

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawai'i**

June 26, 2026

Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i

Regarding: Reassessment of Conservation District Enforcement Case OA 21-54 and Update Regarding Noncompliance with the Board of Land and Natural Resources Findings in Conservation District Enforcement OA 05-50 Located at Palolo Hillside Lots, Palolo Valley, O'ahu

Landowners: Dominis G Anderson Trustee of the Dominis G Anderson 2009 Trust
Leni A. Knight

Location: 3552 Pakui Street, Palolo Hillside Lots, O'ahu

Tax Map Key: (1) 3-3-034:001

Area of Parcel: 7.99- acres /348,079- ft²

Subzone: General

Exhibits:

- A Palolo Hillside Location Map
- B Conservation District Subzone Map
- C Andersons Response to the Board
- D Photos of the Shed from 2022 and 2026
- E Plat Maps of Parcel and Adjacent Parcels
- F Adjacent Property's Plot Plan
- G Adjacent Property's Building Elevation
- H Land Court TH Map/Description w/App N^o 704
- I Photo of the Intersection of Pakui St and Mokuna Place
- J Alleged Unauthorized Land Uses
- K Temporary Access Stairway
- L Alleged Unauthorized Land Uses
- M View of a Portion of the Palolo Hillside
- N Decaying Structures
- O Debris on Property

K-1

Summary

The landowners are attempting to resolve an existing violation OA 21-54 regarding unauthorized improvements that enlarged a shed.

Background

This Palolo Hillside lot exists on the eastern wall of Palolo Valley, on the island of O‘ahu, and lies in the General subzone of the Conservation District. **(Exhibits A & B)**

There are two Conservation District Use Permits (CDUP) for TMK: (1) 3-3-034:001:

- On August 24, 1984, the Board approved CDUP OA-1687 for fencing, clearing, planting and orchards subject to six conditions.
- On October 11, 1985, the Board approved CDUP OA-1803 for twelve picnic shelters and one storage shed.

In March 2006, the Board of Land and Natural Resources (Board) found the former landowners of the property in violation of conservation district rules for unauthorized construction by enlarging a shed. A fine was paid and an After-the-Fact CDUA was submitted for the improvements to the shed but was deemed incomplete and was not accepted for processing¹. No further after-the-fact CDUAs were submitted for the unauthorized structure.

In 2019 the property was put on the market, and OCCL received numerous inquiries. OCCL notified inquirers that there was an unresolved Conservation District violation on the parcel, and that the burden to resolve the violation rested with the landowner.

In 2020, the 7.99-acre (348,079-ft²) parcel was purchased by the Trustee of the Dominis G. Anderson for \$165,000. The new landowner submitted a CDUA for a proposed single-family residence on the parcel. The CDUA was rejected due to the unresolved violation on the parcel; pursuant to the Hawai‘i Administrative Rules (HAR), §13-5-31(e) *No permit application shall be processed by the department or board until any violations pending against the subject parcel are resolved.*

The unresolved violation was brought back to the Board on July 9, 2021. At the Board meeting it was noted that the Palolo hillside has rockfall problems, and that there was a potentially hazardous situation. In order to ensure the safety of downhill residents and to minimize the footprint and visibility of the enlarged shed structure, the Board ordered Dominis G Anderson, trustee of the Dominis G Anderson 2009 Trust and Leni A Knight to conduct a geotechnical and civil engineering study to assess the stability of the parcel's hillside as well as potential hazards and determine if the unauthorized structure can be safely removed, subject to thirteen conditions. The Board of Land and Natural Resources concluded that the violation was unresolved.

¹ Staff noted that the After-the-Fact CDUA and its attached plans were not readable and lacked the necessary details for analysis. Additionally, it was unclear in the application whether improvements or modifications to the structure were proposed.

The matter returned to the Board on March 22, 2024, as the Office of Conservation and Coastal Lands (OCCL) was not satisfied with the removal work of the enlarged shed structure as required. Further, as there is no defined access to the parcel and the majority of the parcel consists of steep topography, it appeared cleanup and removal of the unauthorized improvements and its debris was untenable. It did not appear to be justifiable to fine someone \$15,000/day when there is no apparent access to the property to do any type of mitigation.

Therefore, staff recommended an amendment to the July 9, 2021, Board Findings by removing condition #11 that states: That in the event of failure of the current or any future landowner to comply with any order herein, the landowner shall be fined \$15,000.00 per day until the order is complied with. The Board deferred [agenda item K-4 Amendments to Conservation District Enforcement Case OA 21-54 Regarding Noncompliance with the Board of Land and Natural Resources Findings in Conservation District Enforcement OA 05-50 Located at Palolo Hillside Lots, Palolo Valley, O'ahu](#) and requested that Mr. Anderson/Ms. Knight come back to a future Board meeting with a viable plan to address nonstructural material on site and its safe removal.

Actions Taken After March 22, 2024

Per the Board's discussion at the March 22, 2024, meeting, the Board appeared to define foundation as "concrete". As three engineers stated the foundation of the shed structure is stable, proposed removal would be down to columns and load bearing walls. For compliance, as a start or attempt to safely remove the nonstructural material, the Board requested a plan to address this matter.

Although no plan was submitted for review or presentation to the Board, by correspondence dated September 3, 2025, counsel for the landowners described the additional work done to dismantle the unauthorized improvements to the shed, removal of nonstructural debris and removal of an alleged encroachment. According to the information presented, the removal work took two weeks to complete with approximately five contractors working from 8am to 4pm. **(Exhibit C)**

Once again access had to be negotiated with the former landowner that resides adjacent and uphill of the parcel. Temporary flights of stairways were needed to carry out the removal work. Nonstructural debris was manually removed via hand carry or pulley system to the uphill adjacent property to two trucks that transported the materials to a disposal site. Debris had to be cut to less than 6-ft to be carried out or small enough to fit in a 5G bucket. The correspondence notes drywall, wood, an appliance and other debris were removed.

Heavier noncombustible steel/metal nonstructural debris that could not be removed from the site due to safety concerns [too heavy to be carried, fire potential if cut on site] were stored under/within the shed's foundation.

In addition to the further dismantling of the shed, a potential encroachment noted as an elevated deck was also reported to have been removed.

With landowner's counsel's permission, a drone was flown over the property on February 6, 2026. It appears that significant additional removal of debris has occurred. **Exhibit D** illustrates

areas where additional debris was removed from under the structure and within the structure and compares photos from 2022 and 2026.

Continued Concerns

While the existing enforcement matter is hopefully moving towards resolution, as stated by staff in previous submittals, the property still has issues:

- There are encroachments on the property.
- There is no defined access to the property.
- There appears to be land uses that were not reviewed nor authorized.
- The remnants of existing authorized structures on the property are not being maintained and continue to decay.

Staff was hoping the landowners would recognize the challenges, not only by trying to address and mitigate the offending structure, but with the entire property. Creating a viable plan for debris removal could not only address the unauthorized improvements on the shed as directed by the Board but could also be a pilot project to clean up the property and initiate planning, management and mitigation for the other noted challenges of the parcel.

Encroachments

Within the September 3, 2025, correspondence, landowner's counsel has stated there is a "disagreement" whether an encroachment is within the parcel in the Conservation District or not. A way to resolve the "disagreement" would be to get a survey of the property. Staff has requested a survey of the property on several occasions. In addition, staff has also requested that discussion take place with the encroaching neighbor to remove encroachments.

In comparing a plat map, an adjacent property's building plans and drone footage from 2024 and 2026, it appears there are encroaching features emanating from an adjacent parcel. The plat map illustrates what appears to be a linear line along a portion of the property boundaries. **Exhibit E.**

In reviewing the adjacent property's building plans, it appears a pool railing cantilevers the two property's boundary. Utilizing the railing as an apparent property boundary indicator, it is apparent, the adjacent neighbor encroaches upon the property. **Exhibits F & G**

Access

Direct access to the property has not yet been defined. The rejected CDUA submitted in 2020, included a site plan that indicated a driveway up and off Pakui St. In this particular area, Pakui St. is a paper road. No road exists in the area although "Pakui St" appears on maps and other documents. The City has previously stated a portion of Pakui St. adjacent to the property is privately owned.

