

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

May 10, 2024

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

PSF No.: 24MD-016

Maui

Pursuant to Act 90, Session Laws of Hawaii 2003, as mutually agreed between Department of Land and Natural Resources and Department of Agriculture, Set Aside Revocable Permit No. S-7608, William F. Jacintho and William G. Jacintho, Permittees, to the Department of Agriculture for Agriculture Purposes, at Haneo'o, Hana, Maui, TMKs: (2) 1-4-007: 009 (portion) and 017.

APPLICANT:

Department of Agriculture

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended, and Act 90 Session Laws of Hawaii 2003, now codified at Chapter at 166E, HRS, as amended.

LOCATION:

Portion of Government Lands at Haneo'o, Hana, Maui, TMKs: (2) 1-4-007: 009 and 017.

AREA:

Combined Parcel Area:	28.270 acres, more or less (per PLTIS)
Area Used for Haneo'o Road:	0.633 acre, more or less
Area Subject to Withdrawal:	2.256 acres, more or less (seaward of Haneo'o Rd)
Total area of proposed set-aside:	25.381 acres, more or less

For additional information, see maps attached as **Exhibit A**.

CURRENT USE:

25.077 acres, more or less; encumbered by Revocable Permit No. S-7608 (RP7608) to William F. Jacintho and William G. Jacintho, permittees, for pasture purposes; 0.633 acre, more or less used for Haneo'o Road; and 2.256 acres, more or less, unencumbered.

ZONING:

State Land Use District: Agriculture, Conservation, Rural
County Zoning: Agriculture, Interim

TRUST LAND STATUS:

Section 5b lands of the Hawaii Admission Act.

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

PURPOSE OF SET-ASIDE:

Agricultural purposes.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject requests are exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1 that states, “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,” Part 1, Item 36 that states, “Transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor’s executive order.” The proposed set-aside to DOA will probably have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment. See **Exhibit B**.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Process and obtain subdivision at Applicant's own cost; and
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant’s own cost for any parcels that do not already have CSF maps approved by DAGS.

BACKGROUND:

The Legislature in 2003 found that certain public lands classified for agricultural use by the Department of Land and Natural Resources (DLNR) should be transferred and managed by the Department of Agriculture (DOA) for the development of farms on as widespread a

basis as possible which is established by Article XI, Section 10 of the State Constitution. This resulted in the passing and signing Act 90, Session Laws of Hawaii 2003 (Act 90). Later, Act 234, Session Laws of Hawaii 2005 passed, establishing a non-agricultural park lands special fund at DOA for the collection of lease rents, fees, penalties, and any other revenue or funds collected from non-agricultural park lands that are transferred from DLNR to DOA.

Act 90 also specified certain conditions of the encumbered agricultural lands to be transferred, such as the tenant shall not be in arrears in payment of rent or taxes and shall otherwise be in full compliance with the terms and conditions of the leases or permits. Transfers pursuant to Act 90 require the mutual agreement of both the Board of Land and Natural Resources (BLNR) and the Board of Agriculture (BOA).

To date, DLNR has processed executive orders setting aside approximately 24,528 acres to DOA pursuant to Act 90. In 2023, BLNR and BOA approved the transfer to DOA of an additional 24,767 acres in Kau, Hawaii, under lease and revocable permit to Kapapala Ranch, but survey and subdivision are required before the executive order(s) for the transfer can be completed. DOA staff conducted due diligence for the transfer of additional properties statewide and at its meeting of October 24, 2023, BOA approved the transfer of another 21,672 acres pursuant to Act 90. On March 22, 2024, under agenda Item D-1, the Board approved the transfer of another 109 acres on Maui Island to DOA. See **Exhibits C and D** attached.

REMARKS:

Some of the parcels on the list approved by the BOA for transfer at its October 24, 2023 meeting already had BLNR approval for transfer and staff in the Hawaii, Maui and Kauai Districts, as well as the Support Branch in Honolulu, are working to complete the executive orders for the lands that have approval of both boards. However, the bulk of the parcels on BOA's October 24, 2023 approval list do not yet have BLNR approval for transfer, with the vast majority of those parcels located on Hawaii Island.

With respect to Maui County, as mentioned above the transfer of five other parcels totaling 109 acres is pending. A separate submittal was prepared for RP7608 because only a portion of the parcel designated as (2) 1-4-007: 009 (Parcel 9) is covered by the permit,¹ which adds complexity to the set-aside. The portion of Parcel 9 excluded from RP7608 is the area seaward of Haneo'o Road, 2.256 acres, most of which is in the Conservation District. See **Exhibit D**.

