

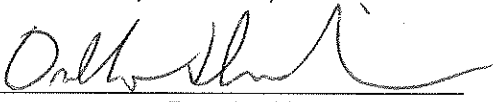


BEFORE THE LAND USE COMMISSION  
STATE OF HAWAII

In the Matter of the Petition of )  
ALEXANDER & BALDWIN, INC. ) DOCKET NO. DR08-37  
For Declaratory Order to Designate ) FINDINGS OF FACT,  
Important Agricultural Lands ) CONCLUSIONS OF LAW,  
for approximately 3,773.1 acres at ) AND DECISION AND ORDER  
Koloa and Waimea, Kauai, Hawai'i, )  
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22, )  
1-9-03: 05, 2-1-01: 10, 2-1-01: portion )  
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, )  
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, )  
2-3-04: 07, 2-3-10: portion of 01, 2-3-10: )  
portion of 10, 2-3-10: 11, 2-3-10: 12, )  
2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43 )  
\_\_\_\_\_ )

FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND DECISION AND ORDER

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT  
COPY OF THE DOCUMENT ON FILE IN THE OFFICE OF THE  
STATE LAND USE COMMISSION, HONOLULU, HAWAII.

March 9, 2009 BY   
Date Executive Officer



BEFORE THE LAND USE COMMISSION  
STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. DR08-37
	)	
ALEXANDER & BALDWIN, INC.	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW,
For Declaratory Order to Designate	)	AND DECISION AND
Important Agricultural Lands	)	ORDER
for approximately 3,773.1 acres at	)	
Koloa and Waimea, Kauai, Hawai'i,	)	
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,	)	
1-9-03: 05, 2-1-01: 10, 2-1-01: portion	)	
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38,	)	
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12,	)	
2-3-04: 07, 2-3-10: portion of 01, 2-3-10:	)	
portion of 10, 2-3-10: 11, 2-3-10: 12,	)	
<u>2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43</u>	)	

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND DECISION AND ORDER**

ALEXANDER & BALDWIN, INC. ("Petitioner"), filed a Petition for Declaratory Order to Designate Important Agricultural Lands on December 19, 2008, pursuant to Hawai'i Revised Statutes ("HRS") §§ 205-44 and 45, and Hawai'i Administrative Rules ("HAR") chapter 15-15, to designate as Important Agricultural Lands ("IAL") approximately 3,773.1 acres of land, situated in Koloa and Waimea, Kauai, Hawai'i, Tax Map Key Nos. 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,

1-9-03: 05, 2-1-01: 10, 2-1-01: portion of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, 2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, 2-3-04: 07, 2-3-10: portion of 01, 2-3-10: portion of 10, 2-3-10: 11, 2-3-10: 12, 2-4-06: 01, 2-5-04: 26, 2-5-06: 05, and 2-5-10: 43 ("Petition Area").

The Land Use Commission ("Commission"), having heard and examined the testimony, evidence, and argument of counsel presented during the hearings, along with the pleadings filed herein, hereby makes the following Findings of Fact, Conclusions of Law, and Decision and Order.

**I. PROCEDURAL MATTERS**

1. On December 19, 2008 the Petitioner filed its Petition for Declaratory Order to Designate Important Agricultural Lands ("Petition"), and Exhibits "A" through "E" of the Petition.
2. On February 2, 2009, the Office of Planning, State of Hawai'i ("OP") submitted its comments on the Petition to the Commission.
3. On February 3, 2009, the Department of Agriculture, State of Hawai'i ("DOA") submitted comments on the Petition to the Commission.
4. On February 4, 2009, the County of Kaua'i, Department of Planning ("County") submitted comments on the Petition to the Commission.
5. On February 13, 2009, the Petitioner submitted its response to OP's, DOA's and County's comments to the Commission.

6. On March 5, 2009, the Commission held an action meeting on the Petition in Honolulu, Hawai'i. Benjamin Matsubara, Esq., appeared on behalf of Petitioner. Ezra Kanoho, Dean Okimoto, on behalf of the Hawai'i Farm Bureau Federation, and Abbey Mayer of the Office of Planning provided public testimony.

7. The written comments of OP, DOA, and County, and Petitioner's response, were made a part of the record in this proceeding.

8. Petitioner is not seeking to reclassify any agricultural lands to the urban, rural or conservation land use district.

9. Petitioner has represented that it is not claiming and will not claim any credits described in HRS § 205-45(h).

## **II. FINDINGS OF FACT**

10. The Petition Area consists of approximately 3,773.1 acres of land, situated in Koloa and Waimea, Kauai, Hawai'i, Tax Map Key Nos. 1-9-01: 05, 1-9-02: 21, 1-9-02: 22, 1-9-03: 05, 2-1-01: 10, 2-1-01: portion of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, 2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, 2-3-04: 07, 2-3-10: portion of 01, 2-3-10: portion of 10, 2-3-10: 11, 2-3-10: 12, 2-4-06: 01, 2-5-04: 26, 2-5-06: 05, and 2-5-10: 43.

11. The description of the Petition Area acreage by Tax Map Key Numbers and Tax Maps depicting the Petition Area is shown in Petitioner's

Exhibit B, which is attached hereto and incorporated herein by reference as Exhibit "1".

12. The Petition Area is owned in fee simple by McBryde Sugar Company, Limited, a wholly owned subsidiary of Petitioner, who has provided its written authorization to Petitioner to file the Petition.

13. Petitioner seeks a determination from the Commission as to whether the lands identified by Petitioner in this Petition should be designated as IAL pursuant to HRS §§ 205-44 and 45.

14. It is Petitioner's position that the Petition Area meets the qualifications for designation as IAL under HRS § 205-44, and that the Commission should issue a declaratory order designating the Property as IAL pursuant to HRS § 205-45.

15. The majority of the Petition Area is being actively utilized for the cultivation and processing of coffee by Kauai Coffee Company, Inc. (KCC), a wholly owned subsidiary of the Petitioner. Also, portions of the Property located in Hanapepe Valley and within the coffee fields are used for the cultivation of seed corn.

16. Of the 3,773 acres proposed to be designated IAL, approximately 82% is in coffee cultivation, 5.2% is in seed corn cultivation and less than 1% is in pasture and other crops (rice, taro). The total area in agricultural cultivation is

about 3,311 acres or 88% of the total proposed IAL area. The remainder of approximately 12% includes reservoirs, streams, gulches and agricultural-related facilities (pump stations, roads, etc.) which are also essential components of the agricultural operation.

17. The University of Hawaii, Land Study Bureau ("LSB") developed the Overall Productivity Rating, which classified soils according to five (5) levels, with "A" representing the class of highest productivity soils and "E" representing the lowest. These letters are followed by numbers which further classify the soil types by conveying such information as texture, drainage and stoniness. Based on this, approximately 62% of the Petition Area is rated "A" and approximately 20% of the Petition Area is rated "B". The remaining balance is rated "C", "D", "E" or is not classified, and includes contiguous gulches, streams, and reservoirs, essential elements of the active agricultural operations.

18. Based on the Sunshine Maps prepared in 1985 by the Department of Business, Economic Development and Tourism, formerly known as the State Department of Planning and Economic Development, Energy Division, over 95% of the Petition Area receives an annual average of 450 calories of solar energy per square centimeter per day.

19. In 1977, the State Department of Agriculture developed a classification system to identify Agricultural Lands of Importance to the State of

Hawaii ("ALISH"). The classification system is based primarily, though not exclusively, upon the soil characteristics of the lands. The three (3) classes of ALISH lands are: "Prime", "Unique", and "Other", with all remaining lands termed "Unclassified". When utilized with modern farming methods, "Prime" agricultural lands have a soil quality, growing season, and moisture supply necessary to produce sustained crop yields economically. "Unique" agricultural lands possess a combination of soil quality, growing season, and moisture supply to produce sustained high yields of a specific crop. "Other" agricultural lands include those that have not been rated as "Prime" or "Unique". The ALISH system classifies approximately 80% of the Petition Area as "Prime". The balance of the Petition Area includes contiguous gulches, streams and reservoirs that are classified as "Other" or "Unclassified".