In 1985, a previous landowner indicated access near the corner intersection of Pakui St and Mokuna Place (formerly 11th Ave). While Land Court Map 704 has defined what appears to be a 14.4-ft section of the property that could possibly be accessed from Pakui St., an inspection of the area reveals steep rocky land covered in vegetation. Substantial engineering, grading

and construction work would be required to establish viable access to the parcel. **Exhibits H & I**

Additional Alleged Unauthorized Land Uses

In addition, the drone footage obtained on June 1, 2022, and February 2026 further revealed additional land uses that appear to possibly be a storage structure, stairs, a sheltered stairwell, decks, landings, and landscape or erosion control walls. While a temporary stairway was created to accommodate the removal of nonstructural debris, there appears to be a number of existing features as documented in the drone footage. Staff believe these features most likely have been in place prior to the acquisition of the property by the current landowners. Nevertheless, the landowner is responsible for land uses on his property. **Exhibits J, K & L**

Decaying Structures

The existing authorized structures need to be monitored, managed and mitigated as the structures age and degrade. The recent drone footage revealed wood floors in the remnant structure of the shed, degrading picnic shelters stuffed with debris, and decaying structures shedding material. Not to mention the debris scattered throughout the property that has the potential to slide down the steep slope of the terrain. During the dry season, these features coupled with dry brushes have the potential to be fire fodder. **Exhibits M, N & O**

While the subject of this agenda item is possible resolution of an existing violation, staff would like to bring these other concerns to the landowners and the Board's attention as it appears the landowners believe by resolving the unauthorized improvements to the shed, they are free to apply for proposed land uses. However, that does not appear to be the case.

Discussion

The Board requested that Mr. Anderson and Ms. Knight come back to a future Board meeting with a viable plan to address nonstructural material on site and its safe removal regarding unauthorized improvements made to the shed. No viable plan was submitted but additional work to remove debris was conducted.

At this time the Board shall determine if the additional work for the removal of nonstructural debris on the shed is sufficient. If so, then enforcement matters OA 05-50 and OA 21-54 would be resolved. OCCL staff believe the shed has sufficiently been deconstructed and nonstructural debris related to the shed has been removed. However, staff continues to have concerns, as noted above, regarding encroachments, access, alleged unauthorized land uses and the debris and decaying of authorized land uses.

Should the Board decide the removal of the nonstructural debris is insufficient, then staff would again like to recommend an amendment to the July 9, 2021, Board Findings by removing condition #11 that states: *That in the event of failure of the current or any future landowner to comply with any order herein, the landowner shall be fined \$15,000.00 per day until the order is complied with.* Satisfactory resolution does not appear to be tenable given the lack of access and steep topography.

Should the Board determine that the removal of the nonstructural debris is sufficient and enforcement matters OA 05-50 and OA 21-54 are resolved, staff would like the Board to order

the landowners or future landowner(s) to survey the property. Based upon the survey of the property, should encroaching and alleged unauthorized land uses be identified, the land uses shall be removed or after the fact authorization shall be obtained for the land uses.

Upon resolution of encroachments or alleged unauthorized land uses, any future application for proposed land uses on the subject parcel shall identify bona fide access to the property and shall include a management plan for the entire property to monitor, to mitigate, to maintain and /or remove existing authorized structures and any debris in addition to vegetation management.

Whether future land uses are applied for with a management plan for the property or not, this is private property. The landowners are responsible for the care, maintenance and management of their property.

Recommendation


OCCL recommends that the Board either:

- A. Determine the removal of nonstructural debris in regard to unauthorized improvements made to a shed is insufficient and the existing violation remains unresolved.
 - 1. Amend the July 9, 2021, Board Findings for Enforcement Case OA 21-54 by removing condition #11 that states: That in the event of failure of the current or any future landowner to comply with any order herein, the landowner shall be fined \$15,000.00 per day until the order is complied with.
 - 2. That all other conditions imposed by the Board under Conservation District Enforcement Case OA 21-54, as amended, shall remain in effect.

OR

- B. Determine the removal of nonstructural debris in regard to unauthorized improvements made to a shed is sufficient.
 - 1. Existing violations noted as ENF OA 05-50 and OA 21-54 shall be considered resolved.
 - 2. The landowner(s), its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the landowner(s), its successors, assigns, officers, employees, contractors, and agents under this matter or relating to or connected with this matter;
 - 3. All temporary structures utilized for the removal of debris shall be removed and evidence (photos) of removal shall be submitted to the OCCL in 30 days.
 - 4. The landowners or future landowner(s) shall survey the property to identify the property boundaries and any potential encroachments and submit the survey to the OCCL within one year of the Board's decision.

5. The landowners or future landowner(s) shall attempt to work with the adjacent landowner to remove or obtain after the fact authorization for identified encroachments and alleged unauthorized land uses in the Conservation District.
6. The landowners or future landowner(s) shall identify bona fide access to the property and shall develop a management plan for the parcel to monitor, to mitigate, to maintain and/or remove existing authorized structures and any debris in addition to vegetation management with any application for new land uses.

Respectfully submitted,


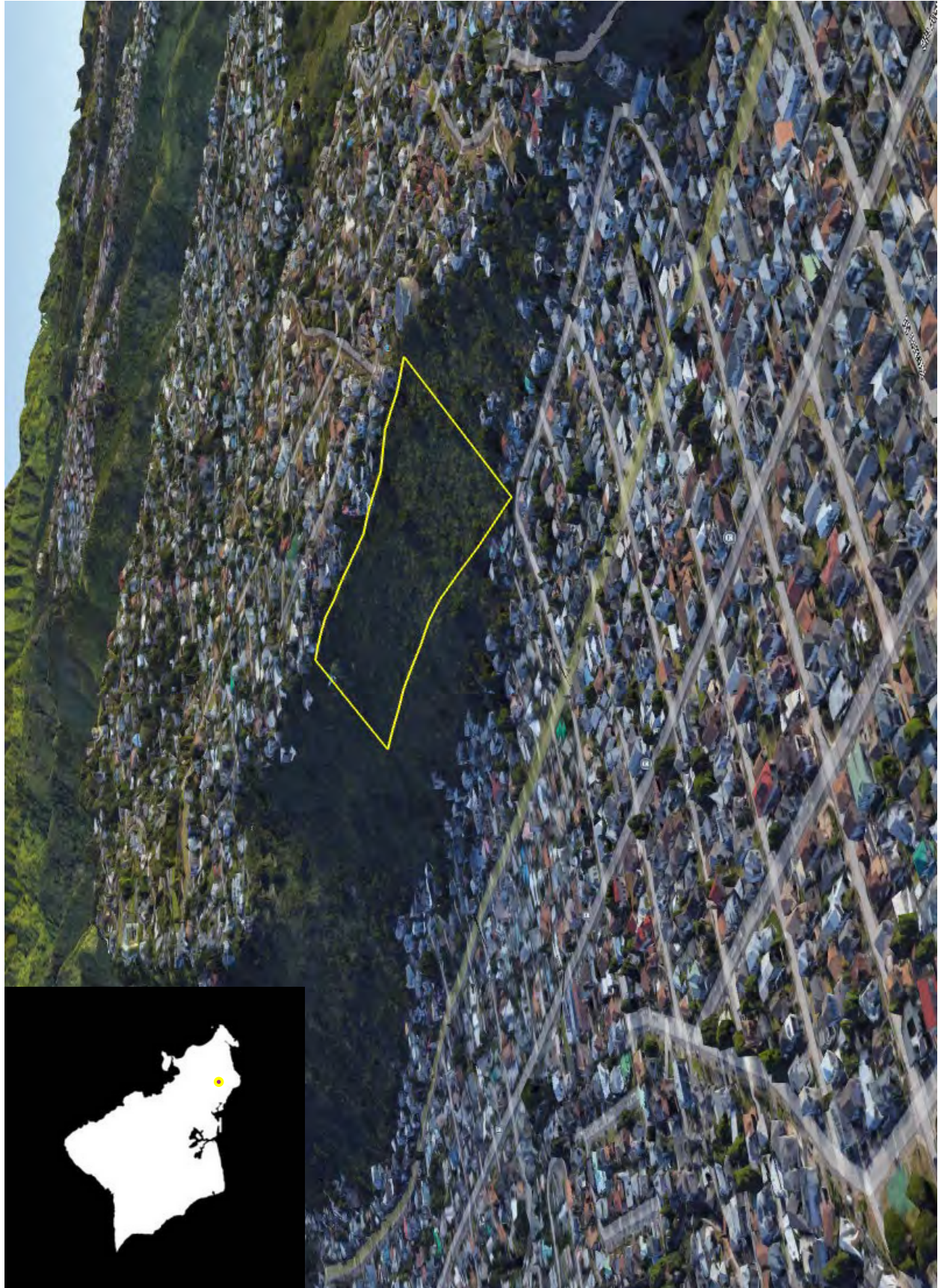
K. Tiger Mills, Staff Planner
Office of Conservation and Coastal Lands