Representatives of the County of Maui have expressed interest in having the portion of Parcel 9 seaward of Haneo'o Road set aside to the Department of Parks and Recreation. However, to date the County has not submitted a formal request for the set-aside of the area. Existing CSF maps cover the RP area and can be used for the set-aside of RP7608 to

¹ RP7608 also covers all of TMK: (2) 1-4-007: 017 (Parcel 17).

DOA. DOA has agreed to procure at its cost a survey of the area seaward of Haneo‘o Road, as well as the affected portion of Haneo‘o Road itself, if required, and to process subdivision approval with the County of Maui in order to facilitate the set-aside. Staff has therefore included applicant requirements above that DOA provide survey maps and subdivision approval prior to the transfer of the land. The area seaward of Haneo‘o Road will remain unencumbered land. If the County of Maui requests a set-aside of the unencumbered area to it in the future, staff will return to the Board for approval of such action.

With respect to Haneo‘o Road, although the tax maps show a portion the road included as part of Parcel 9, the road is owned by the County of Maui pursuant to the Highways Act, Chapter 264, HRS. Additionally, “lands being used for roads and streets” are excluded from the definition of public lands over which the BLNR has jurisdiction. See Section 171-2(3), HRS. Accordingly, the set-aside of Parcel 9 to DOA will necessarily exclude Haneo‘o Road with and approximate area of 0.633 acre.

Comments on the proposed set-aside were solicited from the following State and County of Maui agencies and any responses will be included in the final submittal:

Agency	Comment
Department of Hawaiian Homelands, DHHL	No comment by suspense date.
Office of Hawaiian Affairs, OHA	No comment by suspense date.
DLNR: Division of Forestry and Wildlife	No objections, see attached
Office of Conservation and Coastal Lands	No comment by suspense date.
Division of State Parks	No comment by suspense date.
Commission on Water Resource Management	No comment by suspense date.
Maui County Planning Dept.	No objections, see attached
Maui County Dept. of Parks & Recreation	No comment by suspense date.

There are currently no non-compliance issues with respect to RP7608. Rent, insurance and performance bond are all current. Staff has no objection to the set-aside of the subject lands to DOA by Governor’s executive order.

RECOMMENDATION:

That the BLNR, subject to Applicant fulfilling the Applicant requirements above:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this action will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject land to Department of Agriculture under the terms and conditions

cited above, which are by this reference incorporated herein and subject further to the following:

- A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
- B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
- C. Review and approval by the Department of the Attorney General; and
- D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Apr 23, 2024

Michael Ferreira
Land Agent

APPROVED FOR SUBMITTAL:



Apr 23, 2024

Dawn N. S. Chang, Chairperson *RT*

EXHIBIT A

OVERHEAD VIEW



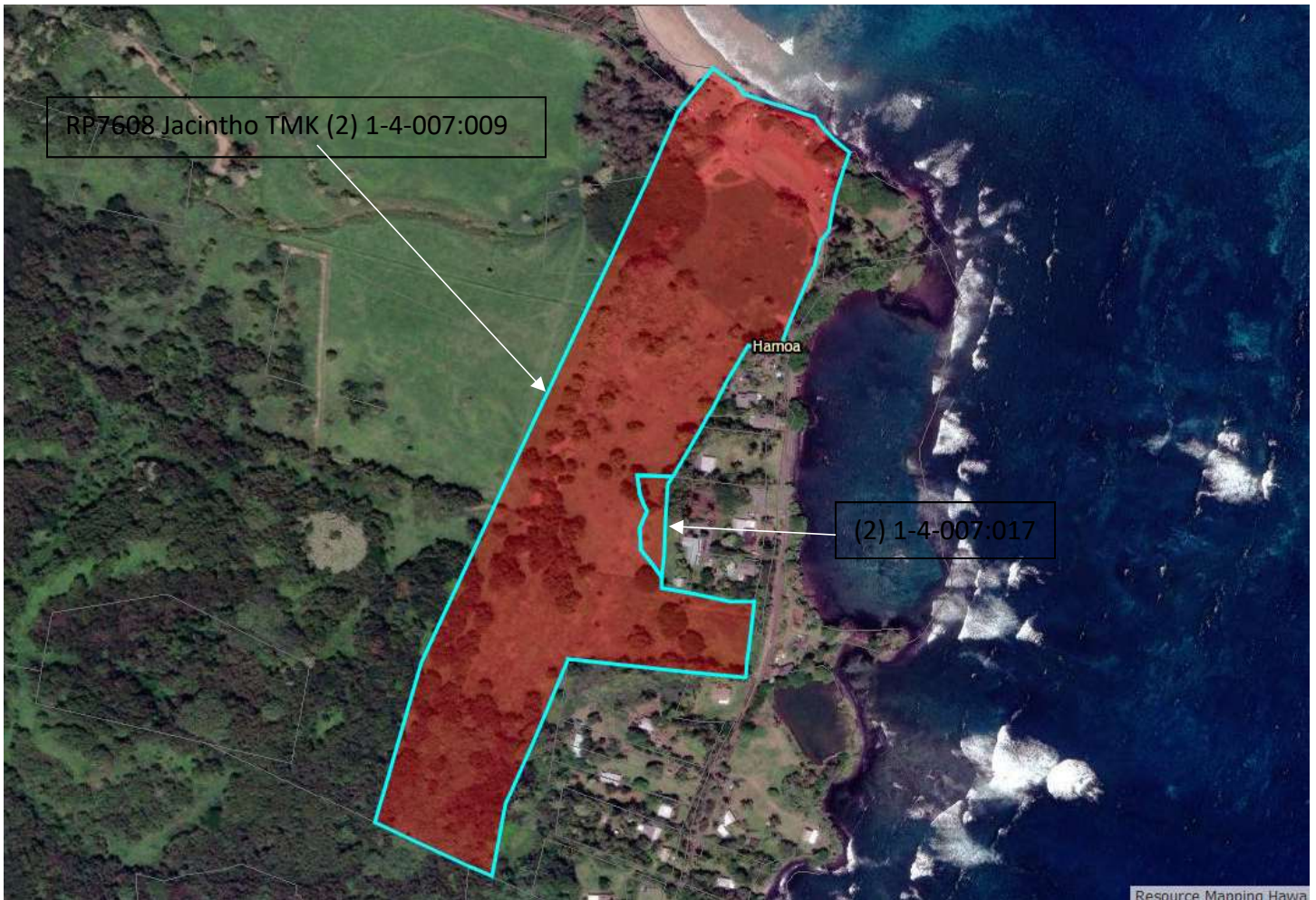
LANDS UNDER REVOCABLE PERMIT No. 7608, JACINTHO