20. The majority of the Petition Area has been in active coffee cultivation since the mid 1990's. Prior to then it had been in sugar cane cultivation by McBryde Sugar Company, Limited. Portions of the Petition Area located in Hanapepe Valley and within the coffee fields are used for the cultivation of seed corn.

21. Access to reliable sources of water and efficient irrigation systems is crucial to the cultivation of coffee, as well as other agricultural crops. To conserve water, most of the cultivated fields in the Petition Area are served by

drip irrigation systems. Currently, irrigation water is derived from a combination of sources, including non drinking water wells and surface water systems. The irrigation system includes ditches, pipelines and reservoirs for the transport and storage of water. The availability of adequate water is crucial to maintaining current agricultural operations as well as for potential expansion opportunities.

22. The Petition Area is provided water by the Pump 3 and Alexander Dam ditch systems which are owned by McBryde Sugar Company and operated/maintained by Kauai Coffee Company, both wholly owned subsidiaries of Petitioner. Prior to the cultivation of coffee, these irrigation systems served the cultivation of sugar by the McBryde Sugar Company. The delivery capacity of the Pump 3 and Alexander Ditch systems totals approximately 33 million gallons per day (Alexander Dam ditch system: 15 mgd; Pump 3 ditch system: 18 mgd). The long-term average water delivery from the two systems is approximately 27 mgd. The cultivated areas within the Petition Area have long been in agricultural cultivation and have historically relied upon these two systems to sufficiently meet their irrigation needs.

23. The Petition Area's agricultural classification is consistent with the County's General Plan and Community Plans. The general plan designates the



Property for Agriculture or Open use. Additionally, the Property is situated within the State Agricultural District.

24. The Petition Area contributes to maintaining a critical land mass important to agricultural operating productivity.

25. Lands containing high to steep slopes which include gulches, valleys, ravines and drainage ways provide critical infrastructure support of the adjacent highly productive lands by providing and preserving the necessary natural drainage ways for adjacent lands which have been identified as highly productive.

26. Lands containing natural and/or man-made water ways and features such as streams, reservoirs, wetlands, and drainage basins provide critical infrastructure support for adjacent highly productive lands by providing and preserving the necessary water source for existing as well as potential future irrigation systems necessary to assure agriculture productivity for the Petition Area.

27. Additional lands proposed for inclusion, although not identified as historically highly productive, nor characteristic of , or containing elements which may provide critical infrastructure support for highly productive lands being proposed, are necessary to provide the overall critical “contiguous” land

mass necessary for the agricultural operating productivity of the overall approximately 3,773.1 acres of land being proposed by the Petitioner

28. The Petition Area has been in active agricultural use since the 1800's. Prior to the cultivation of coffee, the Petition Area was used for the cultivation of sugar cane by McBryde Sugar Company, Limited. Much of the supporting infrastructure developed for the cultivation and production of sugar has been adapted to the cultivation and production of coffee. These include water irrigation systems, hydroelectric generation systems, roadways and transport systems, warehousing and processing structures and facilities.

### **III. CONCLUSIONS OF LAW**

1. The Commission has jurisdiction over the Petition pursuant to HRS §§ 91-8, 205-44 and 205-45 and HAR § 15-15-98.

2. The entire Petition Area is currently used for agricultural production and eighty-eight percent of the Petition Area is in active cultivation in accordance with HRS § 205-44(c)(1).

3. The Petition Area has soil qualities and growing conditions that support agricultural production in accordance with HRS § 205-44(c)(2).

4. Eighty percent of the Petition Area is rated as Prime under ALISH in accordance with HRS § 205-44(c)(3).

5. Eighty-two percent of the Petition Area is currently in coffee cultivation in accordance with HRS § 205-44(c)(4).

6. The Petition Area has sufficient quantities of water to support viable agricultural production in accordance with HRS § 205-44(c)(5).

7. The Petition Area's designation as IAL is consistent with the general, development, and community plans of the County in accordance with HRS § 205-44(c)(6).

8. The entire Petition Area, including those areas comprised of gulches, streams and reservoirs, that are not actively cultivated constitute a critical land mass that is important to agricultural operating productivity in accordance with HRS § 205-44(c)(7).

9. The Petition Area is within close proximity to or is near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power in accordance with HRS § 205-44(c)(8).

10. The entire Petition Area, including those areas that are not actively cultivated comprised of gulches, streams and reservoirs, constitute a contiguous, intact, and functional land unit large enough to allow flexibility in agricultural production and management and is consistent with the policies of HRS § 205-43(1).

11. The Petition Area meets the requirements of HRS § 205-45(c) for designation as important agricultural land.

12. Any conclusion of law herein improperly designated as a finding of fact should be deemed or construed as a conclusion of law; any finding of fact herein improperly designated as a conclusion of law should be deemed or construed as a finding of fact.

#### **IV. DECISION AND ORDER**

IT IS HEREBY ORDERED that the Petition Area, consisting of approximately 3,773.1 acres of land, situated in Koloa and Waimea, Kauai, Hawai'i, Tax Map Key Nos. 1-9-01: 05, 1-9-02: 21, 1-9-02: 22, 1-9-03: 05, 2-1-01: 10, 2-1-01: portion of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, 2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, 2-3-04: 07, 2-3-10: portion of 01, 2-3-10: portion of 10, 2-3-10: 11, 2-3-10: 12, 2-4-06: 01, 2-5-04: 26, 2-5-06: 05, and 2-5-10: 43, and shown approximately on Exhibit "1," attached hereto and incorporated by reference herein, shall be and is hereby designated as Important Agricultural Lands as governed by HRS Chapter 205.

IT IS HEREBY FURTHER ORDERED that the designation of the Petition Area as Important Agricultural Lands shall be subject to the following conditions:

1. Petitioner shall comply with representations made to the Commission with respect to not claiming any credits described in HRS § 205-45(h) with respect to the Petition Area.

2. Within seven days of the issuance of the Commission's Decision and Order, Petitioner shall record it with the Bureau of Conveyances.

### ADOPTION OF ORDER

The undersigned Commissioners, being familiar with the record and proceedings, hereby adopt and approve the foregoing ORDER this 5th day of March, 2009. This ORDER and its ADOPTION shall take effect upon the date this ORDER is certified and filed by this Commission.

Done at Honolulu, Hawai'i, this 5th day of March, 2009

APPROVED AS TO FORM

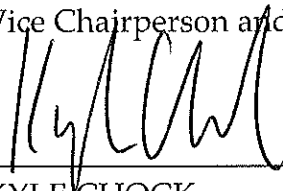
Diane Jackson  
Deputy Attorney General

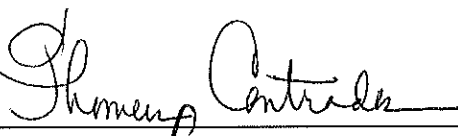
LAND USE COMMISSION  
STATE OF HAWAII

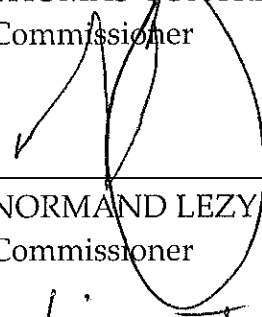
By Duane Kanuha  
DUANE KANUHA  
Chairperson and Commissioner

By ABSENT  
VLADIMIR PAUL DEVENS  
Vice Chairperson and Commissioner

By ABSENT  
RANSOM PILTZ  
Vice Chairperson and Commissioner

By   
KYLE CHOCK  
Commissioner

By   
THOMAS CONTRADES  
Commissioner

By   
NORMAND LEZY  
Commissioner

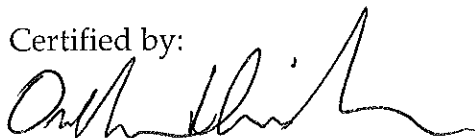
By   
LISA JUDGE  
Commissioner

By   
NICHOLAS W. TEVES, JR.  
Commissioner

Filed and effective on:

March 9, 2009

Certified by:



Orlando Davidson, Executive Officer

By ABSENT  
REUBEN S.F. WONG  
Commissioner

# **EXHIBIT 1**

(Consisting of 14 pages;)

Petitioner's Exhibit B to Petition

**DR08-37**

## Exhibit B: Tax Map Key Description

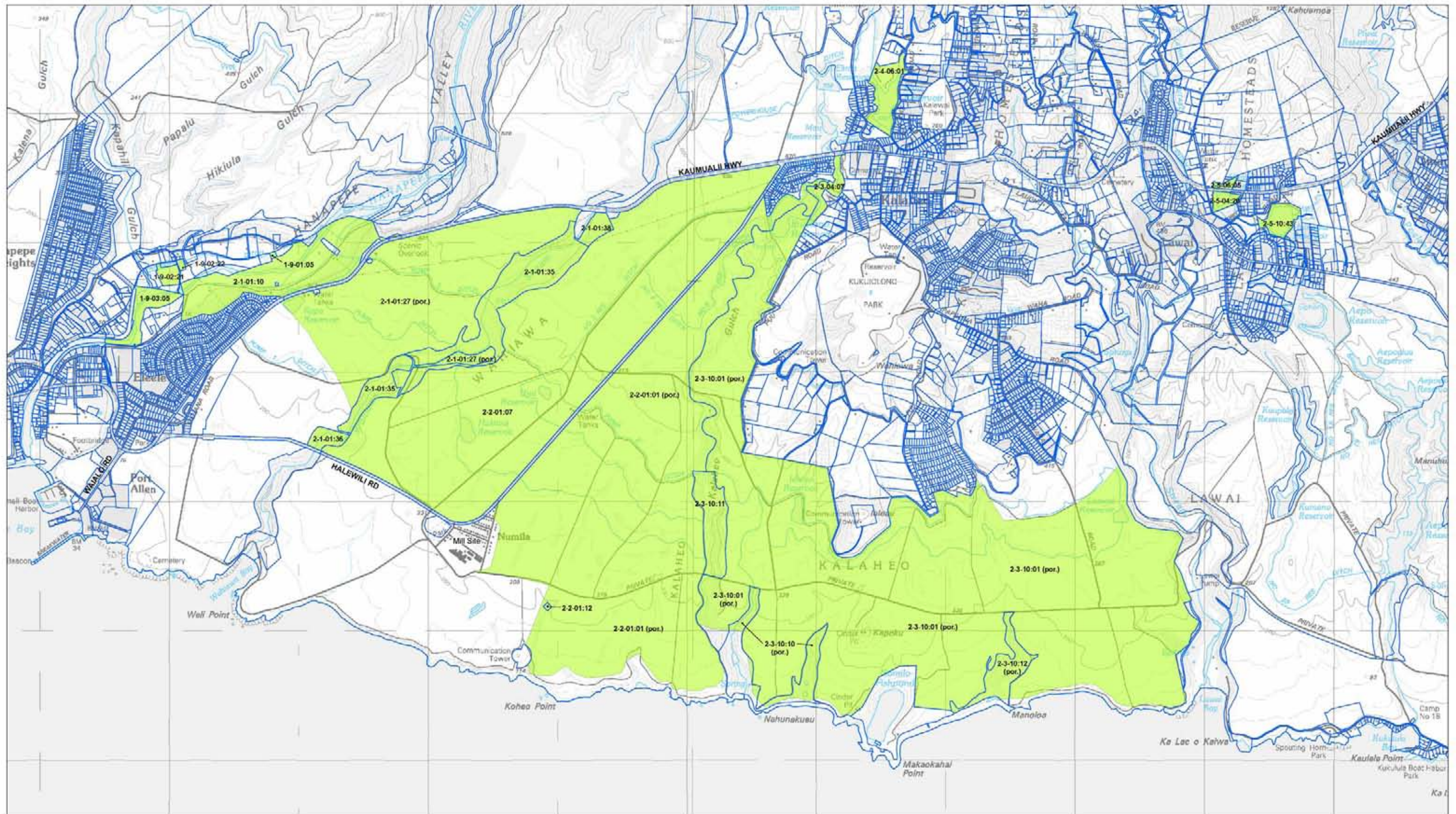
Approximately 3,773 acres of land owned by McBryde Sugar Company, Ltd. on Kauai are proposed to be designated as IAL, specifically described as TMK numbers: 1-9-01: 05; 1-9-02: 21 and 22; 1-9-03:05; 2-1-01:10, 27 (portion), 35, 36, and 38; 2-2-1: 01 (portion), 07, and 12; 2-3-4: 07; 2-3-10: 01 (portion), 10 (portion), 11, and 12; 2-4-06:01; 2-5-04:26; 2-5-06:05; and 2-5-10:43.

The following table shows a summary of TMK numbers and approximate acreage for proposed IAL lands:

<b><i>TMK NUMBER</i></b>	<b><i>APPROXIMATE ACREAGE</i></b>
1-9-01:05	0.5
1-9-02:21	6.7
1-9-02:22	1.3
1-9-03:05	19.8
2-1-01:10	123.1
2-1-01:27 (POR.)	372.6
2-1-01:35	108.6
2-1-01:36	10.1
2-1-01:38	8.9
2-2-01:01 (POR.)	840.9
2-2-01:07	738.5
2-2-01:12	0.5
2-3-04:07	12.8
2-3-10:01 (POR.)	1,374.8
2-3-10:10 (POR.)	47.5
2-3-10:11	25.8
2-3-10:12	32.6
2-4-06:01	26.2
2-5-04:26	5.9
2-5-06:05	2.3
2-5-10:43	13.7
<b><i>TOTAL:</i></b>	<b>3,773.1</b>

Exhibit B illustrates the proposed IAL lands and the related Tax Map Key parcels. To illustrate the individual TMK parcels, Exhibits B-1 to B-11 identify the individual TMK parcels and portions thereof that are proposed to be designated IAL.





# Legend

- TMK Parcel Boundary
- Proposed Important Agricultural Lands

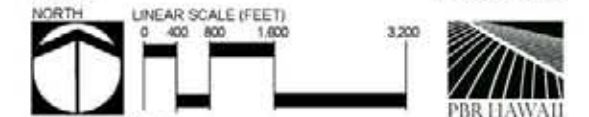
Source:  
County of Kauai  
U.S. Geological Survey  
Disclaimer:  
This map has been prepared for general planning purposes only.

