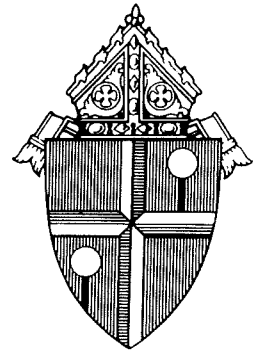


ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII

Chancery Office of the Roman Catholic Diocese of Honolulu
1184 Bishop St., Honolulu, Hawaii 96813-2858 • Phone: (808) 585-3300 / Fax: (808) 521-8428

Director
Department of Planning and Permitting
650 South King St., 7th floor
Honolulu, HI 96813



March 29, 2017

Re: **TMK (1) 9-1-017-125-0000 (20.153 acres) and (1) 9-1-017-092-0000 (3.389 acres)**

Dear Director,

The Roman Catholic Church in the State of Hawaii (RCCH) is the owner of these two parcels located at the corner of Fort Weaver Road and Old Fort Weaver Road, Ewa, Oahu. This office received a Notice to Affected Landowners (Notice) dated 12/29/2016 providing information on the IAL designation. It is presumed that these aforementioned parcels may be affected in some way by this prospective designation. Confirmation is still pending as the website referred to in the letter is now being updated and unavailable.

Nonetheless, RCCH is requesting that these parcels NOT be recommended for IAL. These parcels were purchased in 2008 for the sole purpose of building a parish to service the Ewa area. It was purchased subject to a Declaration of Covenants and Restrictions that requires use of church and school purposes.

The current parish, Immaculate Conception currently located on approximately 1 acre on nearby Renton Road was originally built to serve the plantation community. In 2010, this office commissioned a study to plan for the then current and projected Catholic community population in 2020 and 2035. Since then we have been in the planning stage awaiting the approval of the Ho'opili community development, which has already begun its development of approximately 12,000 rooftops. This development alone will eventually generate a Catholic community of over 2,000 individuals, which cannot be accommodated in the current location.

Attached for your ready review are the TMK data information sheets. You will note that **TMK (1) 9-1-017-092-0000** has a property class of Residential and that **TMK (1) 9-1-017-125-0000** has multiple property classes, both residential and agriculture. It also does not appear that these properties meet the majority of the eight criteria cited in the Notice.

While RCCH has outlined in this letter the specific reasons for its objection to the IAL designation, RCCH reserves any and all of its rights to further protest this designation on any and all grounds. We respectfully request excluding these parcels from the IAL designation consideration.

Sincerely,



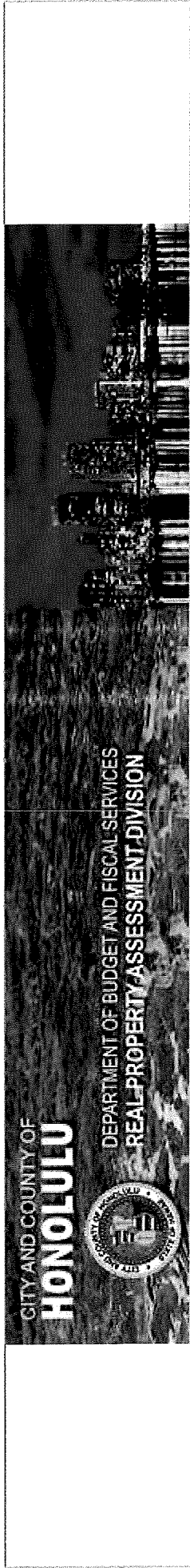
Marlene R. De Costa, CPM®, RPA®

Director of Real Estate

T: 808.585.3332

E: mdecosta@rcchawaii.org

cc: Most Reverend Larry Silva; Very Reverend Msgr. Gary Secor; Bruce Graham, Esq.



Previous Parcel	Next Parcel	Return to Main Search Page	Honolulu Home	Real Property Home
Owner and Parcel Information Print Owner Info				
Parcel Number	910170920000	Data current as of	January 2, 2017	
Owner Name	ROMAN CATHOLIC CHURCH Fee Owner	Project Name		
Location Address	91-2002 FORT WEAVER RD	Plat Map	Plat Map PDF	
Property Class	RESIDENTIAL	Parcel Map	GIS Parcel Map	
Land Area (approximate sq ft)	147,624	Legal Information	LOT 37-B (2.620 AC) & LOT 344-B (.769 AC) MAP 933	
Land Area (acres)	3.389	LCAPP	1069	

Any ownership changes after assessment date of October 1 will be reflected on website after assessment roll certification on or after January 31.

Assessment Information Show Historical Assessments Print Assessment Info										
Assessment Year	Property Class	Assessed Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Property Assessed Value	Total Net Taxable Value
2017	RESIDENTIAL	\$ 620,000	\$ 0	\$ 0	\$ 620,000	\$ 0	\$ 0	\$ 0	\$ 620,000	\$ 620,000
										\$ 0
										\$ 0

Appeal Information Print Appeal Info	
No appeal information on parcel.	

