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August 16, 2016

HAND DELIVERY AND EMAIL

Mr. Daniel E. Orodener, Executive Officer
Land Use Commission, State of Hawai'i
235 South Beretania Street
Room 406, Leiopapa A Kamehameha Bldg.
Honolulu, Hawai'i 96813

2016 AUG 16 P 2:18
LAND USE COMMISSION
STATE OF HAWAII

Re: Robinson Family Partners, DR16-56, Petition for Declaratory Order to Designate Important Agricultural Lands

Dear Mr. Orodener:

Please find this as Petitioner Robinson Family Partners' ("Petitioner") response to the written comments to the above-entitled petition ("Petition") received from the Office of Planning, State of Hawai'i ("OP") dated August 8, 2016, the Planning Department, County of Kaua'i ("County") dated August 4, 2016, and the Department of Agriculture, State of Hawai'i ("DOA") dated August 5, 2016.

Petitioner would like to thank OP, County and DOA for taking the time to provide their analysis in connection with the Petition. Petitioner is also grateful for the general support received in connection with this Petition to protect and preserve agricultural lands.

Both OP and County have indicated their support for the designation of the entire 20,888 acres comprising the Petition Area as Important Agricultural Lands ("IAL").

DOA has indicated its support for the IAL designation of approximately 17,628 acres. DOA, however, has indicated strong reservations with respect to approximately 3,260 acres in what the DOA has referred to as the Northernmost Portion of the Upper Pasture. DOA identifies this Northernmost Portion by superimposing a light blue area upon the Northwest corner of the Petition Area, and attaches a revised Figure 2b to its written comments dated August 5, 2016.

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DOA's basis for its strong reservations is that it requires more evidence regarding the agricultural use of the Northernmost Portion, including additional information relating to the availability of drinking water for cattle in the Upper Pasture, the fence line in the area, the effect of slopes in excess of 60 percent, and a baseline map that does not describe pasture use in the Northernmost Portion. In response to DOA's reservations regarding the Northernmost Portion of the Petition Area, the following additional information is provided:

Drinking Water for Cattle

Drinking water for cattle in approximately 40 percent of the Upper Pasture on the Waimea-side is provided from the Olokele River, the Kahana Stream, the Mokuone Stream and the Makaweli River. Drinking water for cattle in the large middle section of the Upper Pasture is primarily provided from the Olokele Ditch that runs West and East, and sometimes drinking water for cattle is provided by pockets of water leaking from the mountains or little freshets after rains. On the Hanapepe-side of the Upper Pasture drinking water for cattle is provided from the Koula River, Maunahi Stream, and the Olokele Ditch. From these various water sources, there is abundant drinking water for the cattle.

Pasture Fencing

The fence line in the area of the Northernmost Portion is generally located along the border that separates Petitioner's lands from State lands, and is used to keep Makaweli Ranch cattle on Petitioner's lands. It is estimated that that four cattle pens have access to the upper pastures and/or are located in the Northernmost Portion. The Makaweli/Kahana pen has 40-45 head of cattle, Kepani Flats pen has 60-70 head of cattle, Kepani Mauka pen has approximately 40 head of cattle, and Nonopahu pen has approximately 190 head of cattle occupying mostly the Southern area of the Northernmost Portion. Overall, it is estimated that the Northernmost Portion (3,260 acres) of the Petition Area typically supports 330-345 head of cattle. Managed at a relatively low carrying capacity of one head per 9-10 acres, these lands are integral to the ranching operation.

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Topography

The Northernmost Portion of the Upper Pasture has several valleys with streams (noted above). Within these valleys, there are steep slopes in excess of 60 percent. However, within these upper pastures, cattle will normally graze in the flats of the valleys first but will search for food and graze on highly sloping lands if there is no food in the valley flats. Attached hereto is a photograph taken in 2011 of an area located in the Northernmost Portion. Also attached is a black and white copy of Figure 2b with a red circle to show the approximate location of the area shown in the attached photograph. Cattle will graze in the area shown in the attached photograph, including the highly sloped pastures. The grass shown in the attached photograph include Green Panic Grass that was spread by Makaweli Ranch decades ago to improve cattle grazing in the Northernmost Portion.

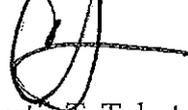
Irrigation Water Sources

The DOA also raised questions relating to the ditch systems, reservoirs and irrigation uses. The water from the two ditch systems are fed into the reservoirs, and from the reservoirs the water is used by the seed operations to irrigate their fields and by Makaweli Ranch to irrigate pastures.

Please do not hesitate to contact the undersigned should there be any questions or if we may be of any assistance. Thank you.