## EXHIBIT B

Tax Map Key

## A&B IAL Kauai

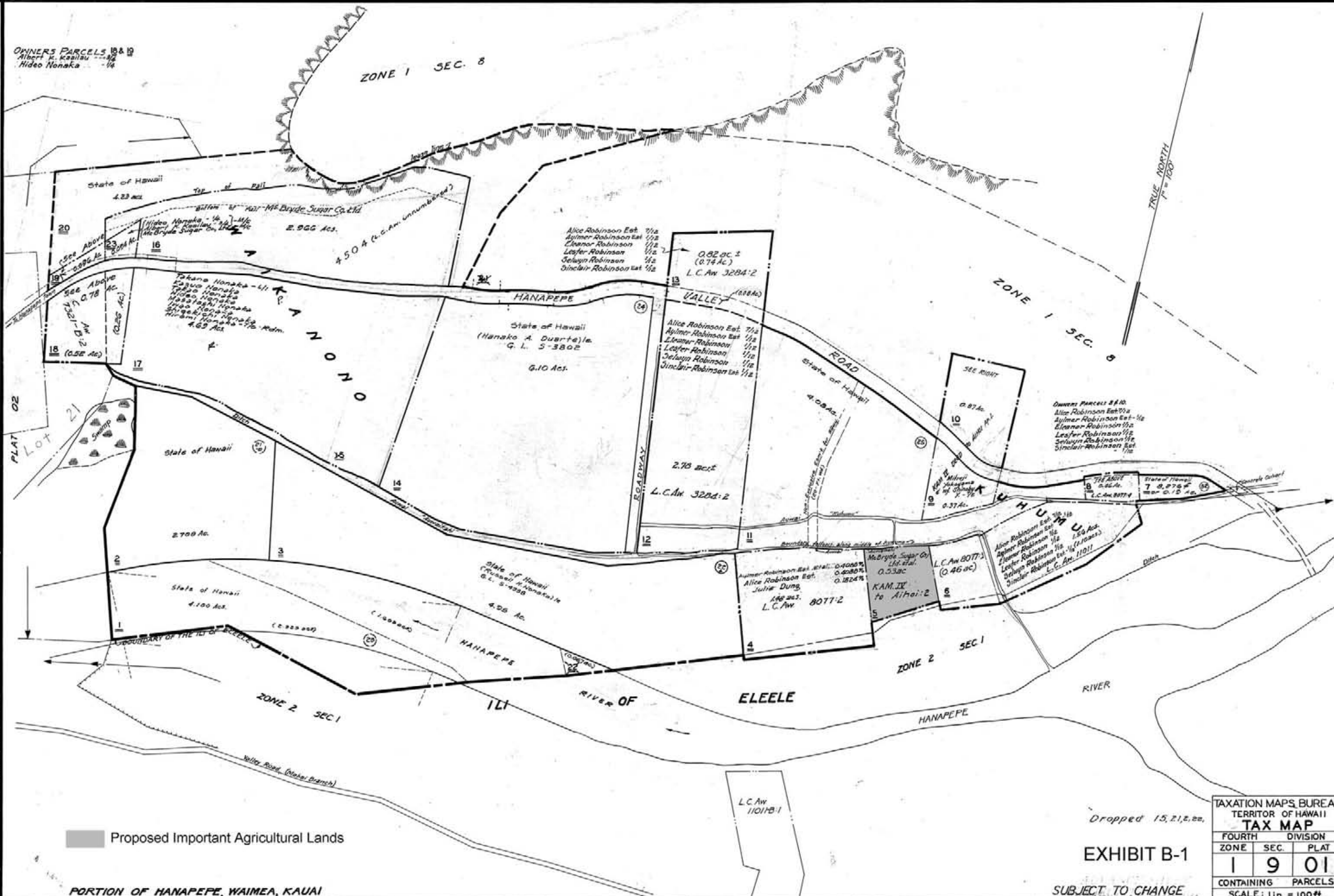
A&B INC. ISLAND OF KAUAI



December 2008



JUN 19 12  
 JUN 19 12  
 OCT 6 58  
 OCT 13 58  
 OCT 25 58  
 OCT 25 58  
 JUN 8 57  
 JUN 8 57  
 FEB 20 59  
 FEB 20 59  
 JUL 14 61  
 OCT 20 57  
 FEB 14 58  
 FEB 4 58  
 JUN 15 58  
 NOV 14 58  
 NOV 14 58  
 FEB 21 59  
 FEB 6 58  
 FEB 20 58  
 MAR 2 1969  
 MAR 2 1969  
 27 1971  
 18 1971  
 1976  
 1975  
 MAR 2 1969



Dwg No : 2848  
Source : Transition Maps Bureau  
By : N.N. I.K.H. & G.V.C. July 1936

PORTION OF HANAPEPE, WAIMEA, KAUAI

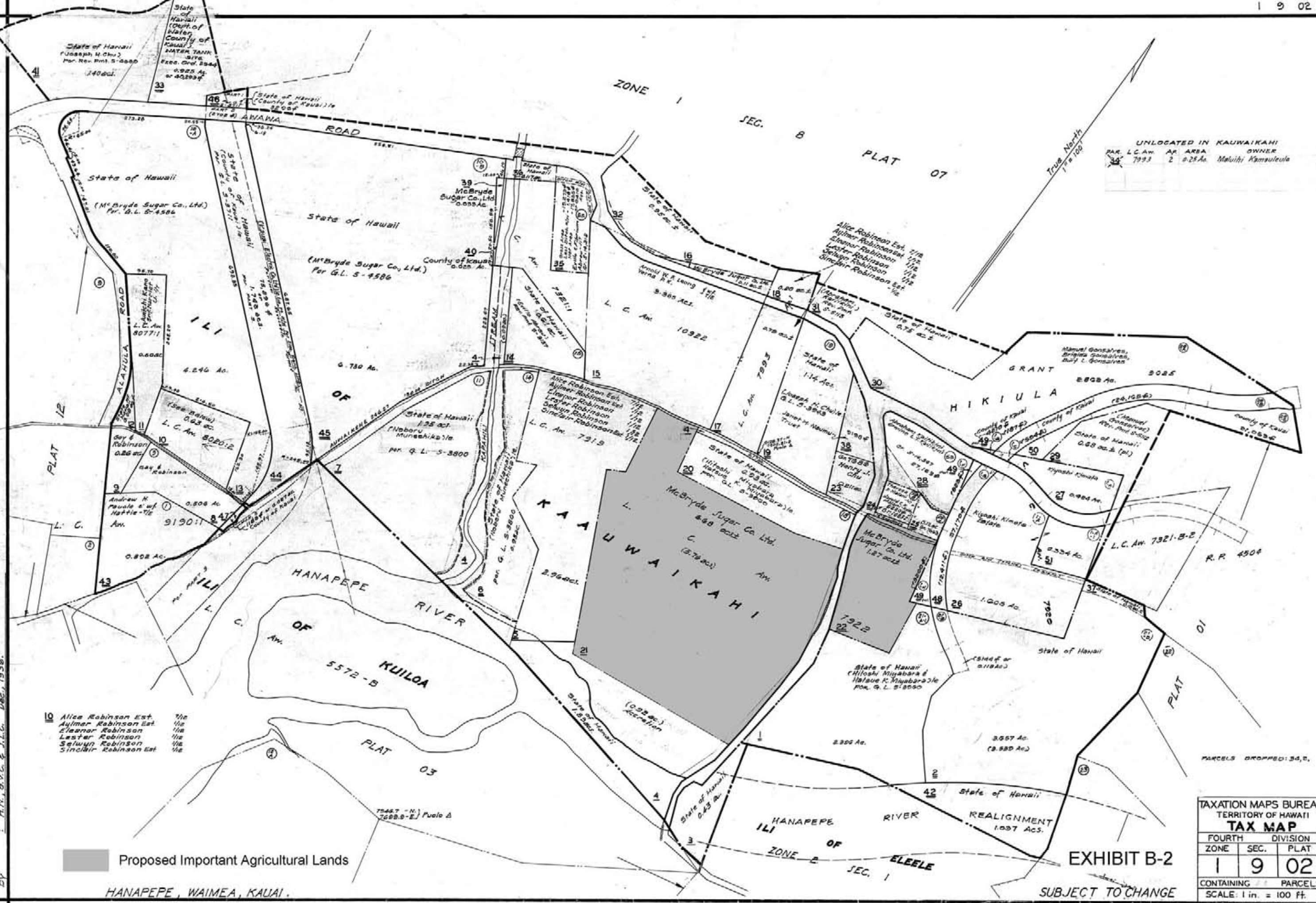
*Dropped 15, 21, 2, 22.*

EXHIBIT B-1

*SUBJECT TO CHANGE*

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
<b>TAX MAP</b>		
FOURTH		DIVISION
ZONE	SEC.	PLAT
1	9	01
CONTAINING		PARCELS
SCALE: 1 in. = 100 ft.		

