

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

January 9, 2026

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

Ref No. 25OD-099

OAHU

Termination of Revocable Permit No. S-7899 to Mary Nakoa for Horse Paddock Purposes; and Issuance of New Revocable Permit to Pamela DeLo for Horse Paddock Purposes, Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-6-002:005.

APPLICANT:

Pamela DeLo, married, Tenancy in Severalty.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Lualualei, Waianae, Oahu, identified by Tax Map Key: (1) 8-6-002:005, as shown on the map attached as Exhibit A1 – A3.

AREA:

6.407 acres, more or less.

ZONING:

State Land Use District: Agriculture
City and County of Honolulu: F-1 Federal and Military Preservation District

TRUST LAND STATUS:

Section 5(e) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Revocable Permit No. S-7899 ("RP7899), Mary Nakoa, Permittee,

for Horse Paddock Purposes.

Encumbered by Land Office Deed No. S-24350 ("LOD24350") to Hawaiian Electric Company, Inc. for overhead electric transmission lines and guy anchor site purposes.

CHARACTER OF USE:

Both the existing (RP7899) and new revocable permit is for Horse Paddock Purposes.

COMMENCEMENT DATE:

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

MONTHLY RENTAL:

At its meeting on October 13, 2017, under agenda item D-4, as amended, the Board approved interim rents for the annual renewal of the RPs on Oahu for calendar year 2018. Staff procured a contract with James Hallstrom of The Hallstrom Group/CBRE, Inc. (Appraiser) for appraisal services to assist in valuing the rent to charge for the use of State lands underlying RPs statewide as of January 1, 2018, and ground rent discounts for tenancy and use restriction, if any, for 35 of the 70 RPs on Oahu active at the time. The Portfolio Appraisal Report (PAR) was completed on January 15, 2018. The Appraiser recommended increasing rents after 2018 by 2-3% for each year, depending upon demand for the properties.

When all revocable permits on Oahu were seeking Board authorization to renew for the calendar year 2026 at its meeting of September 12, 2025, under agenda item D-3 [page 5], RP7899 was reported as "in the process of cancellation before the end of calendar year 2025". In short, RP 7899 was not renewed for 2026.

As mentioned in the September 12, 2025 submittal [page 3], if the rent "has since been brought to market rates, the 2026 rent was increased by 3% over the 2025 rent". Records show the monthly rent for RP7899 was raised by 30% for 2020 making it in line with the market rent stated in the 2018 PAR. Thereafter, the monthly rent was consistently raised by 3% through the annual renewal request since January 1, 2022, with the latest at \$270.21 effective from January 1, 2025.

Staff is recommending a 3% increase to the new RP's monthly rent, which would be calculated as \$278.32, rounded to \$278.00.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (“HAR”) § 11-200.1-16 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:

Exemption Class No. 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existed.

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.

No development or additional improvements are proposed as a part of the Proposed Action. The Proposed Action is an administrative action that would issue a revocable permit for the parcel to a private entity to continue the same character of use that has occurred on the subject parcel for the last 53 years. Impacts associated with the subject request are not anticipated to be significant, and no further environmental analysis is warranted which is further justified by the concurrence to the environmental assessment exemptions by the Department of Health, Environmental Management Division, and the Department of Facility Maintenance. Therefore, Staff recommends 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 exempt from the preparation of an environmental assessment.

DCCA VERIFICATION:

Not applicable. Individual.

JUSTIFICATION FOR THE PERMIT:

The subject parcel consists of low-lying flat land adjacent to a large flood control system called the Mailiili Channel. Areas of this parcel have limited drainage, making it prone to pooling and mud during the rainy season.

The soil at the site was generated from the dredging from the channel project and is reported as substandard. Further, there are possible contaminants that would not make this land a suitable site for agriculture cultivation or pasture purposes.

The parcel is not connected to the City and County of Honolulu sewer system. There is no bathroom facility or cesspool on the parcel. The parcel is not connected to electrical services.

