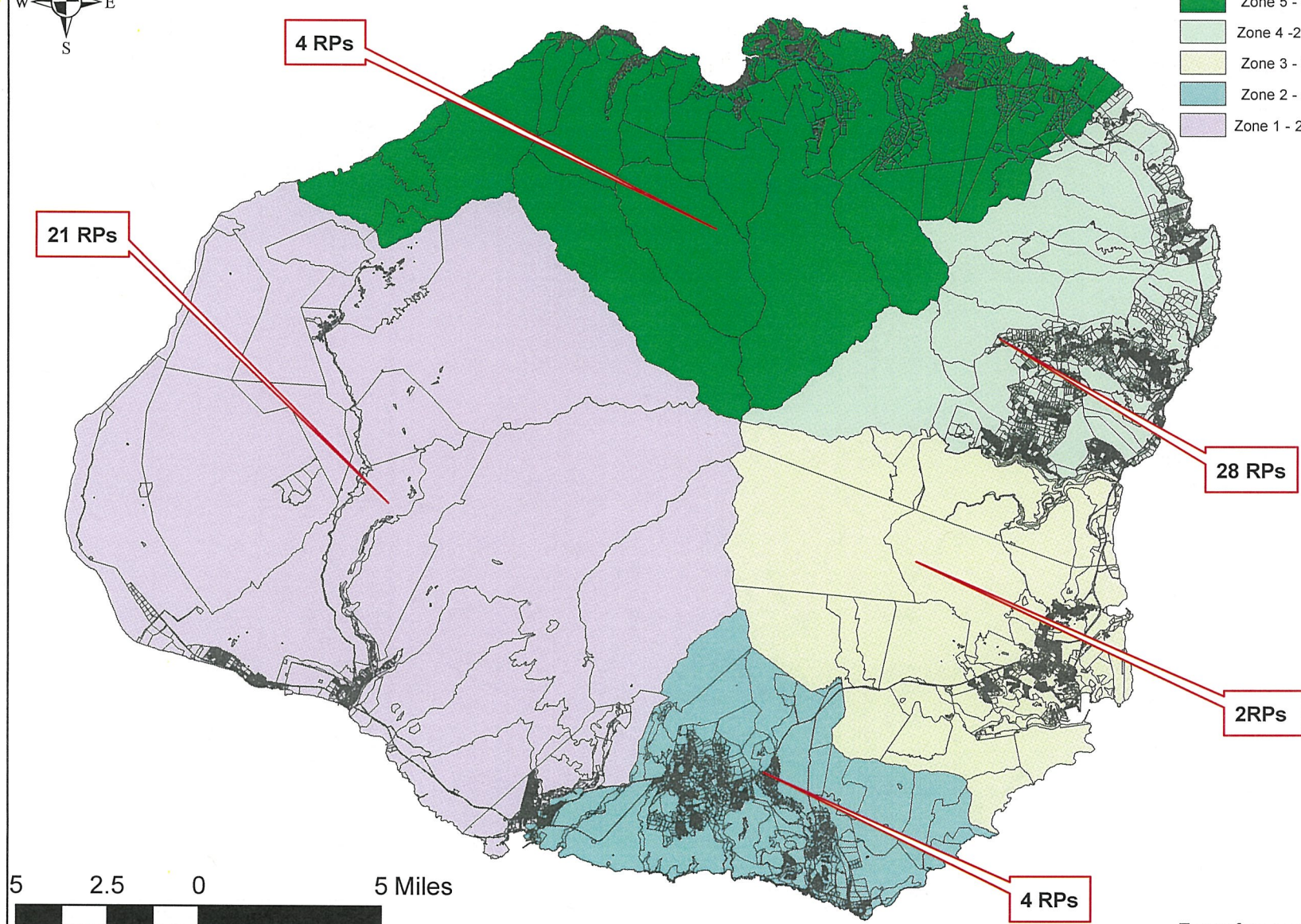
EXHIBIT 4

Kauai - Revocable Permits 2020



Legend

- Zone 5 - 4 RPs
- Zone 4 - 28 RPs
- Zone 3 - 2 RPs
- Zone 2 - 4 RPs
- Zone 1 - 21 RPs



