

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

October 22, 2021

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

Maui 2022

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

HRS CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on November 10, 2020, the subject action is exempt from the preparation of an environmental assessment pursuant to Exemption Type 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 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 Maui revocable permits, including the additional information the Board requested.

REMARKS:

The list of revocable permits for Maui that staff recommends be renewed for 2022 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 the comments on the permits that have occurred since the last Board action on the approval of Maui revocable permits on October 9, 2020, under agenda Item D-3. A general location map of the revocable permits to be renewed is 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 Maui 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 15 of the 74 Maui revocable permits active at the time. The Portfolio Appraisal Report (PAR) was completed on May 9, 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 Maui 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 were discussed

further in Exhibit 2, attached to the 2018 submittal (i.e. 12/14/18 BLNR, item D1, 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 the 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 continued 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 recommended increasing 2020 rents by 3-10% over the 2019 rents, or when applicable, staff followed 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 was increased by 3% over the 2019 rent.
- Type 2: Where the RP was valued by PAR, but the rent remained below market rates, the rent was increased by 3-10% over the 2019 rents, with the anticipation that rents would continue to increase per annum, until market rents are achieved. Some RPs warranted increases larger than 10% and those were designated as Type 5 RPs (special circumstances).
- Type 3: Where the RP was not valued by PAR and the 2019 rent was under \$480 per annum, the 2020 rent was increased to \$480 per annum per the Board's minimum rent policy. If permittee was a government entity, no was be charged.
- Type 4: Where the RP was not valued by PAR and the RP rent was already at or exceeded the minimum rent policy of \$480 per annum, the 2020 rent was increased by 3% over the 2019 rent.
- Type 5: RPs in this category involved special circumstances and did not fit within Types 1-4 above. They were discussed individually in Exhibit 2 of the prior Board action (i.e., Board action of September 27, 2019, Item D-1, Ex 2).

2021

Staff recommended no rent increases for 2021 due to the economic downturn associated with the COVID-19 pandemic but anticipated recommending increases in future years and therefore retained the “Type” classification in Exhibit 2 attached to the Board submittal of October 9, 2020, under agenda Item D-3.

2022

For 2022, staff again continued efforts to bring RP rents in line with market rates. Thus, based upon Appraiser’s 2018 opinion that the escalation factor would be 2-3% over PAR per year, staff recommended increasing 2022 rents by 3-10% over the 2021 rents. 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 2022 rent was increased by 3% over the 2021 rent.
- Type 2: Where the RP was valued by PAR, but the rent remained below market rates, the rent was increased by 10% over the 2021 rents, with the anticipation that rents would continue to increase per annum, until market rents are achieved.
- Type 3: RPs issued to government agencies where the rent is gratis.
- Type 4: RPs in this category involved special circumstances and did not fit within Types 1-3 above. They are discussed individually in Exhibit 2 attached.

Regarding Type 4 related properties, the DLNR Maui District Land Office (MDLO) has reviewed rent and recommends that rent for the permits listed in the table directly below either remain at the 2021 rate.

Recommendations to maintain existing rent at the 2021 rate is because these parcels are challenged by existing constraints that limit the economic potential of the property. Constraints include being landlocked, small and odd sizes, remote location, lack of nearby standard county infrastructure (water, road, utilities), steep topography and other physical characteristics that limit full use of the property. Given these constraints, if existing tenants were to abandon the permitted areas due to increased costs, it will be difficult to either replace the tenant with an authorized user or to manage the property as unencumbered lands rendering these areas susceptible to unauthorized uses, trespassing, and dumping.

<u>RP #</u>	<u>Permittee</u>	<u>Area ac.</u>	<u>TMK #</u>	<u>Existing Monthly Rent</u>	<u>Recomm ended Type 4 Monthly Rent</u>	<u>Use</u>	<u>Remarks</u>
RP 6121	Kahakuloa Protestant Church	0.33	(2) 3- 1- 004:0 05	\$515.04	\$515.04	Community center purposes	Infrastruc ture improvm ents needed. Convert to long- term lease
RP 7513	Day, Joseph J	0.85	(2) 1- 1- 006:0 38	\$480	\$480	General Agriculture (taro loi)	Landlock, remote area
RP 7526	Cambra, Jr., Louis G.	18.37	(2) 2- 3- 008:0 26	\$480	\$480	Pasture	Landlock, steep topography, remote area
RP 7534	Dunn, Leslie A.	0.35	(2) 3- 1- 005:0 28	\$480	\$480	General Agriculture (taro loi)	Landlock, remote area
RP 7568	Latham, William	0.67	(2) 1- 1- 003:0 92	\$571.92	\$571.92	General Agriculture (taro loi)	Landlock, remote area
RP 7755	Martin, Jr., Norman D.	0.56	(2) 1- 1- 006:0 41, 043	\$480	\$480	General Agriculture (taro loi)	Landlock, remote area
RP 7819	Vellina, Felix and Roxanne	0.82	(2) 3- 1- 004:0 92, 095, 097	\$556	\$556	Intensive agriculture (taro loi)	Landlock, remote area

RP 7822	Redo, Valentine	1.53	(2) 1- 1- 004:0 06	\$556	\$556	Intensive agriculture (taro loi)	Landlock, remote area
RP 7846	Scott, Lurlyn	5	2-9- 001:0 18	\$540	\$540	Intensive agriculture	Landlock, remote, steep topo.

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

Agency:	Comment:
Division of Forestry and Wildlife (DOFAW)	No response by suspense date.
Office of Conservation and Coastal Lands	See comments, exhibit 5.
State Parks	No response by suspense date.
Historic Preservation	No response by suspense date.
Engineering	No response by suspense date.
Maui District Land Office	See comments exhibit 2 & submittal.
Commission on Water Resource Management	No response by suspense date.
Department of Hawaiian Home Lands (DHHL)	No response by suspense date.
Department of Agriculture (DOA)	No response by suspense date.
Office of Hawaiian Affairs	No response by suspense date.
County of Maui Planning Department	See comments, exhibit 6.
Maui Department of Parks and Recreation	See comments, exhibit 7.
Maui Department of Water Supply	No response by suspense date.

Since the last renewal of the Maui revocable permits on October 9, 2020, the following permits have either been cancelled or is in the process of cancellation before the end of calendar year 2021:

<u>RP #</u>	<u>Permittee</u>	<u>Area ac.</u>	<u>TMK #</u>	<u>Monthly Rent</u>	<u>Cancelled On</u>	<u>Use</u>	<u>Remarks</u>
RP 4450	Texeira, Joseph	n/a	(2) 3- 1- 001:0 01	446	TBD	Pipeline	Permittee died, new RP to current user
RP5834	HALE PAU HANA HOA ASSN.	0.103	(2)3- 9- 005:0 01- 0000	360.38	9/27/2021	Construction of a rubble rock revetment	Easement created
RP5835	HALE PAU HANA HOA ASSN.	0.555	(2) 3- 9- 005:0 01- 0000	42.41	9/27/2021	Landscaping, maintenance & two stairways	Easement created
RP 5847	Texira, Joseph	n/a	(2) 3- 1- 006:0 01	210	TBD	Tank site and Pipeline	Permittee died, new RP to current user
RP 6199	USA	n/a	(2) 2- 2- 007:0 09	0	TBD	Weather monitoring	Site abandoned
RP 7529	KAAUAMO, JR., SOLOMON & HANNAH K.	2.99	(2) 1- 1- 004:0 13, 030	54.66	TBD	Intensive agriculture	Permittee died. Spouse requested cancellation
RP 7545	BROWNE, ROAN and SUSAN	9.63	(2) 2- 9- 001:0 20	40	TBD	General Agriculture	DOFAW request set aside for conservation purposes

RP 7558	KAUAMO, WILKENS P.	3.88	(2) 1- 1- 4:028; 1-1- 005:0 52	71.08	7/31/2021	Agriculture	Permittee died
RP 7608	JACINTHO, WILLIAM F.	25	(2) 1- 4- 007:0 09, 017	47.58	TBD	Pasture	Permittee died
RP 7707	ALEXAND ER, JEFFREY & DONNA	3.12	(2) 2- 3- 008:0 27- 0000	494.40	11/8/2021 0	Cultural, Educational	Permittee Cancelled

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, 2022 for another one-year period through December 31, 2022, 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, 2022, where such adjustments will best serve the interests of the State.