BACKGROUND:

The subject parcel was returned to the State of Hawaii from the U.S. Federal Government in 1964 and is still zoned by the City and County of Honolulu as F-1 Federal and Military Preservation District. The parcel was originally associated with the Lualualei Naval Radio Transmitting Facility. Under the City and County of Honolulu, Land Use Ordinance (LUO), Section 21-3.40 (d), should lands be removed from either the state-designated conservation district or from federal jurisdiction, all uses, structures and development standards shall be as specified for the P-2 general preservation district. Under LUO Section 25-2, Preservation Districts allow for minor animal raising.

Staff notes that a 1970 report prepared by a Department of Land and Natural Resources Agriculture Specialist on staff stated that the soil at the subject parcel mainly consisted of soil dredged from the Mailiili Channel Project and is not suitable for cultivation purposes.

In March 1972, RP4791 was first issued to Samuel K. Nakoa (father of Mary Nakoa) for horse paddock purposes. Upon his death in 1988, RP6660 was issued to Wanda Nakoa (mother of Mary Nakoa) and upon her death, RP7899 was issued to Mary Nakoa.

Under Revocable Permit S-6660 to Wanda Nakoa, there were 3 open horse stalls built on the parcel and a shed for storing feed. There is no record in the file when these ancillary structures were built, but using the Google Earth time photo feature, it appears these structures were built sometime between 2001 to 2004. Other ancillary improvements to the parcel include 4 cargo storage containers for equipment and a covered rest area.

REMARKS:

In July 2025 Land Division was informally notified by the family of the death of Mary Nakoa, the permittee of RP7899 and was subsequently confirmed through an obituary notice¹. A letter was posted on July 31, 2025 on the gate outside the parcel stating that the permittee's passing was brought to our attention and any utilization of the parcel would need approval from the Board of Land and Natural Resources. The following day, Land Division was contacted by Mary Nakoa's sister, Mrs. Pamela DeLo ("Applicant"), who had been managing the parcel since her sister's passing. She indicated her interest in continuing to utilize the parcel as a horse paddock to care for horses in the fenced area with no change to the character of use.

Staff found the grounds to be well-maintained upon a site inspection conducted from outside the fence on June 26, 2025 (see Exhibit B1-B2). The applicant has shared that there have been three (3) incidents recently where the fencing around the parcel was damaged by vehicle collisions, but the applicant is having the fencing repaired at their own cost.

Comments from other Agencies are as follows: The Department of Health Environmental Management Division and the Board of Water Supply have no objections or comments

¹ A death certificate has since been submitted to Land Division and is in the file.

and concur with the environmental assessment exemption. The County's Department of Facility Maintenance has no comments and concurs with the environmental assessment exemption, and the Department of Planning and Permitting clarified that, "under current LUO, a horse paddock would be considered Animal Raising, minor, which is a permitted use in the P-2 District. The Department of Agriculture and Biosecurity, the Office of Hawaiian Affairs, and the Department of Environmental Services have not responded to a request for comment before the deadline.

The applicant has 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.

Staff recommends issuing a Revocable Permit for the continued character of use, which will have a low impact on the environment and will discourage possible unauthorized occupation of the parcel. RP7899 will be terminated upon issuance of the requested revocable permit.

PUBLIC TRUST ANALYSIS:

Dispositions of ceded lands must be consistent with the public trust. In order to make the determination, the Board must consider the following:

1. Presumption in favor of public use.
2. Consideration of practicable alternatives.
3. Clear articulation of the decision.

A presumption in favor of public use suggests that the subject land should remain vacant to allow for public access and recreational opportunities. One practicable alternative would be to retain the property in its current state, foregoing any disposition. However, staff does not believe that leaving the parcel vacant would be a responsible action, as the potential for unauthorized use is high in this secluded stretch of road with a history of community use as a dumping area and with unauthorized encampments nearby.

Additionally, revocable permits for ceded lands also support the public trust purposes contained in Section 5(f) of the Admissions Act. Revenues generated by revocable permits for ceded lands, paid to the Office of Hawaiian Affairs, contribute to the betterment of the conditions of native Hawaiian. The revenues also support the Department's programs to provide lands for public use which is another public trust purpose. Furthermore, shifting management responsibilities over these lands to another party through the revocable permit, allows the Department to allocate its limited resources to better manage other public lands.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.15 and -16, 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 as a de minimis activity.