For reference only

EXHIBIT "4"

EXHIBIT "4"

EXHIBIT 5

DAVID Y. IGE
GOVERNOR OF
HAWAII

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2019 AUG 29 AM 11:05



DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII

STATE DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

Correspondence: KA-20-52

AUG 28 2019

MEMORANDUM:

TO: Russel Tsuji, Administrator
Land Division

FROM: Samuel Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: Request for Comments: 2020 Annual Renewal of Revocable Permits

We have periodically been receiving requests for comments on the annual renewal of revocable permits (RP) from various islands. It appears that based on our prior responses to some of your district offices, lessees are beginning to write to us seeking our input. In many cases, the RP holder does not have any Conservation District Use authorization and has little knowledge of who we are or what we do. For the time being we are operating under the assumption that the land uses taking place on these lands are non-conforming land uses. Otherwise they would be considered **unauthorized**.

In some cases, such as on the island of Kauai, there are agricultural RPs in the Protective Subzone. Agriculture is not an identified use in the Protective subzone and is prohibited unless it predates the establishment of the Conservation District is 1964. We are concerned that the holders of the RPs do not understand that there are restrictions on the use of these lands and that they must contact OCCL prior to conducting new land uses or changing land uses.

Thus, while it is was a good idea to run the RPs by OCCL prior to reissuance of the RPs we see little use in reviewing these blanket RP packages in the future because we are not being given any additional details in these packages other than what we initially said.

As Land Division now has information from our office regarding your RPs based on prior correspondences from us, we ask that you work directly with RP holders operating on Conservation District land and continue to inform them of the requirement that they

EXHIBIT "5"

⇒ consult with OCCL prior to conducting new or different uses of the land. They can then write to us and we can try to help them.

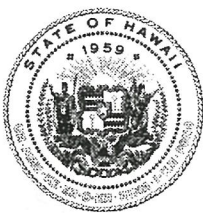
I am trying to avoid a situation in which RP holders believe that consulting with Land Division on new, different, or expanded lands uses is enough for purposes of complying with Conservation District regulations.

Mahalo

C: Chairperson

EXHIBIT 6

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUAL
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
KAIHOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 30, 2019

Kim Miller, Supervising Land Agent
Land Division
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809
Email: Kim.E.Miller@hawaii.gov

IN REPLY REFER TO:
Log No. 2019.01833
Doc No. 1908GC21
Archaeology

Dear Ms. Miller:

SUBJECT: **Chapter 6E-8 Historic Preservation Review –
2020 Annual Renewal of Revocable Permits for County of Kauai
TMK: Various**

This letter provides the State Historic Preservation's (SHPD's) review of the Department of Land and Natural Resources Land Division (DLNR Land Division) submittal titled, *2020 Annual Review of Revocable Permits for the County of Kaua'i*. The SHPD received this submittal on August 14, 2019. The DLNR Land Division indicates that at the end of each calendar year, the division reviews its list of current revocable permits issued statewide and determines which permits be recommended to the Board of Land and Natural Resources (BLNR) for renewal for the upcoming year. 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. The list of revocable permits for renewal for the County of Kaua'i are identified in Exhibit 2 of the submittal.

Based on the information provided, **the SHPD concurs with the following Land Division recommendations:**

- Continuation of the revocable permits listed in Exhibit 2, on a month-to-month basis for another one-year period beginning January 1, 2020 through December 31, 2020, except those identified by the Land Division for permits that are in arrears and/or have been identified by the BLNR for forfeiture; and
- Approval of no immediate change in current monthly rent for revocable permits listed in Exhibit 2, with the proviso that the BLNR reserves and delegates to the DLNR Chairperson the right at any time to review and reestablish new rental charges for revocable permits, to reflect market conditions or the fair market rental for the rights and privileges granted by such revocable permits and to best the interest of the State.

SHPD requests the opportunity to review any permits with the potential to affect historic properties, especially any involving ground disturbing activities within the identified subject parcels. SHPD has no approving authority regarding Hawaii Revised Statutes (HRS) §343.