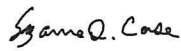
Respectfully Submitted,



Michael Ferreira
Land Agent V

APPROVED FOR SUBMITTAL:

RT



Suzanne D. Case, Chairperson

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 Maui County.
Project / Reference No.:	Not applicable
Project Location:	Various locations on the Island of Maui County
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 November 10, 2020, 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." Item 45: Permits, licenses, registrations and rights of entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing. The annual renewal of existing revocable permits on State lands involves the continuation of existing uses on the lands. No change in use is authorized by the renewal.
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 Maui County. Staff believes that the request would involve negligible or no expansion or change in use of the subject location beyond that previously existing.
Consulted Parties	Agencies listed in submittal.
Recommendation:	That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

EXHIBIT 1

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent (2018 AMR)	Comments re rent amount and why no long-term disposition
rp5405	1	MANA KAI APT OWNERS ASSN.	(2) 3-9-004:001-0000 KIHEI	5(b)	5/27/1977	Landscaping and maintenance	0.298	1,358.04	1,398.84	1,280.00	<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019's. 2021 rent stayed the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Permittee using only a portion of the parcel for landscaping. The permit stipulates that the public shall have full and unrestricted use of the permit area, and permittee will install such signs as are deemed necessary by the Maui District Land Agent to confirm that premises are open to the public. The plan is to set aside parcel 001 to the County of Maui in 2022.
rp5710	4	WAIAKOA HOMEOWNERS ASSOCIATION	(2) 2-2-009:070-0000 KULA	5(b)	8/1/1979	Right, privilege and authority to construct, reconstruct use and maintain easement areas for	0	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Permit to convert to a utility easement. Incomplete draft survey map received 7/29/2021. Applicant states not able to locate transmission lines from water supply tank to end users. MDLO to investigate and follow up.
rp5900	4	KEAWAKAPU HOMEOWNERS ASSN.	(2) 3-9-004:140-0000 KIHEI	5(b)	6/1/1980	Landscaping	0.338	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Permittee using only a portion of the parcel for landscaping & maintenance. Land has prime street frontage. Staff is considering a set aside to the County of Maui to include into plans for increased parking across the street to access Keawekapu beach.
rp6047	4	DURO, TRAV	(2) 4-5-13:2-A; 26-A LAHAINA	5(b)	9/16/1983	Maintenance of existing seawall and boat ramp	0.008	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to seek approval to convert RP to an easement. Note: Landowner considering sale of adjacent private property landward of seawall.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp6121	4	KAHAKULOA PROTESTANT CHURCH	(2) 3-1-004:005-0000 WAILUKU	5(b)	4/1/1984	Community related activities	0.33	515.04	515.04		<ul style="list-style-type: none"> • 2020 rent was increased by approx. 3% over 2019. 2021 rent remained the same. Staff recommends maintaining existing 2021 rent for 2022. •Staff plans to work with community to cancel RP and recommend a direct lease to a 501(c) (3) for community center purposes that is open to the public. Permittee plans to rehabilitate the building and install necessary infrastructure to accommodate community use. Staff will instruct the permittee to apply for an exemption from CDUP for sliver of land with no active use is in the conservation district. A II of the usable portions of the parcel is located within the rural district.
rp6648	4	CARTER, CHARLES G.	(2) 3-1-4:101,104, 106 WAILUKU	5(b)	8/1/1989	General agriculture	1.094	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. •Parcels are landlocked and lack standard county infrastructure. Staff to conduct a site visit to confirm if uses and structures on parcel 104 are authorized.
rp6766	4	LOOMIS, JAMES C.	(2) 2-9-003:040-0000 HAIKU	5(b)	6/1/1991	General agriculture	14.76	1,214.04	1,250.52		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. •Board approved transfer to DOA per Act 90. MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.
rp6816	3	DEPT. OF ACCOUNTING & GENERAL SERVICES	(2) 5-3-005:010-0000 KAUNAKAKAI	5(b)	8/1/1992	Temporary base-yard and drainage basin	4	0	0		<ul style="list-style-type: none"> •Gratis. RP granted to State agency for base yard purposes. MDLO working with DAGS, DOCARE, COM Dept. of PublicWorks and Dept. of Water Supply on set-aside via EO. County Public works contacted MDLO in September 2020to discuss strategy. DPW would like to continue using portion of area for stockpiling roadway material. DWS plans to vacate premises. MDLO staff is working to set aside the drainage area to the County. Remaining lands are to be split between DAGS, DLNR and County DPW. DOCARE is considering use of existing garage to store patrol vessel.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent (2018 AMR)	Comments re rent amount and why no long-term disposition
rp7208	4	RAYCOM NATIONAL, INC.	(2) 2-2-007:015-0000 KULA	5(b)	1/16/2000	Television translator, shelter and tower facility	0.204	13,872.00	28,800.00	28,800.00	<ul style="list-style-type: none"> • 2020 rent was increased by 20% over 2019. 2021 rent remained the same. Staff recommends increasing rent to 2018 AMR for 2022 rent over 2021 rent. • Staff working with existing user to rectify name changes due to corporate acquisition over time.
rp7209	4	RAYCOM NATIONAL, INC.	(2) 2-2-007:014-0000 KULA	5(b)	1/16/2000	Test site facility for television signal transmission	0.166	13,872.00	28,800.00	28,800.00	<ul style="list-style-type: none"> • 2020 rent was increased by 20% over 2019. 2021 rent remained the same. Staff recommends increasing rent to 2018 AMR for 2022 rent over 2021 rent. • Staff working with existing user to rectify name changes due to corporate acquisition over time.
rp7220	3	STATE OF HAWAII, DLNR	(2) 1-3-004:015-0000 HANA	5(b)	8/1/2000	Storage	0.344	0	0		<ul style="list-style-type: none"> • Gratis • At its meeting on 2/12/16, Item D-6, the Board approved the cancellation of DOFAW's RP and the issuance of an RP to the Maui Invasive Species Committee(MISC). Staff to amend Board approval to allow for a long-term lease to a non-profit organization for storage and conservation operations in East Maui.
rp7343	4	CLUB LANAI PROPERTIES, LLC	(2) 4-9-003:027-0000 LANAI	5(b)	3/1/2000	Channel clearing, buoy placement, pier construction and maintenance, and conducting of commercial activities (docking, loading and unloading of commercial tour boats)	2.073	21,000.00	21,630.00		<ul style="list-style-type: none"> • In 2020, an appraisal determined the fair market rent for this RP at \$21,000. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to convert RP into an easement. MDLO staff is awaiting a revised application and map from Pulama Lanai representative. The Applicant is seeking a long-term lease for the exclusive use of the pier.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent (2018 AMR)	Comments re rent amount and why no long-term disposition
rp7345	4	HUNTER, MURRAY	(2) 2-9-013:014-0000 HAIKU	5(b)	9/1/2002	Pasture	79.1	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR minimum annual rent of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff intends to set aside this parcel to DOFAW, which has expressed interest in it.
rp7479	1	HERTZ, MARY MAXWELL	(2) 2-1-005:122-0000 KULA	5(b)	1/1/2010	General agriculture	6	3,564.96	3,671.88	3,360.00	<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Board approved transfer to DOA per Act 90. MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.
rp7484	4	YAMADA PACIFIC, INC.	(2) 4-5-001:053-0000 LAHAINA	5(b)	1/1/2010	Commercial	0.043	22,710.96	27,253.20	72,080.00	<ul style="list-style-type: none"> • 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 20% for 2022 over 2021 rent. • Use is Patio/Lanai in conjunction with bar and restaurant operations conducted on permittee's adjacent property • Staff to convert to an easement.
rp7487	4	NOBRIGA'S RANCH INC.	(2) 3-1-006:002-por. WAILUKU	5(b)	1/1/2010	Pasture	187.47	624.00	642.72		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • No access to parcel from public road (landlocked). DOFAW has expressed an interest in having this parcel set aside to include into mauka forest reserve. • MDLO staff working with tenant and DOFAW to implement a 3-to-5-year transition strategy to phase out grazing and convert to conservation.
rp7493	4	NOBRIGA'S RANCH, INC.	(2) 3-1-001:004-0000 KAHAKULOA	5(b)	1/1/2010	Pasture	78.6	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff plans to set aside parcel to DOFAW. • MDLO staff working with tenant and DOFAW to implement a 3-to-5-year transition strategy to phase out grazing and convert to conservation.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp7505	4	AOAO NAPILI SURF APARTMENTS	(2) 4-3-002:099-0000 LAHAINA	5(b)	3/1/2010	Landscaping and Maintenance	0.23	1,953.00	2,011.56		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. rent for 2021 remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. •Landscaping and maintenance purposes. MDLO staff working with Napili Bay Beach Foundation (NBBF) to remove a failed stairway due to severe beach erosion andreplace with new elevated beach access pursuant to County SMA approval. Long term access easement to be issued to NBBF. Napili surf to maintain RP for landscape and maintenance of the surrounding area.
rp7512	4	MEDEIROS, JOHN S. AND YVONNE	(2) 2-2-013:010-0000 KULA	5(b)	10/1/2011	Pasture	3.096	480.00	494.40		<ul style="list-style-type: none"> • 2020's rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.
rp7513	4	DAY, JOSEPH J.	(2) 1-1-006:038-0000 HANA	5(b)	8/1/2010	General agriculture	0.85	480.00	480.00		<ul style="list-style-type: none"> • 2020 rent was increased to BLNR minimum annual rent policy of \$480. 2021 rent remained the same. Parcel is land locked. Staff recommends maintaining minimum annual rent to support traditional and customary taro cultivation. parcel is in a remote location and not feasible to manage as unencumbered lands. •Board approved transfer to DOA per Act 90, however need to confirm with DOA acceptance of parcel. Water irrigation system needs repair and is costly.
rp7526	4	CAMBRA, JR., LOUIS G.	(2) 2-3-008:026-0000 KULA	5(b)	1/1/2010	Pasture	18.365	480.00	480.00		<ul style="list-style-type: none"> • 2020 rent increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends maintaining minimum rent for 2022 over 2021 rent to encourage continued maintenance. •Irregularly shaped parcel, no reasonable access from road ROW due to steep topography. Furthermore, the parcel is in a gulch, which is prone to flooding. and would be difficult to maintain as unencumbered land.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp7534	4	DUNN, LESLIE A.	(2) 3-1-005:028-0000 WAILUKU	5(b)	2/1/2010	Raising taro for home consumption together with use of ditch water	0.352	480.00	480.00		• 2020 rent was increased to BLNR policy minimum rent of \$480. 2021 rent remained the same. Staff recommends maintaining minimum annual rent for 2022 rent over 2021 rent to support traditional and customary taro cultivation. Parcel land locked and in an extremely remote location with no vehicular access and standard county infrastructure. not feasible to manage as unencumbered lands.
rp7537	1	HALEAKALA RANCH CO.	(2) 1-8-001:005-0000 HANA	5(b)	1/1/2010	Pasture	361.2	2,440.92	2,514.12	2,300.00	• 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Parcel is landlocked with no access from public road. • Staff intends to set aside to DOFAW for forest restoration purposes.
rp7539	1	OLSEN, RICHARD L.	(2) 2-1-007:010-0000 MAKENA	Acq. after 8/59	1/1/2010	Recreational fishing and storage of fishing equipment	0.19	5,277.96	5,436.24	5,432.00	• 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Parcel is landlocked. MDLO considering recommending a lease to a non-profit organization for marine education purposes.