PRINTED

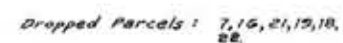
[illegible]

Dwg. No.	3129
Source	Tax Maps Bureau
By	H.N. G.V.C. & J.L.C. Dec. 1936.

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
<b>TAX MAP</b>		
FOURTH		DIVISION
ZONE	SEC.	PLAT
1	9	02
CONTAINING		PARCELS
SCALE: 1 in. = 100 ft.		
PRINTED _____		



DWG. NO. 2056



Por. HANAPEPE, WAIMEA, KAUAI

DEPARTMENT OF TAXATION PROPERTY ASSESSMENT DIVISION <b>TAX MAPS BRANCH</b> STATE OF HAWAII <b>TAX MAP</b>		
FOURTH TAXATION DIVISION		
ZONE	SEC.	PLAT
1	9	03
SCALE: 1 IN. = 100 FT.		

Dwg No : 3440  
Source : Tax Mapt Bureau & A & B.  
By : J. H. & G. S. Nov. 1939

40 Imakichi Nakashima  
 & rf. Koto - 4/1  
 Yoshito Nakashima &  
 rf. Michiko S. - 77-Rdm.

### Proposed Important Agricultural Lands

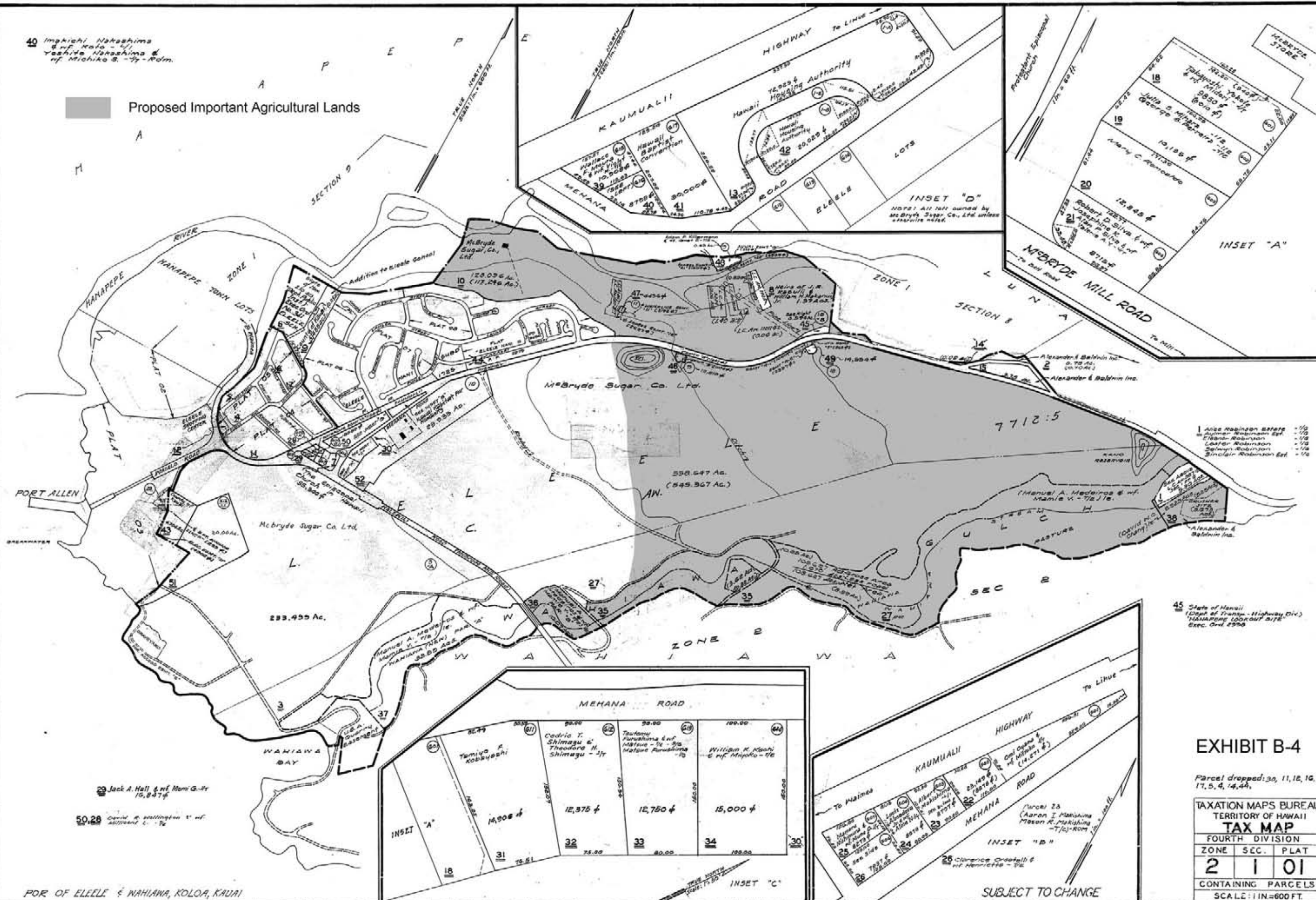


EXHIBIT B-4

Parcel dropped: 30, 11, 12, 16,  
17, 5, 4, 14, 44,

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION		
ZONE	SEC.	PLAT
2	1	01
CONTAINING PARCELS		
SCALE: 1 IN. = 600 FT.		



Drapped Parcels: 5, 6, 8, 11

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION		
ZONE	SEC.	PLAT
2	2	01
CONTAINING 5		PARCELS
SCALE: 1 in. = 600 ft.		
PRINTED		

Dwg. No.: 2822 (revised)  
Source: Transition Maps Bureau  
By: RS Traced by SL - August 2, 1942