Please contact Dr. Susan A. Lebo, Archaeology Branch Chief, at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov for any questions regarding this letter.

Aloha,

Susan A. Lebo

Signed For
Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

EXHIBIT "6"

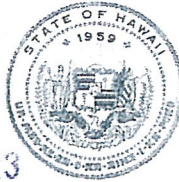
EXHIBIT 7

DAVID Y. IGE
GOVERNOR OF HAWAII



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LAND DIVISION

2019 SEP 19 AM 6:23



RECEIVED
COMMISSION ON WATER
RESOURCE MANAGEMENT

2019 AUG 14 AM 11:36

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 14, 2019

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

Annual RP Renewal-
Kauai 2020

MEMORANDUM

TO:

State Agencies:

- ☒ DLNR-Forestry & Wildlife
- ☒ DLNR-State Parks
- ☒ DLNR-Engineering
- ☒ DLNR-Historic Preservation
- ☒ DLNR-Conservation and Coastal Lands
- ☒ DLNR-Commission on Water Resource Management
- ☒ DLNR-Kauai District Land Office
- ☒ Department of Hawaiian Home Lands
- ☒ Office of Hawaiian Affairs
- ☒ Department of Agriculture

Kauai County Agencies:

- ☒ Planning Department
- ☒ Department of Public Parks
- ☒ Department of Water Supply

FROM:

Kim Miller, Supervising Land Agent

Kim Miller

SUBJECT:

Request for Comments: 2020 Annual Renewal of Revocable Permits
for the County of Kauai

LOCATION: Kauai County, Tax Map Key: Various parcels of State Land

APPLICANT: Department of Land and Natural Resources, Land Division

Transmitted for your review and comment is a draft Board submittal of the above referenced request involving State lands. We would appreciate your comments on this application. Please submit any comments by Friday, September 13, 2019. If no response is received by this date, we will assume that you have no comments. If you have any questions about this request, please contact me at my office at 587-0385, or email kim.e.miller@hawaii.gov. Thank you.

Enclosure

- () We have no objections.
- () We have no comments.
- (x) Comments are attached.

EXHIBIT " 7 "

Signed: /s/ M. Kaleo Manuel

FILE ID:	RFD. 4426.2
DOC ID:	217701

DAVID Y. IGE
GOVERNOR OF HAWAII



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

SUZANNE D. CASE
CHAIRPERSON


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

M. KALEO MANUEL
DEPUTY DIRECTOR

September 10, 2019

REF: RFD.4426.2

TO: Mr. Russell Tsuji, Administrator
Land Division

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

SUBJECT: Request for Comments: 2020 Annual Renewal of Revocable Permits for the County of Kauai

FILE NO.: RFD.4426.2

TMK NO.: Various parcels of State Land

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.hawaiilandscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf.

- ☐ 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: How did cancelled RP's to Darrell Horner for aquaculture & Frank & Abigail Santos for nursery and landscaping obtain water for their operations?

If you have any questions, please contact W. Roy Hardy of the Commission staff at 587-0225.

EXHIBIT 8



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

RECEIVED
LAND DIVISION
2019 SEP 18 AM 10:44
HRLD19-7891B
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

September 10, 2019

Kim Miller
Supervising Land Agent
Department of Land and Natural Resources, Land Division
P.O. BOX 621
Honolulu, HI 96809

Re: Annual Renewal of Revocable Permits for the County of Kaua'i

Aloha e Ms. Miller:

The Administration of the Office of Hawaiian Affairs (OHA) has 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 August 14, 2019. The DLNR Land Division is recommending that the BLNR renew 60 month-to-month revocable permits (RPs) held in the County of Kaua'i 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 protection of 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; the BLNR's fiduciary responsibilities; and, conservation district and Special Management Area (SMA) use compliance.

