

**Tyler Ralston's Testimony in Support of the Termination of Revocable Permit S-7915
Item D-8 on the September 27, 2024 Agenda.**

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

Please support the termination of Revocable Permit S-7915. For years, both the DLNR and the BLNR have facilitated the inappropriate and exclusive use of this valuable public land, by a foreign corporation, at the expense of Hawai'i's people. Termination RP S-7915 would allow this grassed-over public beach to be used and enjoyed in its entirety by Hawai'i's people and the public, as it was originally designated to be in perpetuity long ago when the hotel was built and the lagoon was dredged creating the now grassed-over beach.

It is in the best interest of the public, BLNR and Resorttrust Hawaii (RTH) that any new permit contain very clear, well defined, specific and explicit terms that RTH's use of this public land is for maintenance purposes only. Short of this, the risk will remain that RTH will gradually creep onto the public land once again with commercial or other activity that is inappropriate to conduct on this public parcel. If RTH were to resume inappropriate, commercial, or exclusive-use of the land in the future, I will be more than glad to pick up the cause again, and go as many years or decades as necessary to protect this public land for Hawai'i's people. Therefore, now is the time to do the right thing, making it very clear that their allowed use is for landscape maintenance only.

The current RP S-7915 allows RTH to maintain the landscape and requires RTH to keep the parcel clean and orderly. While the hotel has done a reasonable job at maintaining the landscape in the areas fronting the hotel where their guests are most likely to view, RTH has severely neglected any maintenance on the Western end of the parcel where their guests are least likely to view and where the public is most likely to view as they walk toward the East.

Notably, the Western groin is littered with exposed, broken-off PVC irrigation lines, rusty rebar sticking out the ground, large concrete rubble chunks several feet across, and dislodged, broken black plastic landscape border edging. The adjacent island has many yards of several types of synthetic geo-textile fabric used in landscaping lodged in the boulders, long lengths of now-defunct gray-bar electrical conduit broken off on both ends just laying around, as well as other trash and human-made debris. RTH has not been maintaining the Western groin and island in compliance with the terms of RP S-7915, and the DLNR land agent responsible for paying attention to this has chosen to look the other way for many years.

Please see photos below on the following pages:

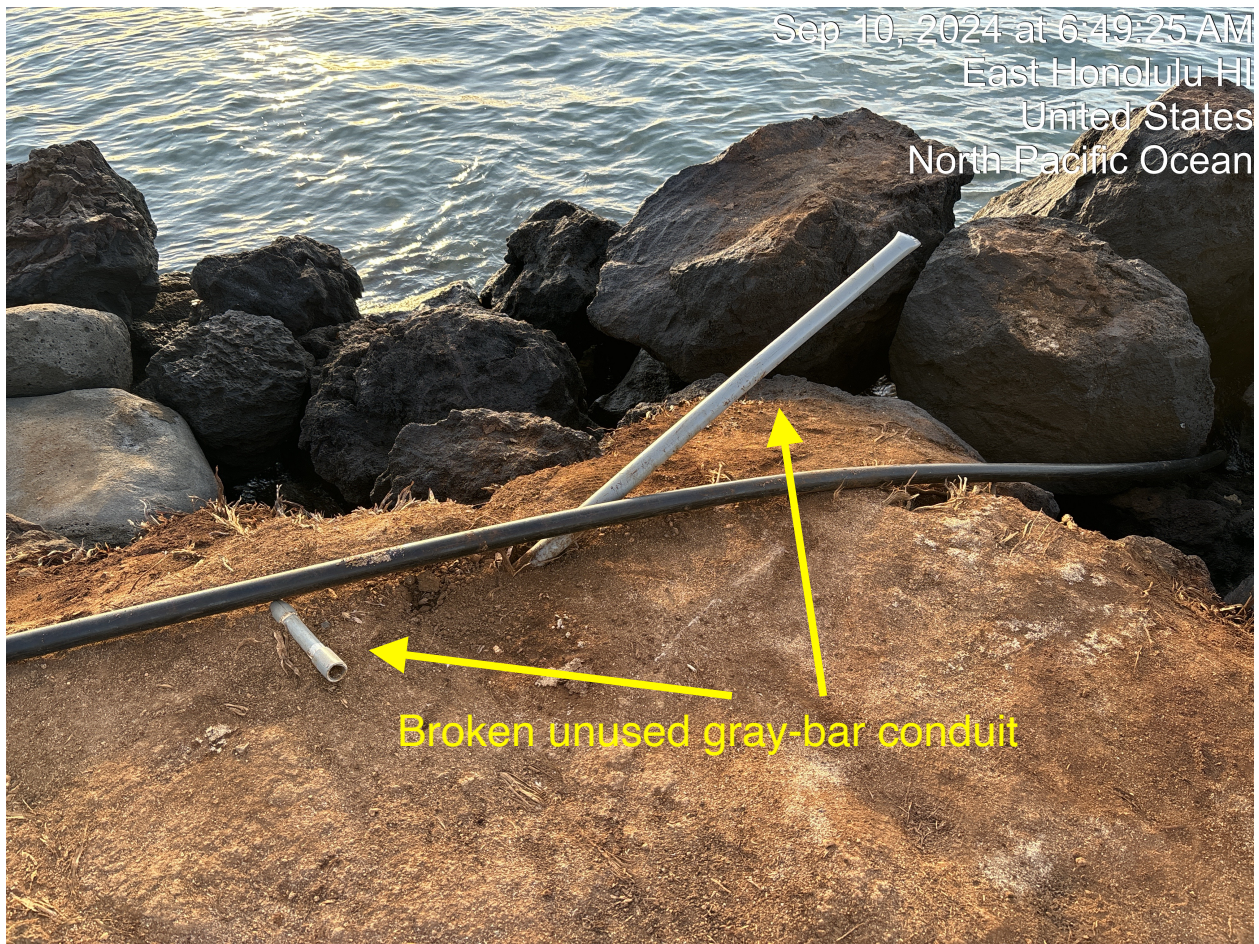
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