Land Information Department of Planning and Permitting (DPP) Print Land		
Property Class	Square Footage	Acreage
RESIDENTIAL	147,624	3.389
		Agricultural Use Indicator

Improvement Information	
No improvement information available for this parcel.	

Other Building and Yard Improvements		
Description	Quantity	Year Built
No information associated with this parcel.		

Permit Information Department of Planning and Permitting (DPP)		
Date	Permit Number	Reason
09/12/2011	677608	DEMOLITION
		Permit Amount
		\$ 5,000

Sales Information Print Sales Info

Sale-Date	Sale-Amount	Instrument-#	Instrument-Type	Instrument-Description	Date-of-Recording	Land-Court-Document-Number	Cert-#	Book/Page
06/25/2008			FEE CONVEYANCE	Route Slip	06/25/2008			

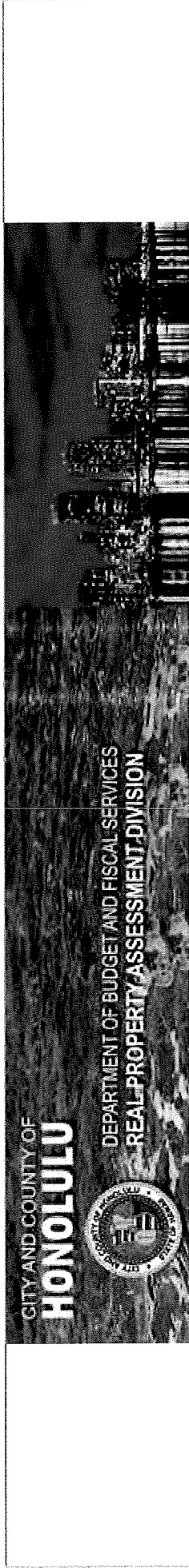
Current Tax Bill Information		2017 Tax Payments		Show Historical Taxes		Treasury Division		Current Bill	
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2016-2	Property Tax	02/21/2017	\$ 1,085.00	\$ 0.00	\$ 1,085.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,085.00
									\$ 1,085.00

Tax bill is computed to 01/31/2017 Or pay online at www.hnlpav.com Other Payment Options Click [Here](#)

Previous Parcel	Next Parcel	Return to Main Search Page	Honolulu Home	Real Property Home
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The Honolulu Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: January 2, 2017

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Previous Parcel	Next Parcel	Return to Main Search Page	Honolulu Home	Real Property Home
Owner and Parcel Information Print Owner Info				
Parcel Number	910171250000			
Owner Name	ROMAN CATHOLIC CHURCH Fee Owner			
Location Address	91-2002 C FORT WEAVER RD			
Property Class	Multiple Property Classes on Parcel VACANT AGRICULTURAL RESIDENTIAL AGRICULTURAL			
Land Area (approximate sq ft)	877,864			
Land Area (acres)	20.153			
Any ownership changes after assessment date of October 1 will be reflected on website after assessment roll certification on or after January 31.				

Assessment Information		Show Historical Assessments Print Assessment Info									
Assessment Year	Property Class	Assessed Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Property Assessed Value	Total Property Exemption	Total Net Taxable Value
2017	VACANT AGRICULTURAL	\$ 2,036,700	\$ 603,400	\$ 0	\$ 603,400	\$ 0	\$ 0	\$ 0	\$ 603,400	\$ 0	\$ 603,400
2017	RESIDENTIAL	\$ 1,427,700	\$ 0	\$ 0	\$ 1,427,700	\$ 59,100	\$ 0	\$ 59,100	\$ 1,486,800	\$ 0	\$ 1,486,800
2017	AGRICULTURAL	\$ 100	\$ 100	\$ 0	\$ 100	\$ 26,900	\$ 0	\$ 26,900	\$ 27,000	\$ 0	\$ 27,000

Appeal Information Print Appeal Info	
No appeal information on parcel.	

Land Information Department of Planning and Permitting (DPP) Print Land		
Property Class	Square Footage	Acres
VACANT AGRICULTURAL	297,341	6.826
AGRICULTURAL	152,460	3.5
RESIDENTIAL	36,590	0.84
RESIDENTIAL	119,746	2.749
RESIDENTIAL	155,117	3.561
VACANT AGRICULTURAL	116,610	2.677
		Agricultural Use Indicator
		Yes

Acres in Production		Agricultural Type		Agricultural Value	
6.826	50%			\$603,418	
3.5				\$100	

This parcel has land in agricultural usage and therefore agricultural usage assessments have been made.