Approved for submittal:



Ryan K. P. Kanaka'ole, Acting Chairperson
Board of Land and Natural Resources





Patolo Hillside, O'ahu Tax Map Key: (1) 3-3-034:001

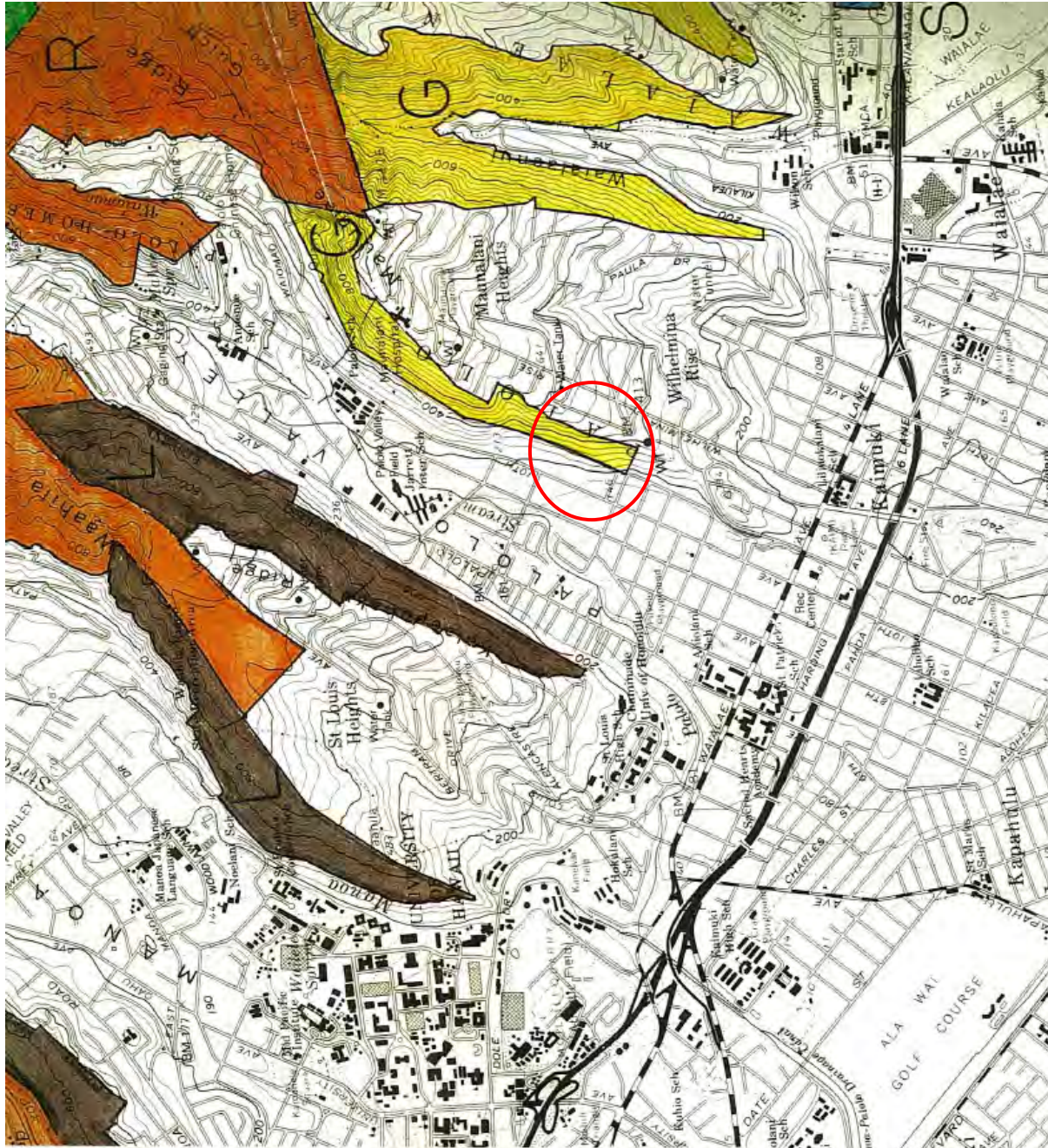


Exhibit B Conservation District Subzone Map

September 3, 2025

VIA E-MAIL & HAND DELIVERY

Dawn N.S. Chang, Chair
Ka'iwi Yoon, Member
Board of Land and Natural Resources
DLNR Boardroom
Kalanimoku Building
1151 Punchbowl Street, 1st Floor
Honolulu, HI 96813
blnr.testimony@hawaii.gov