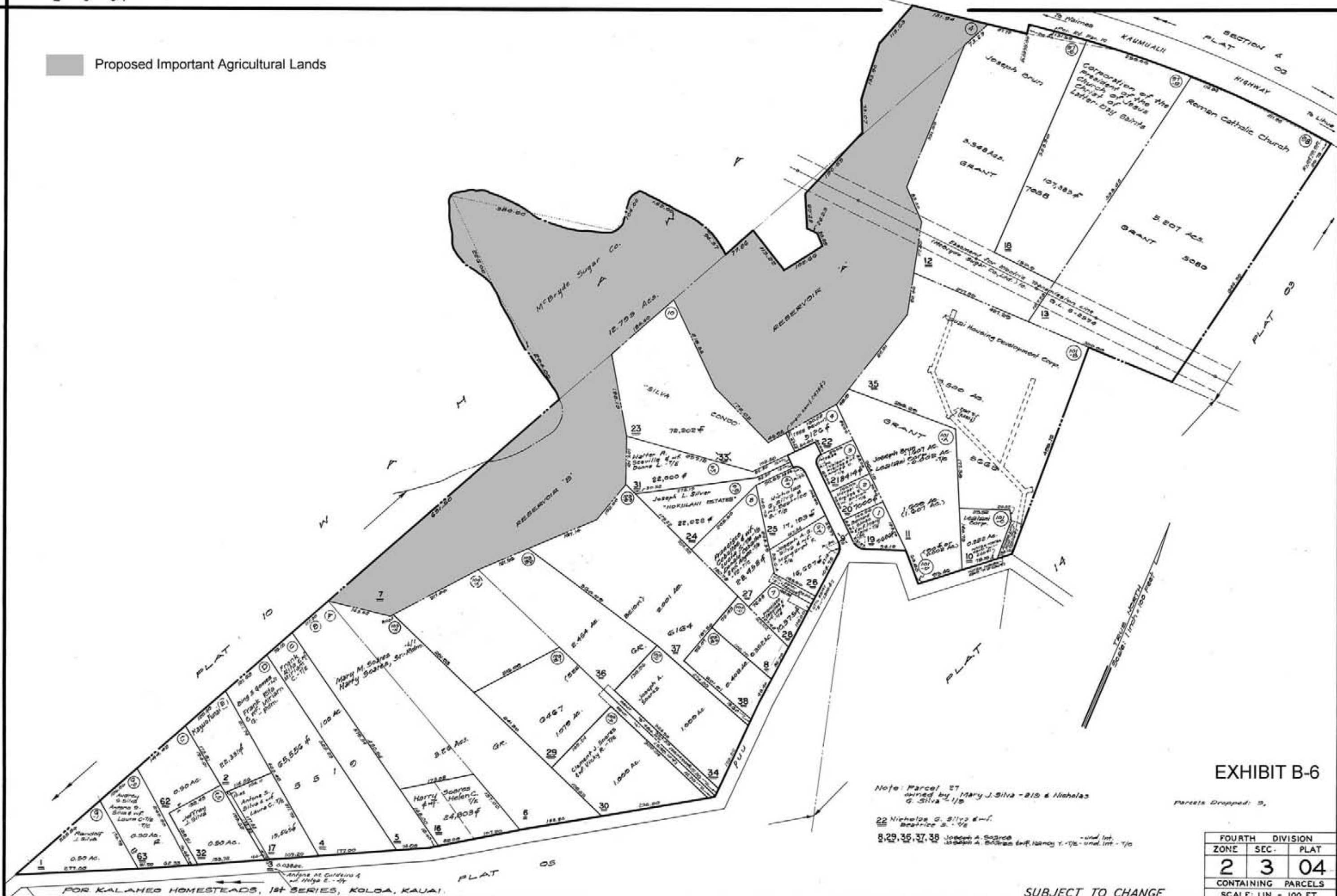


EXHIBIT B-6

Parcels Dropped: 9

FOURTH DIVISION		
ZONE	SEC.	PLAT
2	3	04
CONTAINING PARCELS		
SCALE: 1 IN. = 100 FT.		

*SUBJECT TO CHANGE*

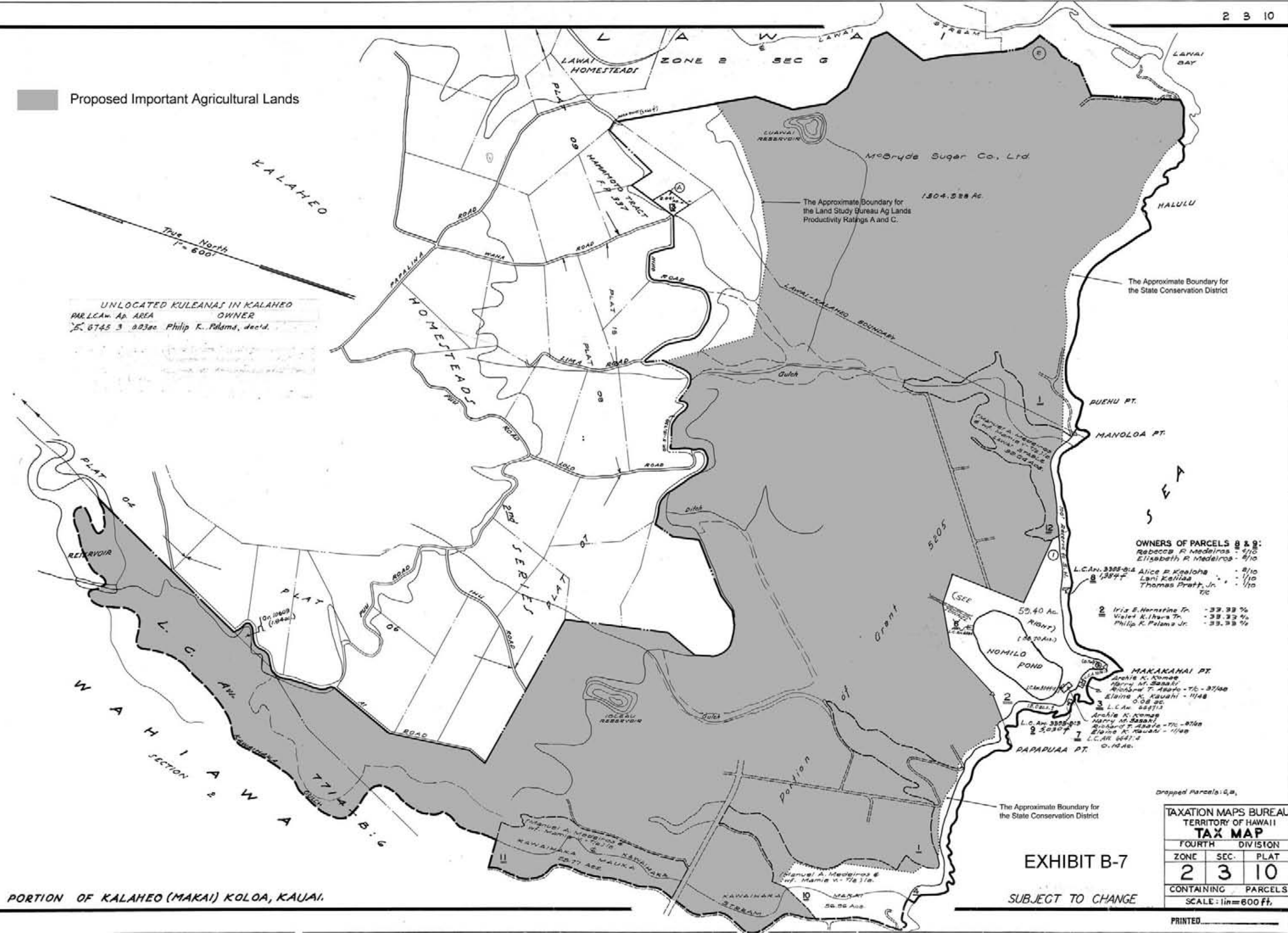
CORRECTED  
 SEP 21 1938  
 JUN 27 1939  
 JUL 6 1939  
 DEC 14 1939  
 JAN 5 1940  
 MAY 1 1940  
 JUN 1 1940  
 SEP 11 1940  
 MAR 10 1941  
 JUN 24 1941

[illegible]

NOV 15 1969  
1974  
JAN 19 1984

Dwg. No.: 2876

Source : Taxation Maps Bureau  
BY : R.K. FAL Aug. 1936



PORTION OF KALAHEO (MAKAI) KOLOA, KAUAI.

EXHIBIT B-7

SUBJECT TO CHANGE

PRINTED



SEP 9 1968  
JUN 6 1968  
SEP 10 1970  
DEC 10 1972  
JUN 5 1974  
OCT 17 1975  
OCT 21 1977  
NOV 28 1978  
JUL 8 1980  
FEB 23 1987