2. Based on the testimony and facts presented, find that approving the revocable permit, under the conditions and rent set forth herein, would serve the best interests of the State.
3. For the reasons stated herein, find that the proposed disposition is consistent with the public trust;
4. Termination of Revocable Permit No. S-7899 and issuance of the subject revocable permit.
5. Authorize the issuance of a revocable permit to Pamela DeLo, covering the subject area for horse paddock purposes for Tax Map Key: (1) 8-6-002:005, 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,



Darlene Bryant-Takamatsu
Land Agent

APPROVED FOR SUBMITTAL:



Dawn N.S. Chang, Chairperson

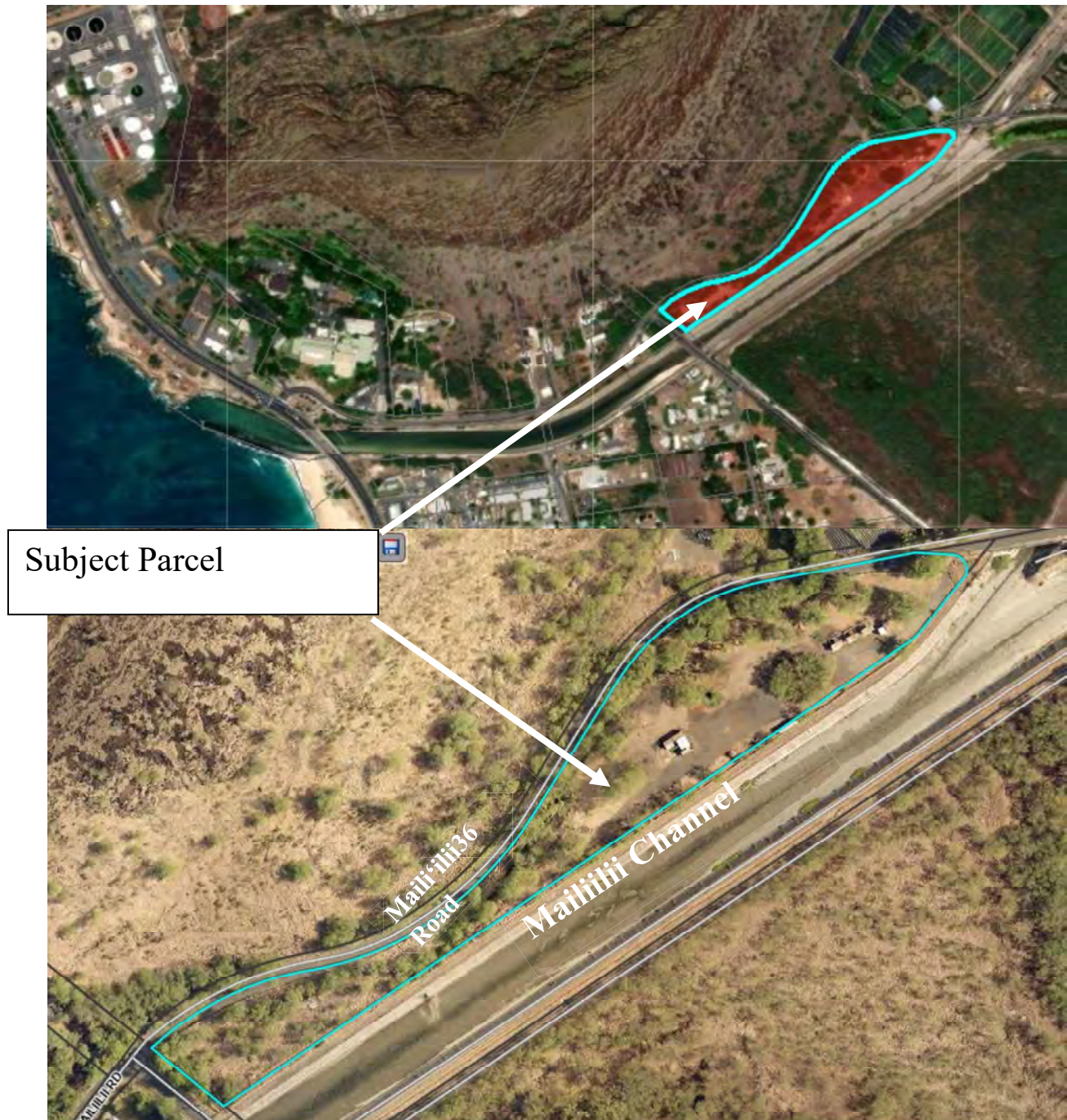