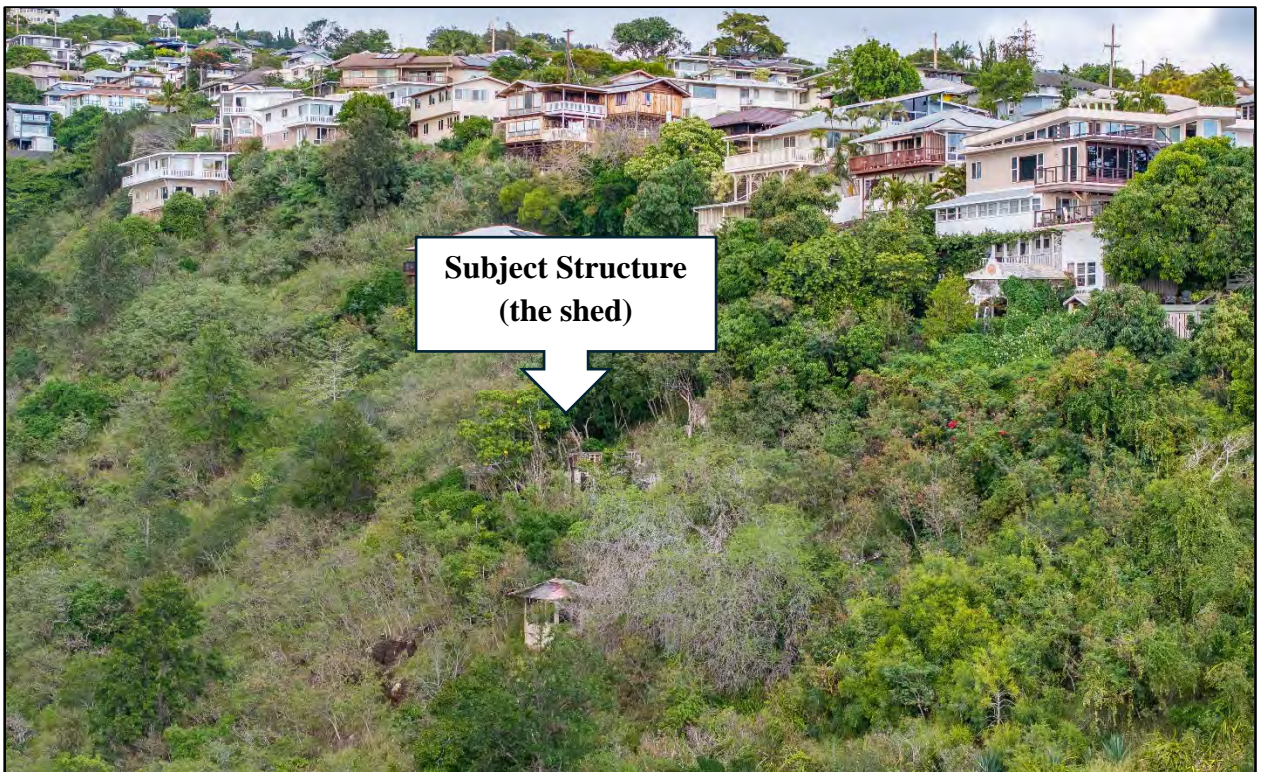
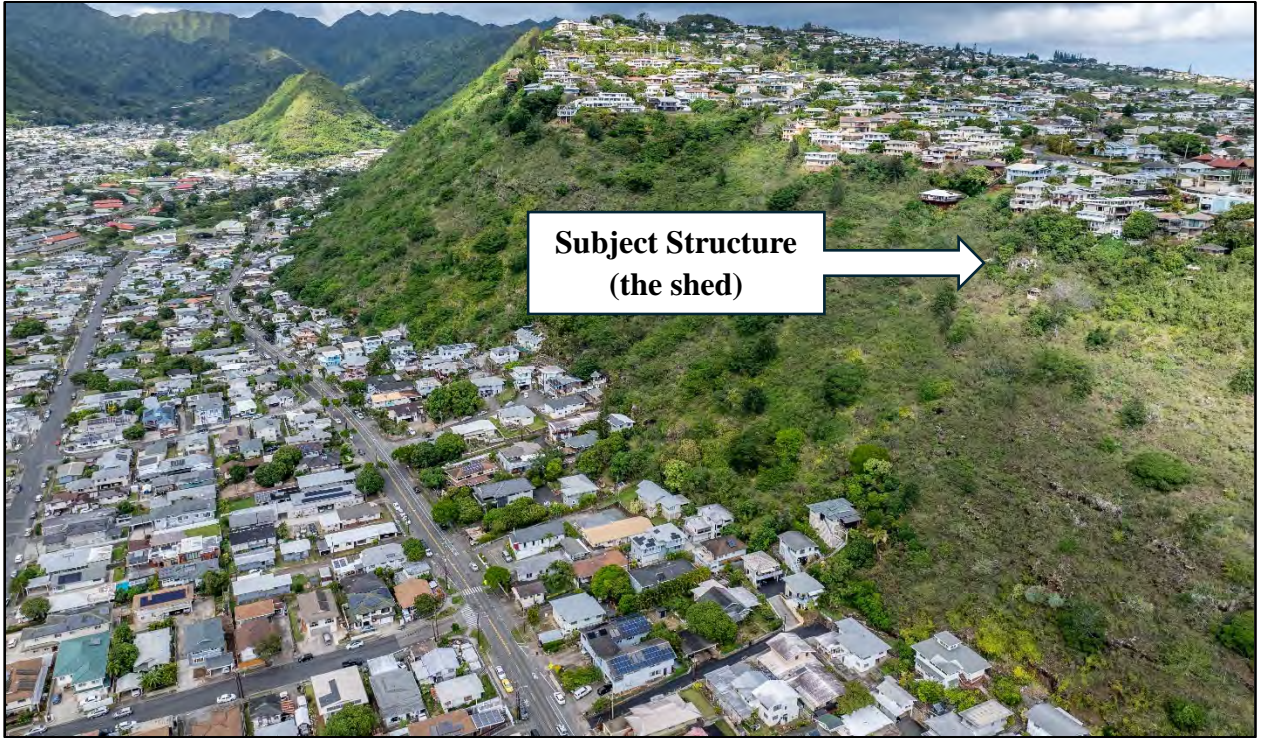
Re: Enforcement OA 21-54 – Removal of Nonstructural Debris and Alleged Encroachment

Dear Chair Chang, Member Yoon, and Board Members:

As the Board may recall, this Firm represents Dominis G. Anderson, Trustee of the Dominis G. Anderson 2009 Trust, and Leni A. Knight in connection with the property located at 3552 Pakui Street, Honolulu, Hawaii, 96816, Tax Map Key (1) 3-3-034:001 (the “*Property*”). The Property is the subject of Office of Conservation and Coastal Lands (“*OCCL*”) Enforcement Actions OA 05-50 and OA 21-54 (collectively, the “*Enforcement Actions*”), which center on the dismantling and removal of a shed located on the Property. The Enforcement Actions last came before the Board as agenda item K-4 at the Board’s March 22, 2024, meeting.

As a brief recap, the Property is a nearly 8-acre parcel with steep topography located in Palolo Hillside. Two Conservation District Use Permits (“*CDUP*”) were issued for the Property in the 1980s: 1) CDUP OA-1687 on August 24, 1984; and 2) CDUP OA-1803 on October 11, 1985. CDUP OA-1803 authorized the construction of twelve picnic shelters and a storage shed. In the mid to late 1980s (or the early 1990s), several picnic shelters were constructed, as well as a storage shed. The storage shed is located in the northeast portion of the Property and is the structure at issue in the Enforcement Actions. In March 2005, the Property’s prior owners, Gregory Longnecker and Mami Longnecker, were cited in Enforcement Action OA 05-50 for an unauthorized structure and unauthorized improvements, both of which related to the storage shed. As alleged in the 2005 enforcement, the storage shed was constructed larger than the plans submitted in connection with CDUP OA-1803 (issued in 1985). Aerial photographs of the Property are provided below and in *Appendix 1* (the shed is denoted by the yellow boxes in Appendix 1).

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Ka'iwi Yoon, Member
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The 2005 enforcement came before the Board on March 10, 2006, at which time the Board imposed eight conditions. Of note, condition 4 required that the Longnecker's "shall submit an After the fact Conservation District Use Application [{"CDUA"}] including a geo-technical evaluation within six (6) months of this determination." As stated by OCCL in its July 9, 2021, staff submittal concerning the Property, "an After-the-Fact CDUA was submitted to OCCL on September 7, 2006." At the Board's meeting on July 9, 2021, then-administrator Sam Lemmo confirmed that the Longnecker's submitted an after-the-fact CDUA. Ostensibly, the Longnecker's complied with condition 4 from the 2005 Enforcement. However, OCCL has noted that the "After-the-Fact CDUA and its attached plans were not readable and lacked necessary details for analysis" and therefore it deemed the application incomplete and unacceptable for processing. The Longnecker's did not resubmit their application.

Mr. Anderson purchased the Property on or about June 2, 2020, and granted a life estate to Ms. Knight on or about August 13, 2020. Ms. Knight subsequently submitted a CDUA to OCCL, which was rejected on February 9, 2021, due to the 2005 enforcement. OCCL then brought the 2005 Enforcement back to the Board under Enforcement OA 21-54. Enforcement OA 21-54 came before the Board on July 9, 2021. At that meeting, the Board approved thirteen conditions concerning the resolution of the 2021 enforcement, as well as the 2005 enforcement. Conditions 4 and 5 required that Mr. Anderson and Ms. Knight complete work recommended by reports from geotechnical and civil engineers and remove the shed to the extent consistent with those reports. The civil engineer and geotechnical engineer noted the difficult site conditions and recommended removal of the shed to the extent feasible. Mr. Anderson and Ms. Knight had the shed dismantled and materials removed to the extent feasible by December 2021, including removing the shed's roof, second story, and portions of the first story. Photographs of the shed before and after the December 2021 dismantling and removal are provided in **Appendix 2**. OCCL was not satisfied with the extent of the removal and the matter was brought back before the Board on March 22, 2024, as provided in condition 9 from the 2021 enforcement.