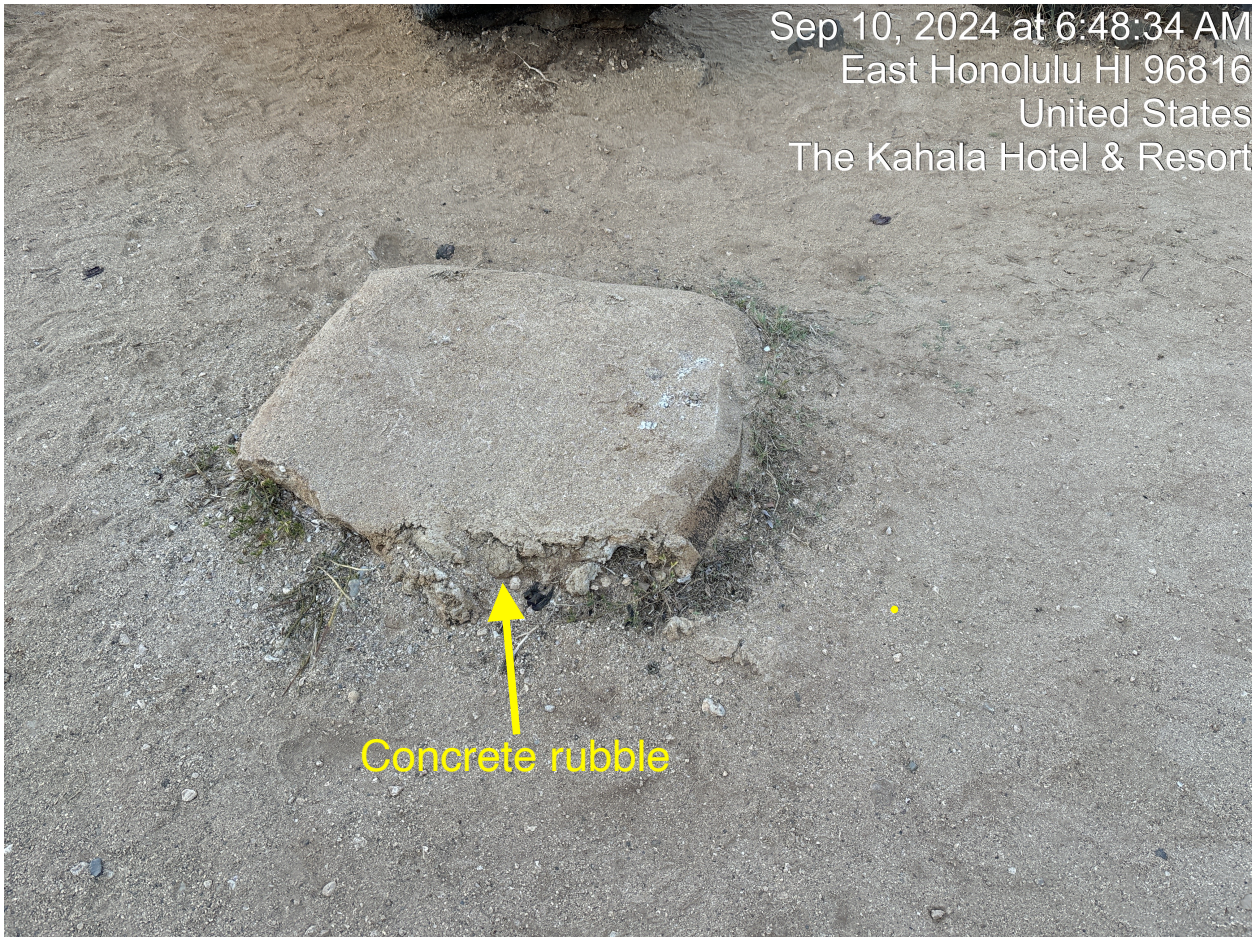
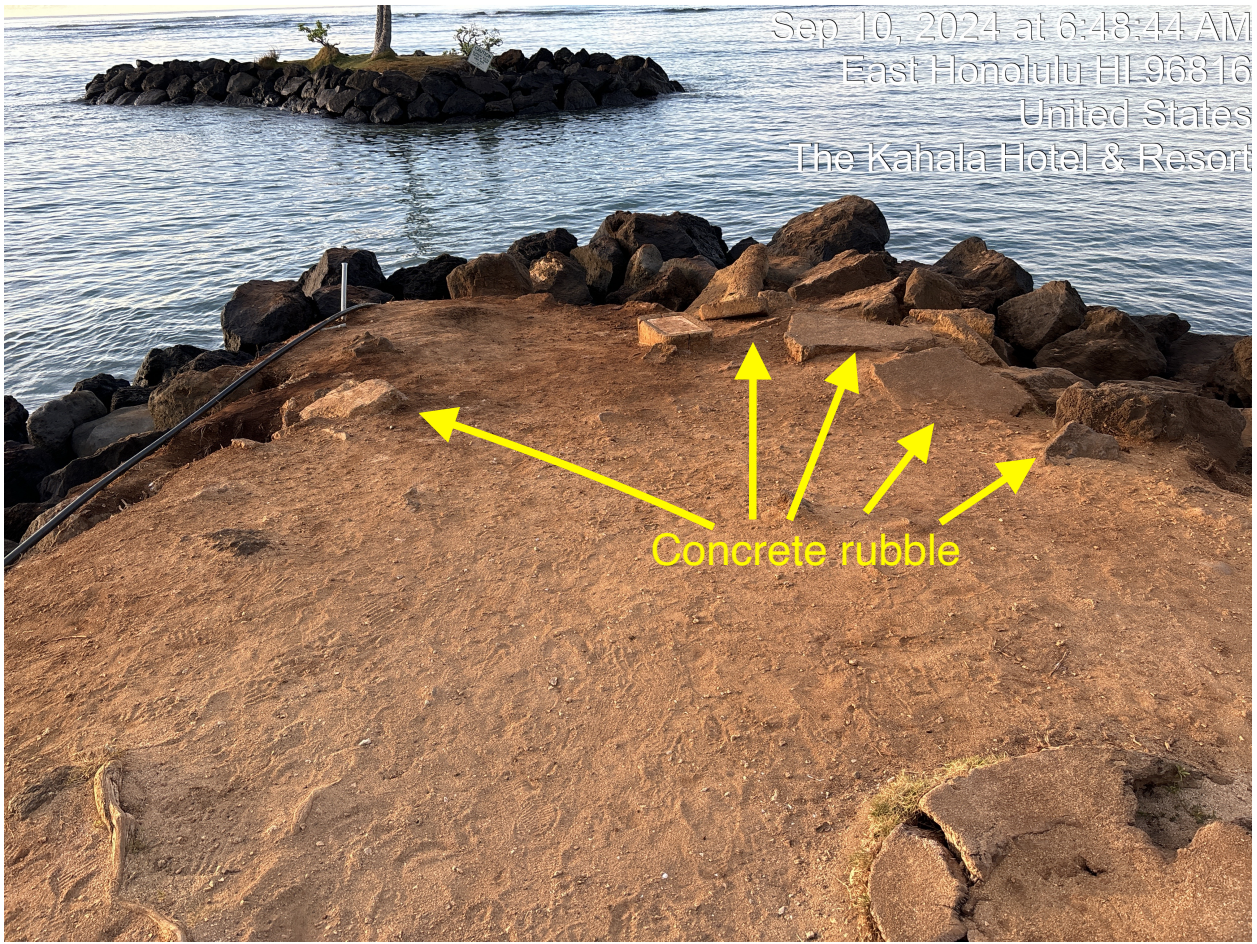
East Honolulu HI
United States
North Pacific Ocean