TAX MAP KEYS:

(2) 1-4-007:009,017

EXHIBIT A

PARCEL(s) VIEW



LANDS UNDER REVOCABLE PERMIT No. 7608, JACINTHO

TAX MAP KEYS:

(2) 1-4-007:009,017

EXHIBIT A

MAUI COUNTY HANEO'O ROAD VIEW (CARVE-OUT)
LANDS UNDER REVOCABLE PERMIT No. 7608, JACINTHO
TAX MAP KEYS: (2) 1-4-007:009

50' WIDE, HANEO'O ROAD- MAUI



EXHIBIT B

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes and Chapter 11-200.1-15, Hawaii Administrative Rules.

Project Title:

Pursuant to Act 90, Session Laws of Hawaii 2003, as mutually agreed between Department of Land and Natural Resources and Department of Agriculture, Set Aside Revocable Permit No. S-7608, William F. Jacintho and William G. Jacintho, Permittees, to the Department of Agriculture for Agriculture Purposes, at Haneo‘o Hana, Maui, TMKs: (2) 1-4-007:009 (Portion) and 017.

Reference No.: PSF No. 24MD-016

Project Locations: Maui, TMK (2)1-4-007:009,017 This request is regarding the Executive Order set aside of the parcels and the management of Revocable Permit S-7608, transferred from the Department of Land and Natural Resources to the Department of Agriculture.

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

Exemption Class No.: In accordance with Hawaii Administrative Rules Section 11-200.1-15 and -16 and the exemption list for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020. The subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing." Part 1, Item No. 36 that states "transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order".

Cumulative Impact of
Planned Successive
Actions in Same Place
Significant?

Staff believes that there would be no significant cumulative impact.

EXHIBIT B

Action May Have
Significant Impact on
Particularly Sensitive
Environment?

Staff believes there would be no significant impact to sensitive environmental or ecological receptors.

Consulted Parties:

Agencies as noted in the submittal.

Analysis:

Staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

It is recommended that the Board find that this project will probably have minimal to no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

EXHIBIT B

EXHIBIT C

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

November 5, 2023

RECEIVED
2023 NOV 14 PM 12:54
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

Ms. Dawn Chang, Chairperson
Board of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

SUBJECT: Act 90, SLH 2003
Request to Set Aside Various TMK's from DLNR to DOA
Various TMKS on the Islands of Kauai, Maui and Hawaii Island

Dear Chairperson Chang,

Pursuant to Act 90, Session Laws of Hawaii 2003, at a meeting held on October 24, 2023, the Board of Agriculture approved the transfer and set aside of various TMK's from the Department of Land and Natural Resources to the Department of Agriculture. Enclosed is the approved Board of Agriculture submittal.