During the Board's March 22, 2024, meeting, Mr. Anderson and Ms. Knight shared their prior actions and difficult site access and conditions with the Board; and OCCL shared their position that they were not satisfied with the removal of the shed to date but acknowledged that site access precluded mitigation. *See, e.g.*, Staff Submittal for Agenda Item K-4 (March 22, 2024) at p. 5. Ultimately, the Board voted to defer taking action on Agenda Item K-4 and to allow Mr. Anderson and Ms. Knight to return to a future meeting with "a viable plan to address nonstructural

material on site and its . . . safe removal.”¹ During discussion of the motion, OCCL indicated that they were agreeable with this approach.² On behalf of Mr. Anderson and Ms. Knight, we would like to sincerely thank the Board for its flexibility and accommodation in allowing Mr. Anderson and Ms. Knight to develop and implement a plan for the further removal of nonstructural debris from the shed. We would also like to acknowledge and thank OCCL for its acknowledgement of restrictive site conditions and their impact on resolving the Enforcement Actions. The following update on Mr. Anderson and Ms. Knight’s development and implementation of the removal plan is respectfully submitted for the Board’s consideration. The removal can be broken into two components: 1) the removal of nonstructural debris from the shed; and 2) addressing an alleged encroachment that OCCL has previously expressed concerns about.³ See *Appendix 1* (alleged encroachment denoted by pink boxes).

Removal of Nonstructural Debris from the Shed

Accessing the Shed Site

Ingress to and egress from the shed’s location to carry out the removal plan was negotiated via the uphill parcel owned by Gregory and Mami Longnecker (1746-A Mikahala Way, TMK (1) 3-3-031-072). There were several flights of stairs leading down to the shed site and the stair landing that was nearest the shed collapsed and was not structurally sound (see photographs below). Accordingly, a temporary, wooden stair landing was needed to carry out the proposed debris removal and will be removed once it has been determined that the removal actions are satisfactory to resolve the Enforcement Actions.

¹ <https://www.youtube.com/live/yY5Ivcx7L8s?t=19912> (video recording of March 22, 2024, Board meeting at 5:31:52; the Board voted to approve the motion at 5:36:57).

² *Id.* At 5:36:17.

³ See, e.g., Staff Submittal for Agenda Item K-4 (March 22, 2024) at p. 3, Exhibit H1 (quoting OCCL’s November 21, 2022, letter discussing the shed and stating “We also note that there appear to be unauthorized encroachments onto the property on the uphill side. Please notify us when these have been removed.”). OCCL further notes in its staff submittal that “unauthorized land uses such as encroachments . . . would also need to be resolved prior to applying for permits for future land uses.” See *id.* at p. 3. It is unclear whether the alleged encroachment is located within the conservation district (Mr. Anderson and Ms. Knight do not concede that it is) or the neighboring urban district. Although no notice of violation has been issued, Mr. Anderson and Ms. Knight have proactively addressed the alleged encroachment.

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Removing and Disposing of Materials

Nonstructural debris located at the shed site includes combustible materials such as lumber (*e.g.*, 2x4s, 2x6s, 4x4s, and plywood) and drywall, as well as noncombustible metal (*e.g.*, steel grating, steel window frames, and corrugated panels). Nonstructural debris was manually removed (*e.g.*, carried by hand, pulley system) by a contractor from the shed site to two trucks via the ingress/egress path. The trucks then transported the materials for disposal. The path of ingress and egress is steep, narrow, and necessitated debris being reduced to manageable proportions, *e.g.*, lengths of six feet or less, small enough to fit in a five-gallon bucket, etc. Cutting took place on the shed. Drywall has been removed from the shed site, as well as wood, an appliance, and other debris. Photographs of the removal process, ingress/egress path, and before and after conditions of the shed are provided in **Appendix 3**.

With respect to the significantly heavier metal nonstructural debris (*e.g.*, the steel window frames and steel grating), Mr. Anderson and Ms. Knight had those items stacked at or near ground level under/within the shed’s foundation. The steel window frames are 3/8” thick, up to six-and-a-half feet long, and could not be safely removed from the shed site using the ingress/egress path given their weight and dimensions. The steel grating presented the same safety concerns. Moreover, given the thickness of the steel, there were significant concerns that cutting (*e.g.*, by angle grinder, cut off saw, or torch) would generate significant sparks and pose a fire risk.⁴ Fire control would likely be difficult given the shed site’s access challenges. These metal items are not combustible and do not present a fire risk in their current state. On balance, stacking these items at or near ground level under/within the shed’s foundation appeared to be the safest and most practicable option.⁵ Photographs of the heavy, nonstructural debris are provided in **Appendix 3**.

⁴ OCCL appears to share concerns about fire risk, noting that “[t]here is a lot of loose debris and the material could be fire fodder.” *See, e.g.*, Staff Submittal for Agenda Item K-4 (March 22, 2024) at p. 3, Exhibit G; *see also id.* at p. 4 (“Further, about 50 years ago, a fire took place on this hillside with children suspected of starting it.”), Exhibit J.

⁵ The heavy steel items were also discussed during the Board’s March 22, 2024, meeting, with Mr. Anderson and Ms. Knight noting their size, weight, and concerns about sparks. After discussing what should be done with the shed *after* nonstructural debris is removed (*e.g.*, whether it should be painted, etc.) and Mr. Anderson and Ms. Knight’s counsel seeking clarification concerning the plan to be brought to the Board, Member Yoon clarified “let’s just deal with the nonstructural light debris” and not what is done with the foundation afterwards. *See* <https://www.youtube.com/live/yY5Ivcx7L8s?t=20159>. Thus, it appears that this approach is also consistent with the discussions at the March 22, 2024, Board meeting.

The removal work took two weeks to complete, with approximately five contractors carrying out the removal. Removal activities took place between approximately 8:00 a.m. and 4:00 p.m. to minimize noise impacts to neighboring properties. The cost of removal was approximately \$15,000.

The Alleged Encroachment

Following Mr. Anderson and Ms. Knight's original work dismantling and removing the shed in late 2021, on or about June 1, 2022, OCCL surveyed the Property by drone. By letter dated November 21, 2022, OCCL noted that there appeared to be an unauthorized encroachment into the conservation district. *See, e.g.*, Staff Submittal for Agenda Item K-4 (March 22, 2024) at p. 3, Exhibit H1. The drone photographs included in OCCL's November 21, 2022, letter indicate that the alleged encroachment is located near the boundary between the Property and the Longnecker's parcel (1746-A Mikahala Way). While the Property is located in the Conservation District, the Longnecker's parcel is located in the urban district (which does not fall within OCCL's jurisdictional authority). The alleged encroachment appears to be the elevated deck pictured below.



While there is disagreement⁶ whether the alleged encroachment is in the conservation district, and no notice of violation has been brought for the structure, it was possible that the alleged

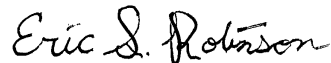
⁶ The alleged encroachment was not identified as an encroaching structure in the boundary survey conducted for the Longnecker's Mikahala Way property in 2002, which implies that the alleged

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encroachment would need to be addressed before OCCL would accept a Conservation District Use Permit application (after the shed's removal has been resolved). As such, Mr. Anderson and Ms. Knight, in conjunction with the Longnecker's, had the alleged encroachment dismantled and removed concurrently with the removal of nonstructural debris from the shed site. Photographs of the removal of the alleged encroachment are included in *Appendix 4*. To the extent the alleged encroachment was located in the Conservation District, we respectfully submit that the alleged encroachment has been removed.

We sincerely thank the Board for its time and consideration and look forward to presenting Mr. Anderson and Ms. Knight's removal and actions towards resolving the Enforcement Actions.

Very truly yours,



Eric S. Robinson
Paul Sato

Encl: Appendices 1-4
cc: Michael Cain, Administrator, Office of Conservation and Coastal Lands
(michael.cain@hawaii.gov)

encroachment, assuming it existed at the time, was not encroaching into Mr. Anderson and Ms. Knight's Property (*i.e.*, it was not in the Conservation District). While it is unclear when the alleged encroachment was constructed, the oldest discernable satellite imagery located dates back to August 2004 and appears to show the alleged encroachment.