rp7549	3	COUNTY OF MAUI	(2) 5-7-007:016-0000 PUKOO	5(a)	12/1/2010	Operate and maintain a temporary fire control and rescue station site, housing fire/rescue personnel and firefighting apparatuses, and maintenance of vehicular access to the premises.	0.115	0	0		• Gratis. • RP granted to another governmental agency as the location of the Puko'o Fire Station. MDLO staff is working with the county to relocate the fire station to across the street outside of the inundation zone.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp7551	4	HERTZ, MARY	(2) 2-1-005:119-0000 MAKENA	5(b)	2/1/2010	Development, use, operation and maintenance of a water tank site	0.152	480.00	494.40		<ul style="list-style-type: none"> •2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021. •Staff to consider Board approval for utility easement for water tank site. Current tenant has been unresponsive to notices of default. Staff to continue outreach as needed.
rp7552	4	FRANCO, STEVEN J. & CAROL JEAN	(2) 2-2-003:001-0000 KULA	5(b)	3/1/2010	To construct, maintain, repair and use non-exclusive road right-of-way for vehicular access	0.052	480.00	494.40		<ul style="list-style-type: none"> •2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends an increase of 3% for 2022 over 2021 rent. •Staff to convert to an access easement.
rp7562	1	HALEAKALA RANCH COMPANY	(2) 2-4-016:001-0000 MAKAWAO	5(b)	3/1/2010	Pasture	142.3	2,151.96	2,216.52	2,000.00	<ul style="list-style-type: none"> • 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff intends to transfer to DOFAW for conservation purposes. Will work with existing tenant on a transition strategy as needed to convert grazing to conservation.
rp7563	4	NOBRIGA'S RANCH INC.	(2) 3-1-006:002-0000 WAILUKU	5(b)	3/1/2010	Pipeline	0.055	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent set at e BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • MDLO staff to work with tenant to convert to long term utility easement.
rp7568	4	LATHAM, WILLIAM	(2) 1-1-003:092-0000 HANA	5(b)	6/1/2010	Agriculture	0.67	571.92	571.92		<ul style="list-style-type: none"> • 2020 rent was increased by approx. 3% over 2019. 2021rent remained the same. Staff recommends maintaining existing 2021 rent for year 2022. Rent is consistent with other parcel of similar size, use and constraints. Parcel is land locked and in a very remote area. Management of parcel as unencumbered lands is very difficult, and staff recommends support of ongoing traditional and customary taro cultivation practices.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp7571	4	NOBRIGA'S RANCH INC.	(2) 3-1-002:011-0000 WAILUKU	59b)	3/1/2010	Pasture	82	558.00	574.80		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019's. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • MDLO working with tenant and DOFAW on 3-to-5-year transition to contain grazing onto useable area of about 10 acres and convert the remaining area into conservation via a perimeter fence. Parcel to be set aside to DOFAW for a bird sanctuary.
rp7573	4	AOAO OF THE ROYAL MAUIAN	(2) 3-9-005:001-0000 KULA	5(b)	3/1/2010	Maintenance and landscaping	0.053	542.04	558.36		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends an increase of 3% for 2022 over 2021 rent. • Staff to convert to an easement.
rp7581	4	ULUPALAKUA RANCH, INC .	(2) 2-2-007:003-0000 KULA	5(b)	4/1/2010	Right-of-way for pipeline	2.43	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • CDUP required. • Permittee needs to apply for a water lease pursuant HRS 171-58.
rp7583	3	LAHAINA RESTORATION FOUNDATION	(2) 4-6-018:005-0000 LAHAINA	5(b)	4/1/2010	Museum	0.063	0	0		<ul style="list-style-type: none"> • Gratis. • Staff to explore entering into a direct lease with this 501(c)(3) entity. • Being used to restore, operate and maintain Hale Pa'i printshop building for museum purposes.
rp7618	3	STABLE ROAD BEACH RESTORATION FOUNDATION	(2)3-8-2:65,70,71,74,76-78,94A WAILUKU	5(b)	4/12/2010	Category II small-scale beach nourishment	0.894	0	0		<ul style="list-style-type: none"> • Cancellation of RP approved by Board at its meeting on Sept. 26, 2014 (Item D-6). • Staff to convert RP to an easement. Applicant working to revise survey map of rock groins.
rp7621	4	SOUZA, JR., BARRON THOMAS	(2) 2-9-1:8, 11 MAKAWAO	5(b)	10/1/2010	Pasture	10.403	571.00	588.12		<ul style="list-style-type: none"> • 2020 rent was increased by approx. 3% over 2019. 2021rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • BOA approved set aside to DOA on May 25, 2021. Staff will work with tenant to transition over to DOA.
rp7622	4	BUTTERFLY, SAMADHI	(2) 1-6-009:017-0000 HANA	5(b)	11/1/2010	Agriculture	1.253	571.00	588.12		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to explore the possibility of selling a lease at public auction.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp7639	3	DEPT. OF LAND AND NATURAL RESOURCES, C/O MAUI DIST. MGR.	(2) 4-8-003:008-0000 OLOWALU	5(b)	11/1/2010	Native plant species restoration	1.1	0	0		•Gratis. • MA-2653. • Staff working with DOFAW to set aside lands for conservation purposes at Olowalu mauka lands.
rp7686	4	AOAO OF MAUI KAMAOLE, INC.	(2) 3-9-004:146-0000 WAILUKU	5(b)	6/1/2011	Landscaping and maintenance	0.894	480.00	494.40		•2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. •Landscaping and maintenance purposes.
rp7699	4	DOOR OF FAITH CHURCH AND BIBLE SCHOOL	(2) 2-9-008:018-0000 MAKAWAO	5(b)	7/1/2011	Access, parking and church related purposes	1.24	635.00	480.00		•2020 rent was increased by approx. 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent by 3% for 2022 over 2021 rent. • MDLO staff to work with tenant to convert into access and utility easement for driveway and accessory parking purposes using county assessed property value. Excess property and adjacent unencumbered lands to be considered for transfer to DOA. Property is odd shaped, bisected by road ROW and in a very remote area.Maintenance by DLNR as unencumbered lands would be costly and difficult.
rp7723	4	AOAO OF MANA KAI-MAUI	(2) 3-9-004:001-0000 WAILUKU	5(b)	8/1/2011	Gravel parking and propane gas tank	0.425	1,391.00	1,599.60	2,808.00	•2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 15% for 2022 over 2021 rent. •Permittee using only a portion of parcel for parking and propane tank. Staff to convert tank site to a utility easement. Staff is working to set aside parcel 001 to the County for parking and beach access purposes.
rp7746	4	DORRIS, STEPHEN	(2) 2-9-003:008-0000 MAKAWAO	5(b)	9/1/2011	General agriculture	9.82	2,115.00	2,432.28	12,740.00	•2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 15% or 2022 over 2021 rent. •Board approved transfer to DOA per Act 90. MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent (2018 AMR)	Comments re rent amount and why no long-term disposition
rp7755	4	MARTIN, JR., NORMAN D.	(2) 1-1-6:41,43 HANA	5(b)	9/1/2011	General agriculture	0.56	480.00	480.00		<ul style="list-style-type: none"> • 2020 rent was increased to Board minimum rent policy \$480. 2021 rent remained the same. Staff recommends maintaining existing rent for 2022 over 2021 rent. Parcel is small, landlocked and in a very remote location. management as unencumbered lands would be difficult. • Board approved transfer to DOA per Act 90. MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.
rp7760	4	MARINO, DOMINICK & PATRICIA	(2) 2-3-007:028-0000 MAKAWAO	5(b)	9/1/2011	Pasture	0.63	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommending a 3% increase for 2022 over 2021 rent. • Property not being used for intended pasture purposes due to odd shape and topography. Existing use is residential access and parking purposes.
rp7762	4	BOERNER, CHARLES J.	(2) 1-6-5:8,21,22,23 HANA	5(b)	8/1/2011	Pasture	14.354	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends raising rent 3% for 2022 over 2021 rent. • There is no access to the parcels from a public road. Staff to explore with DOA the possibility of transfer under Act 90.
rp7769	4	HECHT, MARGARET ANN	(2) 1-6-8:2,4 HANA	5(b)	9/1/2011	Pasture	62.534	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends raising rent 3% for 2022 over 2021 rent. • No access to parcels from public road. Staff to set aside parcel 002 to DOFAW for inclusion into Kipahulu forest reserve and parcel 004 to transfer to DOA under Act 90.
rp7778	4	KAUPO RANCH, LTD.	(2) 1-7-003:032-0000 HANA	5(b)	11/1/2011	Pasture	20.9	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00 over 2019 rent of \$207. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to set aside to DOA. • BOA approved set aside May 25, 2021.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent (2018 AMR)	Comments re rent amount and why no long-term disposition
rp7780	4	RUBY & SONS HOSPITALITY LLC	(2) 3-9-004:149-0000 WAILUKU	5(b)	9/1/2011	Parking lot	0.694	2,040.00	4,500.00	4,472.00	<ul style="list-style-type: none"> • 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent to \$4,500.00 for 2022 over 2021 rent. • The RP was issued for additional parking for GL 4212, which ends 9/3/33. There is a potential for a set aside to the County considering a settlement agreement related to an existing zoning variance for parking purposes or sale of lease at a public auction. • Staff is currently working on the RFQ/RFP for a new lease.
rp7781	4	JOHNSON, JAMES L. AND NANCY K.	(2) 1-1-003:064-0000 HANA	5(b)	9/1/2011	Landscaping and maintenance	0.214	480.00	494.40		<ul style="list-style-type: none"> • 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to explore the possibility of selling a lease at public auction, as there may be potential for a significant revenue increase.
rp7783	4	WEINBERG FOUNDATION, INC., THE HARRY & JEANETTE	(2) 4-5-001:009-A LAHAINA	5(b)	9/1/2011	Commercial	0.028	21,728.00	24,987.24	67,440.00	<ul style="list-style-type: none"> • 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends raising rent 15% for 2022 over 2021 rent. • Staff to seek approval to convert to an easement.
rp7787	4	PACIFIC RADIO GROUP, INC.	(2) 2-2-004:089-0000 MAKAWAO	5(b)	9/1/2011	Operate and maintain an FM radio transmission facility	1	14,038.00	16,143.72	26,000.00	<ul style="list-style-type: none"> • 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 15% for 2022 over 2021. • Staff to explore the possibility of selling a lease at public auction.
rp7804	4	KAHIAMOE, JR., MOSES	(2) 2-9-8:18, 24 MAKAWAO	5(b)	5/1/2012	Pasture	5.26	556.00	572.64		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021. Staff to explore with DOA the possibility of transfer under Act 90.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent (2018 AMR)	Comments re rent amount and why no long-term disposition
rp7816	4	AOAO OF MAUI HILL	(2) 3-9-004:140-0000 WAILUKU	5(b)	2/1/2013	Landscaping, pedestrian path and maintenance	0.916	771.00	794.16		<ul style="list-style-type: none"> •2020 rent was increased 3% over 2019. 2021 rent remained the same. Staff recommends raising rent 3% for 2022 over 2021 rent. •Permittee using only a portion of the parcel for landscaping, pedestrian path, and maintenance. Staff to explore the possibility of selling a lease at public auction as there is a potential for significant revenue increase. A set aside to the County is also proposed.
rp7819	4	VELLINA, FELIX AND ROXANNE	(2) 3-1-4:92,95,97 WAILUKU	5(b)	3/1/2012	Intensive agriculture	0.823	556.00	556.00		<ul style="list-style-type: none"> •2020 rent was increased by approx. 3% over 2019 rent.2021 rent remained the same. Staff recommends maintaining existing rent for 2022 over 2021 rent. •Parcels are landlocked, add shaped and in a very remote area. Maintenance by the state would be very difficult. • Staff to explore with DOA the possibility of transfer under Act 90.
rp7822	4	REDO, VALENTINE	(2) 1-1-004:006-0000 HANA	5(b)	6/1/2012	Intensive agriculture	1.53	556.00	556.00		<ul style="list-style-type: none"> •2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends maintaining current rent for 2022 over 2021 rent. •Staff to consider working with community organization for long term lease to non-profit for ag co-op in connection with community uses recently approved by the BLNR for Keanae Uka. Land being farmed with taro loi.
rp7824	4	KAIWI, JULIA	(2) 3-1-4:46,56,59,61 WAILUKU	5(b)	7/1/2012	Agriculture	0.844	556.00	572.64		<ul style="list-style-type: none"> •2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to explore with DOA the possibility of transfer under Act 90.

Doc No.	Type	Permittee Name	TMK	Land Trust Status	Permit From	Char of Use	Permit Area	2021 Annual Rent	Proposed 2022 Rent	2018 Indicated Annual Market Rent(2018 AMR)	Comments re rent amount and why no long-term disposition
rp7846	4	SCOTT, LURLYN	(2) 2-9-001:018-0000 MAKAWAO	5(b)	12/1/2014	Intensive agriculture	5	540.00	540.00		<ul style="list-style-type: none"> • 2020 rent was increased by approx. 3% over 2019. 2021rent remained the same. Staff recommends maintaining current rent for 2022. This would be consistent with other parcels of similar size and constraints that include being land locked, steep topography with only a portion of lands actively cultivated for traditional and customary purposes. • No access from public road. Parcel landlocked. Staff to explore with DOA the possibility of transfer under Act 90.
rp7864	4	COSTON, JOHN AND GLORIA	(2) 3-1-004:049-0000 WAILUKU	5(b)	7/1/2015	General agriculture	0.263	532.00	547.92		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Staff to explore with DOA the possibility of transfer under Act 90. • Land being used for storage purposes.
rp7868	4	ASSOCIATION OF APARTMENT OWNERS OF KIHAI SURFSIDE	(2) 3-9-004:87, por 01 WAILUKU	5(b)	9/1/2017	Landscaping, maintenance and recreation	2.5	8,625.00	8,883.72		<ul style="list-style-type: none"> • 2020 rent was increased 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Permittee using only a portion of parcel 001 for landscaping. The only access to the parcel from the public road is through permittee's property or over State owned land. The permit stipulates the public shall have full and unrestricted use of the cleared and landscaped permit areas at all times. Permittee shall post a sign reading that the area is open to the public.
rp7869	4	KELIIOKA, NOEL AND LINDA	(2) 5-8-003:023-0000 HONOLULU	5(b)	1/1/2016	Residential and agricultural	0.291	1,334.00	1,374.00		<ul style="list-style-type: none"> • 2020 rent was increased by 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • DOFAW considering set-aside to connect mauka forest reserve to makai.
rp7932	4	AOAO OF MILOWAI-MAALAE	(2) 3-8-014:022A HONOLULU	5(b)	1/8/2021	Encroachment	0.023	3,060.00	0.00		<ul style="list-style-type: none"> • New RP, 2021 initial rent. Rent was terminated 6/7/2021 because permittee removed the sandbags. The RP remains open as the insurance needs to stay in place until the easement is approved. Fiscal memo was processed to stop rent.
RP7935	4	AOAO OF KULAKANE	(2) 43-06:SEAWARD OF 011	5(Bb)	6/23/2021	Seawall repair	300 sq. ft.	1,212.00	1,248.36		<ul style="list-style-type: none"> • New Rp as of 6/23/2021. Staff recommends increasing rent 3% for 2022 over 2021 rent.

2022 County of Maui Revocable Permit Renewal Comparison with 2021

Doc No.	Permittee Name	Comments re rent amount and why no long-term disposition
rp4450	TEXEIRA, JOSEPH (permittee deceased & granddaughter living on property named Ina Kailiehu - reference: PSF-04MD-033-)	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. Staff suggest maintaining the current rent for 2020 rent (rent rounded). MDLO will request cancellation of both RPs 4450 and 5847, with thereafter issuance of a new RP covering both sections of pipeline, until the easement request can be brought to the Board. • Joseph Teixeira is deceased. MDLO is working with permittee's granddaughter to convert RP into an easement. • Staff requested permittee inform OCCL of its current parcel use to determine if CDUP is required, and staff will follow up with permittee.
rp5405	MANA KAI APT OWNERS ASSN.	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the Indicated Annual Market Rent. 2020 rent was increased by 3% over 2019's. 2021 rent stayed the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Permittee using only a portion of the parcel for landscaping. The permit stipulates that the public shall have full and unrestricted use of the permit area, and permittee will install such signs as are deemed necessary by the Maui District Land Agent to confirm that premises are open to the public. The plan is to set aside parcel 001 to the County of Maui <u>in 2022</u>.
rp5710	WAIAKOA HOMEOWNERS <u>HOMEOWNERS'</u> ASSOCIATION	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR -minimum annual rent policy of \$480.00. • The permit is supposed 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. • Permit to be converted<u>convert</u> to a <u>utility</u> easement. Applicant's engineer's drawings were<u>Incomplete draft survey map received 7/29/2021. Applicant states</u> not <u>detailed enough for Survey Div. able to locate transmission lines from</u> <u>water supply tank to end users</u>. MDLO to investigate and follow up.

2022 County of Maui Revocable Permit Renewal Comparison with 2021

rp5834	HALE PAU HANA HOMEOWNERS ASSN.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. •At its meeting on 3/10/11, item D-5, the Board approved the cancellation of the permit and the issuance of a term easement. Easement should be complete by end of 2020.
rp5835	HALE PAU HANA HOMEOWNERS ASSN.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. Staff recommended using the Indicated Annual Market Rent for rp5405 (\$1,280.00/yr. for .298 Ac) as a benchmark and increasing 2019's rent by 10% over 2018 . 2020 rent was increased by 3% over 2019. •At its meeting on 3/10/11, item D-5, the Board approved the cancellation of the permit and the issuance of a term easement. Easement should be complete by end of 2020.
rp5847	TEXEIRA ET AL, JOSEPH R. (permittee deceased & granddaughter living on property named Ina Kailiehu - reference: PSF 04MD-033)	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. Board maintained 2019 rent for 2020 (rounded). MDLO will request cancellation of both RPs 4450 & 5847, with issuance of a new RP thereafter to current user covering both sections of pipeline, until the easement request can be brought to the Board. •Joseph Texeira is deceased. MDLO is working with permittee's granddaughter to convert RP into an easement. •CDUP Numbers: MA: 1282, 1591, 1955, 2235. MA-630,1088 for waterlines, SPA 12-25. Staff requested permittee contact OCCL to determine if further CDUP required and staff will follow up.
rp5900	KEAWAKAPU HOMEOWNERS ASSN.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Permittee using only a portion of the parcel for landscaping & maintenance. Land has prime street frontage. Staff is considering a set aside to the County of Maui to include into plans for increased parking across the street to access Keawekapu beach.