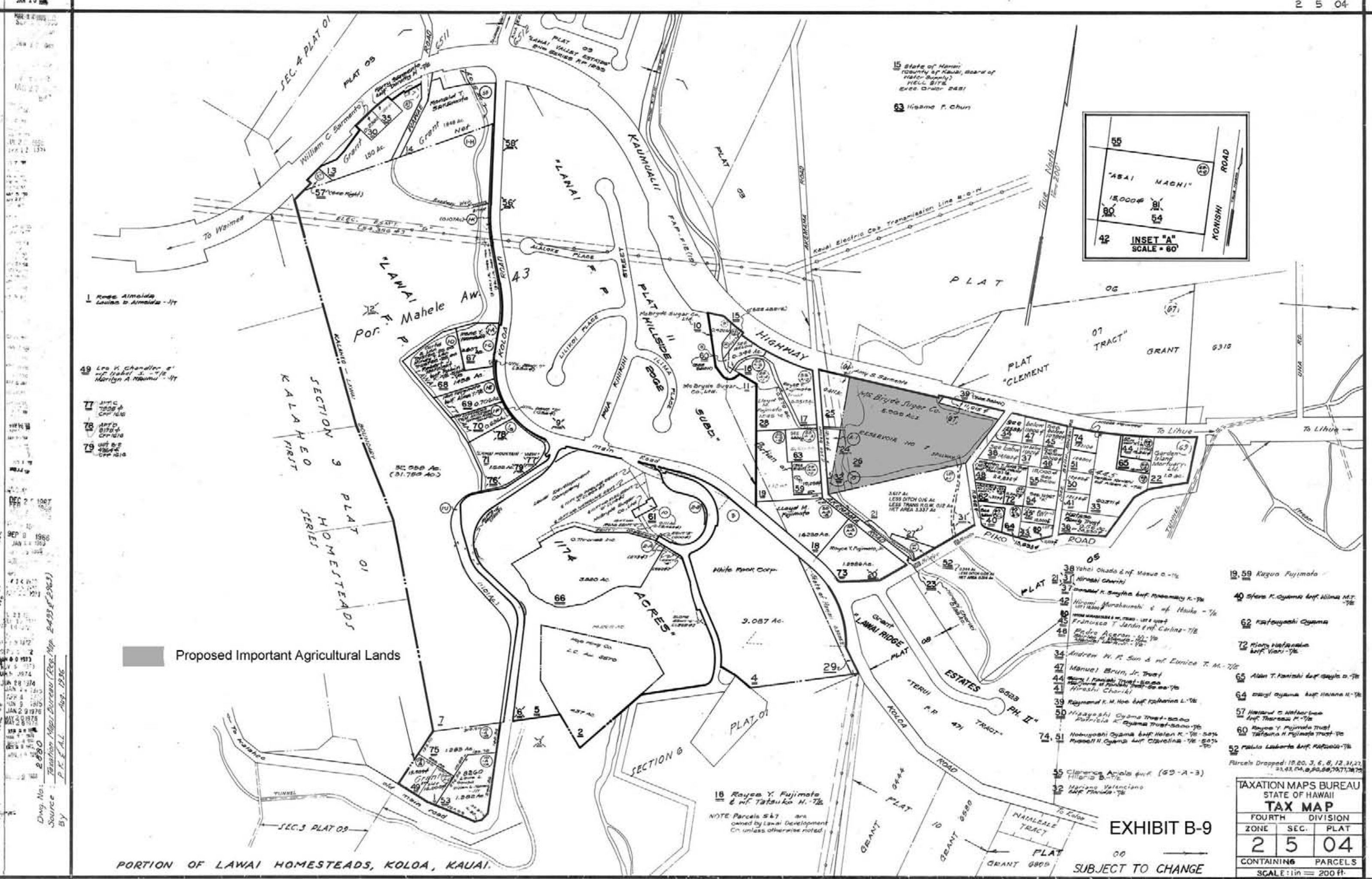


DWG. NO. 2422 (REVISED)  
SOURCE: PARSONS WEAVER BRANSON  
BY: BJA & JS DATE: JUNE 1959  
JY - 13 DATE REVISITED: 22, 1964

POR. KALAHEO HOMESTEADS, 1ST SERIES, KOLOA, KAUAI

FOR REAL PROPERTY TAXATION PURPOSES  
SUBJECT TO CHANGE

DEPARTMENT OF TAXATION PROPERTY ASSESSMENT DIVISION TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
FOURTH	TAXATION DIVISION	
ZONE	SEC.	FLAT
2	4	06
SCALE: 1 IN. = 100 FT.		



2880  
Source: Taxation Maps Bureau (Reg. Map 2493 of 2063)  
By: P. F. A. L. Aug. 1926

Proposed Important Agricultural Lands

EXHIBIT B-9

SUBJECT TO CHANGE

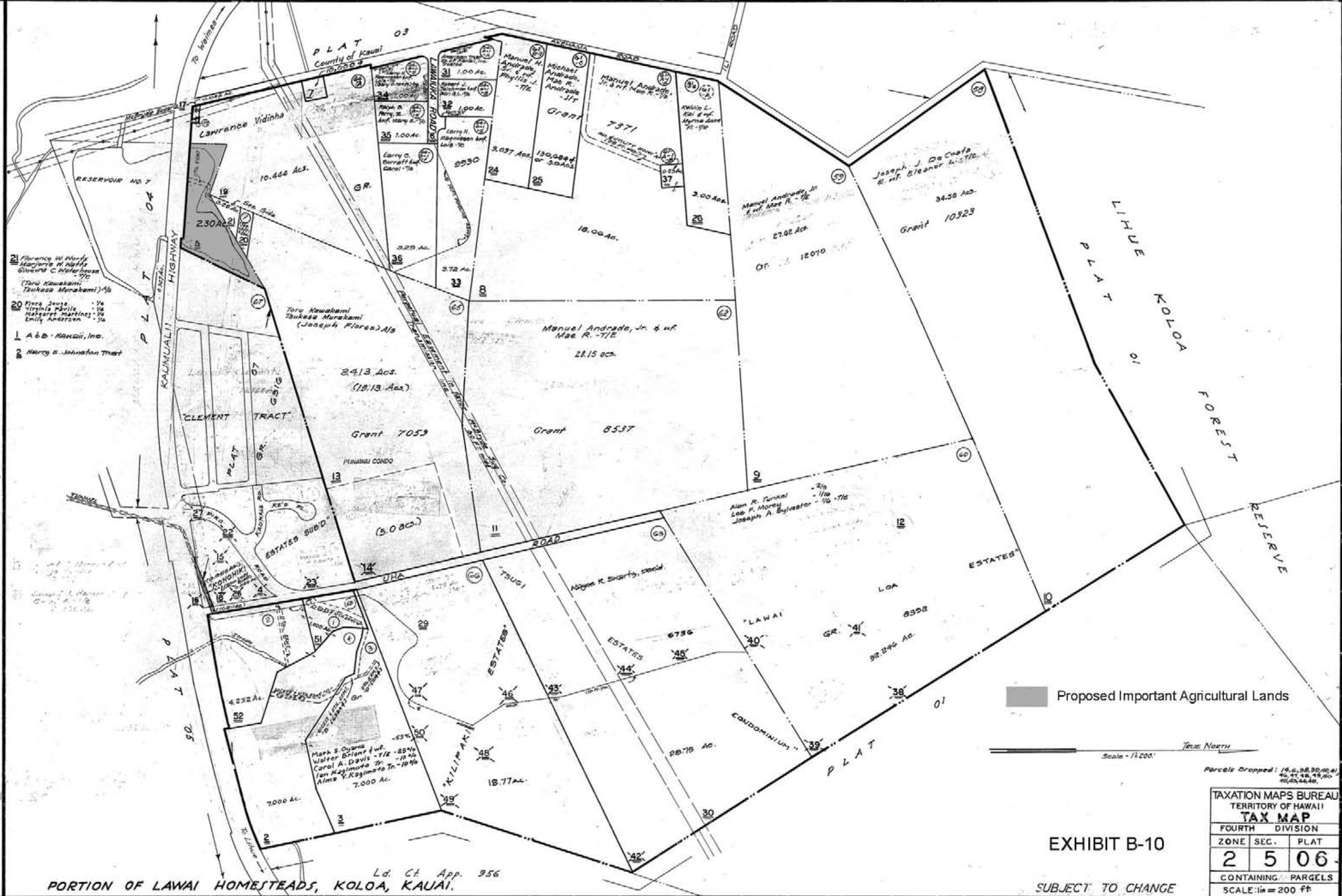
TAXATION MAPS BUREAU		
STATE OF HAWAII		
TAX MAP		
ZONE	SEC.	PLAT
2	5	04
CONTAINING PARCELS		
SCALE: 1 in = 200 ft.		