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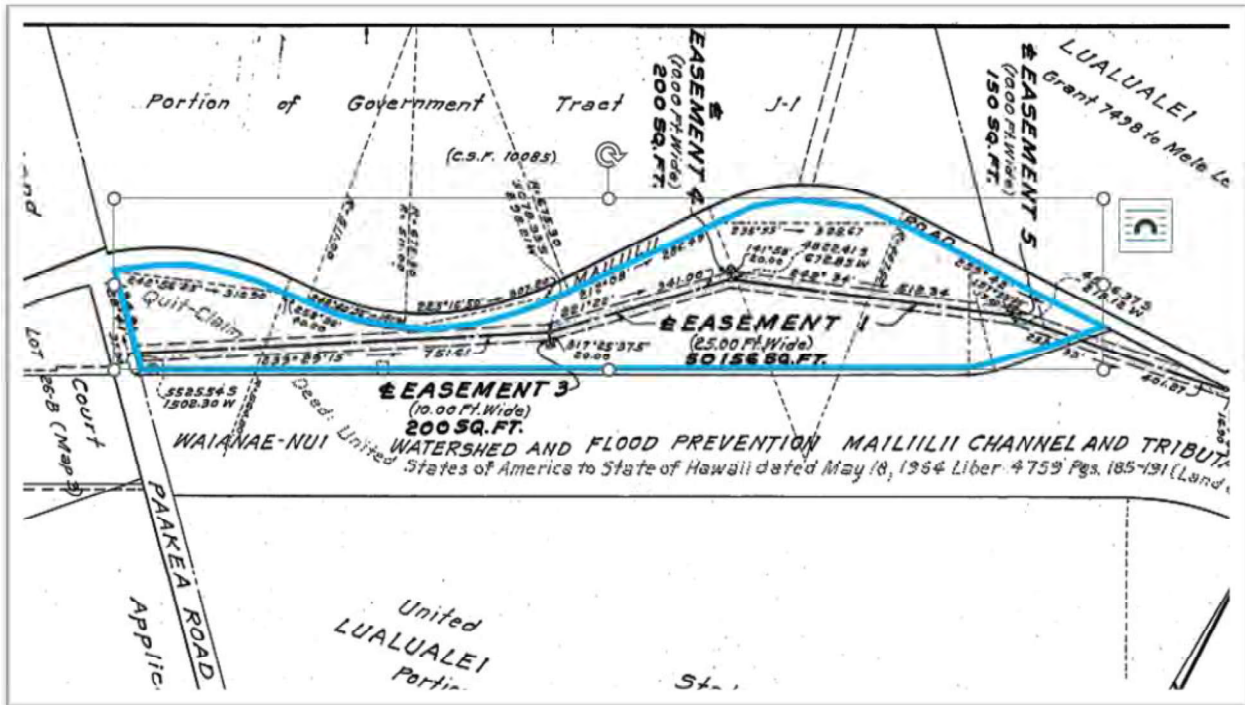
Lualualei, Waiānae, Oahu, Tax Map Key: (1) 8-6-002:005

EXHIBIT A1



Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-6-002:005

EXHIBIT A2



Lualualei, Waianae, Oahu, Tax Map Key: (1) 8-6-002:005

EXHIBIT A3



Site inspection photo 1: Entrance to parcel with internal driveway. Fencing shown was installed by the City and County of Honolulu for the Mai'ili'ili Channel project.



Site inspection photo 2: There are structures for the storage of equipment and feed, and 3 open stable enclosures for horse stabling.

EXHIBIT B-1



Site inspection photo 3: Rest area with 2 metal containers.



Site inspection photo 4: Easement LOD24350 to Hawaiian Electric Company, Inc.

EXHIBIT B-2