Residential Improvement Information									
Building Number	Occupancy	Framing	Year Built	Effective Year Built	Square Feet	Bedrooms	Full Baths	Half Baths	Sketch
1	SINGLE-FAMILY	WOOD/SINGLE WALL	1919		842	3	1	0	Show Building Sketch

Residential Additions						
Card	Line	Lower	First	Second	Third	Area
1	0					842

Other Building and Yard Improvements			
Description	Quantity	Year Built	Area
FRAME UTILITY SHED	1	1991	782
WOOD FENCE	1	1991	4,800
CARPOT OPEN GRAVEL FLOOR	1	1988	950

Sales Information Print Sales Info							
Sale Date	Sale Amount	Instrument #	Instrument Type	Date of Recording	Land Court Document Number	Cert #	Book/Page
09/30/2015			FEE CONVEYANCE	09/30/2015			
			Route Slip				

Current Tax Bill Information												
Tax Period	Description	Original Due Date	2017 Tax Payments	2017 Tax Assessments	2017 Tax Credits	Net Tax	Treasury Division	Current Bill	Interest	Penalty	Other	Amount Due
2016-2	Property Tax	02/21/2017	\$ 5,239.60	\$ 5,239.60	\$ 0.00	\$ 5,239.60	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 5,239.60
												\$ 5,239.60

Tax bill is computed to 01/31/2017 Or pay online at www.hnlbav.com Other Payment Options [Click Here](#)

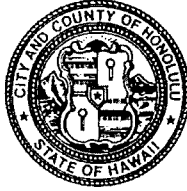
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DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honoluluodpp.org • CITY WEB SITE: www.honolulu.gov

KIRK CALDWELL
MAYOR



ARTHUR D. CHALLACOMBE
ACTING DIRECTOR

KATHY K. SOKUGAWA
ACTING DEPUTY DIRECTOR

December 29, 2016

**NOTICE TO AFFECTED LANDOWNER
IMPORTANT AGRICULTURAL LANDS (IAL) PROJECT**

We are pleased to share with you our progress in recommending lands for IAL designation. We are notifying you directly because our draft maps include property you own, based on information available to us.

These lands are being recommended based on State criteria defined under Chapter 205, Hawaii Revised Statutes. Enclosed is a map of proposed land to be recommended as IAL by the Department of Planning and Permitting and a "Frequently Asked Questions" handout. More detailed maps and information can be found on the project website: www.mapoahuagland.com.

We encourage you to come to one of two community meetings to learn more about the Draft IAL Maps and the IAL process:

- January 10, 2017, from 6:00 p.m. to 8:30 p.m. at Kapolei Middle School Cafeteria; and
- January 17, 2017, from 6:00 p.m. to 8:30 p.m. at Haleiwa Elementary Cafeteria.

Sign-in and open house is from 6:00 p.m. to 6:30 p.m. The meeting begins at 6:30 p.m.

We hope to have a final list of landowners and a set of IAL Maps to recommend to the City Council for adoption in the spring of 2017. Comments on the current Draft IAL Maps are welcome until March 31, 2017. Written comments should be addressed to the project consultants: HHF Planners, 733 Bishop Street, Suite 2590, Honolulu, Hawaii 96813.

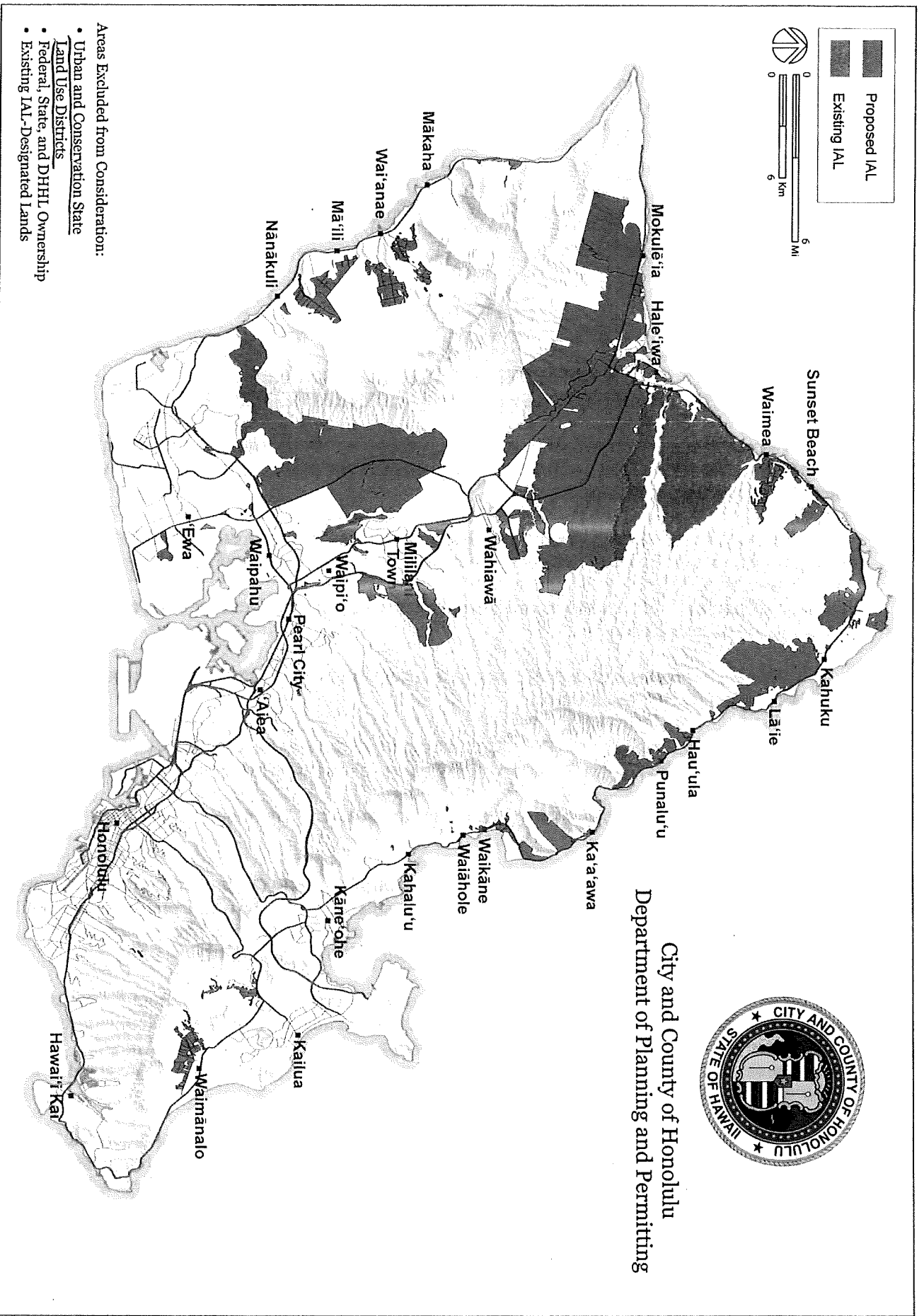
If you wish to email your comments or want to receive future updates and announcements about this project, please send an email to: mapoahuagland@hhf.com. Additional information is available at: <http://www.honoluluodpp.org/Planning/IAL.aspx>. Click on the link under "Documents" for the IAL Phase I Report. Should you have any questions, please call Tim Hata of our staff at (808) 768-8043.