We respectfully request that the Board of Land and Natural Resources recommend to the Governor that an executive order be issued setting aside the subject lands from the Department of Land and Natural Resources to the Department of Agriculture.

Should there be any questions, please do not hesitate to contact Linda Murai, Property Manager, at Linda.H.Murai@hawaii.gov or call 808-973-9473.

Sincerely,

Sharon Hurd
Chairperson, Board of Agriculture

Enclosure

RECEIVED
2023 NOV 14 PM 1:39
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII



EXHIBIT C

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII 96814

October 24, 2023

Board of Agriculture
Honolulu, Hawaii

Subject: REQUEST FOR APPROVAL FOR THE TRANSFER OF PUBLIC LANDS FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE, PURSUANT TO ACT 90, SLH 2003, CODIFIED AS CHAPTER 166E, HAWAII REVISED STATUTES; TMK NOS.: (3) 9-6-002:055; (3) 2-4-006:012 and 013; (3) 2-4-007:037; (3) 9-5-006:001; (3) 9-5-013:001; (3) 3-5-001:001; (3) 2-2-056:18; (3) 1-3-002:012 and 099; (3) 6-9-001:015; (3) 2-9-002:047; (3) 9-4-003:014; (3) 9-3-003:035 and 036; (3) 2-3-030:001; (3) 2-3-032:001; (3) 9-5-019:002 and 017; (3) 4-1-004:031; (3) 9-5-012:018; (3) 5-6-001:001; (3) 5-7-001:015; (3) 6-2-001:005; (3) 9-6-002:005, 010 and 013; (3) 9-5-006:001; (3) 6-5-001:006; (3) 6-5-001:020; (3) 2-4-004:012, 013, 021 and 022; (3) 5-5-003:013 and 019; (3) 5-8-003:007; (3) 1-8-010:038, 043, 044 and 046; (3) 4-5-011:006; (3) 4-4-013:011; (3) 6-4-031:007, 009 and 010; (3) 5-8-002:003; (3) 5-8-002:005; (3) 5-8-002:006; (3) 6-2-001:011; (3) 5-6-001:035; (3) 5-7-001:009; (3) 9-5-019:001; (3) 1-2-008:001; (3) 4-4-010:013; (3) 4-4-003:003 and 047; (3) 9-6-002:013; (3) 9-5-012:002; (3) 9-6-012:004; (3) 6-6-001:002 and 077; (3) 5-8-001:002, 005 and 006; (3) 5-7-001:004; (3) 5-7-001:010; (2) 2-7-008:015; (2) 2-7-015:026; (2) 1-4-007:009 and 017; (2) 1-6-005:008; (2) 1-6-005:021, 022 and 023; (2) 1-7-003:032; (2) 2-9-008:018 and 024; (2) 1-1-003:070; (2) 1-1-003:059; (2) 2-9-001:008 and 011; (2) 2-9-006:021, 022, 023 and 024; (2) 1-6-005:002; (2) 1-6-008:008; (4) 1-9-007:005, 007, 028, 029, 030 and 046; (4) 1-2-002:040; (4) 1-9-001:002; (4) 1-9-002:002; (4) 4-6-005:010; (4) 2-3-007:013; ISLANDS OF HAWAII, MAUI, AND KAUAI

Authority: Section 166E-3, Hawaii Revised Statutes ("HRS")

BACKGROUND:

Act 90, Sessions Laws of Hawaii ("SLH") 2003 established the Non-Agricultural Park Lands Program within the Hawaii Department of Agriculture ("HDOA"), and was codified as Chapter 166E, HRS. Under this program, the Legislature found that certain public lands classified for agricultural use by the Department of Land and Natural Resources ("DLNR")

should be transferred to the HDOA for purposes and in a manner consistent with Article XI, Section 10, of the State Constitution.

The purpose of this chapter is to ensure the long-term productive use of public lands leased or available to be leased by the DLNR for agricultural purposes by allowing these lands to be transferred to the HDOA for leasing and management.

In accordance with provisions of Act 90, SLH 2003, the Board of Agriculture (BOA) must mutually approve of the selected encumbrances for transfer. Staff verified compliance of ninety-nine (99) parcels for approval by BOA as listed in the attached Exhibit "A".

RECOMMENDATION:

Staff has reviewed the list of proposed parcels, performed its due diligence, and recommends that the Board approve the transfer of the ninety-nine (99) parcels as listed above.