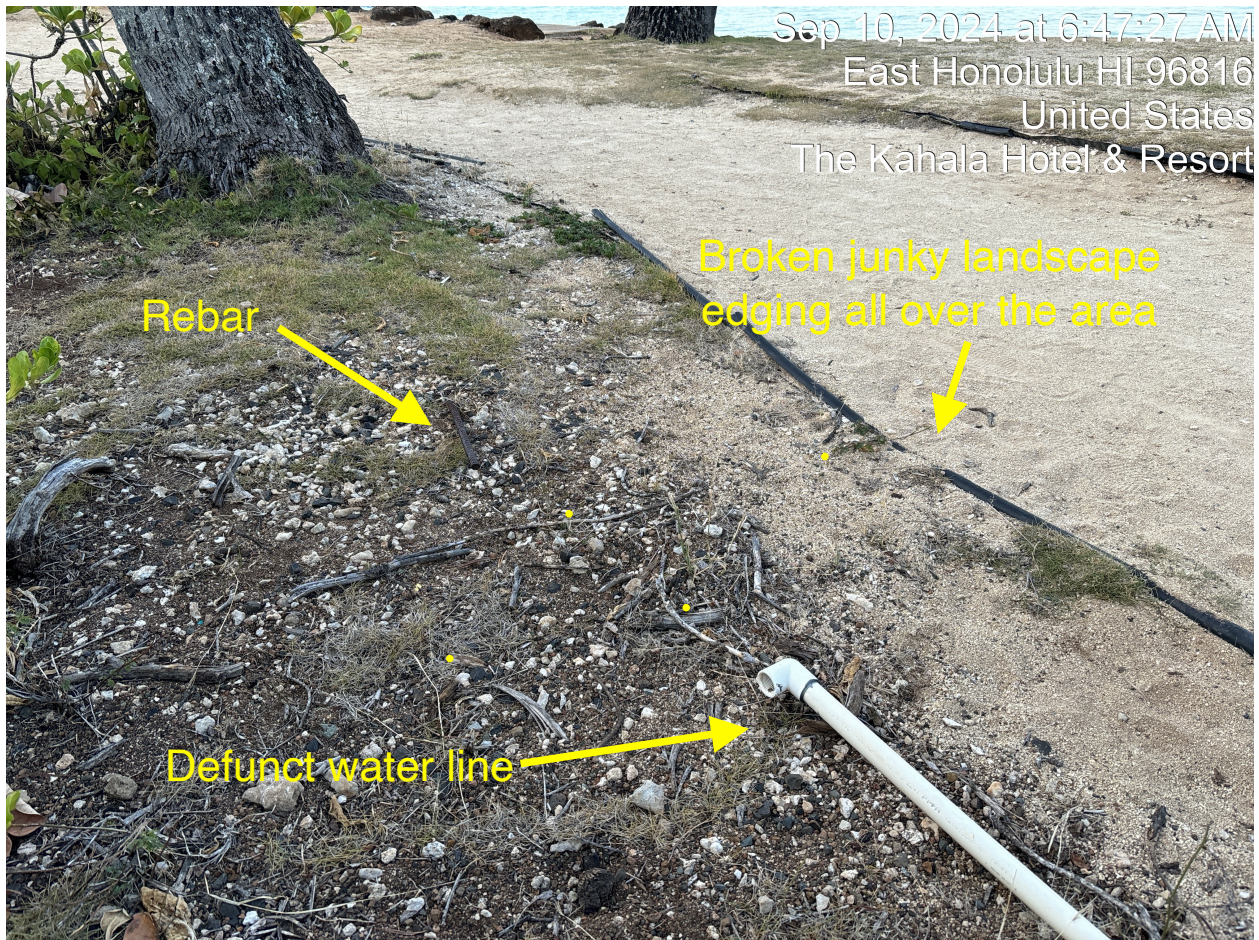


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East Honolulu HI
United States
North Pacific Ocean