APPENDIX 1

















Exhibit C Anderson's Response to the Board

APPENDIX 2

Exhibit 12

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HSH-HA-HAWAII 2005

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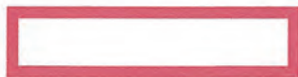
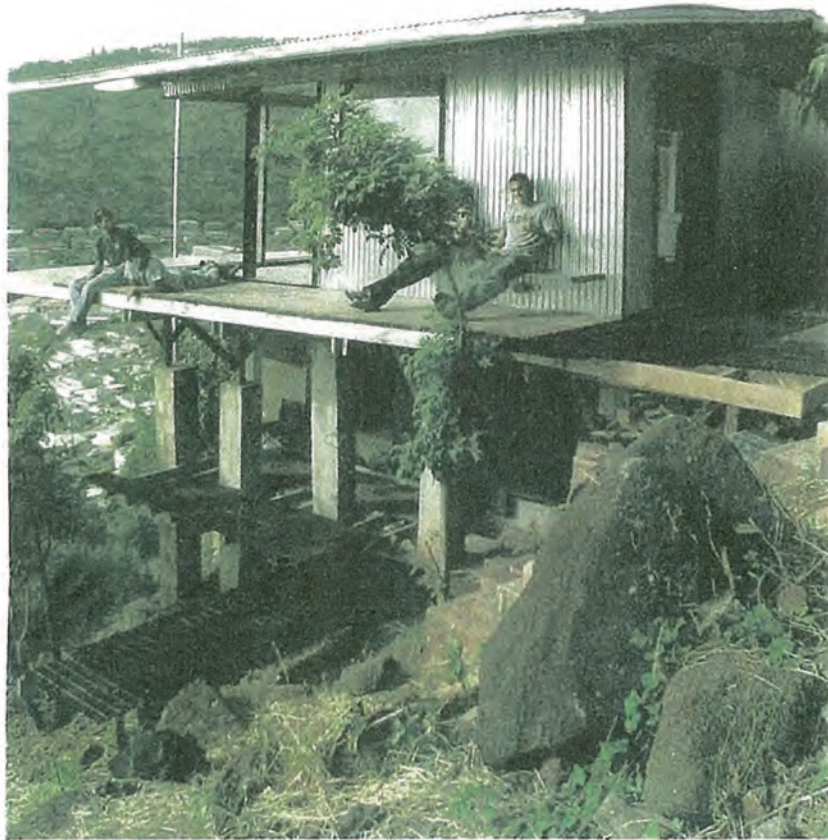


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HSH - HA - Hawaii 2005 MARCH 1st



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subject structure

03/03/05



Exhibit 13

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Exhibit 13

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Exhibit 13
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Exhibit 13

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Dismantling Shed:

- Shed roof and rafters



Second Floor



Second Floor Removed



APPENDIX 3



Shed Prior to Additional Removal and Cleanup



Shed Before (Top Photo) and After (Bottom Photo) Additional Removal and Cleanup



Storage of Large/Heavy Materials that Could Not be Removed During Additional Removal and Cleanup



Storage of Large/Heavy Materials that Could Not be Removed During Additional Removal and Cleanup