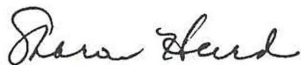
Respectfully submitted,



BRIAN KAU, P.E.
Administrator and Chief Engineer
Agricultural Resource Management Division

ATTACHMENT – Exhibit "A"

APPROVED FOR SUBMISSION



SHARON HURD
Chairperson, Board of Agriculture

Approved by the Board of
Agriculture at its meeting held
10/24/2023
as agenda item IV. A1

EXHIBIT "A"

Doc. No.	Lessee	Tax Map Key (TMK)	Character of Use	Leased Area (Acreage)
rp7773	ROYAL HAWAIIAN ORCHARDS, L.P.	(3) 9-6-002:055	Agriculture	12
gl5543	ALVIN P. & NANCY S. CABRAL	(3) 2-4-006:012 and 013; (3) 2-4-007:037	Pasture	196.93
rp7685	KUAHIWI CONTRACTORS, INC.	(3) 9-5-006:001	Pasture	200
rp7693	KUAHIWI CONTRACTORS INC.	(3) 9-5-013:001	Pasture	472
rp7774	DERWIN IGNACIO	(3) 3-5-001:001	Pasture	39.54
gl4459	PAUL BALBERDE	(3) 2-2-056:018	Ag-Residence	2.615
rp7656	DIAMOND HEAD PAPAYA CO. LTD.	(3) 1-3-002:012 and 099	Agriculture	125.2
rp7820	VOLCANO ISLAND HONEY CO.	(3) 6-9-001:015	Apiary	5
gl6102	YUN YAN HUANG	(3) 2-9-002:047	Intensive Ag	6.793
rp7852	ERMINO MAZZARINO	(3) 9-4-003:014	Intensive Ag	2.439
rp6022	DALEICO RANCH	(3) 9-3-003:035 and 036	Pasture	3.14
rp7959	SPENCER NAGATA	(3) 2-3-030:001; (3) 2-3-032:001	Pasture	89.08
rp7694	B.K. LIVESTOCK CO., INC.	(3) 9-5-019:002 and 017	Pasture	431
rp7696	PETER H. JOSE	(3) 4-1-004:031	Pasture	65.572
rp7709	WALTER D. ANDRADE	(3) 9-5-012:018	Pasture	320
rp7827	KUKUIPAHU RANCH, LLC	(3) 5-6-001:001	Pasture	231.08
rp7648	PARKER RANCH, INC.	(3) 5-7-001:015	Pasture	16.3
rp7652	PARKER RANCH, INC.	(3) 6-2-001:005	Pasture	247
rp7715	JERRY EGAMI	(3) 9-6-002:005, 010 and 013	Pasture	2310
rp7733	WALTER D. ANDRADE	(3) 9-5-006:001	Pasture	1883.36
gl4464	PARKER RANCH, INC.	(3) 6-5-001:006	Pasture	135
gl4465	PARKER RANCH, INC.	(3) 6-5-001:020	Pasture	420.17
gl5324	RUSSELL J. CHIN	(3) 2-4-004:012, 013, 021 and 022	Pasture	119.694
gl5330	JEREMY S. LEWIS	(3) 5-5-003-013 and 019	Pasture	157.32
gl5333	G&C FREITAS RANCH, INC.	(3) 5-8-003:007	Pasture	83.21
gl5542	KELONUKAI RANCH, LLC.	(3) 1-8-010:038, 043, 044 and 046	Pasture	227.74
gl5571	DR. FREDERICK HOLSCHUH	(3) 4-5-011:006	Pasture	13.502
gl5966	WALTER DUDLEY CHILD, III	(3) 4-4-013:011	Pasture	20.878