2022 County of Maui Revocable Permit Renewal Comparison with 2021

rp6047	DURO, TRAV	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Staff to seek approval to convert rp to an easement. <u>Note: Landowner considering sale of adjacent private property landward of seawall.</u>
rp6121	KAHAKULOA PROTESTANT CHURCH	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. 2020 rent was increased by approx. 3% over 2019. •<u>2021 rent remained the same. Staff will recommends maintaining existing 2021 rent for year 2022.</u> •<u>Staff plans to work with community to cancel RP and recommend a direct lease to a different 501-(c)(3) for community center purposes that is open to the public. Permittee plans</u> to rehabilitate the building, <u>and install necessary infrastructure to accommodate community use.</u> Staff will instruct the permittee to apply for an exemption from CDUP because only a sliver of land with no active use is in the conservation district. The majority of the parcel is located within the rural district.
rp6199	UNITED STATES OF AMERICA	<ul style="list-style-type: none"> •Gratis •CDUP Numbers: MA: 1990, 3664, SPA MA-99-05. Staff requested permittee contact OCCL to determine if any further CDUP is required and staff will follow up. •The site is not currently in use. The cancellation of the rp is pending a site inspection by staff. Concrete debris is to be cleared from the site.
rp6648	CARTER, CHARLES G.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent <u>increased</u> to the BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Parcels are either landlocked, or economically unsuitable due to size and shape. lack standard county infrastructure. Staff to conduct a site visit to confirm <u>their</u> uses and <u>if</u> structures <u>on parcel 104 are</u> authorized.

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rp6766	LOOMIS, JAMES C.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Board approved transfer to DOA per Act 90. <u>MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.</u>
rp6816	DEPT. OF ACCOUNTING & <u>GENERAL SERVICES</u>	<ul style="list-style-type: none"> •Gratis • RP granted to State agency for base yard purposes. MDLO working with DAGS, DOCARE, COM Dept. of Public Works and Dept. of Water Supply on set-aside via EO. County Public works contacted MDLO in September 2020 to discuss strategy. DPW would like to continue using portion of area for stockpiling roadway material. DWS plans to vacate premises. MDLO staff is working to set aside the drainage area to the County. Remaining lands are to be split between DAGS, DLNR and County DPW. DOCARE is considering use of existing garage to store patrol vessel.
rp7208	RAYCOM NATIONAL, INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. •Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up. •Staff to explore the possibility of selling a lease at public auction. With respect to OCCL's comments, a letter dated Nov. 8, 1989 from the Chairperson informing Robert J. Smolenski, attorney for King Broadcasting Co. that its CDUA for a transmitter, building, antennas and related site improvements for television station KOGG at Haleakala, Maui was approved on Oct. 27, 1989, subject to certain conditions (MA-2271). • <u>2020 rent was increased by 20% over 2019. 2021 rent remained the same. Staff recommends increasing rent to 2018 AMR for 2022 rent over 2021 rent.</u> • <u>Staff working with existing user to rectify name changes due to corporate acquisition over time.</u>

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rp7209	RAYCOM NATIONAL, INC.	<p>• 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019.</p> <p>• Staff to explore the possibility of selling a lease at public auction.</p> <p>• CDUP No. MA: 3664. Staff requested permittee contact OCCL to determine if any further CDUP is required and staff will follow up.</p> <p>• <u>2020 rent was increased by 20% over 2019. 2021 rent remained the same. Staff recommends increasing rent to 2018 AMR for 2022 rent over 2021 rent.</u></p> <p>• <u>Staff working with existing user to rectify name changes due to corporate acquisition over time.</u></p>
rp7220	STATE OF HAWAII, DLNR	<p>• Gratis</p> <p>• At its meeting on 2/12/16, Item D-6, the Board approved the cancellation of DOFAW's rp and the issuance of an rp to the Maui Invasive Species Committee (MISC). Staff to amend Board approval to allow for a long-term lease to a non-profit organization for storage and conservation operations in East Maui.</p>
rp7343	CLUB LANAI PROPERTIES, LLC	<p>• 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019.</p> <p>• Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up.</p> <p>• <u>In 2020, an appraisal determined the fair market rent for this RP at \$21,000. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u></p> <p>• Staff to convert RP into an easement. MDLO staff is awaiting a revised application and map from Pulama <u>Lanai</u> representative Ms. McCrory. The Applicant is seeking a long-term lease for the exclusive use of the pier.</p>

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rp7345	HUNTER, MURRAY	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR minimum annual rent of \$480.00. •<u>2021 rent remained the same.</u> Staff will explore setting <u>recommends increasing rent 3% for 2022 over 2021 rent.</u> •Staff intends to set aside this parcel to DOFAW, which has expressed interest in it. •Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up.
rp7479	HERTZ, MARY MAXWELL	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the Indicated Annual Market Rent. 2020 rent was increased by 3% over 2019's 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Board approved transfer to DOA per Act 90. <u>MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.</u>
rp7484	YAMADA PACIFIC, INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 20% for 2022 over 2021 rent.</u> • Use is Patio/Lanai in conjunction with bar and restaurant operations conducted on <u>permittee's adjacent property</u> •Staff to convert to an easement.
rp7487	NOBRIGA'S RANCH INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •No access to parcel from public road (landlocked). DOFAW has expressed an interest in having this parcel set aside to include into mauka forest reserve. • <u>MDLO staff working with tenant and DOFAW to implement a 3-to-5-year transition strategy to phase out grazing and convert to conservation.</u>
rp7493	NOBRIGA'S RANCH, INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00.

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		<p>• If staff sells a lease at public auction, DOFAW requests that its term not exceed 10 years, after which the parcel be 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</p> <p>• Staff plans to set aside the parcel to DOFAW. • MDLO staff working with tenant and DOFAW to implement a 3-to-5-year transition strategy to phase out grazing and convert to conservation.</p>
rp7505	AOAO NAPILI SURF APARTMENTS	<p>• 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. rent for 2021 remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</p> <p>• Landscaping and maintenance purposes. Amend permit to require signage stating the permit area is open to the public. Staff is MDLO staff working with the tenant to convert to an easement. Note: Napili Bay Beach Foundation (NBBF) to remove a failed stairway due to severe shoreline beach erosion ongoing and replace with new elevated beach access pursuant to County SMA approval. Long term access easement to be issued to NBBF. Napili surf to maintain RP for landscape and maintenance of the surrounding area.</p>
rp7512	MEDEIROS, JOHN S. AND YVONNE	<p>• 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020's rent was increased to the BLNR minimum annual rent policy of \$480.00.</p> <p>• No access to parcel per State Highways FAP No. BF-037-1 (1)/Kula Highway System 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</p>

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rp7513	DAY, JOSEPH J.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased 3% over 2018. 2020 rent was increased to Board<u>BLNR</u> minimum <u>annual</u> rent <u>policy of</u> \$480. <u>2021 rent remained the same. Parcel is land locked. Staff recommends maintaining minimum annual rent to support traditional and customary taro cultivation. parcel is in a remote location and not feasible to manage as unencumbered lands.</u> •Board approved transfer to DOA per Act 90-, <u>however need to confirm with DOA acceptance of parcel.</u> Water irrigation system needs repair and is costly.
rp7526	CAMBRA, JR., LOUIS G.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent increased to the BLNR annual minimum rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends maintaining minimum rent for 2022 over 2021 rent to encourage continued maintenance.</u> •Irregularly shaped parcel, no legal<u>reasonable</u> access from public<u>road</u>. <u>ROW due to steep topography.</u> Furthermore, the parcel is <u>in</u> a gulch, which is prone to flooding. <u>and would be difficult to maintain as unencumbered land.</u>
rp7529	KAUAMU, JR., SOLOMON & HANNAH K.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. •Board approved transfer to DOA per Act 90.
rp7534	DUNN, LESLIE A.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017 rent. 2019 rent was increased 3% over 2018 rent. 2020 rent was increased to Board<u>BLNR</u> <u>policy</u> minimum rent <u>of</u> \$480. •MA: 1436. <u>2021 rent remained the same.</u> Staff requested permittee contact OCCL<u>recommends</u> maintaining minimum annual rent for 2022 rent over 2021 rent to determine if any further CDUP is required<u>support traditional</u> and staff will follow up. •No<u>customary taro cultivation.</u> Parcel land locked and <u>in an extremely remote location with no vehicular access and standard county infrastructure.</u> not feasible to parcel from public road. <u>Area landlocked</u><u>manage as unencumbered lands.</u>

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rp7537	HALEAKALA RANCH CO.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the Indicated Annual Market Rent. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Parcel is landlocked with no access from public road. • Staff <u>intends to inquire with set aside to DOFAW about the possibility of transferring parcel</u> for forest restoration purposes.
rp7539	OLSEN, RICHARD L.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Parcel is landlocked. MDLO considering recommending a lease to a non-profit organization for marine education purposes.
rp7545	BROWNE, ROAN AND SUSAN	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. •Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up. •DOFAW expressed an interest to receive the land via a set aside for habitat conservation purposes. County experiencing delays due to land acquisition issues.
rp7549	COUNTY OF MAUI	<ul style="list-style-type: none"> •Gratis. • RP granted to another governmental agency as the location of the Puko'o Fire Station. MDLO staff is working with the county to relocate the fire station to across the street outside of the inundation zone.
rp7551	HERTZ, MARY	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021.</u> •Staff to <u>seek consider</u> Board approval for <u>sale of lease at public auction utility easement</u> for water tank site. <u>Current tenant has been unresponsive to notices of default. Staff to continue outreach as needed.</u>