Additional Removal and Cleanup In Progress





Additional Removal and Cleanup In Progress



Additional Removal and Cleanup In Progress

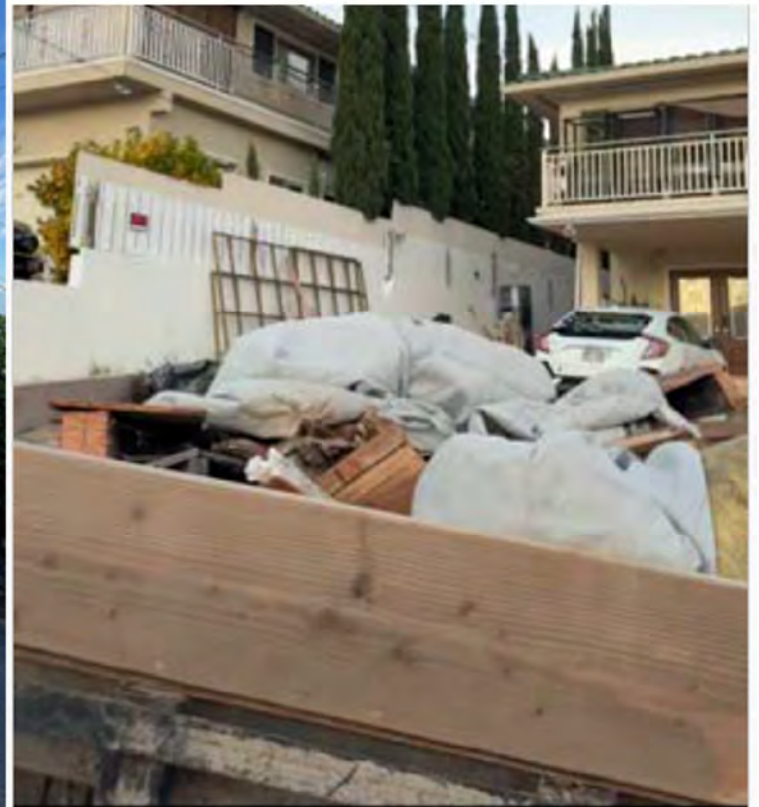


Additional Removal and Cleanup In Progress





Additional Removal and Cleanup In Progress



Additional Removal and Cleanup Materials Hauled Away



Additional Removal and Cleanup Materials Hauled Away

APPENDIX 4



Alleged Encroachment (Deck) Prior to Removal



Alleged Encroachment (Deck) Prior to Removal



Alleged Encroachment (Deck) Removal - In Progress



Alleged Encroachment (Deck) Removal - In Progress



Alleged Encroachment (Deck) After Removal

Photo from June 2022 to the right

Photo from February 2026 below



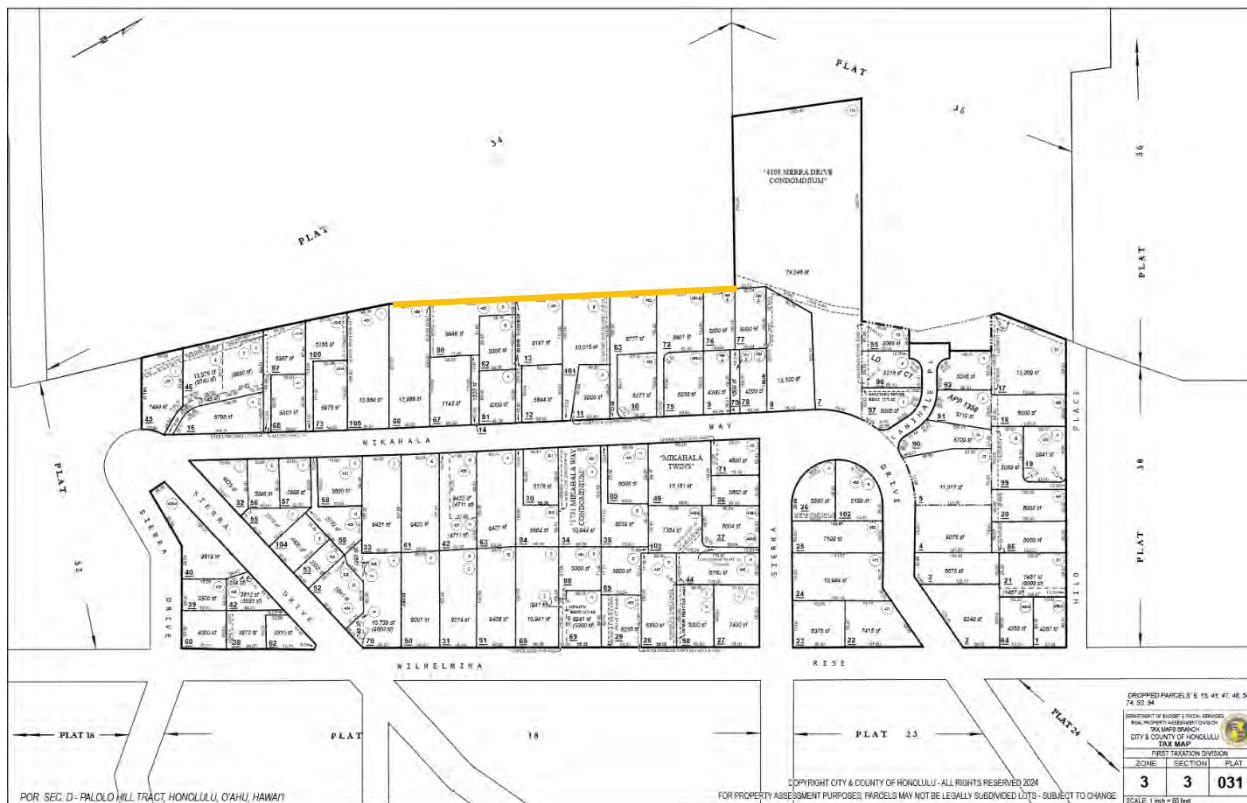


Exhibit E Plat Maps Indicating the Linear Property Boundaries Exhibits Page 53

Plot plan for TMK (1) 3-3-031:072
 Plans indicate the new railing to the pool is
 cantilevered almost to the property boundary.

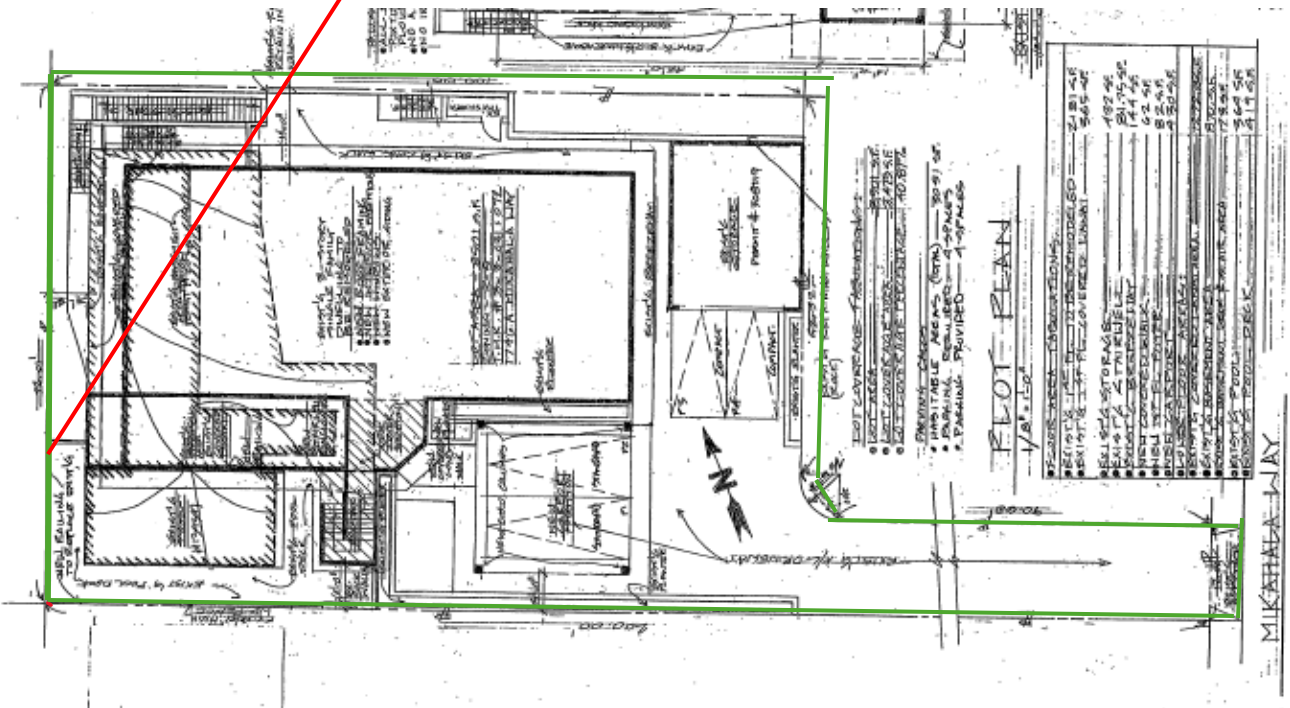


Exhibit F Adjacent Property Plot Plan

LAND COURT
 TERRITORY OF HAWAII
 Map and Description with Application No. 704
 LAM QUON - APPLICANT.

Being land situated on the Southeast side of Eleventh Avenue, AT KEEIO, East Slope of PALOLO VALLEY, HONOLULU, OAHU, I. H.
 Being a portion of Areas 1 of R.P. 5667 to Iona Pahu by Keekapu on L.C.A. 5931 Part 1 to Pahu.

Beginning at a galvanized iron pipe, at the Southwest corner of this piece of land, being also the West corner of Section C of the Palolo Hill Tract, (File Plan No. 46 recorded in the Bureau of Conveyances at Honolulu, T. H.) on the North side of Maunaea Avenue, the co-ordinates of said pipe referred to Government Survey Tri-angulation Station MAUUMAE, being 297.8 feet North and 453.1 feet East, and running by true azimuths from the above described initial point:-

1. 72°-25' 564.80 feet along the North side of Maunaea Avenue to a t on rock;
2. 208°-31'-30" 873.00 feet along the Southeast side of Eleventh Avenue to a pipe;
3. 298°-31'-30" 497.40 feet along the Southwest side of Pakui Street to a pipe;
4. 28°-48' 170.70 feet along Section C of the Palolo Hill Tract (File Plan No. 46) to a t on rock;
5. 57°-00' 217.52 feet along Section C of the Palolo Hill Tract (File Plan No. 46) to a spike in shorewall;
6. 40°-00' 229.35 feet along Section C of the Palolo Hill Tract (File Plan No. 46) to a pipe;
7. 28°-48' 455.89 feet along Section C of the Palolo Hill Tract (File Plan No. 46) to the point of beginning and containing an area of 1.87 acres.

HONOLULU, T. H.
 April 21, 1926.

WRIGHT, HARVEY & WRIGHT
 By: *John P. Wright*
 Surveyor & Maker of Plan
 419 S. M. Damon Bldg.

Lam Quon
Witness May 11, 1926
Wright

I hereby certify that the description of survey and map hereon has been examined and found to conform to the ground and found to be correct.
 Honolulu, T. H., SURVEYOR, TERRITORY OF HAWAII.
 June 7, 1926.