Compliance with Task Force Recommendations

The draft submittal and master list do not provide sufficient information to comply with the Task Force's recommended checklist, which requires the addition of a timetable for RPs that

EXHIBIT " 8 "

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 of the RPs listed as pending long-term dispositions (RP3827, RP6842, RP7466, RP7480, RP7498, RP7507, RP7509, RP7516, RP7521, RP7584, RP7627, RP7628, RP7664, RP7669, RP7701, RP7710, RP7712, RP7721, RP7729, RP7739, RP7753, RP7770, RP7785, RP7790, RP7798, RP7833, RP7842, RP7845, RP7865, RP7872, RP7881, RP7882, and RP7897), no such timetable is provided. OHA noted these RPs as lacking timetables in our October 27, 2017 testimony to the BLNR regarding the 2018 master list, as well as in our September 5, 2018 letter regarding the 2019 master list.

OHA observes that the detail in the comments column of the master list has remained mostly unchanged with regard to their lease conversion status in the past three years of submittals for Kaua'i County annual RP renewals, giving no indication of what progress, if any, has been made for their respective conversions to long-term dispositions. Several of these permits have been under RP status for decades (i.e., RP3827, issued in 1965; RP6842, issued in 1994), and certain permitted parcels appear to have already been approved years ago for sale of lease at public auction by the BLNR (i.e., RP7507 approved in 1994; RP7521 approved in 1991; RP7627 approved in 2009; RP7628 approved in 2009; RP7669 approved in 1999; RP7701 approved in 1998; RP7770 approved in 1988; RP7790 approved in 2007).

At the BLNR meeting on October 27, 2017, Chair Suzanne Case said that she would work with staff to see if she can find a way to assist with bringing two RPs (RP7790 and RP7833) to public auction.¹ However, the comments column for these RPs in this year's master list makes no mention of any follow up nor does it describe any challenges to executing a public auction. Without any timetable or additional details provided for the conversion of these RPs, and with seemingly limited progress over the past two years, the need to act on RP conversions appears to be consistently ignored in a way that relegates the State's fiduciary responsibilities and forecloses opportunities for prospective monetary gains. Again, there is potential for significant additional and stable revenue to be realized from RP conversions to longer-term dispositions, revenue that may be critical to fulfilling the BLNR's constitutional mission and fiduciary obligations. Accordingly, OHA strongly recommends that all RPs contemplated for conversion to an alternative, long-term disposition include a conversion timetable, detailed status reports, challenges to conversions (i.e., lack of staff), and/or other information that can demonstrate whether or how their conversion is appropriately progressing.

Board of Land and Natural Resources' Fiduciary Responsibilities

OHA reiterates its request that annual RP renewal submittal recommendations include explicit, substantive language relevant to the BLNR's primary, public trust duties to conserve and

¹ See Board of Land and Natural Resources, *Meeting of Minutes of the Board of Land and Natural Resources* (October 27, 2017), <https://dlnr.hawaii.gov/wp-content/uploads/2018/03/171027-minutes.pdf>.

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 also holds a constitutional fiduciary duty to protect cultural resources, as well as the practices which rely upon them.³ Accordingly, OHA recommends that the master list include specific information relevant to the BLNR's fulfillment of these primary constitutional duties for each RP recommended for renewal, including:

- 1) An indication as to when the last affirmative review of each RP permittee's compliance with previously-issued RP terms and conditions occurred;
- 2) An indication as to whether any culturally or environmentally significant or sensitive areas or resources may be present within or adjacent to each subject parcel; and,
- 3) An indication of any previous or planned future uses within or adjacent to each RP parcel, which may result in cumulative impacts to natural and cultural resources.

Regarding DLNR review of permittees' compliance with RP terms, OHA has previously recommended periodic inspections of RP parcels to ensure that permittees are adequately maintaining onsite improvements and that each parcel is being used for the purposes it was originally permitted for. As indicated in the State of Hawai'i Office of the Auditor (Auditor) 2019 report,⁴ the Land Division staff does not conduct annual inspections and typically only inspects a fraction of leased and permitted parcels. Although OHA notes that annual inspections may not necessarily be needed in all instances, RP master lists should minimally include the date of the last affirmative review of each permit holder's compliance with their respective RP's terms and conditions. Along with other information provided by the above recommendations, the BLNR can then decide if more frequent inspections are necessary to ensure that a given parcel is being maintained in an appropriate manner.

