

Denise Antolini  
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To: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

For BLNR Meeting on Jan. 12, 2024

**Testimony on K-1:** Request for Administrative Fines and other Penalties against **Zhungo LLC** (Rodney Youman, Managing Member) and **Rodney Youman** “Individually” for the Conservation District Enforcement Cases OA 19-08 and OA 21-07 Regarding Unauthorized Structures Located Along the Shoreline Within the Conservation District Makai of 59-149 Ke Nui Road, Tax Map Key (TMK): (1) 5-9-002:004

Aloha Chair Chang and Members of the Board of Land and Natural Resources,

1. I strongly support the OCCL enforcement action, submittal, proposed order, and the imposition of fines/costs of **\$993,000**, against this Zhungo LLC and Rodney Youman.

**As the OCCL submittal indicates, the massive, continuous, and destructive accumulation of unauthorized materials in the shoreline by Zhungo/Youman are egregious shoreline violations along Kammies/Sunset beach.**

This OCCL photo from September 7, 2022 shows the shocking and clearly *intentional* extent and nature of the overall “installation” of the materials piled into the public shoreline by Zhungo/Youman:



9/7/2022 OCCL-Photo of Mr. Youman and his Agent Installing Unauthorized Sandbags in the Expired and Unauthorized Erosion Control Structure in the Shoreline Area Fronting the Subject Parcel

One year later . . . adding to the remarkable collection of photos in the OCCL submittal, here is a September 16, 2023 photo I took of a young man with a baby in his arms walking along the public shoreline and looking at the impassable area in front of the Zhungo/Youman house (makai of wood fence line, rope) (with the Kernot house and tarps/materials in the adjacent background).



The massive amount of jerry-rigged “erosion control devices” is a *mountain of junk and materials – rocks, tarps, wood, rope, metal pins and concrete* - completely impeding public access for this man, his baby, and so many others invisible to us at this moment.

See also the fisher on the other side of the “materials”? He also could not use the area in front of the Zhungo/Youman house to fish. The damage to the beach, recreational use, and the public trust could not be more clear.

Six weeks later . . . here are two photos that I took on November 2, 2023 in front of the Zhungo/Youman house showing how absolutely massive and mind-boggling – and ineffective -- this “*deteriorating mountain*” of material placed on the public beach really is:





The remaining partially visible geotextile bags are not small sandbags – they are *huge blimps!*



These materials pose a direct risk to the marine environment – and to the integrity of the beach structure. Compare to the OCCL photo above from 2022 – How many of these huge white bags were installed? How many are left? What happened to all of them? The only logical conclusion is that they washed into

the nearshore – posing hazards for marine life and surfers.

And to add to the tragedy, the materials pose a danger to anyone on the beach. While adults may simply avoid the area, these materials constitute an attractive nuisance for children who might be tempted to play around these heavy and risky materials. Children should be able to enjoy this beach without risk of being entangled by tarps, sandbags, and ropes; impaled by metal or sharp materials; or flattened by rolling or dislocated massive sandbags.

In short, the situation created by Zhungo/Youman and the damage they caused to the beach -- in a futile attempt to maintain what appears to be an illegal vacation rental property (see below) -- is outrageous and intolerable to the community.

2. When the Board adopts an order in this case, I request that the Board continue to include the same **community notification** provisions (to neighbors, signs, Sunset Beach Community Association) that the Board added in the Freeman and McNamara enforcement actions. Keeping the community informed is critical to helping DLNR restore the beach!

Please support the OCCL submittal and strong enforcement action.

Mahalo,

Sincerely,

A handwritten signature in cursive script that reads "Denise Antolini".

Denise Antolini

NOV from DPP files – advertised TA Number Posted on vrbo.com/1775703 – 10 night minimum stay at \$575 per night.



DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**  
 650 SOUTH KING STREET \* HONOLULU, HAWAII 96813  
 Fax: (808) 768-4400

# Notice of Violation

(Short Term Rental)

Violation No.: **2022/NOV-12-262 (ST)**

Date: **January 03, 2023**

**Owner(s)**

ZHUNGO LLC  
 c/o Rodney R. Youman  
 1280 5th Avenue Apt 20D  
 New York, NY 10029

**Contractor(s)**

**Tenant/Violator**

**Architect/Plan Maker**

**Lessee**

**Agent**

**Engineer**

TMK: **5-9-002:004 59-149 KE NUI RD Haleiwa 96712**

**Specific Address of Violation: 59-149 Ke Nui Road**

**User ID#: N/A**

**Number of Bedrooms: 2**

**Advertisement Identifying Information:**

vrbo.com/1775703

I have verified that on December 28, 2022, the above-described premises is advertised in violation of the following ordinance(s) of the City and County of Honolulu because it is an unpermitted transient vacation unit advertised for rental periods of less than 30 consecutive days:

Codes and/or Ordinance(s)  
 and Section(s)

Violation(s)

**ROH 2021, as amended, Chapter 21  
 Section 21-5.730 (d) (2) (D)**

**Unpermitted bed and breakfast or transient vacation unit is being  
 advertised for rental periods of less than 30 consecutive days.**

**From:** [Chip Hartman](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Enforcement cases: OA 19-08, OA 21-07 and OA 21-18  
**Date:** Tuesday, January 9, 2024 10:40:59 AM

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Aloha Board Members,

The enforcement cases before you (Zhungo LLC OA 19-08 and OA 21-07) and (Sunset Oasis OA 21-18) are fronting a beach we live near and use regularly. We have watched burritos and sand bags installed as well as concrete poured onto the dune over the past few years. What we have never seen are the property owners removing their debris from the beaches when they fail and wash onto the beach or into the ocean. The exception was a few months ago when the state threatened fines unless concrete was removed by a deadline. That was a form of motivation that brought about the removal of materials before they washed onto the beach by the large swell that hit that week. For this reason we support the Board's enforcement of fines and other measures to keep property owners from using public beaches in such a way as to adversely affect the public's use and enjoyment.

Mahalo,  
Chip and Mari Hartman email: Seachip@yahoo.com  
59-208 B Kamehameha Hwy

**From:** [Randall Myers](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [Denise Antolini](#)  
**Subject:** [EXTERNAL] BLNR Meeting 1/12/2024, Agenda Item K-1  
**Date:** Wednesday, January 10, 2024 7:19:49 PM

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I live in the Sunset Beach community and have been part of the clean-up crew removing concrete debris, rocks, tarps, burritos , and plastic sandbags from the ocean for years. Last year, we removed four truckloads of shredded felt material from the public beach, much of it fronting Mr. Youman's property. While he had the materials installed, neither he (or his crew) showed up to help.

I am in full support of OCCL's efforts to curb rogue mitigation actions by Mr. Youman and others along the public shoreline. I support the maximum fine for Mr. Youman's flagrant non-compliance.

Mahalo,

Randall J. Myers  
(808)295-8674