If you require special assistance, auxiliary aid, and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000 or email your request to info@honoluluodpp.org at least three business days prior to the event.

Enclosures



City and County of Honolulu
 Department of Planning and Permitting



- Areas Excluded from Consideration:
- Urban and Conservation State Land Use Districts
 - Federal, State, and DHHL Ownership
 - Existing IAL-Designated Lands

O'ahu Lands Proposed for Important Agricultural Lands (IAL) Designation - 52,575 acres

Important Agricultural Lands Project
Frequently Asked Questions

1. **What does “Important Agricultural Lands” (IAL) mean?**

Section 205-42, Hawaii Revised Statutes (HRS), defines IAL as those lands that: “(1) Are capable of producing sustained high agricultural yields when treated and managed according to accepted farming methods and technology; (2) Contribute to the State's economic base and produce agricultural commodities for export or local consumption; or (3) Are needed to promote the expansion of agricultural activities and income for the future, even if currently not in production.”

Section 205-42(b) states:

“The objective for the identification of important agricultural lands is 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.”

The IAL designation is a supplemental State land use classification administered by the Department of Business, Economic Development and Tourism's State Land Use Commission (LUC). It is an exclusive sub-set of lands within the State Agricultural Land Use District intended to overlay existing State and County land use classifications. To promote the active use of agricultural lands, the IAL designation provides access to financial incentives and benefits to reduce the cost of farming and promote the profitability of farmers on IAL.

2. **What is the legal basis for designating IAL?**

Article XI, Section 3 of the State Constitution states:

“The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands. The legislature shall provide standards and criteria to accomplish the foregoing. Lands identified by the State as important agricultural lands needed to fulfill the purposes above shall not be reclassified by the State or rezoned by its political subdivisions without meeting the standards and criteria established by the legislature and approved by a two-thirds vote of the body responsible for the reclassification or rezoning action.”

3. **How are lands designated as IAL?**

The LUC is responsible for designating land in Hawaii as IAL. There are three methods for initiating and designating land as IAL: *Landowner Initiated*, *County Initiated* under Sections 205-45 and 205-47, HRS, respectively, and *State Initiated* under Section 205-44.5, HRS.

NO

The *Landowner Initiated* method under Section 205-45, HRS, allows private landowners to voluntarily submit a petition directly to the LUC for IAL designation. With the *Landowner Initiated* method, the landowner chooses which lands he/she wants designated as IAL. Generally, the LUC will review the petition, hold a public hearing, and issue a declaratory order to adopt the IAL designation in

whole, in part, or deny the petition. To date, there have been nine *Landowner Initiated* IAL petitions approved by the LUC, designating approximately 132,027 acres of land as IAL on four islands. Of the nine approved petitions, two were on Oahu, resulting in approximately 10,271 acres designated as IAL.

