

CADES SCHUTTE
A Limited Liability Law Partnership

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Attorney for Petitioner
Pomaika'i Partners, LLC

LAND USE COMMISSION
STATE OF HAWAII

2020 OCT -9 A 6:22

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
POMAIKA'I PARTNERS, LLC

For Declaratory Order to Designate Im-
portant Agricultural Lands for
approximately 689.69 acres at O'ahu,
Hawaii identified by TMK Nos. (1) 6-4-
001-001 (por.), 6-4-001-005 and 6-4-001-012

DOCKET NO. DR19-66

**SUBMISSION OF WAI
ENGINEERING, INC.
MEMORANDUM**

CERTIFICATE OF SERVICE

SUBMISSION OF WAI ENGINEERING, INC. MEMORANDUM

The State of Hawaii Land Use Commission's Findings of Fact, Conclusions of Law, Decision and Order filed January 28, 2020, in this matter stated in part:

HEREBY ORDERS that the Petition Area, consisting of approximately 689.69 acres at O'ahu, Hawaii identified by TMK No.(1) 6-4-001:001 (por.), 6-4-001:005 and 6-4-001:012, and as shown approximately on Exhibit "A" of the Petition and attached hereto and incorporated by reference herein, shall be and is hereby designated as IAL, as governed by HRS Chapter 205, as verbally amended to include the commitment that within 270 days from the granting of the Amended Petition, Pomaika'i will provide the Commission, DOA and OP: 1) An estimate of when certain repairs to the water infrastructure will be completed; 2) the costs of such improvements; and, 3) the identification of the party(ies) responsible for the operations and maintenance of the infrastructure.

Pursuant to that provision, Petitioner files with the Commission and serves up-
on the State of Hawai'i Department of Agriculture and the State of Hawai'i Office of
Planning the attached memorandum from Wai Engineering, Inc. to Pomaika'i
Partners, LLC dated September 1, 2020.

DATED: Honolulu, Hawai'i, October 8, 2020.

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A Limited Liability Law Partnership



CALVERT G. CHIPCHASE
Attorney for Petitioner
POMAIKA'I PARTNERS, LLC

WAI ENGINEERING, INC.

MEMORANDUM

LAUKIHA'A FARMS
TWIN BRIDGE ROAD, HALE'IWA, HAWAII

September 1, 2020



95-522 Kipapa Drive, Mililani, HI 96789
Phone 808.623.1449, Email admin@waiengineering.net

LUC – HEREBY ORDERS

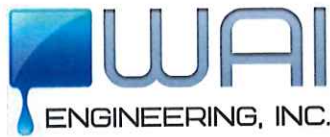
DATE: September 1st, 2020 **DOCKET NO:** DR19-66
TO: Pomaika'i Partners, LLC
FROM: Wai Engineering, INC
PROJECT: Laukiha'a Farms
SITE: Twin Bridge Road Hale'iwa, Hawai'i

Summary:

In response to HEREBY ORDERS set for by the Land Use Commission of the State of Hawaii.

DECISION AND ORDER

HEREBY ORDERS that the Petition Area, consisting of approximately **689.69 acres** at O'ahu, Hawai'i identified by TMK No. (1) 6-4-001:001 (por.), 6-4-001:005 and 6-4-001:012, and as shown approximately on Exhibit "A" of the Petition and attached hereto and incorporated by reference herein, shall be and is hereby designated as IAL, as governed by HRS Chapter 205, as verbally amended to include the commitment that with 270 days from the granting of the Amended Petition, Pomaika'i will provide the Commission, DOA and OP: 1) An estimate of when certain repairs to the water infrastructure will be completed; 2) the costs of such improvements; and 3) the identification of the party (ies) responsible for the operation and maintenance of the infrastructure.



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SUMMARY IMPROVEMENTS:

The proposed water system improvement will consist of private domestic water system, potable irrigation, non-potable irrigation, and fire protection systems including groundwater wells, water treatment and storage system.

