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December 19, 2018

Mr. Daniel Orodener  
Executive Officer  
Land Use Commission  
235 South Beretania Street  
Suite 404  
Honolulu, Hawaii 96813

Dear Mr. Orodener:

Subject: Petition for Declaratory Order to Designate Important Agricultural Lands  
Docket No. DR18-64  
Robinson Kunia Land LLC  
TMK: 9-4-03: por. 1, 4; 9-4-04: por. 2, 3, por. 4, 7, 8, 10, 11, 12, 18,  
por. 19  
Area: 1,239.20 acres Kunia, Oahu

Thank you for the opportunity to comment on this important petition. The Department of Agriculture (DOA) expresses its appreciation to the petitioner for their interest in an effort to identify potential Important Agricultural Lands (IAL). We note that the petitioner is not seeking a reclassification of land pursuant to Section 205-45(b), Hawaii Revised Statutes (HRS) in conjunction with this petition to designate IAL. The petitioner is also voluntarily waiving all rights to claim any credits due, pursuant to Section 205-45(h), HRS (Petition, page 14).

This is the seventh submitted IAL petition involving agricultural lands on the island of Oahu and the sixteenth IAL petition submitted statewide. Over 134,330 acres of agricultural land throughout the State have been designated by the Land Use Commission since 2009. Oahu has 12,583 acres (9 percent) of the total statewide acreage designated as IAL.

The agricultural lands adjacent to Kunia Road have been described as among the best in the State ("Central Oahu Sustainable Communities Plan" - 2002, City and County of Honolulu, page 2-11; and "Oahu Agriculture: Situation, Outlook and Issues" (February 2011, Plasch Econ Pacific LLC, page 44)).



**Summary of findings and conclusion:**

The Department strongly supports the petitioner's request for IAL designation as it meets seven of the eight IAL identification criteria (Section 205-44, HRS). If approved, this petition, along with the earlier-approved Hartung Brothers Hawaii (463 acres) and Monsanto Company (1,550 acres) petitions, will incentivize continued agricultural production on 3,252 acres in the Kunia corridor which has some of the best agricultural lands in the State.

**Attributes of the petitioned area according to the eight IAL identification criteria:**

In the following, we are responding to the petitioner's declarations as to how the petitioned lands meet the eight criteria used to identify potential IAL (Section 205-44, HRS).

**Criterion 1.**

**Land currently used for agricultural production**

(Petition, page 5, and Exhibit D, pages 1-2)

The petition states that 686.11 acres of the 1,239.20 acres being petitioned for IAL is in active production with crops including banana, corn, tomato, bell pepper, won bok, and watermelon. We understand that this area is farmed by Waikele Farms who is a cooperator with the West Oahu Soil and Water Conservation District. About 209.84 acres is said to be in pasture for about 50 head of cattle. The rancher is not identified. The remainder of the petitioned area (343.25 acres) is in agricultural support (including the Waiahole Ditch, a water reservoir, areas and structures for crop processing and equipment storage), soil conservation measures, and gulch land.

The Agricultural Land Assessment (Exhibit D, Table 1, pages 1-2) lists each parcel, its total land area, the acreage in the parcel that is being petitioned, and the acreage not included as part of the petition. DOA staff confirms that all the petitioner's lands (with the exception of two very small parcels sandwiched between TMK 9-4-03: 3 and Lanikuhana Avenue in Mililani), have current City tax dedications through 2018 (Real Property Tax Assessment Division, Department of Budget and Fiscal Service, 2018 Dedicated Agricultural List). We use current tax dedication status as an indication of agricultural activity. The 161.02-acre parcel (TMK: 9-4-02: 52) that is within the Urban District is tax dedicated to 2021. The petitioner may want to indicate at the time of hearing whether the current tax dedication status will be continued into the future.

**DOA finding on Criterion 1:** This criterion is satisfactorily met.

**Criterion 2.**

**Land with soil qualities and growing conditions that support agricultural production for food, fiber or fuel and energy-producing crops.**

(Petition, page 6; Exhibit D, page 7, Table 3, and page 8, Figure 4)

About fifty percent (619.12 acres) of the petitioned area (1239.20 acres) has a Land Study Bureau Overall Productivity Rating of "A"; about 34 percent (418.72 acres) is rated "E"; and, the remaining 16 percent is, in declining order of significance, "D", "B", and "C" rated lands ("Detailed Land Classification – Island of Oahu", L.S.B. Bulletin No. 11, December 1972; Maps 124, 138, 148, 163, and 164.)

With the exception of the "E" rated soils which comprise about 39 percent of the petitioned area, all other soil ratings show significant improvement in productivity potential with the addition of irrigation water. The predominant Land Type of the "A" rated soils is "121i" (irrigated) with very good productivity potential for all agricultural crops (except wetland).