The *County Initiated* method required under Section 205-47, HRS, mandates that all four Hawaii counties identify and map lands within their respective jurisdictions that have potential for designation as IAL. Each county's Planning Department is responsible for carrying out this mandate. For the City and County of Honolulu, the Department of Planning and Permitting (DPP) is responsible for identifying and mapping IAL on Oahu.

Land eligible for consideration via the *County Initiated* method is limited to county-owned and privately owned lands that are in the State Agricultural District and are designated for agricultural use by the county (i.e., designated "Agriculture" on the appropriate Development Plan/Sustainable Communities Plan Land Use Map and zoned "Agricultural").

The *State Initiated* method under Section 205-44.5, HRS, is a third method to designate IAL and requires that the State Department of Agriculture (DOA) and the State Department of Land and Natural Resources (DLNR) collaborate and prepare maps identifying State-owned lands for IAL designation. The *State Initiated* method is separate from the two methods above.

4. **What are the criteria for IAL?**

There are eight criteria listed in Section 205-44, HRS:

- NO (#1) land currently used for agricultural production;
- NO (#2) land with soil qualities and growing conditions that support agricultural production;
- (#3) land identified under the State's Agricultural Lands of Importance to the State of Hawaii (ALISH) system;
- NO (#4) land identified with native Hawaiian agricultural uses;
- ? (#5) land with sufficient quantities of water;
- (#6) land whose designation as IAL is consistent with county community and development plans;
- (#7) land that contribute to maintaining a critical mass important to agricultural operating productivity; and
- (#8) land with or near support infrastructure, such as transportation to markets, water, or power.

By law, land does not have to meet all eight criteria to be considered IAL.

5. **How is the City and County of Honolulu identifying and mapping IAL?**

In accordance with Section 205-47, HRS, the DPP is taking a phased approach to identifying and mapping IAL on Oahu. In June 2012, the DPP began Phase I of the *County Initiated* method mentioned above. The objectives of Phase I were to define the eight criteria, identify the data sources to map the criteria, prioritize the criteria, and prepare a Phase I report, including criteria maps and a criteria weighting system. The DPP convened six Technical Advisory Committee meetings and the first round of three public meetings to inform the public about the process were held in April 2015.

on line?

The DPP completed Phase I in April 2014 and began Phase II in August 2014. The objectives of Phase II are to recommend which criteria to use, conduct a series of public meetings to present draft IAL maps, notify affected landowners, submit draft maps to the City Council, then forward the City's IAL maps to the LUC for final decision-making and designation.

Based on this work, the DPP is recommending that land meeting at least one of the three criteria below be eligible for IAL:

- No
slaughter
7
- Land currently used for agricultural production (Criterion 1, Chapter 205-44(c)(1), HRS);
 - Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops (Criterion 2, Chapter 205-44(c)(2), HRS); or
 - Land with sufficient quantities of water to support viable agricultural production (Criterion 5, Chapter 205-44(c)(5), HRS).

Available Geographic Information System mapping from various City, State, and Federal government agencies were used to map the physical conditions of the criteria. Examples of data collected and the accompanying reference/source for each of the criteria above are given, but are not limited to:

Criterion 1:

- 2011 Aerial Imagery, State Office of Planning and the U. S. Geological Survey;
- Koolaupoko Watershed Management Plan (2012) prepared for the Honolulu Board of Water Supply by Townscape, Inc., and 2011 Real Property Taxation Database, City and County of Honolulu Department of Budget and Fiscal Services (BFS), Real Property Assessment Division.

Criterion 2:

- Soil Survey Geographic Database, U. S. Department of Agriculture, Natural Resource Conservation Service.

Criterion 5:

- Water Use Permit Records, DLNR, Commission on Water Resource Management;
- Irrigation System Data, State DOA; and
- Water Rate Inventory, Honolulu Board of Water Supply.

A more detailed description of the methodology used to develop the criteria is provided in the Phase I Study at:

[http://www.honoluludpp.org/Planning/ImportantAgriculturalLands\(IAL\).aspx](http://www.honoluludpp.org/Planning/ImportantAgriculturalLands(IAL).aspx)



Many properties are being included in the list of IAL that may only include a portion of the total land area. So, it is important to view the Draft IAL Maps to determine what specific lands are included in the City's recommended inventory of IAL designation. First, look at the Draft IAL Maps posted on the project website: www.mapoahuagland.com. Using the map viewer tool, you will be able

* to zoom in and pan through the map to find specific properties. You may also search for property by entering the Tax Map Key parcel number.

6. **How will an IAL designation benefit landowners?**

Landowners are eligible for eleven State incentives that include grant assistance, tax incentives to offset operational costs, financing, access to cost-effective sources of water, agricultural education, and training for new farmers, and other measures consistent with Section 205-46. Land designated as IAL also provides greater protection of existing agricultural land from future development because an IAL designation will require six of nine votes from the LUC to reclassify lands from the State Agricultural District to the State Urban District.

The DPP continues to research possible County incentives to benefit landowners in accordance with Section 205-46(a), (b) and (d), HRS.

