

March 24, 2022

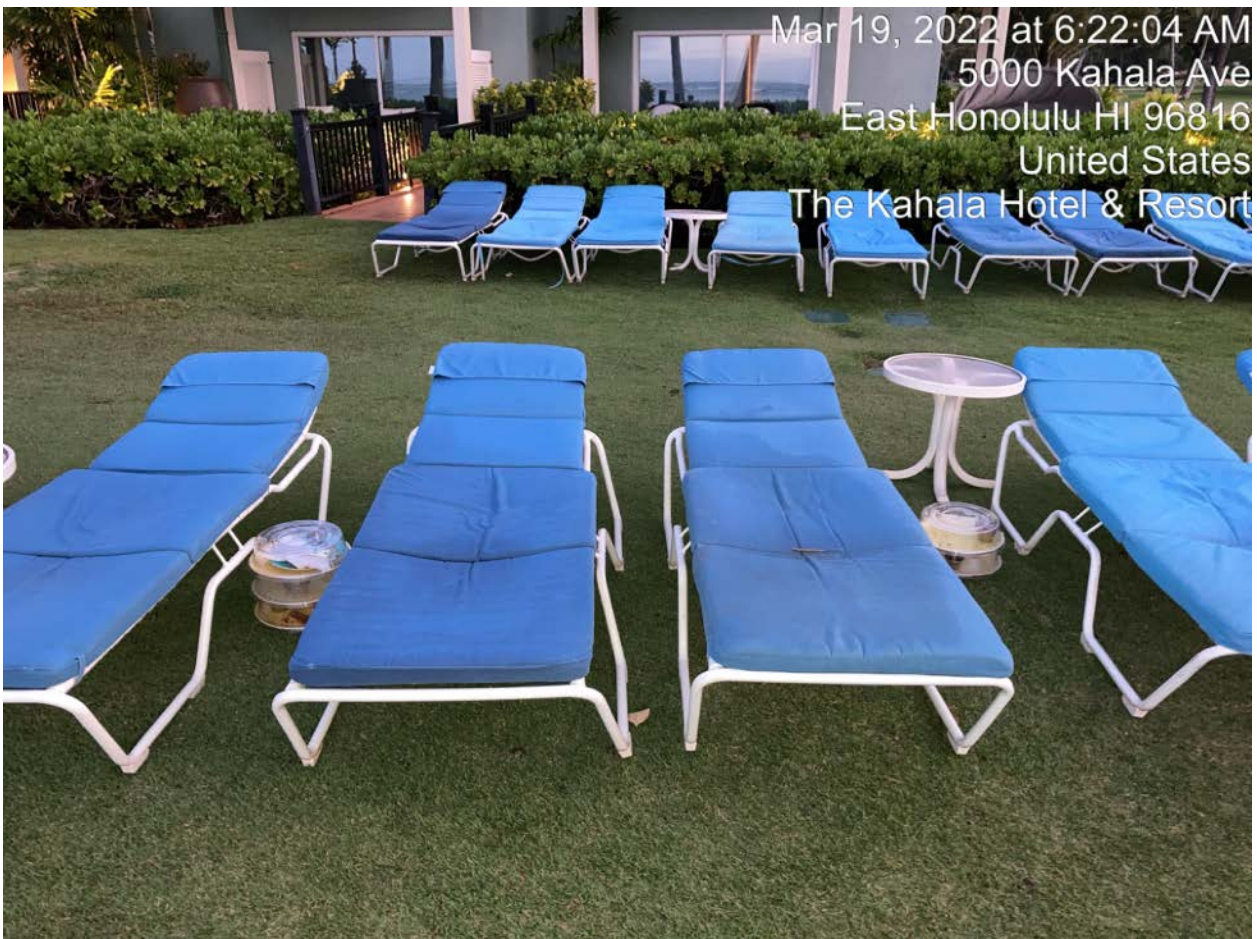
**Tyler Ralston's OPPOSITION to the Right-of-Entry permits for Resorttrust Hawaii, LLC, (Items D-2 and D-4, on the March 24, 2022 BLNR agenda).**

Dear Chair Case and Members of the Board,

Please do not issue the Right-of-Entry (ROE) permits (Items D-2 and D-4 on the agenda) to Resorttrust (Kahala Hotel) until they can demonstrate that they can follow the terms of their revocable permit (RP) for the public / State land for which they are requesting the ROEs.

It has been many years now that Resorttrust has regularly violated the terms of their RP. I've written to you about this many times over the years. Resorttrust will say there are not citations for violation on record. As we all know, the enforcement branch of DLNR has been woefully understaffed for many years, and the land agent for that parcel of land mysteriously doesn't seem to see any of the obvious violations whenever he has said that he visits the parcel. So of course there are no formal citations on record. As you know, I have provided many photos over the years clearly showing the violations, most with location, date, and time stamps.