**DOA finding on Criterion 2:** This criterion is satisfactorily met.

**Criterion 3.**

**Lands identified under agricultural productivity rating systems, such as the agricultural lands of importance to the State of Hawaii ("ALISH") system adopted by the board of agriculture on January 28, 1977.**

(Petition, pages 6-8; Exhibit D, pages 7-9 and Table 4, page 10, Figure 5)

About 61.7 percent (764.06 acres) of the petitioned area is classified as "Prime" agricultural land according to the ALISH system. About 36.7 percent (455.19 acres) is not classified according to ALISH, and the remaining land (19.95 acres) is classified as "Other Important" or "Unique" agricultural land according to ALISH. The ALISH "Prime" area (Exhibit D, page 10, Figure 5) approximately corresponds to the area rated as LSB "A" and "B" (Exhibit D, page 8, Figure 4). The 455.19 acres of agricultural land not classified according to ALISH approximately corresponds to the area rated as LSB "E".

**DOA finding on Criterion 3:** This criterion is satisfactorily met.

**Criterion 4.**

**Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production.**

(Petition, page 8; Exhibit E, page 8)

The petition states that the property has historically been in sugarcane and pineapple cultivation (Petition, page 8).

The report by International Archaeology, LLC (Exhibit E, dated September 24, 2018) did not identify any archaeological sites or ongoing cultural practices on or near the property (page 8)

**DOA finding on Criterion 4:** No evidence was provided that the petitioned area has land types associated with traditional native Hawaiian agricultural uses or unique agricultural crops and uses.

**Criterion 5.**

**Lands with sufficient quantities of water to support viable agricultural production.**

(Petition, pages 8-9; Exhibit D, pages 9, 12 (Figure 7 – Water Resources and Agricultural Support), 13)

Median annual rainfall in the petition area ranges from 30 to 35 inches. The petitioner has a water use permit from the Commission on Water Resources Management to withdraw 2.39 million gallons per day from the Waiahole Ditch which runs from east to west in the middle of the petitioned area. There is a groundwater well (Robinson No. 1) just to the north of the Ditch that has a permit to withdraw 100,000 gallons per day. The groundwater is used for crop processing, recycled, then released into the Ditch for crop irrigation (Exhibit D, page 13). There is a reservoir about one-half mile to the north-northeast of the Robinson well.

The petition identifies a reservoir and groundwater well (Waikele No. 2) that are located outside the petitioned area (page 9). It is not stated if these facilities service the petitioned area.

The existence of intensive agricultural production throughout the petitioned area indicates that sufficient quantities of water exists to support viable agricultural production.

**DOA finding on Criterion 5:** This criterion is satisfactorily met.

**Criterion 6.**

**Land whose designation as Important Agricultural Land is consistent with general, development, and community plans of the County.**

(Petition, pages 9-12; Exhibit D, pages 13-20)

The designation of the petitioned area as IAL is consistent with:

- a. the objectives and policies relating to agriculture in the existing and draft General Plan (2002 and 2018, respectively);
- b. the policies relating to agriculture in the existing and draft Central Oahu Sustainable Communities Plan (2002 and 2016, respectively);
- c. the current zoning that is AG-1 (Restricted Agricultural); and
- d. the draft maps of potential IAL developed by the City Department of Planning and Permitting (August, 2018).

**DOA finding on Criterion 6:** This criterion is satisfactorily met.

**Criterion 7.**

**Land that contributes to maintaining a critical land mass important to agricultural operating productivity.**

(Petition, page 13)

The petition states that the designation of "... 1,239 acres of contiguous land, in and of itself contributes to maintaining a critical land mass important for agricultural productivity." The Department of Agricultural agrees.

**DOA finding on Criterion 7:** This criterion is satisfactorily met.

**Criterion 8.**

**Land with or near support infrastructure conducive to agricultural productivity, such as transportation to market, water, or power.**

(Petition, page 13; Exhibit D, page 13)

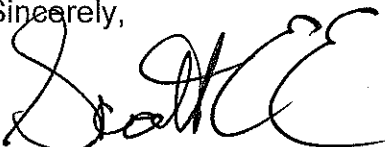
The full and sustained utilization of the petitioned area in agricultural production is an indication that support infrastructure exists.

**DOA finding on Criterion 8:** This criterion is satisfactorily met.

## CONCLUSION

The Department of Agriculture strongly supports the petitioner's request to have 1,293 acres of its Kunia lands designated as IAL. We believe the petition satisfactorily addresses seven of the eight IAL identification criteria. Furthermore, the petition represents a request for IAL designation in an area containing a significant amount of Oahu's most productive agricultural lands and serviced by an irreplaceable irrigation water system. For about 40 years, the Department of Agriculture has strenuously encouraged the City and County of Honolulu to continue protecting these lands from urbanization. IAL designation will help to reinforce the protection of these very important agricultural lands.

Sincerely,



Scott E. Enright, Chairperson  
Board of Agriculture

c: Mr. Leo Asuncion, Director  
Office of Planning

Ms. Kathy K. Sokugawa, Acting Director  
City Department of Planning and Permitting

Mr. James Nakatani, Executive Director  
Agribusiness Development Corporation