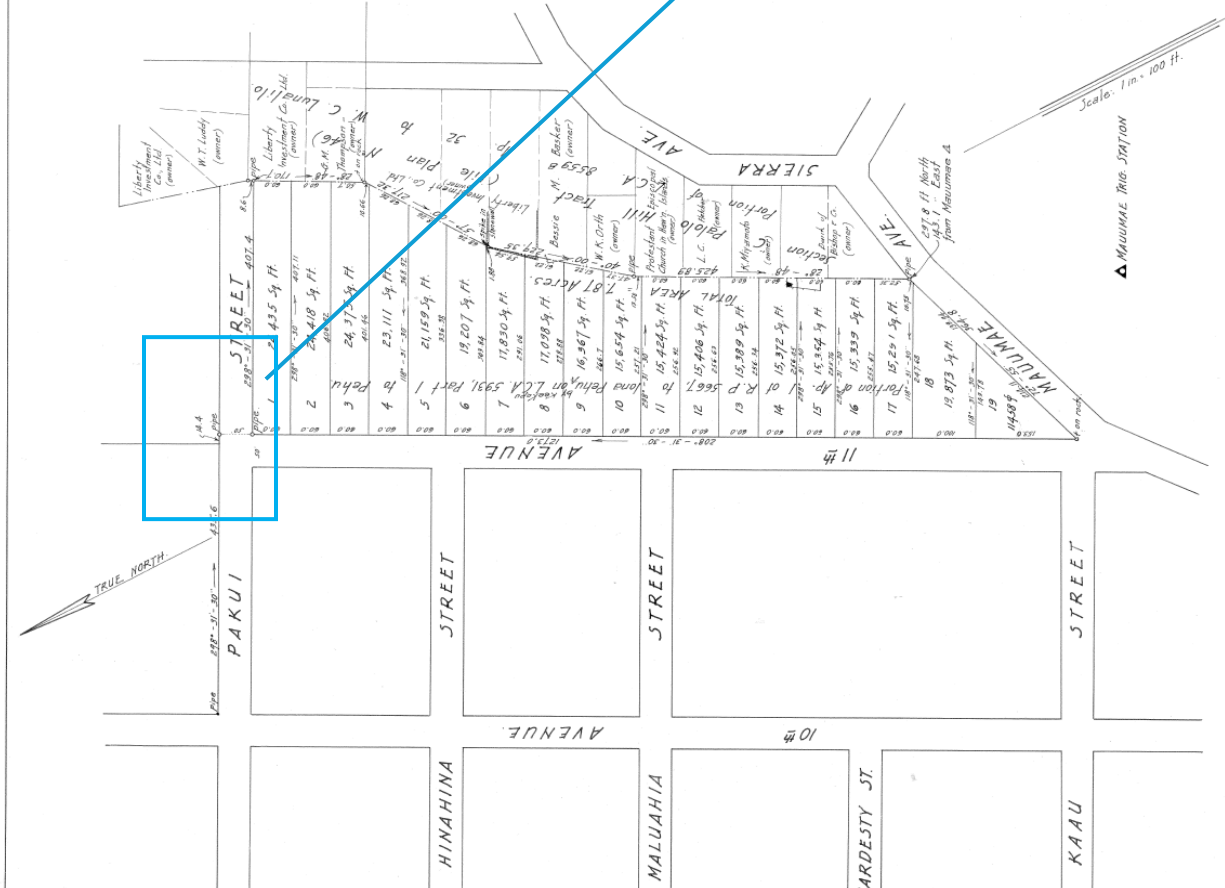
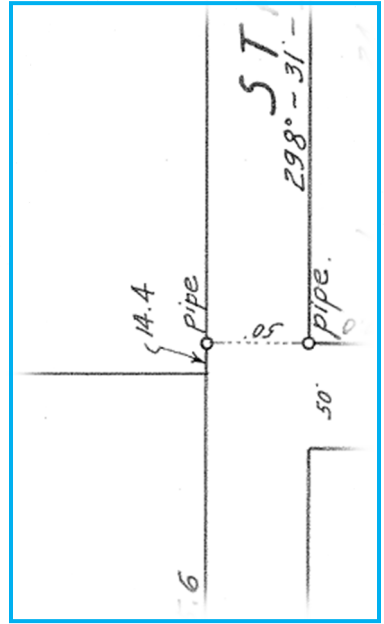




Exhibit I Intersection of Pakui St and Mokuna Place Exhibits Page 57

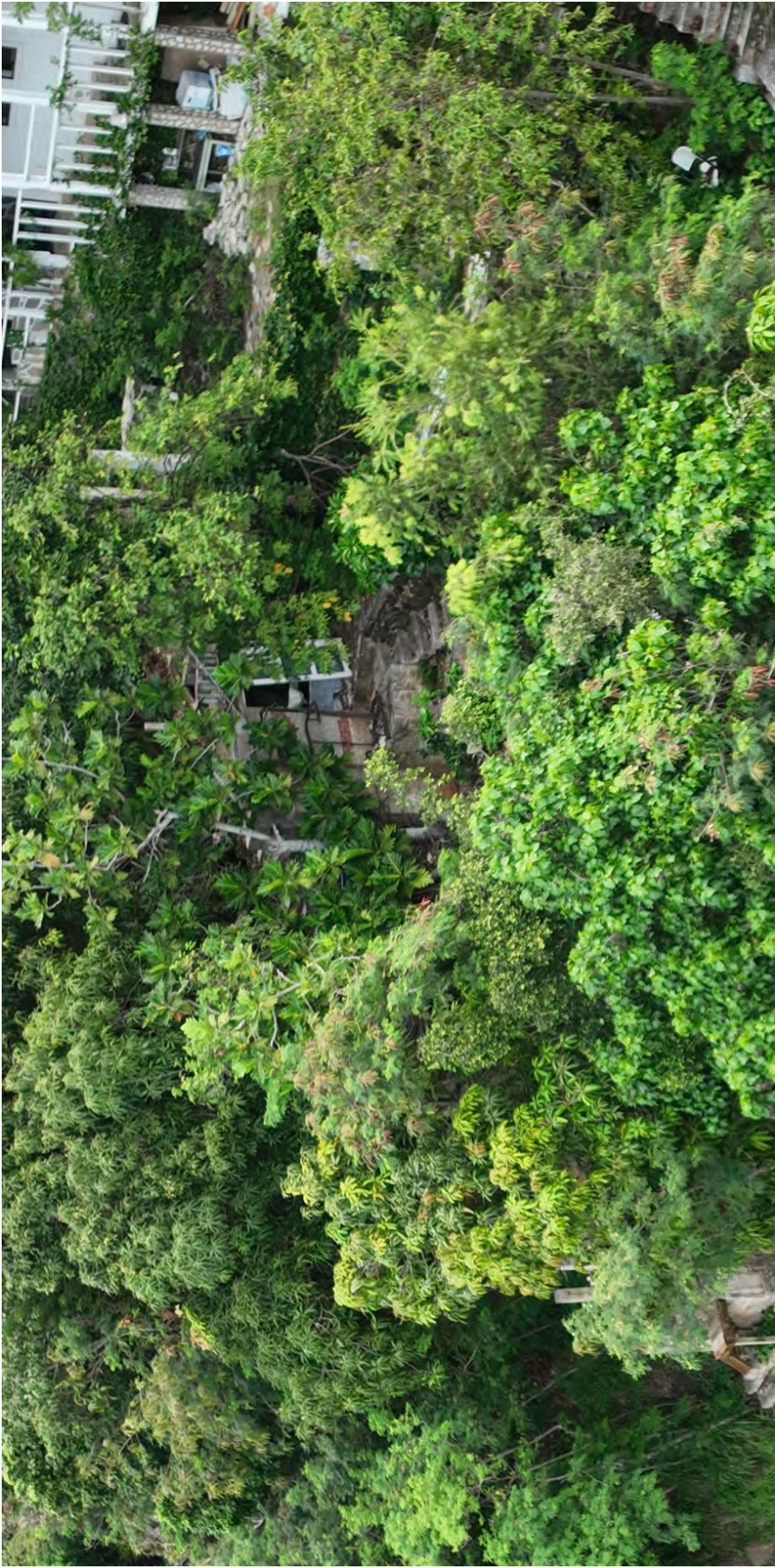


FROM: June 1, 2022

Purple line indicates pool railing that based upon building plans submitted to the City, appears to cantilever the boundary of the property. Note rockwalls, stairs, landings and the structure that shelters the stairway from one property to the adjacent property. None of these features appear to be authorized. Area in yellow box has been removed.



Exhibit K Temporary Stairway



Storage building? Landing, stairs, rock wall, deck, storage of materials.



From Exhibit 3 Portion of Photo noted as Appendix 1, Page 7. Purple square is of a deck that was removed. This photo is from 2025 and illustrates what is believed to be remnants of authorized picnic shelters, lots of vegetation, and debris on the property.



Dilapidated picnic shelter filled with lumber debris.

Decaying unknown structures circled



Drone footage reveals lumber debris stored under a dilapidated structure, rubbish/debris pile, unknown debris, decaying structure