Private Water System (Potable)

1. New well
 - a. Well Construction Permit
 - b. Pump Installation Permit
2. Reservoir (Tanks)
 - a. Tank at elevation 700 ft above MSL.
 - i. Servicing lands between 600 ft to 350 ft.
 - b. Pressure breaker tank at elevation 450 ft above MSL.
 - i. Servicing lands between 350 ft to 125 ft.
3. Distribution mainline
4. Water treatment and filtration
 - a. Cost dependent on water testing and level of treatment.
 - i. TBD

Irrigation

Two sources:

1. Proposed ground water well.
 - a. Ground use permit for "Waialua Pump 17" (Well No. 3401-001) was approved on June 19th, 2018 by Department of Land and Natural Resources (DLNR). Commission on Water Resource Management of water resource management (CWRM) for up to 3.5 MGD of agricultural water based on 12-month moving average.
 - b. New well to be relocated on property in lieu of Well 17. Proposed location depicted in Conceptual Water Plan (see figures 5 and 6).
 - i. Well Construction Permit
 - ii. Pump Installation Permit
 - c. Each unit install their own irrigation systems from point of connection at submeter.
2. Wahiawa Irrigation System (WIS). Recycled water from Lake Wilson.



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- a. Will be metered by private water company.
- b. Each CPR Unit will be submetered if water use is adequate for intended application.
- c. Each unit install their own irrigation systems from point of connection at submeter.

Reservoir (Water source from new well)

1. Capacity at 3 MG.
2. Lined with geotextile cloth

Fire Protection (Water source from new well)

1. In accordance with water system standards (WSS), fire hydrants every 700 ft with guard posts and concrete pads.
2. Facility and building cost are not considered in this analysis.

1) An estimate of when certain repairs to the water infrastructure will be completed.

Estimated completion schedule is based on Water Master Plan prepared for Pomaika'i Partners, LLC and prepared by G70 on July 7th, 2020 heading Laukiha'a Farms. Scheduled repairs to the water infrastructure are estimated and are subject to change for a variety of reasons. Possible delays in scheduling include but are not limited to permitting delays, occupancy rate of tenants, market changes, budgeting, COVID19, force majeure, etc.

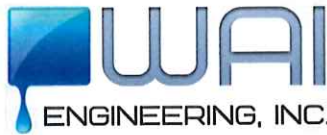
The private water system will need to be phased as new tenants occupy the farm. As such the timeline on such system is dependent upon the property occupancy rate. Preliminary estimate duration by task is shown in Table 1 below.



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Table 1- Preliminary Schedule

| Planning, Design and Permitting | | |
|---|--|-------------------|
| No. # | Description | Estimate Duration |
| 1 | Planning, Design, Permitting | 1 year |
| Private Water System (New Well, Potable) | | |
| No. # | Description | Estimate Duration |
| 1 | New well | 6 months |
| 2 | Potable tank (100,000 gallon) | 2 months |
| 3 | Head break tank (100,000 gallon) | 2 months |
| 4 | Distribution mainline | 3 months |
| 5 | Water treatment and filtration | TBD |
| Irrigation and Fire Protection (New Well) | | |
| No. # | Description | Estimate Duration |
| 1 | New well | 6 months |
| 2 | Reservoir (3 MG Lined) | 6 months |
| 3 | (3) Pumps with VFD controls | 3 months |
| 4 | Distribution mainline | 4 months |
| 5 | Fire Hydrants every 700ft (24) | 2 months |
| Irrigation (Wahiawa Irrigation System, Recycled) | | |
| No. # | Description | Estimate Duration |
| 1 | Ditch Connection | 2 months |
| 2 | Reservoir (3 MG Lined) | 6 months |
| 3 | Distribution mainline | 4 months |
| 4 | Main Filter (Optional) | 2 months |
| Estimate Totals | | |
| No. # | Description | Estimate Duration |
| 1 | Completion of Project Work once design and permitting completed. | 12-18 months |
| 2 | Total estimate cost as listed | N/A |



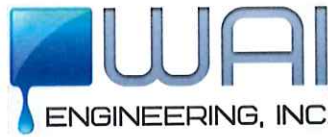
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2) The costs of such improvements.

The costs are based on Water Master Plan prepared for Pomaika'i Partners, LLC and prepared by G70 on July 7th, 2020 titled Laukiha'a Farms. Costs are estimated and does not include design, permitting, or electrical.