7. **What are the consequences if my land is not ultimately designated as IAL by the LUC?**

The land will not be eligible for the agricultural incentives and benefits for land designated IAL. However, the land may still be used for all permitted activity under current State and County rules and regulations.

8. **Are any lands excluded from County Initiated IAL designation Process?**

Yes, certain categories of land are not eligible for IAL consideration under the *County Initiated* method, including:

- Lands outside the City and County of Honolulu's jurisdictional responsibilities, such as lands that are Federally-owned or State-owned or are located in the State Conservation District;
- Lands within the State Urban District or designated for urban use by county land use plans; and
- All land owned by a landowner if more than 50 percent of that landowner's property was voluntarily designated IAL, in accordance with Section 205-47(d).

* []
another island?

9. **Will all landowners affected by the DPP's IAL project be notified?**

Yes. In accordance with Section 205-47(d), HRS, the DPP is required to "take reasonable action to notify each owner of those lands by mail or posted notice on the affected lands to inform them of the potential designation of their lands." The DPP has mailed notices to approximately 2,000 landowners it was able to identify using information on file with the City's BFS, Real Property Division. The DPP also issued a press release, sent a notice to all Oahu Neighborhood Boards, and placed a legal notice and informational notice in the Honolulu Star-Advertiser and Mid Week.

Apply for IAL?

How am I affected if the City is recommending all of my land for IAL?

This is only the recommendation phase. No decisions on IAL are made until action is taken by the State LUC. Until action is taken, there is no affect on ownership and development rights.

Since the process to identify and map IAL on Oahu is still a work in progress, there will be opportunities for more public input to refine the IAL maps before the DPP forwards them to the Honolulu City Council.

UMP?

Land that is ultimately designated as IAL by the LUC does not preclude the landowner from using his or her land for purposes allowed or permitted under current LUC rules and regulations and County zoning. However, land designated as IAL just makes it more difficult for the landowner to reclassify IAL from the State Agricultural District to the State Urban or Rural District because it will take six votes rather than five votes by the LUC to reclassify the land.

11. **How am I affected if the DPP is recommending only a portion of my land as IAL?**

If a portion of a property is ultimately designated as IAL by the LUC, the DPP believes it will still be eligible for IAL incentives. Moreover, partial designation does not preclude the use of all land as provided under current State LUC rules and regulations and County zoning. Land designated as IAL just makes it more difficult for the landowner to reclassify the IAL portion of the property from the State Agricultural District to the State Urban or Rural District because it will take six votes rather than five votes by the LUC to reclassify the land.

12. **What if my neighbor's land was not recommended for IAL, can he/she still have some or all of their land designated as IAL as part of the City's *County Initiated* method?**

Yes, it is possible. They should contact the DPP so that we can review their property based on the top three criteria mentioned above.

13. **What if I don't want my land recommended for IAL by this *County Initiated* method?**

Identifying and mapping IAL on Oahu is still a work in progress and comments will help the DPP finalize its recommendation. There will be further opportunity to review the DPP's IAL recommendation and refine the IAL maps when it reaches the City Council and the State LUC. Please write to the DPP to file your position. The DPP's mailing address is on the last page.

14. **Is the IAL process Eminent Domain or a legal taking?**

No. The IAL process will not condemn or "take" anyone's land away.

15. **If all or a portion of my land is designated as IAL by the LUC, will my property tax rate change?**

At this time, neither the DPP nor the City's BFS, Real Property Division is proposing any tax rate changes based on IAL designation.

16. **Once lands are designated IAL by the LUC, can additional lands be added to Oahu County's IAL inventory?**

Yes, Section 205-52, HRS, requires that counties review their IAL inventory at least every ten years, but no more than once every five years. Also, a landowner may voluntarily initiate a petition to the LUC to designate all or a portion of their land as IAL in accordance with Section 205-45, HRS.

17. **Where can I find more information about the City's IAL process?**

- Visit the DPP's website at: <http://www.honoluludpp.org/Planning/IAL.aspx>. Click on the link under "Documents" for the Phase I Report. Visit the project's

website at: www.mapoahuagland.com and use the interactive mapping tool to view the Draft IAL Maps.

- Attend one of the two community meetings listed in the letter we sent you.

For questions, please contact Tim Hata of our staff at 768-8043. To be added to our email notification list, please contact us at: info@hhf.com.

18. **What is the status of Honolulu's IAL project?**

The DPP is currently in the process of notifying affected landowners and seeking landowner and public input on the draft IAL maps. A second round of community meetings is planned for January 2017. The dates and locations for the two meetings are on the notice you received.

CONTACT INFORMATION.

1. If you don't want your land recommended for IAL by this *County Initiated* method, please write to the DPP at the address below:

Director
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

Your letter should provide the following information:

- ✓ The property's Tax Map Key(s);
- ✓ Name of the landowner;
- ✓ Total acreage affected; and
- Justification or information that is needed to support the claim.

