

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

January 27, 2012

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

PSF No.: 11MD-183

Maui

Issuance of Revocable Permit to Valentine Redo and Sari Powell for Intensive Agriculture Purposes; Wailua, Koolau, Hana, Maui, Tax Map Key: (2) 1-1-004:006.

APPLICANT:

Valentine Redo and Sari Powell, Husband and Wife, as Joint Tenants.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Wailua situated at Koolau, Hana, Maui, identified by Tax Map Key: (2) 1-1-004:006, as shown on the attached map labeled Exhibit A.

AREA:

1.530 acres, more or less.

ZONING:

State Land Use District:	Agriculture
County of Maui CZO:	Agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Intensive Agriculture purposes.

COMMENCEMENT DATE:

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

MONTHLY RENTAL:

Staff is recommending a monthly rent of \$40.00 (minimum). Rent determination is based on similar month-to-month dispositions with the same character of use and comparable leased areas.

Revocable Permit:

S-7626 Pearl Pahukoa	1.530 acres	\$40.00 monthly rent	8/2010 to 11/2011
S-7529 Solomon Kaauamo	2.990 acres	\$40.00 monthly rent	7/1985 to present
S-7568 William Latham	.0670 acres	\$40.00 monthly rent	12/2009 to present

The above month-to-month revocable permits have been issued for agriculture purposes and are all located within the Keanae and Wailua areas of east Maui.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

DCCA VERIFICATION:

Applicant is not operating a business and, as such, is not required to register with DCCA.

REMARKS:

On July 8, 1994, under Item F-1-b, the Board of Land and Natural Resources approved issuance of Revocable Permit (RP) S-6930 to Mr. Harry K. and Mrs. Pearl O. Pahukoa for cultivation of taro and ti leaf. On June 30, 1999, Mr. Pahukoa died. Pursuant to his death, Mrs. Pahukoa continued to farm the State land. On May 13, 2010, under Item D-10, the Land Board approved termination of RP S-6930 and issuance of new Revocable Permit No. S-7626 to Pearl Pahukoa.

On October 20, 2011, the Maui District Land Office received written request for the cancellation of RP S-7262. Mrs. Pahukoa indicated that due to her age and physical limitations, she was no able to continue farming the parcel. In consideration of a 25-day notification requirement, Revocable Permit S-7626 terminated effective November 14, 2011.

Upon learning of Mrs. Pahukoa's intent to cancel her permit, Valentine Redo and his wife Sari Powell-Redo submitted an application for the use of the State land. Redo indicated that they have been assisting Mrs. Pahukoa with maintaining and farming the subject parcel for approximately two (2) years and were very interested in taking over the property for the continued cultivation of taro, ti-leaf, and bananas.

Valentine Redo was born and raised in the Keanae and Wailua area and has been farming taro and watercress under the guidance of his grandfather and parents since the age of five years old. He has experience with the cultivation of watercress, which includes production, harvesting and distribution to local restaurants, farmers markets and stores throughout the island.

Sari Powell-Redo has also indicated that she grew up on a sustainable farm where she and her family cultivated a variety of fruits and vegetables for home consumption. She has also been helping with farming watercress and taro with her husband and his family for the past six years. She has expressed her desire to teach her two sons about farming and the importance of being able to live a sustainable lifestyle with the cultural and natural resources that we are afforded here in Hawaii, especially in the Keanae and Wailua area of east Maui.

The 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.

The Maui District Land office received several inquiries regarding the subject property once the community learned that Mrs. Pahukoa had cancelled her disposition with the State. However, upon learning that applicants had already requested use of the property, the parties

expressed support for the granting of a disposition to Mr. and Mrs. Redo.

A month-to-month revocable permit is being proposed to allow for immediate occupancy of the State property. This will help with preventing overgrowth by invasive weeds and trees.

AGENCY COMMENTS:

A request for comment was solicited from the following agencies:

Agency	Comments
DLNR – Historic Preservation	No comment received
Commission on Water Resource Management	Noted that there is a pending dispute over stream flow standards in the Wailua area and the subject parcel has past access to the water source. No objection to the issuance of a month-to-month permit.
Office of Hawaiian Affairs	No objections, supports the use and requested disposition.
Department of Hawaiian Home Lands	No comment received
DLNR – Aquatic Resources	No objections

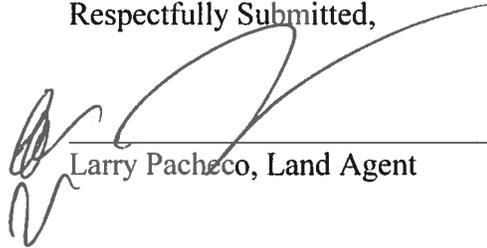
The proposed use of this property has been continuous and shall continue in this rural location. It has resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such, staff believes that the proposed use would involve negligible or no expansion or change to the subject area beyond that previously existing.

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, 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. Authorize the issuance of a revocable permit to Valentine Redo and Sari Powell-Redo covering the subject area for Intensive Agriculture 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 interests of the State.

Respectfully Submitted,



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Larry Pacheco, Land Agent

APPROVED FOR SUBMITTAL:



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William J. Aila, Jr., Chairperson

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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

November 22, 2011

## EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Valentine Redo and Sari Powell-Redo

Project / Reference No.: PSF#11MD-183

Project Location: Wailua Homesteads, Koolau, Hana, Maui

Project Description: Month-to-Month Revocable Permit for Intensive Agriculture Purposes.

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

Exemption Class No. and Description: In accordance with the Department of Land and Natural Resources Department-wide Exemption List, approved by the Environmental Council and dated December 4, 1991, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No.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 [HAR. 11-200-8-(a)(1)].

Consulted Parties: None

There will be no change in use from which previously existed.

Recommendation: It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

  
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William J. Aila Jr., Chairperson

11/16/12  
\_\_\_\_\_  
Date