

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

July 10, 2026

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

PSF No.: 26KD-052
Kauai

Cancellation of Revocable Permit No. S-7821 to Junedale U. Hashimoto and Jodi Hashimoto Omo, Permittees; and Issuance of New Revocable Permit to Chantal Zarbaugh and Jodi Hashimoto Omo, for Residential Purposes, Anini, Hanalei, Kauai, Tax Map Key: (4) 5-3-007:005.

APPLICANT:

Cancellation of Revocable Permit (RP) No. S-7821 (RP 7821): Jodi Hashimoto Omo.

Issuance of new RP: Chantal Zarbaugh and Jodi Hashimoto Omo as joint tenants.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands of Anini situated at Hanalei, Kauai, identified by Tax Map Key: (4) 5-3-007:005¹.

AREA:

1.735 acres, more or less.

ZONING:

State Land Use District: Urban
County of Kauai CZO: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

¹ [A link to a map of the subject property can be found on the County of Kauai's site](#)

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

CURRENT USE STATUS:

Encumbered by RP 7821 to Junedale U. Hashimoto and Jodi Hashimoto Omo for residential purposes.

CHARACTER OF USE:

Residential purposes.

CANCELLATION AND COMMENCEMENT DATES:

Cancellation: Upon execution of the new RP.

Commencement: The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

\$609.21; current monthly rent for RP 7821.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

DCCA VERIFICATION:

Applicants are not operating a business and are not required to register with DCCA.

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 June 02, 2026, the subject request is exempt from the preparation of an environmental assessment pursuant to

General Exemption Type 1: 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 44: Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.

The family of the applicants have resided on the property for many decades and

the property has been used for residential purposes for many decades. The proposed cancellation of the current RP and issuance of a new RP will not result in a change in the use of the property.

The proposed actions would involve no expansion or change in use of the subject area beyond that previously existing. No adverse cumulative impacts are anticipated as a result of the proposed actions. There are no particularly sensitive environmental issues involved with the proposed use of the property. The subject request is not anticipated to have significant adverse effects on the environment.

Therefore, it is recommended that the Board find that the subject request is a de minimis action that will probably have minimal or no significant effect on the environment and should be declared from the preparation of an environmental assessment and the requirements of 11-200.1-17, HAR.

PUBLIC TRUST LAND ANALYSIS:

The State land at issue in the present submittal is ceded land subject to Section 5(b) of the Administrative Act (P.L. 83-3, 73 Stat 4). These lands and revenues derived therefrom constitute the public land trust, which shall be used only for the purposes of support for public schools and public educational institutions, the betterment of the conditions of native Hawaiians, development of farm and home ownership, public improvements, and provision of land for public use according to section 5(f) of the Admission Act.

A presumption in favor of public use would appear to require that the subject land remains vacant to provide for public use and recreation. As revocable permits are limited to month-to-month tenancies, as opposed to a long-term lease, the practicable alternative to a disposition that would favor public use would be to forego a disposition altogether, leaving the property vacant. However, staff does not believe that would be reasonable or beneficial. Leaving the subject property vacant and open is not ideal.

Shifting management responsibilities over these lands to another party through the RP allows the Department to allocate its limited resources to better manage other public lands. The presently requested use of ceded land conforms to the purposes of The Admission Act. Therefore, Staff believes that this position is consistent with the Board's public trust obligations.

JUSTIFICATION FOR REVOCABLE PERMIT:

Staff believes that a month-to-month RP for residential purposes is the appropriate disposition given the present situation of this premise and history of the property. Jodi Hashimoto Omo is the current permittee and has been maintaining the property. Her daughter, Chantal Zarbaugh, has expressed interest in helping to

maintain the property. There are no other applicants requesting the same property.

BACKGROUND:

The property was previously encumbered by a 999-year Homestead Lease, Homestead Lease No. 8, dated August 22, 1911, to Henry Peters. At its meeting on December 14, 1979, item F-16, the Board approved, as amended, the direct sale of the subject property to Esther Peters.

By certified letter dated June 22, 1982, Verdelle Lum, personal representative for the Estate of Esther Peters, was served a Notice of Default on Special Sale Agreement No. S-5567 (SSA 5567) for failure to keep installment payments current. Mrs. Lum was afforded a 60-day cure period in which to remedy the default. The cure period expired on August 22, 1982, and there was no effort made to cure the default. At its meeting on October 8, 1982, item F-15, the Board authorized the cancellation of SSA 5567.

At its meeting on August 12, 1983, item F-1-d, the Board approved the issuance of an RP to John K. Hashimoto and Jundale U. Hashimoto. RP 6040 commenced on August 16, 1983.

At its meeting on January 13, 2012, item D-6, the Board approved, as amended, the issuance of an RP to Junedale U. Hashimoto and Jodi Hashimoto Omo; RP 7821 was subsequently executed on March 1, 2012.

REMARKS:

Junedale U. Hashimoto passed away in December 2025. Chantal Zarbaugh, daughter of Jodi Hashimoto Omo, now wants to help her mother maintain and manage the property, and has requested to be added to the current RP.

The current RP or any rights under the RP cannot be assigned, so Chantal Zarbaugh cannot be added to the current RP. Staff is recommending that a new RP be issued to Chantal Zarbaugh and Jodi Hashimoto Omo, and that the current revocable permit be cancelled upon the issuance of the new RP.

Paragraph B.14 of RP 7821 provides as follows:

Prior to termination or revocation of the subject Permit, Permittee shall conduct a Phase 1 environmental site assessment and conduct a complete abatement and disposal, if necessary, satisfactory to the standards required by the Federal Environmental Protection Agency, the Department of Health, and the DLNR.

The property is used for residential purposes, and upon inspection on June 8,

2026, it appeared to adhere to such use. Staff observed no evidence of the use of hazardous materials on the premises. Staff is recommending that this requirement be waived for the cancellation of RP 7821, as the new RP would be subject to the Phase I environmental site assessment.

The Office of Hawaiian Affairs was notified of the requested cancellation of RP and issuance of a new RP.

Applicants have not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION:

That the Board:

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 project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Based on staff's testimony and facts presented, find that approving the revocable permit under conditions and rent set forth herein will serve the best interests of the State and is consistent with the public trust.
3. Authorize the cancellation of Revocable Permit No. S-7821 to Junedale U. Hashimoto and Jodi Hashimoto Omo, Permittees, covering the subject area for residential purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. Effective upon issuance of a new revocable permit; and
 - b. The Phase I environmental site assessment required under section 14 of the permit shall be waived.
4. Authorize the issuance of a new revocable permit to Chantal Zarbaugh and Jodi Hashimoto Omo covering the subject area for residential purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;

- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the state.

Respectfully Submitted,

Steven Domingo Jr

Steven Domingo
Supervising Land Agent

APPROVED FOR SUBMITTAL:

R.K.P.

Ryan K. P. Kanaka'ole, Chairperson

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