OHA also recommends the inclusion of information addressing the BLNR's fiscal management of its land portfolio, including information on any long-range management and strategic planning efforts that may provide additional context to the issuance or renewals of RPs. OHA notes that the Auditor's 2019 report 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 further noted that RP rent adjustments have been severely limited over the years, resulting in foregone revenue losses of nearly 63%. The Auditor emphasized that the "status quo" will continue unless steps are taken by the DLNR to prepare long-range management and strategic planning. Notably, revenues from RPs, leases, and other land dispositions provide critical support for DLNR's programs and activities relating to the protection and management of our public trust natural and cultural resources. Accordingly, OHA recommends that any RP renewal

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.

recommendation specifically address the Auditor's concerns regarding the fiscal management of its revenue-generating lands, especially in regard to any steps that have been or will be taken to engage in long-range management and strategic planning for the subject RP parcels.

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 the Special Management Area (SMA), or both. 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 and sensitive areas. 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 cultural practitioner or public use of these lands.

Regarding conservation district use compliance, OHA noted in our October 2017 testimony and September 2018 letter that there are RPs (RP3827, RP5567, RP6511, RP6842, RP7584, RP7664, RP7669, RP7727, RP7729, RP7739, RP7749, RP7805, RP7842, and RP7881) issued to permittees occupying the conservation district without clear compliance with the conservation district regulations in Hawai'i Administrative Rules (HAR) Chapter 13-5. OHA does acknowledge that this year's master list includes updated information in the comments column regarding conservation district use compliance. However, it appears that DLNR Land Division staff was only able to confirm a prior conservation district use permit (CDUP) being in place for RP3827, while the comments for the other RPs state that "permittee contacted OCCL [Office of Conservation and Coastal Lands] to confirm if CDUP required and staff will follow up with permittee." OHA also questions the timeliness of this statement, as the OCCL did provide a list regarding RPs within the conservation district to the DLNR Land Division over two years ago on September 6, 2017, noting specifically that RP7669 and RP7881 have "no permits found in OCCL database," and that "permittees/applicants are required to inform this office [OCCL] of any proposed land uses that may occur in the Conservation District." These RPs remain on the annual revocable permit renewal list without any recognition of any steps taken to meaningfully address these now long-standing compliance concerns. Despite the revisions to the 2020 master list, there is no mention of the prior information provided by OCCL. Arguably, the information provided in this year's list encourages the BLNR to approve these RPs without question under the assumption that staff will follow up; therefore, continuing the "status quo."

OHA thus requests assurances that follow up will indeed happen, given the repetitious nature of comments from year to year. The BLNR should clearly condition the renewal of these RPs on their permittees' proof of compliance with conservation district rules within a specific and reasonable amount of time. DLNR Land Division staff should maintain contact with OCCL staff throughout the year to follow up on these RPs. Prolonged noncompliance that spans years could have adverse impacts to natural and cultural resources in and adjacent to RP parcels, and the failure to address such potential noncompliance while reissuing the RPs for continued noncompliant activity would undermine rules protecting the conservation district, as well as the public trust itself. OHA therefore strongly recommends clearly stating that RP suspension or revocation will occur for the continued lack of compliance (or the failure to provide proof of compliance) by a date and certain time. Without consequences or a deadline, RP permittees may have little to no incentive

to comply with conservation district rules intended to safeguard our most sensitive sites and resources.

Regarding RPs 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 County of Kaua'i, Planning Department. As compliance with SMA laws and the terms of any issued SMA permit are unknown, OHA requests that the DLNR Land Division staff provide any comments from the county Planning Department that speak to whether or not permittees utilizing SMA lands are compliant with HRS §205A and county laws adopted thereunder. If the Planning Department has never commented on this issue, OHA recommends that the DLNR Land Division staff specifically request that the Planning Department 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, particularly with regards to a timeline for any contemplated conversion to a lease or other long-term disposition; the date of the last affirmative review of each permit holder's compliance with the most recent permit terms, along with other information relevant to the BLNR's fiduciary obligations under the public trust; and, relevant and updated comments from OCCL and the Kaua'i County Planning Department 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,



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SH:kf