



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
NOTICE OF CIVIL RESOURCE VIOLATION**



Notice No. CRVS

Date: July 5, 2024

TO RESPONDENT: Any administrative proceedings instituted pursuant to this Notice shall not preclude the State from pursuing separate criminal prosecution against you for an offense committed in the same course of conduct.

COMPLAINT: The undersigned official/officer of the Department of Land & Natural Resources (DLNR) states that the named respondent did commit the civil resource violation(s) noted below.

A. RESPONDENT INFORMATION				
Last Name / Company Name RP21 Coco Palms LLC		First Name, M.I.		Sex <input type="checkbox"/> M <input type="checkbox"/> F
Street Address 2600 N Ashton BLVD, Suite 200		City Lehi		State & ZIP (Country) Utah 84043
ID Type	Issued By	ID No.	Juvenile <input type="checkbox"/>	Phone

B. VEHICLE / VESSEL INFORMATION (If applicable)			
<input type="checkbox"/> Vehicle	License Plate No., VIN / Vessel Type, ID, Name	License State	Year / Make / Model / Color
<input type="checkbox"/> Vessel			

C. STATEMENT OF FACTS			
Date 4-7-23	Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	Violation Site: Island / Location / TMK Wailua Nui, Kauai, TMK (4) 4-1-003:004	
DESCRIPTION: (Specify any witness, evidence, damage, injury and seizure. Attach additional sheet if needed.)			
Unauthorized landscaping (clearing) and storage of green waste			
Investigation showed that between April 7 and 13, 2023 excavators were pushing large piles of green waste around a cleared area on the subject parcel. Aerial footage and subsequent site visits revealed that an area of over 2,000 square feet and under 10,000 square feet that had been cleared, and that some of the green waste (such as a pile of coconut trunks) were not from subject parcel.			
Landowner responded that the parcel had been a dumping ground for large waste, and had hosted a homeless encampment. Much of the clearing was needed to clean the site.			
OCCL acknowledges that the clean up would require clearing of land, but our investigation revealed that the clearing went beyond what was necessary. While there was potential for resource damage, site visits with resource experts found that the site was dominated by invasive species and no protected species were identified. No cultural resources were identified. On a six-month follow up site visit OCCL found that the site had completely regrown with invasive grasses and brush.			
Landscaping, including clearing and grubbing, under 10,000 square feet would require a Conservation District Use Permit approved by the Chair of the Board of Land and Natural Resources. Penalties based upon penalty schedule approved by Board on December 2, 2010.			
Reference OCCL Enforcement Case KA-23-30			

D. CITATION(S)			E. FINES ASSESSED	
No.	Authority	Civil Resource Violation	Comply in 21 days	After 21 days
1	§183C-7(b)	Unauthorized landscaping pursuant to HAR 13-5-23, L-2	\$2000	\$BLNR
2	§		\$	\$
3	§		\$	\$
TOTAL ADMINISTRATIVE FINE ASSESSED >>>			\$2000	\$

F. OTHER SANCTIONS AND REQUIREMENTS
TO RESPONDENT: In addition to any fines assessed in Section E, you must comply with the following sanctions and/or requirements within 21 days of the service of this Notice, unless a different period is provided in this section below:

