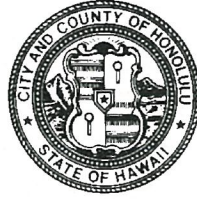


DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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2018/GEN-9(ry)

August 8, 2018

Mr. Daniel Orodener  
Executive Officer  
State Land Use Commission  
Department of Business, Economic  
Development and Tourism  
P. O. Box 2359  
Honolulu, Hawaii 96804

Dear Mr. Orodener:

SUBJECT: DR18-62 Kualoa Ranch, Inc.  
Petition for Declaratory Ruling to Designate Important Agricultural Lands  
(IAL) in Kaaawa, Kualoa, Hakipuu, Koolau Loa, and Koolau Poko, Oahu,  
Hawaii, Tax Map Keys: 4-9-002: Portion 001, 4-9-004: Portion 002,  
4-9-005: Portion 001, 5-1-001: Portion 001, 5-1-001: Portion 016, 5-1-001:  
Portion 025, 5-1-004: Portion 001, and 5-1-007: Portion 001

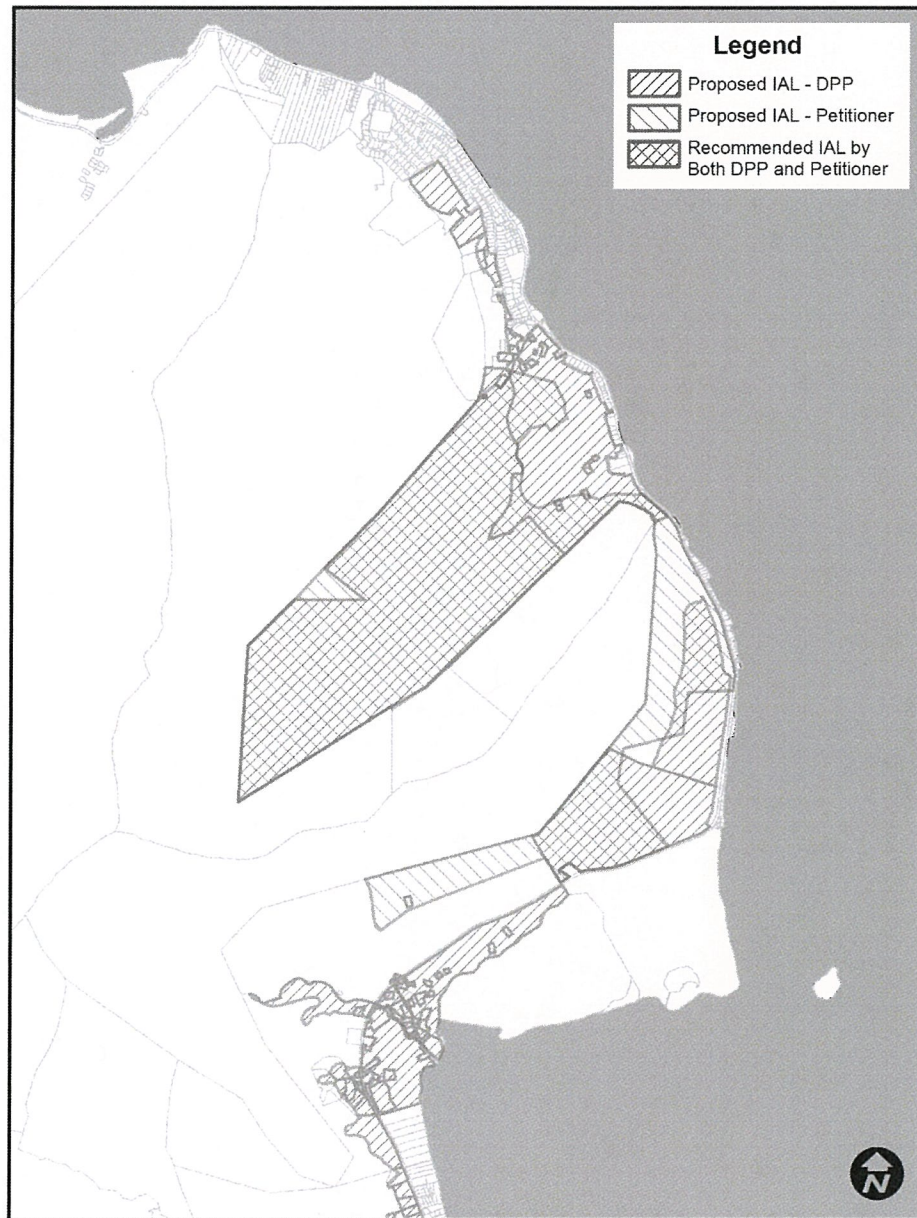
We have reviewed the subject petition and generally support the Petition. However, we believe that all qualified IAL lands should be included. Section 205-42, Hawaii Revised Statutes (HRS), relating to important agricultural lands, definition and objectives, is fundamentally intended to "identify and plan for the maintenance of a strategic agricultural land resource base that can support a diversity of agricultural activities and opportunities that expand agricultural income and job opportunities and increase agricultural self-sufficiency for current and future generations." In order to achieve this objective, the State is charged with establishing incentives that promote agricultural viability, sustained growth of the agricultural industry, and the long-term agricultural use and protection of these productive agricultural lands. The State is also charged with promoting agricultural development and land use planning that delineates blocks of productive agricultural land and areas of agricultural activity for **protection from the encroachment of non-agricultural uses**.