Very truly yours,

MATSUBARA – KOTAKE



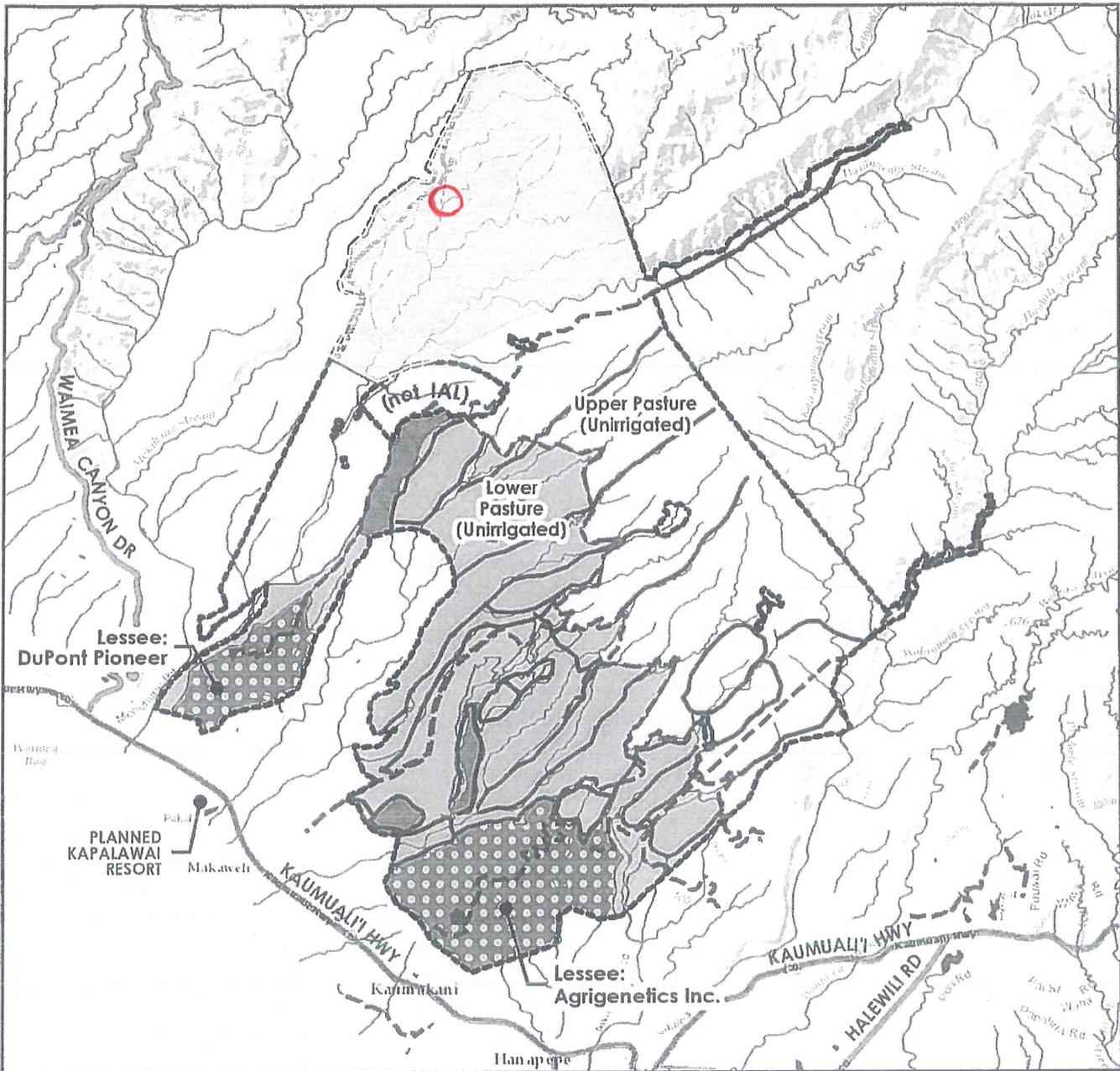
Curtis T. Tabata

Attachments

cc: Robinson Family Partners
Planning Department, County of Kaua'i (email)
Office of Planning, State of Hawai'i (email)
Department of Agriculture, State of Hawai'i (email)



File: G:\Kauai\Robinson Family IAL\PSD



Amended:
7/27/2016

LEGEND

- Proposed IAL Boundary
- Streams
- Leased Land
- Canals/Ditches
- Pasture Fence
- Lakes/ Reservoirs
- Northernmost Portion

Ranch Operation	Approximate Area (in acres)
Upper Pasture (year round breeding)	11,940
Lower Pasture (unirrigated)	5,255
Lower Pasture (irrigated)	400
Lower Pasture (potential irrigated)	1,105
Total:	18,700

Figure 2b
Makaweli Ranch Operation

Robinson Family IAL

North Island of Kauai

Linear Scale (miles)
0 0.75 1.5

Source: Robinson Family Partners, Inc. (2016), County of Kauai
Disclaimer: This graphic has been prepared for general planning purposes only.