Table 2 – Preliminary Water Master Plan Cost Summary

| Planning, Design and Permitting | | |
|---|--|----------------|
| No. # | Description | Cost |
| 1 | Planning, Design, Permitting | TBD |
| Private Water System (New Well, Potable) | | |
| No. # | Description | Cost |
| 1 | New well | \$1,330,000.00 |
| 2 | Potable tank (100,000 gallon) | \$200,000.00 |
| 3 | Head break tank (100,000 gallon) | \$200,000.00 |
| 4 | Distribution mainline | \$964,700.00 |
| 5 | Water treatment and filtration | TBD |
| Irrigation and Fire Protection (New Well) | | |
| No. # | Description | Cost |
| 1 | New well | (See above) |
| 2 | Reservoir (3 MG Lined) | \$1,000,000.00 |
| 3 | (3) Pumps with VFD controls | \$300,000.00 |
| 4 | Distribution mainline | \$1,237,500.00 |
| 5 | Fire Hydrants every 700ft (24) | \$204,000.00 |
| Irrigation (Wahiawa Irrigation System, Recycled) | | |
| No. # | Description | Cost |
| 1 | Ditch Connection | \$30,000.00 |
| 2 | Reservoir (3 MG Lined) | \$1,000,000.00 |
| 3 | Distribution mainline | \$1,237,500.00 |
| 4 | Main Filter (Optional) | \$65,000.00 |
| Estimate Totals | | |
| No. # | Description | Cost |
| 1 | Completion of Project Work once design and permitting completed. | N/A |
| 2 | Total estimate cost as listed | \$7,768,700.00 |



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Table 3 Shows the updated status of An Assessment of the Wahiawā Irrigation System (AWIS) was completed in September 2007 by Element Environmental, Inc. New infrastructure, filters, pipeline will be used to service future tenants if recycled water can be utilized by future tenants needs and demands.

Table 3 – Wahiawa Irrigation Repair and Conditions

| Component | Condition | Size | Likely Potential Repair Needed | Estimated Cost | Photo on AWIS Figure | Status |
|---|--|---|--|---|----------------------|-------------------------------|
| Helemano Siphon | Siphon: Good Cleanout/Bleed Valve: Poor | New liner 20" x 1600' | Bleed valve repair | N/A | 3-15 | Completed |
| Helemano 11 Reservoir-Pipe across Reservoir-Weir to Reservoir | Poor | Weir 45' wide - Reservoir: 11,340,000 gallons | Repair leaking weir. Inspect reservoir if put in use and repair | N/A | 3-16 | Decommisioned |
| Helemano 11A Filter Staion - Pump 29 | Poor | 3 Fresno filters | Replace filters Repair/inspected | Min. Replace \$5000 per filter tank | 3-17 | If to be used, repairs needed |
| Helemano 11 Filter Station | Poor | 6 Yardney filters | Replace filters Repair/inspected | Min. Replace \$5000 per filter tank | 3-17 | If to be used, repairs needed |
| Lateral Ditch - Flow Split Helemano 9 Reservoir | Unknown | 6,160,000 gallons | Inspect reservoir if put in use and repair if needed | Inspection: \$20,000 (repair may be needed) | 3-10 | Repairs may be needed |
| Helemano 9 Filter Station | Poor | 5 Yardney filters | Replace filters Repair/Inspected | Min. Replace \$5000 per filter tank | 3-10 | If to be used, repairs needed |
| Opaeula Siphon | Fair | 54' x 1500' | 20" HDPE lining installed in 2005 but replacement with larger lining may be needed to increase flow) | N/A | 3-15 | Decommisioned, not used |

3) The identification of the party (ies) responsible for the operation and maintenance of the infrastructure.

Wai Engineering will be responsible for the operation and maintenance of the infrastructure as required by federal and state law. Any work requiring specialty licenses and certifications will be subcontracted out as required.