Based on the above, we offer the following comments:

1. Mapping Differences

Much of the lands proposed by the Petitioner for IAL designation are the same

lands the City is proposing for IAL designation<sup>1</sup> under Section 205-4, HRS, relating to the counties' process for identifying IAL. However, significant portions



<sup>1</sup> The City's IAL Mapping Project's recommendations and draft IAL Map is anticipated to be transmitted to the City Council by end of August 2018.

located at the makai end of Kaaawa Valley and in the area of Kualoa Ranch improvements (base of operations and other agricultural supports uses and structures), are proposed by the Petitioner for exclusion from IAL designation (see IAL lands comparison map on the previous page).

The differences between the City's IAL proposal and that of the Petitioner appears to be those lands that are least impactful on agri-tourism operations, i.e., the visitor center and base of its agri-tourism operations, and at the mouth of Kaaawa Valley where additional agri-tourism operations are proposed for expansion. Within the IAL lands proposed by either the Petitioner or the City are lands currently being used for open area recreation and agricultural tourism (agri-tourism), which do not constitute agricultural uses but are permitted under Sections 205-2 and 205-4.5, HRS. Whereas under the City's Land Use Ordinance, agricultural tourism (referred to as "agri-business") is subject to a Conditional Use Permit, Minor.

In its IAL mapping project, the Department of Planning and Permitting (DPP), on the recommendations of the Technical Advisory Committee, based its proposed IAL map on essentially three criterias: 1) soil quality, 2) water availability, and 3) agricultural production. The DPP and its consultant applied the three main criterias consistently across the Island of Oahu while removing lands ineligible for designation by the county's identification process.

## 2. IAL and Agri-tourism

As indicated above and in the Office of Planning's testimony, the Petitioner proposes expansion of its agri-tourism operations pursuant to its Final Environmental Assessment (FEA) filed with the Office of Environmental Quality Control on July 27, 2018. For example, the FEA proposes an expansion from its permitted 100 patrons per day pursuant to Special Use Permit (SUP) File No. 85/SUP-2, to well over 2,000 patrons per day. On special events such as the Farm Fair, over 13,000 patrons per day attended the large events. Petitioner states that expansion of non-agricultural uses on its lands, including those that may be designated IAL, is essential for the ranch's long-term sustainability. On the other hand, Petitioner proposes expansion of its agricultural activities, much of it already occurring on lands proposed for IAL designation. The DPP supports the expansion of agricultural uses on IAL designated lands. However, the proposed expansion of non-agricultural uses on IAL designated lands is contrary to the intent of Section 205-42, HRS. Over the long-term, open area recreation, agri-tourism and other non-agricultural uses may proliferate across the Petitioner's IAL lands and the primary use of these lands would no longer be agriculture as intended by the IAL Law.



Mr. Daniel Orodener  
August 8, 2018  
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Thank you for the opportunity to comment. Should you have any questions, please contact Raymond Young, of our staff, at 768-8049.

Very truly yours,



Kathy K. Sokugawa  
Acting Director

KKS:ah

cc: Corporation Counsel

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