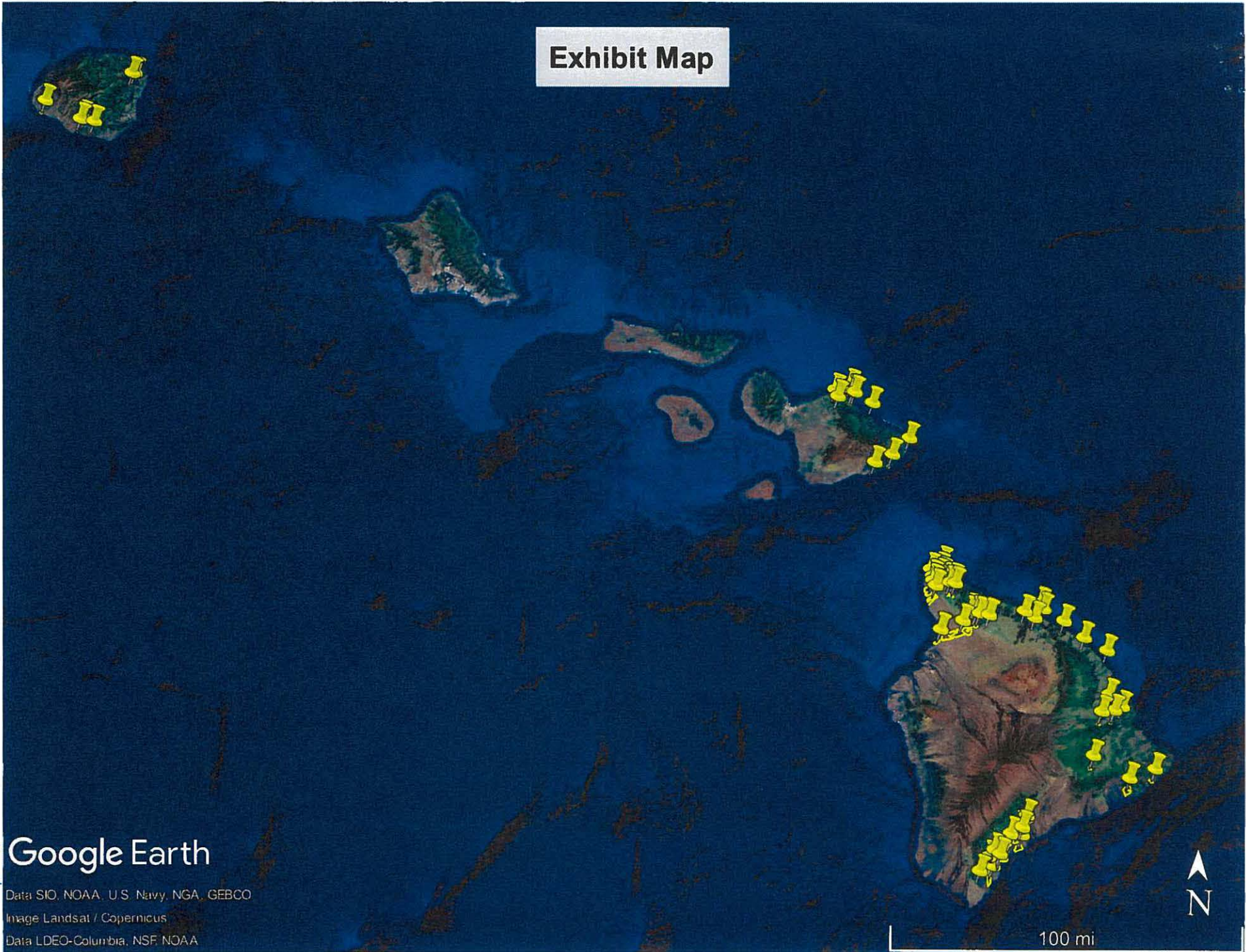
A3

rp7446	GUY K. SCHUTTE	(3) 6-4-031:007, 009 and 010	Pasture	23.756
rp7649	PARKER RANCH, INC.	(3) 5-8-002:003	Pasture	191.35
rp7650	PARKER RANCH, INC.	(3) 5-8-002:005	Pasture	107
rp7651	PARKER RANCH, INC.	(3) 5-8-002:006	Pasture	23.8
rp7653	PARKER RANCH, INC.	(3) 6-2-001:011	Pasture	144
rp7658	PARKER RANCH, INC.	(3) 5-6-001:035	Pasture	53.553
rp7660	PARKER RANCH, INC.	(3) 5-7-001:009	Pasture	152.29
rp7667	BK LIVESTOCK COMPANY, INC.	(3) 9-5-019:001	Pasture	83.32
rp7670	EDWARD A.K. AND LUCIA R. LEE	(3) 1-2-008:001	Pasture	100
rp7705	ANTHONY & EDNA GOMES	(3) 4-4-010:013	Pasture	3.554
rp7942	PETER AND LISA ABARCAR	(3) 4-4-003:003 and 047	Pasture	27.32
rp7761	RANDOLPH H. CABRAL	(3) 9-6-002:013	Pasture	37
rp7765	RICHARD E. & DONNA LEE SOUZA	(3) 9-5-012:002	Pasture	152.16
rp7838	KIMO I. DACALIO	(3) 9-6-012:004	Pasture	150.61
gl5373	GREGORY J. K. AND KRISTEN L. K. GARCIA	(3) 6-6-001:002 and 077	Pasture	8805.733
rp7153	PARKER RANCH, INC.	(3) 5-8-001:002, 005 and 006	Pasture	981.02
rp7659	PARKER RANCH, INC.	(3) 5-7-001:004	Pasture	853.71
rp7661	PARKER RANCH, INC.	(3) 5-7-001:010	Pasture	1610.58
gl4272	MICHAEL P. MILNER	(2) 2-7-008:015	Ag- Residence	1.84
gl4519	DAVID KAPRALIK	(2) 2-7-015:026	Ag- Residence	1.905
rp7608	WILLIAM F. JACINTHO	(2) 1-4-007:009 and 017	Pasture	25.077
rp7762	CHARLES J. BOERNER	(2) 1-6-005:008; (2) 1- 6-005:021, 022 and 023	Pasture	14.354
rp7778	KAUPO RANCH, LTD.	(2) 1-7-003:032	Pasture	20.9
rp7804	MOSES KAHIAMOE, JR.	(2) 2-9-008:018 and 024	Pasture	5.26
gl4209	DEANNA DANLEY	(2) 1-1-003:070	Ag- Residence	1.1
gl4210	LINCOLN ALIILOA KIMOKEO	(2) 1-1-003:059	Ag- Residence	0.97
rp7621	BARRON THOMAS SOUZA, JR.	(2) 2-9-001:008 and 011	Pasture	10.403
gl5588	HUI O MOKUPAPA	(2) 2-9-006:021, 022, 023 and 024	Pasture & Ag	53.295
gl5485	GREG LIND	(2) 1-6-005:002; (2) 1- 6-008:008	Pasture	77.068