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rp7552	FRANCO, STEVEN J. & CAROL JEAN	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends an increase of 3% for 2022 over 2021 rent.</u> • Staff to convert to an <u>access</u> easement.
rp7562	HALEAKALA RANCH COMPANY	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> • MA-05-02. Staff requested permittee contact OCCL to determine if further CDUP required and staff will follow up. • Staff to explore the possibility of selling a lease at public auction or explore with DOA the possibility of transfer under Act 90. <u>Staff intends to transfer to DOFAW for conservation purposes. Will work with existing tenant on a transition strategy as needed to convert grazing to conservation.</u>
rp7563	NOBRIGA'S RANCH INC.	<ul style="list-style-type: none"> • New RP. Staff recommended setting 2020 rent with the BLNR minimum annual rent policy of \$480.00. • 2020 rent set at BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> • <u>MDLO staff to work with tenant to convert to long term utility easement.</u>
rp7568	LATHAM, WILLIAM	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by approx 3% over 2019. • No access from public road. Area landlocked. • <u>2020 rent was increased by approx. 3% over 2019. 2021 rent remained the same. Staff recommends maintaining 2021 rent for 2022r 2021. Rent is consistent with other parcel of similar size, use and constraints. Parcel is land locked and in a very remote area. Management of parcel as unencumbered lands is very difficult, and staff recommends support of ongoing traditional and customary taro cultivation practices.</u>

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rp7571	NOBRIGA'S RANCH INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019's. •MA-1267, MA-3127. <u>2021 rent remained the same.</u> Staff requested permittee contact OCCL to determine if further CDUP required <u>recommends increasing rent 3% for 2022 over 2021 rent.</u> •<u>MDLO working with tenant and staff will follow up.</u> <u>DOFAW on 3-to-5-year transition to contain grazing on to useable area of about 10 acres and convert the remaining area into conservation via a perimeter fence. Parcel to be</u> set aside to DOFAW for a bird sanctuary.
rp7573	AOAO OF THE ROYAL MAUIAN	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. •. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends an increase of 3% for 2022 over 2021 rent.</u> •Staff to convert to an easement. Staff sent a letter to permittee dated 3/11/13 regarding the conversion to an easement and outlined several encroachments.
rp7581	ULUPALAKUA RANCH, INC .	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •CDUP required. •Permittee needs to apply for a water lease pursuant HRS 171-58.
rp7583	LAHAINA RESTORATION FOUNDATION	<ul style="list-style-type: none"> •Gratis. •Staff to explore entering into a direct lease with this 501(c)(3) entity. •<u>Being used to restore, operate and maintain Hale Pa'i printshop building for museum purposes.</u>
rp7608	JACINTHO, WILLIAM F.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. •Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up.

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rp7618	STABLE ROAD BEACH RESTORATION FOUNDATION	<ul style="list-style-type: none"> •Cancellation of rp approved by Board at its meeting on Sept. 26, 2014 (Item D-6). •Staff to convert rp to an easement. Applicant working to revise survey map of rock groins.
rp7621	SOUZA, JR., BARRON THOMAS	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. 2020 rent was increased by approx 3% over 2019. •Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up. •Permittee has requested surrender of parcel 008 (1.8 ac.) and to retain parcel 11 (8.78 ac.). Staff to seek issuance of new permit and explore the possibility of selling a lease at public auction. While a large parcel, it is landlocked, irregular shaped and with steep slopes. •2020 rent was increased by approx. 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent. •BOA approved set aside to DOA on May 25, 2021. Staff will work with tenant to transition over to DOA.
rp7622	BUTTERFLY, SAMADHI	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Staff to explore the possibility of selling a lease at public auction.
rp7639	DEPT. OF LAND AND NATURAL RESOURCES, C/O MAUI DISTRICT MANAGER <u>DIST. MGR.</u>	<ul style="list-style-type: none"> •Gratis. • MA-2653. • Staff requested permittee contact OCCL to determine if further CDUP required and staff will follow up. •RP granted to State Agency (working with DOFAW). Set aside to DOFAW. <u>to set aside lands for conservation purposes at Olowalu mauka lands.</u>
rp7686	AOAO OF MAUI KAMAOLE, INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased to the BLNR minimum annual rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> •Landscaping and maintenance purposes. Staff recommended a set aside to the County.

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rp7699	DOOR OF FAITH CHURCH AND BIBLE SCHOOL	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. 2020 rent was increased by approx. 3% over 2019. •Small area of usable parcel and Permittee using only a portion of the parcel. Convert permit to a lease to a non-profit organization. •2020 rent was increased by approx. 3% over 2019. 2021 rent remained the same. Staff recommends <u>increasing rent by 3% for 2022 over 2021 rent.</u> • MDLO staff to work with tenant to <u>convert into access and utility easement for driveway and accessory parking purposes using county assessed property value. Excess property and adjacent unencumbered lands to be considered for transfer to DOA. Property is odd shaped, bisected by road ROW and in a very remote area. maintenance by DLNR as unencumbered lands would be costly and difficult.</u>
rp7707	ALEXANDER, JEFFREY & DONNA	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. •The parcel is a steep-sloped gully with approximately one acre of usable pasture. No access from public road, unsuitable for long term lease.

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Doc No.	Permittee Name	Comments re rent amount and why no long-term disposition
rp7723	AOAO OF MANA KAI-MAUI	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 15% for 2022 over 2021 rent. •Permittee using only a portion of parcel for parking and propane tank. Staff to convert <u>tank site</u> to a <u>utility</u> easement. Propose a Staff is working to set aside <u>parcel 001</u> to the County for parking and beach access purposes.
rp7746	DORRIS, STEPHEN	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. 2021 rent remained the same. Staff recommends increasing rent 15% or 2022 over 2021 rent. •Board approved transfer to DOA per Act 90. <u>MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.</u>
rp7755	MARTIN, JR., NORMAN D.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. 2020 rent was increased to Board minimum rent policy \$480. 2021 rent remained the same. Staff recommends maintaining existing rent for 2022 over 2021 rent. Parcel is small, landlocked and in a very remote location. management as <u>unencumbered lands would be difficult.</u> •Board approved transfer to DOA per Act 90. <u>MDLO staff to follow up with DOA for status update of ongoing due diligence and timeframe for DOA to accept or reject set aside.</u>
rp7760	MARINO, DOMINICK & PATRICIA	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. •Low interest 2021 rent remained the same. Staff recommending a 3% increase for property, no water. Infeasible to sell long-term lease 2022 over 2021 rent. •Property not being used for intended pasture purposes due to small size of parcel odd shape and topography. Existing use is residential access and parking purposes.
rp7762	BOERNER, CHARLES J.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. 2021 rent remained the same. Staff recommends raising rent 3% for 2022 over 2021 rent. •There is no access to the parcels from a public road. Staff to explore with DOA the possibility of transfer under Act 90.

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rp7769	HECHT, MARGARET ANN	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. <u>2021 rent remained the same. Staff recommends raising rent 3% for 2022 over 2021 rent.</u> • <u>No access to parcels from public road. Staff to explore with DOA the possibility of set aside parcel 002 to DOFAW for inclusion into Kipahulu forest reserve and parcel 004 to transfer to DOA under Act 90.</u>
rp7778	KAUPO RANCH, LTD.	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. • over 2019 rent of \$207. 2021 rent remained the same. Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up. <u>recommends increasing rent 3% for 2022 over 2021 rent.</u> • Staff considering a possible to set aside to DOA. • <u>BOA approved set aside May 25, 2021.</u>
rp7780	RUBY & SONS HOSPITALITY LLC	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent to \$4,500.00 for 2022 over 2021 rent.</u> • The rp was issued for additional parking for GL 4212, which ends 9/3/33. There is a potential for a set aside to the County in light of a settlement agreement related to an existing zoning variance for parking purposes or sale of lease at a public auction. • <u>Staff is currently working on the RFQ/RFP for a new lease.</u>
rp7781	JOHNSON, JAMES L. AND NANCY K.	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased to the BLNR annual minimum rent policy of \$480.00. • 2021 rent remained the same. Staff requested permittee contact OCCL to determine if CDUP required and staff will follow up. <u>recommends increasing rent 3% for 2022 over 2021 rent.</u> • <u>Staff to explore the possibility of selling a lease at public auction, as there may be potential for a significant revenue increase.</u>
rp7783	WEINBERG FOUNDATION, INC., THE HARRY & JEANETTE	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. <u>2021 rent remained the same. Staff recommends raising rent 15% for 2022 over 2021 rent.</u> • <u>Staff to seek approval to convert to an easement.</u>

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rp7787	PACIFIC RADIO GROUP, INC.	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. 2020 rent was increased by 10% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 15% for 2022 over 2021.</u> •Staff to explore the possibility of selling a lease at public auction.
rp7804	KAHIAMOE, JR., MOSES	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. •At its meeting on 10/27/89, item F-11 the Board approved the public auction sale of a lease. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021.</u> Staff to explore with DOA the possibility of transfer under Act 90.
rp7816	AOAO OF MAUI HILL	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. Staff recommended using the Indicated Annual Market Rent for rp5405 (\$1,280/yr. for .298 Ac) as a benchmark and increasing 2019 rent by 10% over 2018. 2020 rent was increased 3% over 2019. <u>2021 rent remained the same. Staff recommends raising rent 3% for 2022 over 2021 rent.</u> •Permittee using only a portion of the parcel for landscaping, pedestrian path and maintenance. Staff to explore the possibility of selling a lease at public auction as there is a potential for significant revenue increase. A set aside to the County is also proposed.
rp7819	VELLINA, FELIX AND ROXANNE	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. 2020 rent was increased by approx. 3% over 2019 <u>rent. 2021 rent remained the same. Staff recommends maintaining existing rent-</u> <u>for 2022 over 2021 rent.</u> •Parcels are landlocked, <u>add shaped and in a very remote area.</u> <u>Maintenance by the state would be very difficult.</u> • Staff to explore with DOA the possibility of transfer under Act 90.
rp7822	REDO, VALENTINE	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends maintaining current rent for 2022 over 2021 rent.</u> •Staff to explore the possibility of selling a <u>consider working with community organization for long term lease at public auction to non-profit for ag co-op in connection with community uses approved by the BLNR for Keanae Uka.</u> • <u>land being farmed with taro loi.</u>
rp7824	KAIWI, JULIA	<ul style="list-style-type: none"> •2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. •Infeasible to auction due to size and use of parcels. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> • <u>Staff to explore with DOA the possibility of transfer under Act 90.</u>