The terms of the RP stipulate that Resorttrust is to keep the parcel clean and in orderly condition. Every time I visit the parcel, I find hotel guest food and drink related trash and dirty towels scattered around the parcel. Recently I was there at sunrise and found numerous pockets of hotel guest food and drink related trash laying around the pre-set lounge chairs. This is in violation of the terms of their RP, it's gross, and it's disrespectful of the community and public who simply want to enjoy the natural beauty of the area. This is also one of the problems with allowing Resorttrust to leave furniture on the public land overnight, pre-set. It invites their guests to eat and drink (often alcohol on public land) and then leave their trash for the public the next morning. The trash is almost always immediately adjacent to the lounge chairs, and rarely just on open grassy area. Below are a few photos of some of the trash on a recent morning that I went to enjoy the area.

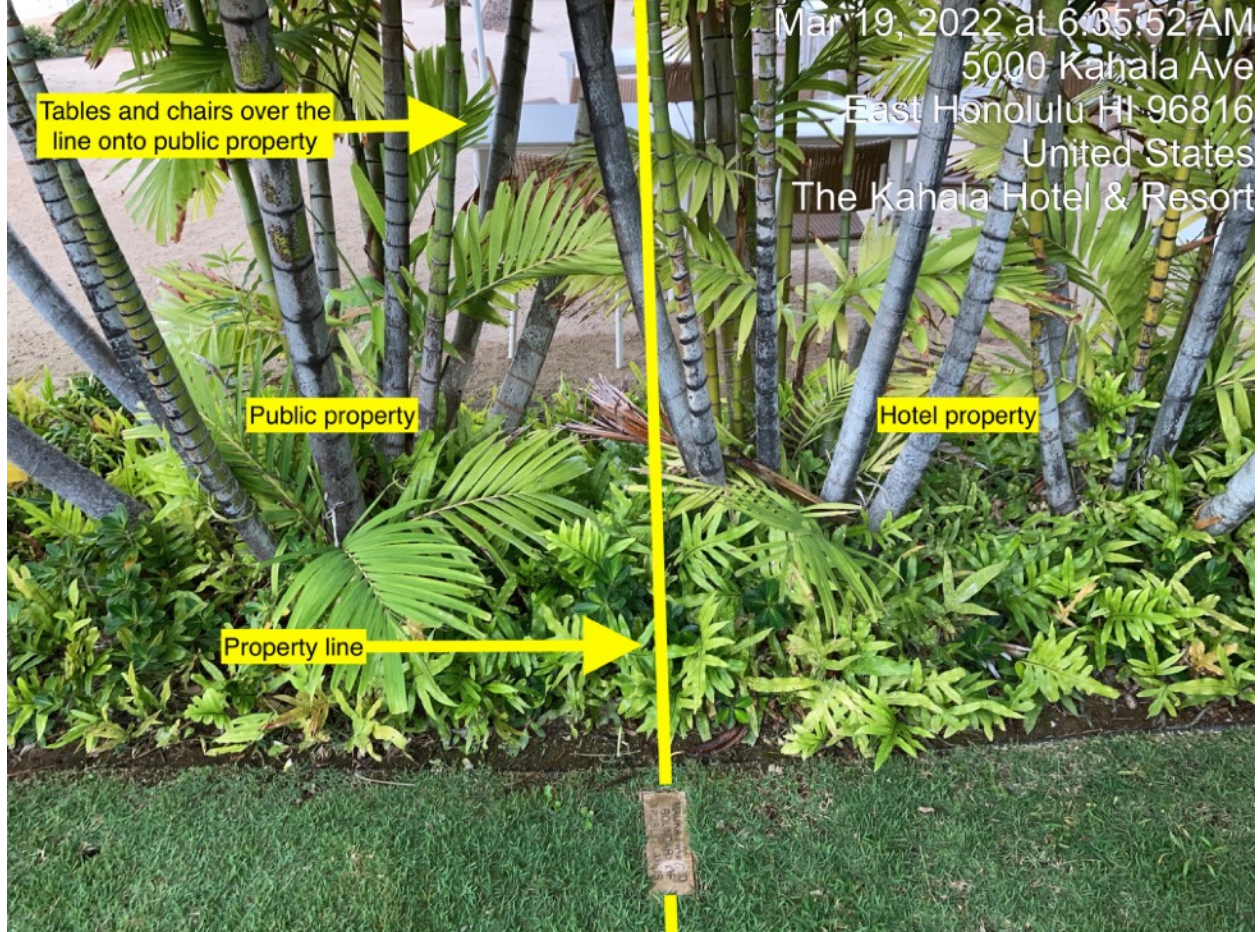




Resorttrust also continues to have difficulty keeping its food service and restaurant dining area on its own property. It continues to push the limit and set tables and chairs over the property line, onto public land, where they serve food and drink. Below is a photo with the property line drawn in to show where the boundary is located. While this is not way over the line, it is nevertheless over the line and illustrative of the continued limit-pushing disrespect Resorttrust has for the public and the terms of their RP.







Please do not issue the requested ROEs until Resorttrust can demonstrate that it is both respectful of the public / community and respectfully abiding by the terms of its revocable permit.

Thank you for your consideration,

Tyler Ralston