Parcels Dropped: 19, 20, 3, 6, 8, 12, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



CORRECTED  
SEP 21 1944  
OCT 7 1945  
DEC 7 1945  
JAN 2 1946  
JAN 17 1946  
JAN 17 1946  
APR 9 1945  
APR 17 1945  
MAY 9 1945  
MAY 31 1946  
FEB 18 1947  
MAY 2 1947  
AUG 16 1947  
SEP 8 1968  
MAR 21 1969  
APR 23 1969  
APR 8 1970  
APR 24 1970  
MAY 21 1971  
MAY 21 1971  
JUN 7 1974  
JUL 23 1974  
JUL 1 1974  
DEC 22 1975  
APR 21 1976  
MAY 6 1976  
FEB 0 1977  
MAY 2 1979  
JUN 20 1981  
JUN 2 1981  
AUG 6 1981  
JUN 4 1984  
OCT 23 1984

2877  
Taxation Maps Bureau (Reg. Maps 2499 & 2963)  
P. K. F. A. L. Aug. 1936  
Dwg. No.  
Source  
By

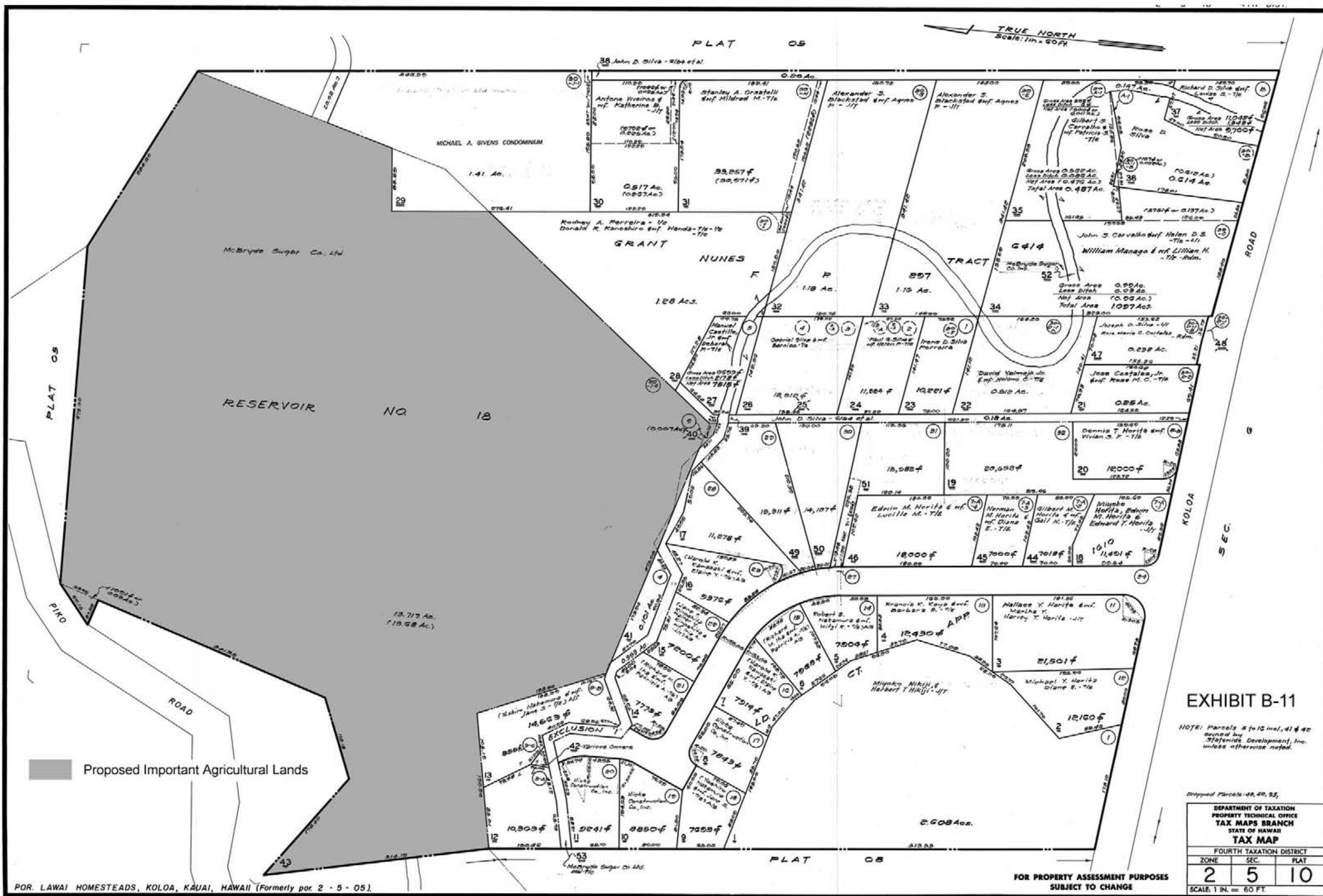


PORTION OF LAWAI HOMESTEADS, KOLOA, KAUAI.  
Ld. Ct. App. 956

EXHIBIT B-10

SUBJECT TO CHANGE

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION		
ZONE	SEC.	PLAT
2	5	06
CONTAINING PARCELS		
SCALE: 1 in = 200 ft		
PRINTED		



## EXHIBIT B-11

NOTE: Parcels 5 to 16 incl, all of which are owned by  
Staferide Development, Inc.  
unless otherwise noted.

Dropped Parcels: 48, 40, 25,

DEPARTMENT OF TAXATION  
PROPERTY TECHNICAL OFFICE  
TAX MAPS BRANCH  
STATE OF HAWAII  
TAX MAP

FOURTH TAXATION DISTRICT

ZONE	SEC.	PLAT
------	------	------

2 | 5 | 10

IF: 1 IN. = 60 FT

**FOR PROPERTY ASSESSMENT PURPOSES  
SUBJECT TO CHANGE**



BEFORE THE LAND USE COMMISSION  
STATE OF HAWAII

In the Matter of the Petition of ) DOCKET NO. DR08-37  
ALEXANDER & BALDWIN, INC. ) CERTIFICATE OF SERVICE  
For Declaratory Order to Designate )  
Important Agricultural Lands )  
for approximately 3,773.1 acres at )  
Koloa and Waimea, Kauai, Hawai'i, )  
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22, )  
1-9-03: 05, 2-1-01: 10, 2-1-01: portion )  
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, )  
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, )  
2-3-04: 07, 2-3-10: portion of 01, 2-3-10: )  
portion of 10, 2-3-10: 11, 2-3-10: 12, )  
2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43 )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

I hereby certify that a copy of the FINDINGS OF FACT, FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND DECISION AND ORDER was served upon the  
following by either hand delivery or depositing the same in the U. S. Postal Service by  
regular or certified mail as noted:

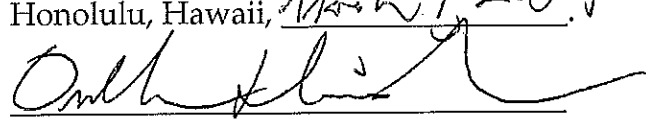
DEL. ABBEY SETH MAYER, Director  
Office of Planning  
P. O. Box 2359  
Honolulu, Hawaii 96804-2359

DEL. BRYAN YEE, Esq.  
Deputy Attorney General  
Hale Auhau, Third Floor  
425 Queen Street  
Honolulu, Hawaii 96813

REGULAR IAN COSTA, Director  
MAIL: County of Kauai Planning Department  
4444 Rice Street  
Kapule Building, Suite A473  
Lihue, Kauai, Hawaii 96766

REGULAR AMY ESAKI, Esq.  
MAIL: Office of County Attorney  
Kauai County  
4444 Rice Street, Suite 220  
Lihue, Kauai, Hawaii 96766

CERTIFIED BENJAMIN M. MATSUBARA  
MAIL: CURTIS T. TABATA  
Matsubara - Kotake  
888 Mililani Street, Eighth Floor  
Honolulu, Hawaii 96813

Honolulu, Hawaii, March 9, 2009  
  
\_\_\_\_\_  
ORLANDO DAVIDSON  
Executive Officer