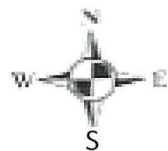
2022 County of Maui Revocable Permit Renewal Comparison with 2021





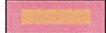
rp7846	SCOTT, LURLYN	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over 2017. 2019 rent was increased 3% over 2018. 2020 rent was increased by approx. 3% over 2019. • <u>2020 rent was increased by approx. 3% over 2019. 2021 rent remained the same. Staff recommends maintaining current rent for 2022. This would be consistent with other parcels of similar size and constraints that include being land locked, steep topography with only a portion of lands actively cultivated for traditional and customary purposes.</u> • <u>No access from public road. Parcel landlocked. Staff to explore with DOA the possibility of transfer under Act 90.</u>
rp7864	COSTON, JOHN AND GLORIA	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. • Size of parcel and lack of interest make public auction of lease unfeasible. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> • <u>Staff to explore with DOA the possibility of transfer under Act 90. • Land being used for storage purposes.</u>
rp7868	ASSOCIATION OF APARTMENT OWNERS OF KIHEI SURFSIDE	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 10% over the previous year. Staff recommended using the Indicated Annual Market Rent for rp5405 (\$1,280/yr. for .298 Ac) as a benchmark and increasing 2019's rent by 10% over 2018's. 2020 rent was increased 3% over 2019. • <u>2020 rent was increased 3% over 2019. 2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> • <u>Permittee using only a portion of parcel 001 for landscaping. The only access to the parcel from the public road is through permittee's property or over State owned land. The permit stipulates the public shall have full and unrestricted use of the cleared and landscaped permit areas at all times. Permittee shall post a sign reading that the area is open to the public.</u>
rp7869	KELIIKOA, NOEL AND LINDA	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. <u>2021 rent remained the same. Staff recommends increasing rent 3% for 2022 over 2021 rent.</u> • <u>DOFAW considering set-aside to connect mauka forest reserve to makai.</u>
rp7932	AOAO OF MILOWAI-MAALAEA	<ul style="list-style-type: none"> • 2018 rent was increased 1.5% over the previous year. 2019 rent was increased 3% over the previous year. 2020 rent was increased by 3% over 2019. • DOFAW considering set-aside to connect mauka forest reserve to makai. • <u>New RP, 2021 initial rent. Rent was terminated 6/7/2021 because Permittee removed the sandbags. The RP remains open as the insurance needs to stay in place until the easement is approved. Fiscal memo was processed to stop rent.</u>

2022 County of Maui Revocable Permit Renewal Comparison with 2021

RP7935	AOAO OF KULAKANE	<ul style="list-style-type: none">• New Rp as of 6/23/2021. Staff recommends increasing rent 3% for 2022 over 2021 rent.
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2022 Maui- Revocable Permits



	Zone 5 – 3 RPs
	Zone 4 – 8 RPs
	Zone 3 – 21 RPs
	Zone 2 – 18 RPs
	Zone 1- 12 RPs

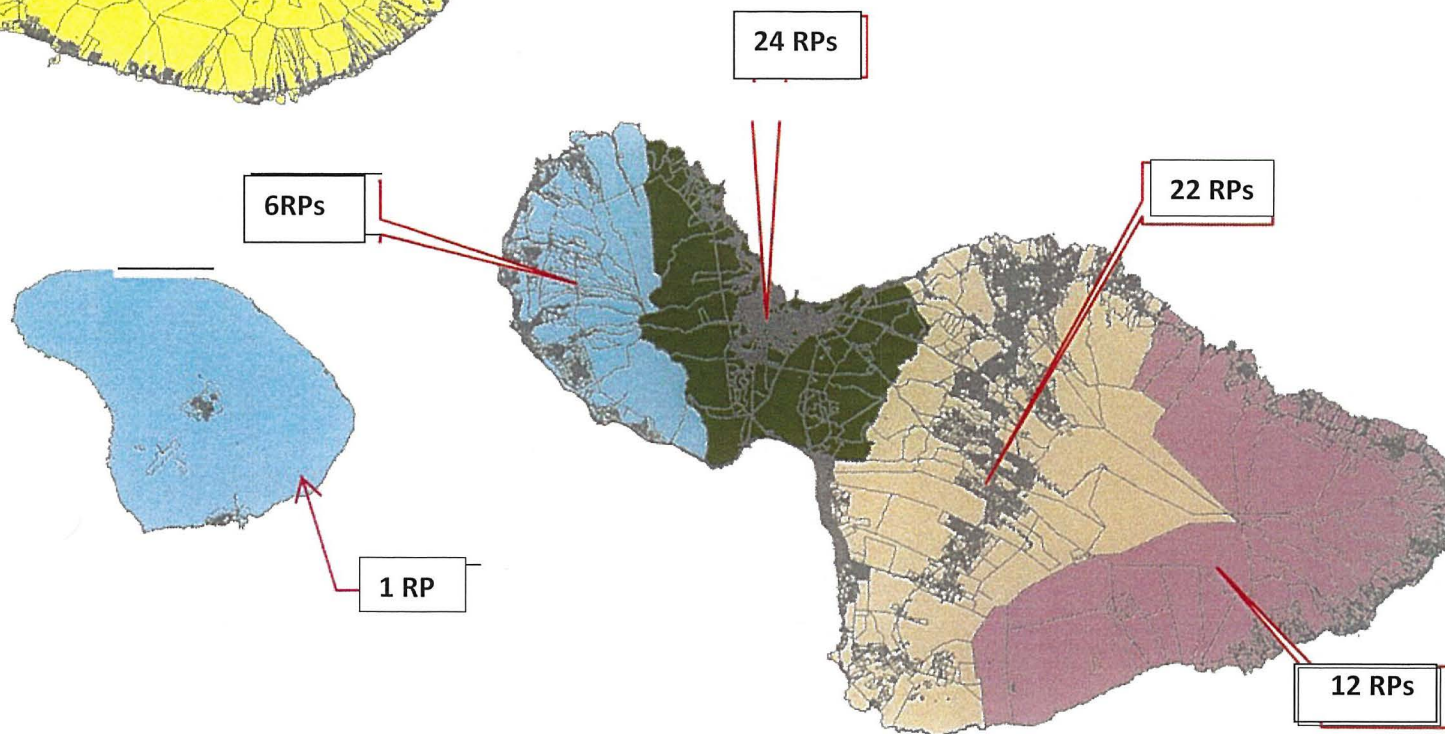
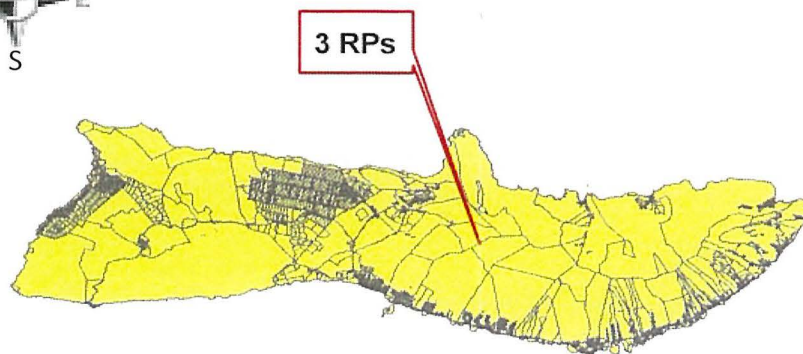


EXHIBIT 4

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 5, 2021

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

2021 AUG -5 A 11:16
NATURAL RESOURCES
STATE OF HAWAII
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-
Maui 2022

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-Maui District Land Office
☒ Department of Hawaiian Home Lands
☒ Office of Hawaiian Affairs
☒ Department of Agriculture

MAUI Agencies:
☒ Planning Department
☒ Department of Public Parks
☒ Department of Water Supply

FROM: Michael Ferreira, Land Agent V.

SUBJECT: Request for Comments: 2022 Annual Renewal of Revocable Permits for the County of Maui.

LOCATION: Maui 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 Thursday, August 26, 2021. 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 Michael.H.Ferreira@hawaii.gov. Thank you.

Enclosure

() We have no objections.
() We have no comments.
☒ Comments are attached.
See KA-20-52

Signed: Michael Ferreira

EXHIBIT 5

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

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

A handwritten signature in black ink, appearing to read "Samuel Lemmo", is written over the "FROM:" line of the memorandum.

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**.