2. Other comments on the current Draft IAL Maps are welcome until March 31, 2017. Written comments should be addressed to:

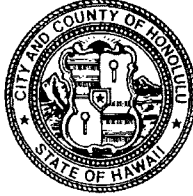
HHF Planners
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813

3. If you wish to email your comments, or want to receive future updates and announcements about the project, please send an email to: mapoahuagland@hhf.com.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
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KIRK CALDWELL
MAYOR



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December 29, 2016

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We hope to have a final list of landowners and a set of IAL Maps to recommend to the City Council for adoption in the spring of 2017. Comments on the current Draft IAL Maps are welcome until March 31, 2017. Written comments should be addressed to the project consultants: HHF Planners, 733 Bishop Street, Suite 2590, Honolulu, Hawaii 96813.

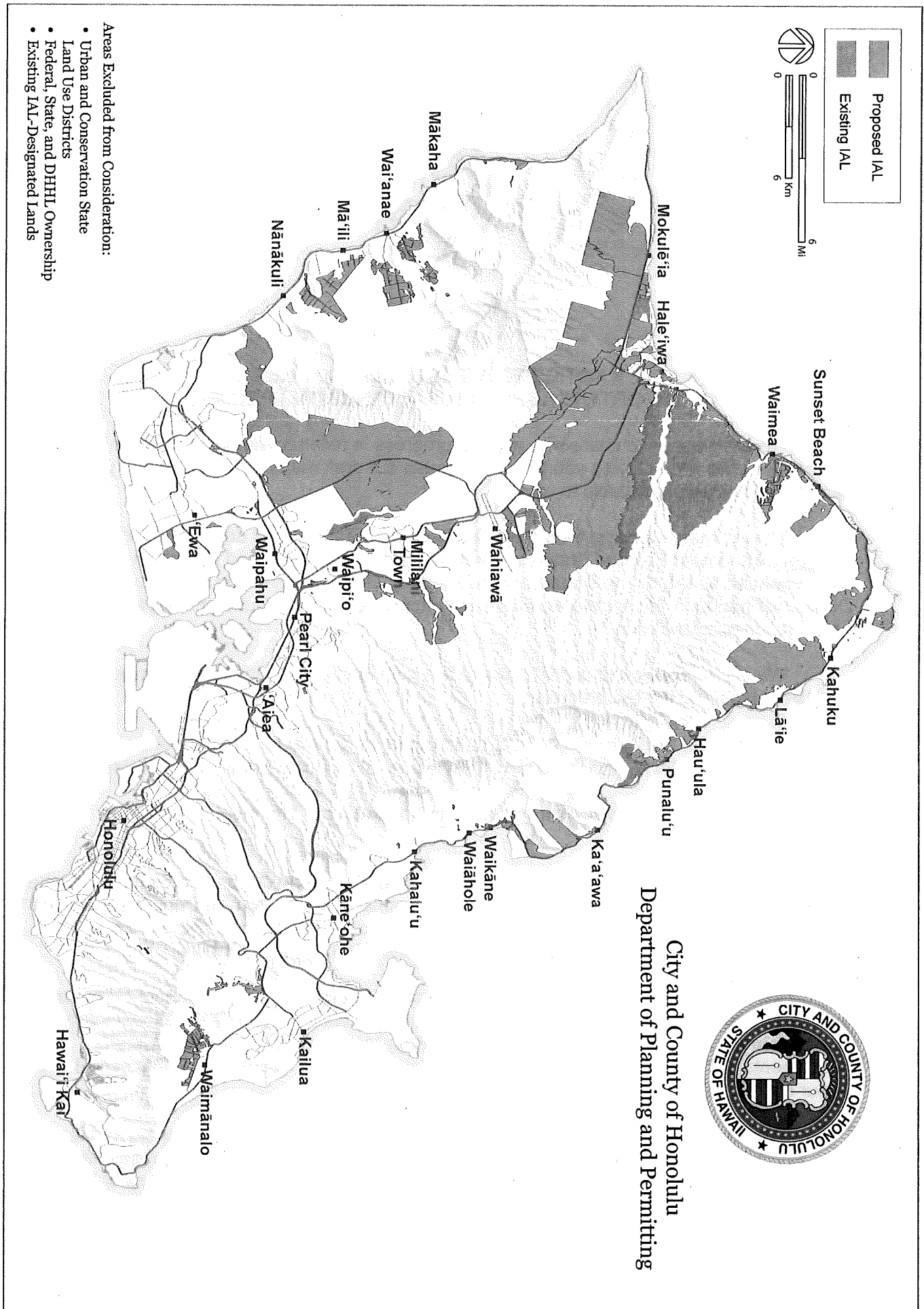
If you wish to email your comments or want to receive future updates and announcements about this project, please send an email to: mapoahuagland@hhf.com. Additional information is available at: <http://www.honoluluodpp.org/Planning/IAL.aspx>. Click on the link under "Documents" for the IAL Phase I Report. Should you have any questions, please call Tim Hata of our staff at (808) 768-8043.