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EXHIBIT A

Tax Map Key Description

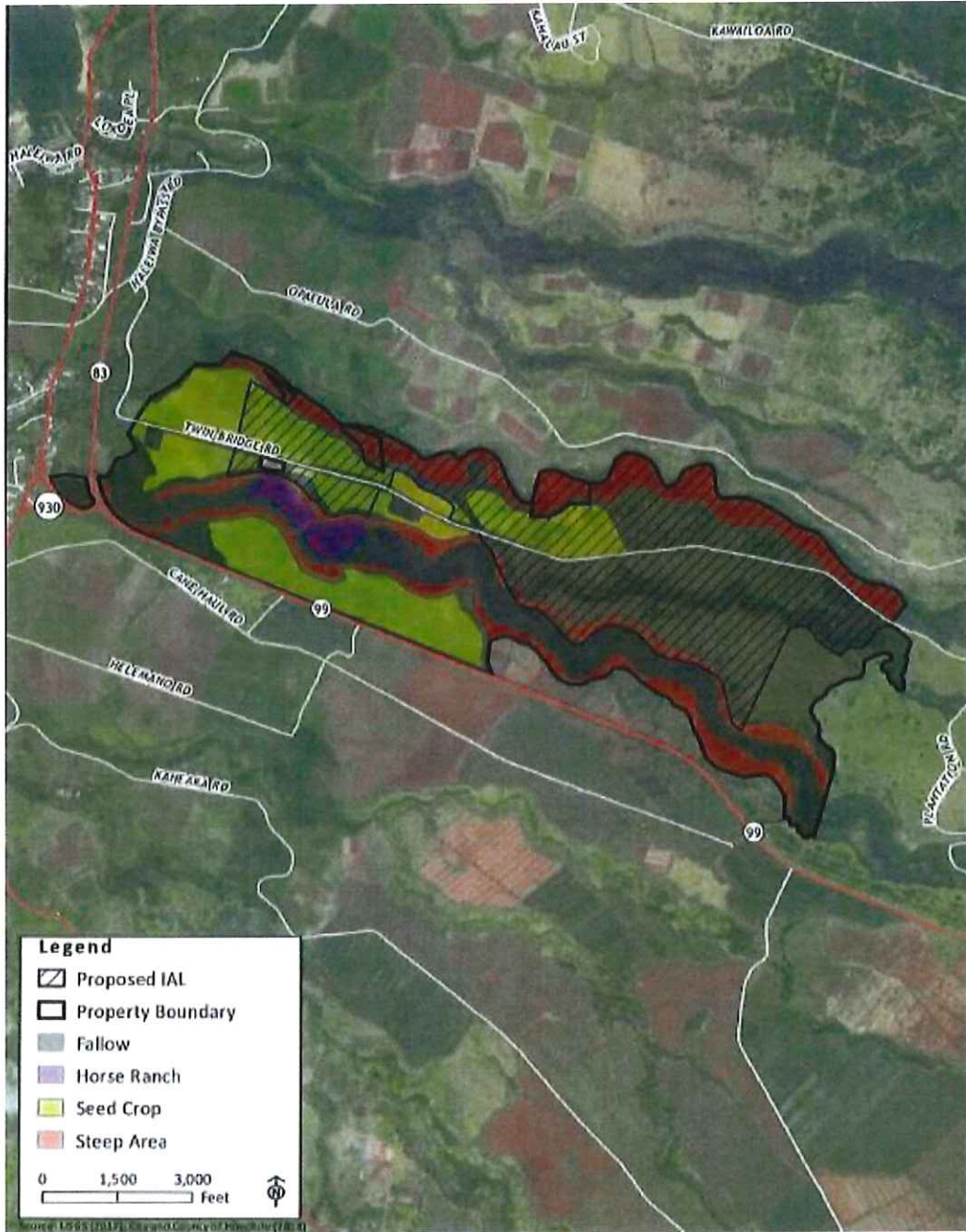
A total of approximately 689.69 acres of land owned by Pomaika'i on O'ahu are designated as Important Agricultural Land (IAL).

The following table shows a summary of TMK parcels and approximate acreage for the IAL lands:

| TMK Number | Approximate Acreage |
|--------------------------|---------------------|
| (1) 6-4-001 : 001 (por.) | 668.25 |
| (1) 6-4-001 : 005 | 6.86 |
| (1) 6-4-001 : 012 | 14.58 |
| Total | 689.69 |



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BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of
POMAIKA'I PARTNERS, LLC

DOCKET NO. DR19-66

CERTIFICATE OF SERVICE

For Declaratory Order to Designate
Important Agricultural Lands for ap-
proximately 689.69 acres at O'ahu,
Hawaii identified by TMK Nos. (1) 6-4-
001-001 (por.), 6-4-001-005 and 6-4-001-
012

CERTIFICATE OF SERVICE

The undersigned hereby certifies the on this date, a true and correct copy of the
foregoing document was served on the following parties at their last known ad-
dresses listed below, by U.S. mail, postage prepaid:

CITY & COUNTY OF HONOLULU
DEPARTMENT OF PLANNING & PERMITTING
650 South King Street
Honolulu, HI 96813
Attention: Director Kathy Sokugawa

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, HI 96814
Attention: Phyllis Shimabukuro-Geiser

STATE OF HAWAII
OFFICE OF PLANNING
P.O. Box 2359
Honolulu, HI 96804-2359
Attention: Mary Alice Evans

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
425 Queen Street
Honolulu, HI 96813
Attention: Dawn Takeuchi-Apuna

CITY & COUNTY OF HONOLULU
CORP. COUNSEL
530 S. King Street
Honolulu, HI 96813
Attention: Paul S. Aoki

DATED: Honolulu, Hawai'i, October 8, 2020

CADES SCHUTTE
A Limited Liability Law Partnership



CALVERT G. CHIPCHASE
Attorney for Petitioner
POMAIKA'I PARTNERS, LLC