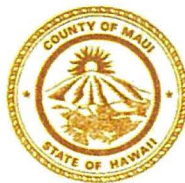
In some cases, such as on the island of Kauai, there are agricultural RPs in the Protective Subzone. Agriculture is not an identified use in the Protective subzone and is prohibited unless it predates the establishment of the Conservation District is 1964. We are concerned that the holders of the RPs 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 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

MICHAEL P. VICTORINO
Mayor
MICHELE CHOUTEAU MCLEAN, AICP
Director
JORDAN E. HART
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793
September 9, 2021

Mr. Michael Ferreira, Land Agent V
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawaii 96809

EXHIBIT 6

Transmitted via email: Michael.H.Ferreira@Hawaii.gov

Dear Mr. Ferreira:

**SUBJECT: RESPONSE TO REQUEST FOR COMMENTS 2022
ANNUAL RENEWAL OF REVOCABLE PERMITS FOR
THE COUNTY OF MAUI (RFC 2021/0150)**

Location: Maui County, Hawaii

Description: Department of Land and Natural Resources, Land Division Renewal of
Annual Permits on Various Parcels of State Land

The Department of Planning (Department) is in receipt of your August 5, 2021 letter requesting comments on the above referenced annual renewal of Maui County Revocable Permits (RPs). As described in Exhibit 1 of your transmittal, renewal of annual RPs is exempted from full environmental assessment review under HAR § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources (DLNR) approved by the Environmental Council on November 10, 2020. This exemption covers "[o]perations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and includes "[p]ermits, licenses, registrations and rights of entry issued by the Department [DLNR] that are routine in nature, involving negligible impacts beyond that previously existing".

The "Revocable Permit Master List" provided in Exhibit 2 (Master List) identifies types of permits, land trust status, character of use, and tracks comments as well as changes in 2021 annual rent and 2022 proposed rent. As detailed further in the comments that follow, it may also be helpful to consider including an additional classification for shoreline and Special Management Area (SMA) properties so that renewals or conversions of renewals to easements in these areas could reflect conditions and potentially provide incentives or additional support for projects that are consistent with state and county regulations and use policies.

Overall, it seems reasonable to conclude that renewal of permits that do not change the existing use would have minimal or no significant effect on the environment and therefore can be

presumed to be exempt from the requirement of preparation of an environmental assessment. An example of a RP permit renewal template would be helpful to further support this analysis. Lacking that, it is suggested that DLNR consider including very explicit permit conditions, if not included already in RPs, to clarify expectations regarding routine maintenance and repairs.

This clarification is particularly important in the shoreline area, where regular maintenance of vegetation is necessary to reduce potential impacts of encroachment to coastal systems and such regular maintenance should be encouraged if not required. Additionally, specifying that “repairs” must be “like for like” meaning the use of the same material(s) at the same length, width, and depth would be helpful. This would help clarify recent state-level restrictions on building new sea wall structures and emphasize limits of what constitutes repairs that are exempt from additional review. A clear condition specific to shoreline parcels that may conduct repairs pursuant to these RPs would help support permittee understanding of allowable uses, streamline maintenance applications, and support alignment with state and county requirements.

The Department finds inclusion of this clarification for shoreline parcels would be especially timely and relevant given the recent codification of Act 16 relating to Coastal Zone Management and in light of several applications for “repairs” of existing shoreline structures that have recently been submitted. Some of these applications appear to propose expanding the footprint or depth or changing the material of the existing structure, activities that go beyond the extent of “repair”.

The Department also recognizes the importance of maintaining public shoreline access and would suggest future RPs consider opportunities to incentivize access maintenance and improvements. Particularly given the aging population and increasing interest in ADA accessibility, coordination with ADA specialists and discussion regarding possibilities to offset permit fee reductions through ADA funding support may be worth considering for future RPs.

Similarly, given the clear mandates of Act 16 to protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources and protect valuable coastal ecosystems from disruption, as well as increasing interest and costs of beach renourishment, further considerations of efforts to streamline and send price signals to permittees to support these management goals would seem beneficial. It was noted upon review of the Master List Status Changes provided in Exhibit 3 that some RPs were canceled and converted to easements in shoreline areas. If this trend continues, further discussions of how to fund and implement required maintenance efforts consistent with state and county requirements may become increasingly timely. The Department welcomes the opportunity to continue to support DLNR as conversations regarding streamlining permits, implementing small scale beach nourishment, supporting public access maintenance and enhancement, and conducting necessary structural maintenance and repairs continue.

The renewals that are currently proposed appear to align with shared public access and shoreline management goals with the exception of RP 5834 for Hale Pau Hana Homeowners

Association and RP 7780 for Ruby and Sons Hospitality LLC. These RPs demonstrate the importance of permit conditions or restrictions which clarify use expectations of public lands in the shoreline area specific to vegetation maintenance and access considerations conceptually discussed previously.

Regarding RP 5834 for Hale Pau Hana Homeowners Association, the Department notes there are ongoing encroachment concerns regarding the invasive weed weledia (*Sphagneticola trilobata*). As detailed by the Hawaii Invasive Species Council, weledia is a widespread invasive herb that is commonly planted as an ornamental groundcover. While it does not appear weledia is currently listed on the 1992 Hawaii Noxious Weed List (HAR 68), it is a species of concern and control is encouraged. As such, it is suggested that should DLNR approve the reissuance of RP 5834, it should include the condition that *Sphagneticola trilobata* be removed and controlled at this site for the duration of the lease authorization. Reestablishment with appropriate native dune vegetation should be encouraged.

Regarding RP 7780, the comments provided by DLNR state that there “is a potential for a set aside to the County in light of a settlement agreement related to an existing zoning variance for parking purposes or sale of lease at a public auction” (Exhibit 2, pg. 13). However, the magnitude of current use and access issues at this site warrants further discussion. It is the Department’s understanding that this private entity is leasing a parcel used for highly valued public parking access to Keawakapu Beach in combination with past and/or present and/or future use to provide parking to serve the private commercial parcel adjoining to its south. Permissions to continue the uses of the lot and make improvements to it are currently being addressed further through applications made for consideration by the Maui Planning Commission and the County Council. Once such determinations have been made through their respective processes, it would seem this pending matter will be sufficiently settled to warrant additional review and comments at a future annual RP review to support further alignment with those forthcoming decisions. That being said, given the contiguity of this property to the shoreline, it appears the proposed rent to the State of \$2,244 annually is inordinately low and may be far below market value for access and parking stalls at this location. As such, the Department encourages DLNR to revisit the fee assessment and consider augmenting the assessed fee as appropriate to reflect the high value of this location.

With the consideration of the concerns flagged for the two proposed RP renewals identified above, the Department is generally supportive of annual RP renewals that DLNR has provided. Given opportunities for enhanced alignment with shared shoreline access and management activities, the Department further encourages the inclusion of appropriate and clear conditions that will put permittees on notice regarding regulations and policies that may further inform expectations and clarify the extent of the approved use. The Department also appreciates the ongoing coordination and support of DLNR in ensuring public access, addressing encroachments, and implementing essential shoreline management activities that protect and enhance coastal processes. As such, the Department recommends that DLNR include maintenance and repair conditions for shoreline TMKs where the character of use would involve

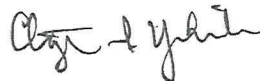
Mr. Michael Ferreira, Land Agent V
September 9, 2021
Page 4

maintaining vegetation or dune systems as well as maintaining and repairing existing built infrastructure.

The Department further suggests continuing consideration of innovative approaches to incentivizing regular maintenance, repairs, and enhancement activities that will result in streamlined permitting as well as sustainable and beneficial outcomes in the shoreline and SMA areas moving forward. Given staff turnover and the recent hiring of additional personnel at the Department, we would welcome the opportunity to convene to meet with your staff and our newly expanded Shoreline Team to discuss policy alignment and opportunities for enhanced partnership further.

Thank you for the opportunity to comment on this annual RP renewal transmission. Should you have any questions about the comments in this letter, or if DLNR chooses to initiate further discussions about how to support shoreline maintenance and enhancement activities in RP renewal permits or otherwise moving forward, please contact Staff Planner Erin Derrington at erin.derrington@mauicounty.gov or at (808) 270-5537.

Sincerely,



CLAYTON I. YOSHIDA
Planning Program Administrator

for MICHELE MCLEAN, AICP
Planning Director

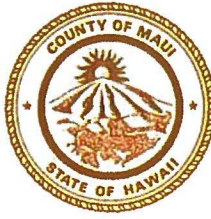
xc: Jordan E. Hart, Deputy Director
Clayton I. Yoshida, Planning Program Administrator (PDF)
Jeffrey P. Dack, Current Planning Supervisor (PDF)
Erin M. Derrington, Staff Planner (PDF)
James Buika, Staff Planner (PDF)
Wesley Bradshaw, Staff Planner (PDF)
Laury Kanae, Staff Planner (PDF)
Tara Owens, UH Sea Grant (PDF)
Wes Crile, UH Sea Grant (PDF)
Project File (PDF)

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EXHIBIT 6

MICHAEL P. VICTORINO
Mayor

KARLA H. PETERS
Director



DEPARTMENT OF PARKS AND RECREATION

700 Hali'a Nakoa Street, Unit 2, Wailuku, Hawai'i 96793
Main Line (808) 270-7230 / Facsimile (808) 270-7942

August 10, 2021

Michael Ferreira, Land Agent
State of Hawaii
Department of Land and Natural Resources
P O Box 621
Honolulu, Hawaii 96809

Dear Mr. Ferreira:

**SUBJECT: REQUEST FOR COMMENTS: 2022 ANNUAL RENEWAL OF
REVOCABLE PERMITS FOR THE COUNTY OF MAUI; MAUI COUNTY,
TAX MAP KEY: VARIOUS PARCELS OF STATE LAND**

Thank you for the opportunity to review and comment on the subject transmittal. The Department of Parks and Recreation has no comment at this time.

Should you have any questions, please feel free to contact me or Samuel Marvel, Chief of Planning and Development at samual.marvel@co.maui.hi.us or (808) 270-6173.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Peters", written over a horizontal line.

KARLA H. PETERS
Director of Parks and Recreation

c: Samuel Marvel, Chief of Planning and Development

KHP:SM:csa

EXHIBIT 7