Rebar

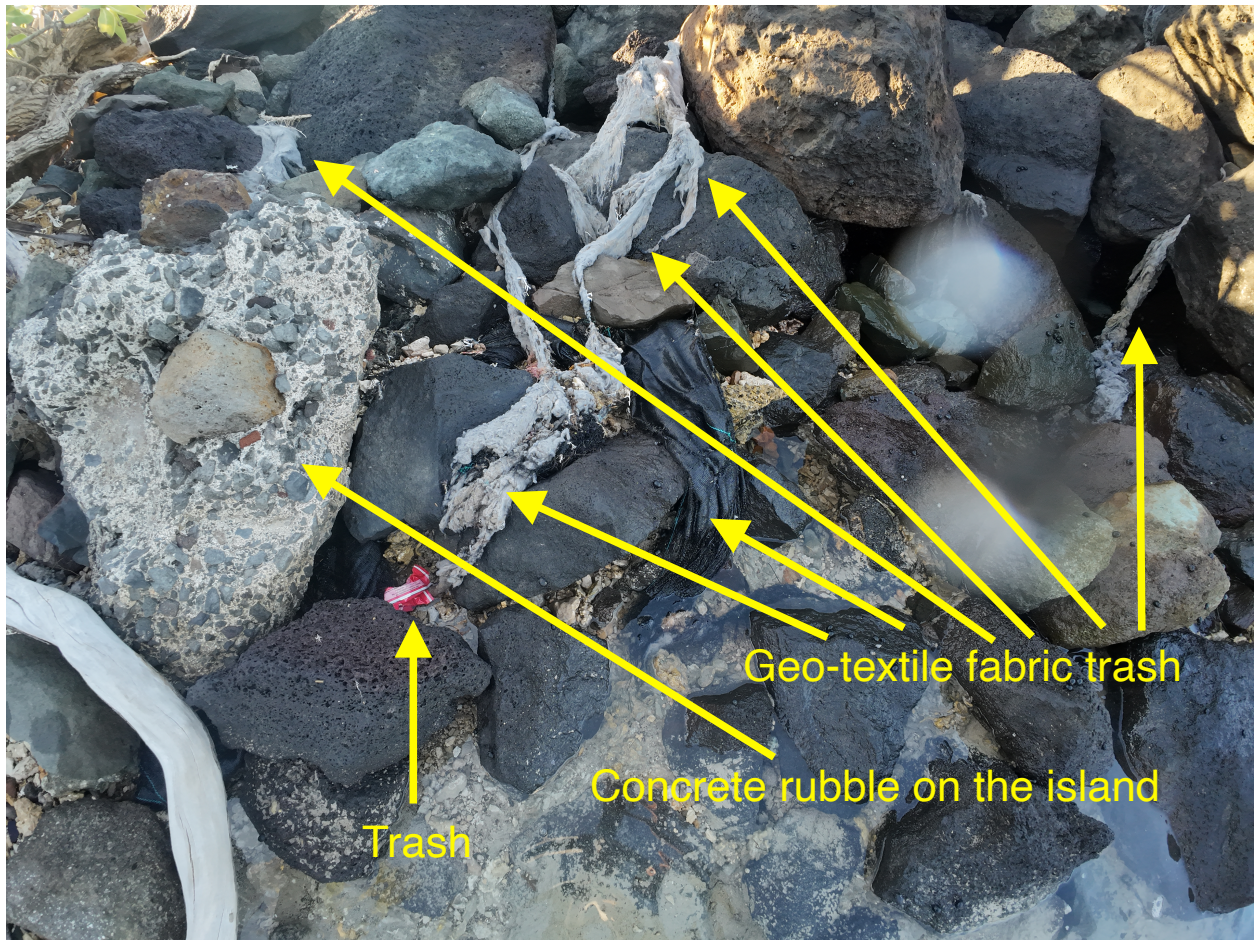
Broken junky landscape edging all over the area

Defunct water line



Rebar sticking out of the ground.





Please require RTH to remove and clean up the defunct landscaping pipes, plastic border edging, rebar, fabric, concrete rubble, trash and other human made debris on the Western groin and island, and anywhere else on the public parcel as a necessary prerequisite to the issuance of both a new Revocable Permit for the parcel, as well as a permit for A/C coolant water discharge pipes running under the State Parcel and sandy beach out into the ocean. Please do not issue new RPs to RTH for the land or for the coolant discharge pipes, until these things are cleaned up and they are maintaining the property as required.

Thank you for consideration of my testimony.

Sincerely,

Tyler Ralston