rp7259	FRANK & ABIGAIL SANTOS	(4) 1-9-007:005, 007, 028, 029, 030 and 046	Agriculture	16.09
rp7903	HARTUNG BROTHERS HAWAII, LLC	(4) 1-2-002:040	Agriculture	61.2
rp7386	DEAN H. AND NICOL U. NONAKA	(4) 1-9-001:002, (4) 1-9-002:002	Pasture	6.247
rp7712	JEANNETT VIRGINIA MARTINS	(4) 4-6-005:010	Pasture	6.24
rp7480	MANUEL H. ANDRADE	(4) 2-3-007:013	Pasture	32.55

****NOTES**** All information provided in the table above, Exhibit "A", is subject to verification via survey and/or appraisals.

Exhibit Map



A-10

Google Earth

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

Image Landsat / Copernicus

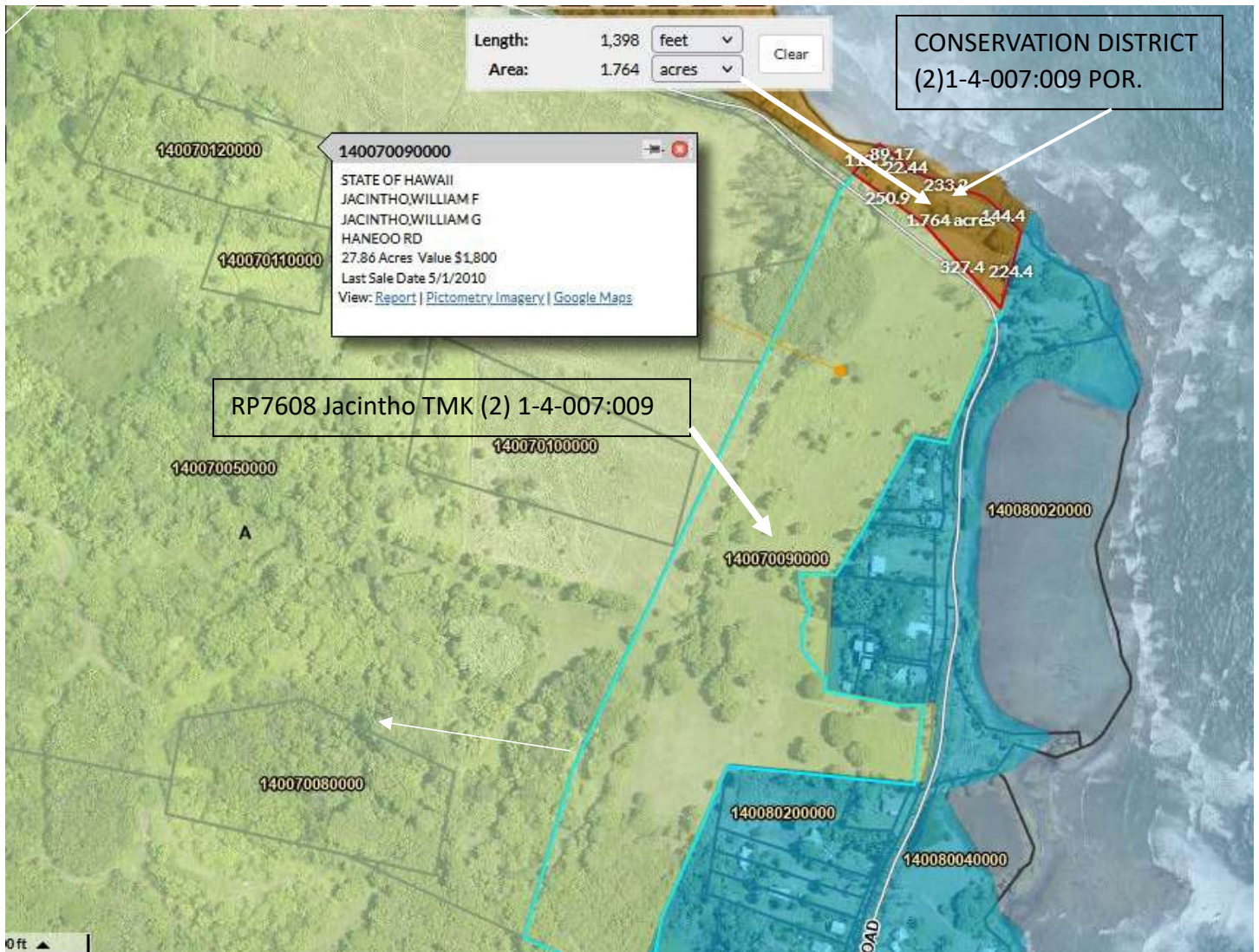
Data LDEO-Columbia, NSF, NOAA



100 mi

EXHIBIT D

CONSERVATION DISTRICT VIEW



LANDS UNDER REVOCABLE PERMIT No. 7608, JACINTHO

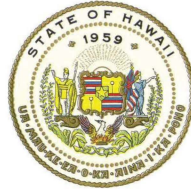
TAX MAP KEYS:

(2) 1-4-007:009

COMMENTS RESPONSES

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

March 28, 2024

MEMORANDUM

BLNR -ACT 90 Set Aside to
Dept. of Agriculture
Maui

FROM:

State Agencies:

- DLNR-Forestry & Wildlife
- DLNR-State Parks
- DLNR-Conservation and Coastal Lands
- DLNR-Commission on Water Resource Management
- DLNR-Maui District Land Office
- Department of Hawaiian Homelands
- Office of Hawaiian Affairs
- Department of Agriculture

Maui County Agencies:

- Planning Department
- Dept. of Parks and Recreation

TO: Michael Ferreira, Land Agent V

SUBJECT: Request for Comments: ACT 90 Set Aside to Dept. of Agriculture, Maui County.

LOCATION: Maui County, Tax Map Key: (2) 1-4-007:009, 017.

APPLICANT: Department of Agriculture.

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 April 18, 2024. 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 587-0421, or email Michael.H.Ferreira@hawaii.gov. Please highlight your agency above and check one of three responses and sign. Thank you.

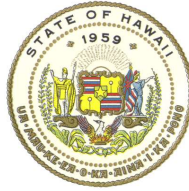
Enclosure

- We have no objections.
- We have no comments.
