

April 28th, 2021

Dear Land Use Commission,

This is a response to a letter I received on November 7th, 2017 from the City and County of Honolulu Department of Planning and Permitting regarding the proposed Important Agricultural Lands (IAL) Map. I apologize for the late response to this notice as it read as only a recommendation. I understand that the map is to be finalized by the Land Use Commission in accordance with HRS 205-47 and I would like to make the argument to remove my property from the IAL designation.

My property lies at the sloping base of Mt Kaala and is only 9 acres, most of which is sloping and rocky soils. The TMK is 67002028.

I do not believe my property fits the following criteria, according to HRS 205-44. Please see my reasoning below each criteria in *italics*;

(1) Land currently used for agricultural production;

My property is not currently being used for agricultural production and has never been used for agricultural production other than cattle grazing by the neighbors, which was then only periodic as the land is bone dry during the summer. Cattle grazing has since ceased on my property as they are destructive to anything I do try to plant and have become a liability.

(2) Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops;

My property has the productivity rating of C, D and E grade soil as determined by the Land Study Bureau, A being the best quality for agricultural production and E being the lowest quality for agricultural production. Not only does the soil consist of mainly rock and clay, it also slopes from 12% to 80%, making tilling and grading difficult. The soils and slopes are not practical for growing most crops. I understand that many of the C, D and E grade agricultural properties are being used for wind or solar farms. However, I believe the zoning for these uses must also be AG1 and my property is AG2. Furthermore, the small size of the lot (9 acres) is not enough to create a productive energy farm.

(3) Land 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;

I am not sure if my property was included in this system but if it was, it was probably "thrown in," as the surrounding parcels are all large 90+ acre lots of agricultural land that was used for sugar or mass cattle grazing in the past.

According to the Natural Resources Conservation Service Field Office Technical Guide Pacific Islands Area,

*"Lands not considered for classification within this system are developed urban lands over ten acres, natural or artificial bodies of water over ten acres, public use lands, forest reserves, **lands with slopes in excess of thirty five percent**, and military installations except undeveloped areas over ten acres."*

My property exceeds a slope of 35% in most areas.

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(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;

There is not enough water or any stream for taro cultivation. While coffee or cocoa may be able to be grown with sufficient water, the property itself is only 9 acres, most of that having steep slopes, which is hardly enough land for a considerable production.

(5) Land with sufficient quantities of water to support viable agricultural production;

While my property does have a well and water use permit for domestic, fire and agriculture use, it is unclear if the amount of 29,000 gallons a day will be sufficient. It is also my understanding that The Hawaii Commission on Water Resource Management is not giving any more water use permits for the Mokuleia aquifer.

With regard to agricultural water, many of the parcels surrounding my parcel to the north (Makai) have access to agricultural water from the old Dole Irrigation ditches, however, there is no access to this ditch from my property. While I believe I do have the "right" to this water, it would take lengthy easement negotiations to access that ditch and furthermore, that particular ditch has not been maintained and currently does not flow.

(6) Land whose designation as important agricultural lands is consistent with general, development, and community plans of the county;

While the current AG 2 zoning designation does make my property fit in accordance with the North Shore Sustainable Communities Plan, its best use would be a self-sufficient homestead rather than a large commercial producer. Any future farming products would be to support the families living on the land and potentially the occasional farmer's market booth. I do believe the City and County of Honolulu should consider a designation for homestead properties that are 10 acres or less, as I believe many local people would thrive being able to be self-sufficient. This IAL designation only takes into consideration the idea that all farmable land should be large commercial farms. There is a market for self-sufficiency, which could eventually contribute to small "boutique" farming operations and even agricultural tourism.

(7) Land that contributes to maintaining a critical land mass important to agricultural operating productivity; and

While my property may have been part of a mass grazing operation in the past, the parcels that were part of that operation have since been sold off to various different owners, who now want different things out of their land. That being said, the size of the lot (9 acres) of mostly sloping land is not sufficient for mass agricultural operations.

(8) Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power. [L 2005, c 183, pt of §2; am L 2008, c 233, §18]

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The property is accessible by private easements with multiple coded gates. While those easement roads have been maintained in a manner that is sufficient for landowner access and fire access, they are not high traffic roads for mass commercial activity. The idea of a farm stand would be nice but its location is simply not convenient enough to Farrington Hwy.

Power was recently brought in to the corner of my property to accommodate the farm dwellings above my property but my lot has not yet connected to that power line.

Again, there is a well with a water use permit for domestic, fire and some agricultural use, however, it is unclear if that 29,000 gallons a day will be sufficient for large scale agriculture.

My testimony against the creation of an IAL map is as follows;

I am concerned that if my property is included in the IAL database, that it will further restrict me from maximizing the best use of my land, which is a self-sufficient homestead where myself and/or my workers are able to live. I am worried that the City will impose restrictions on building a home and living on the property if I am not able to prove a profitable agricultural business. Currently zoning allows me to build up to 2 farm dwellings on my lot.

I do not believe that City and State officials and legislators, who are proposing more restrictions on agricultural land, understand how much money it costs to provide agricultural infrastructure and then turn around and make a profit. Adding more layers of bureaucracy only hinders real economic growth in the agricultural industry. The permit lag time in of itself is completely absurd, not to mention the money it costs grade properly, invest in machinery, install irrigation, do R and D on the most viable crops, control pests and then sit around and wait for a product to grow. Meanwhile, the City thinks it should restrict people from living on that land and away from their hard labor only to pay rent somewhere for an astronomical price that is at least a 30 minute drive both ways. Furthermore, there continues to be rampant petty theft, especially on properties that are unable to house workers who can provide surveillance. Farm animals should also have 24/7 care.

Those of us who own small agricultural lots are not giant seed companies or huge corporate organizations. I understand Hawaii is slowly transitioning from a monocrop culture but the idea that the 1000s of acres of fallow agricultural land just sitting should somehow magically turn into swaths of organic food farms on the backs of small private parties is absurd. The State needs to provide incentives if that is their vision, not impose more restrictions. For once, I am hoping the City and State will pass laws that make it easier for people, not more difficult. If the IAL database will indeed make it more difficult to build homes on my property, please count me out. Whatever the intent is, I believe the owners of agricultural land need to know what that intent is before you convert our investments into a regulatory nightmare.

I appreciate your consideration of my request. Either way, I will look forward to your response in a timely matter.

Mahalo,

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