- Comments are attached.

Signed:  _____

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

March 28, 2024

MEMORANDUM

BLNR -ACT 90 Set Aside to
Dept. of Agriculture
Maui

TO:

State Agencies:

- DLNR-Forestry & Wildlife
- DLNR-State Parks
- DLNR-Conservation and Coastal Lands
- DLNR-Commission on Water Resource Management
- DLNR-Maui District Land Office
- Department of Hawaiian Homelands
- Office of Hawaiian Affairs
- Department of Agriculture

Maui County Agencies:

- Planning Department
- Dept. of Parks and Recreation

FROM: Michael Ferreira, Land Agent V

SUBJECT: Request for Comments: ACT 90 Set Aside to Dept. of Agriculture, Maui County.

LOCATION: Maui County, Tax Map Key: (2) 1-4-007:009, 017.

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Enclosure

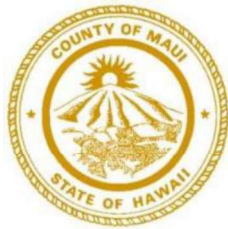
- We have no objections.
- We have no comments.
- Comments are attached.

Signed: _____

RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



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

April 18, 2024

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

Via: *Michael.H.Ferreira@hawaii.gov*

Dear Mr. Ferreira:

SUBJECT: REQUEST FOR COMMENTS: ACT 90 SET ASIDE TO DEPT. OF AGRICULTURE, MAUI COUNTY

Thank you for your March 28, 2024 letter requesting the Department of Planning (Department) to comment on the above referenced application. The Department has no objections at this time and will review any future application for a Special Management Area (SMA) permit, building permit, or subdivision for compliance with zoning designations and the SMA at the time of submission.

Thank you for the opportunity to provide our input. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Blystone", with a long horizontal flourish extending to the right.

KATE L. K. BLYSTONE
Planning Director

xc: Ana Lillis, Deputy Director
Danny Dias, Planning Program Administrator (pdf)

S:\ADMIN\Correspondence\BLNR -ACT 90 Set Aside to Dept Ag

END