If you require special assistance, auxiliary aid, and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000 or email your request to info@honoluluodpp.org at least three business days prior to the event.

Enclosures



City and County of Honolulu
Department of Planning and Permitting



- Areas Excluded from Consideration:
- Urban and Conservation State Land Use Districts
 - Federal, State, and DHHU Ownership
 - Existing IAL-Designated Lands

O'ahu Lands Proposed for Important Agricultural Lands (IAL) Designation - 52,575 acres

Important Agricultural Lands Project
Frequently Asked Questions

1. **What does “Important Agricultural Lands” (IAL) mean?**

Section 205-42, Hawaii Revised Statutes (HRS), defines IAL as those lands that: “(1) Are capable of producing sustained high agricultural yields when treated and managed according to accepted farming methods and technology; (2) Contribute to the State's economic base and produce agricultural commodities for export or local consumption; or (3) Are needed to promote the expansion of agricultural activities and income for the future, even if currently not in production.”

Section 205-42(b) states:

“The objective for the identification of important agricultural lands is 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.”

The IAL designation is a supplemental State land use classification administered by the Department of Business, Economic Development and Tourism’s State Land Use Commission (LUC). It is an exclusive sub-set of lands within the State Agricultural Land Use District intended to overlay existing State and County land use classifications. To promote the active use of agricultural lands, the IAL designation provides access to financial incentives and benefits to reduce the cost of farming and promote the profitability of farmers on IAL.

2. **What is the legal basis for designating IAL?**

Article XI, Section 3 of the State Constitution states:

“The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands. The legislature shall provide standards and criteria to accomplish the foregoing. Lands identified by the State as important agricultural lands needed to fulfill the purposes above shall not be reclassified by the State or rezoned by its political subdivisions without meeting the standards and criteria established by the legislature and approved by a two-thirds vote of the body responsible for the reclassification or rezoning action.”

3. **How are lands designated as IAL?**

The LUC is responsible for designating land in Hawaii as IAL. There are three methods for initiating and designating land as IAL: *Landowner Initiated*, *County Initiated* under Sections 205-45 and 205-47, HRS, respectively, and *State Initiated* under Section 205-44.5, HRS.

The *Landowner Initiated* method under Section 205-45, HRS, allows private landowners to voluntarily submit a petition directly to the LUC for IAL designation. With the *Landowner Initiated* method, the landowner chooses which lands he/she wants designated as IAL. Generally, the LUC will review the petition, hold a public hearing, and issue a declaratory order to adopt the IAL designation in

whole, in part, or deny the petition. To date, there have been nine *Landowner Initiated* IAL petitions approved by the LUC, designating approximately 132,027 acres of land as IAL on four islands. Of the nine approved petitions, two were on Oahu, resulting in approximately 10,271 acres designated as IAL.

The *County Initiated* method required under Section 205-47, HRS, mandates that all four Hawaii counties identify and map lands within their respective jurisdictions that have potential for designation as IAL. Each county's Planning Department is responsible for carrying out this mandate. For the City and County of Honolulu, the Department of Planning and Permitting (DPP) is responsible for identifying and mapping IAL on Oahu.

Land eligible for consideration via the *County Initiated* method is limited to county-owned and privately owned lands that are in the State Agricultural District and are designated for agricultural use by the county (i.e., designated "Agriculture" on the appropriate Development Plan/Sustainable Communities Plan Land Use Map and zoned "Agricultural").

The *State Initiated* method under Section 205-44.5, HRS, is a third method to designate IAL and requires that the State Department of Agriculture (DOA) and the State Department of Land and Natural Resources (DLNR) collaborate and prepare maps identifying State-owned lands for IAL designation. The *State Initiated* method is separate from the two methods above.

4. **What are the criteria for IAL?**

There are eight criteria listed in Section 205-44, HRS:

- (#1) land currently used for agricultural production;
- (#2) land with soil qualities and growing conditions that support agricultural production;
- (#3) land identified under the State's Agricultural Lands of Importance to the State of Hawaii (ALISH) system;
- (#4) land identified with native Hawaiian agricultural uses;
- (#5) land with sufficient quantities of water;
- (#6) land whose designation as IAL is consistent with county community and development plans;
- (#7) land that contribute to maintaining a critical mass important to agricultural operating productivity; and
- (#8) land with or near support infrastructure, such as transportation to markets, water, or power.

By law, land does not have to meet all eight criteria to be considered IAL.

5. **How is the City and County of Honolulu identifying and mapping IAL?**

In accordance with Section 205-47, HRS, the DPP is taking a phased approach to identifying and mapping IAL on Oahu. In June 2012, the DPP began Phase I of the *County Initiated* method mentioned above. The objectives of Phase I were to define the eight criteria, identify the data sources to map the criteria, prioritize the criteria, and prepare a Phase I report, including criteria maps and a criteria weighting system. The DPP convened six Technical Advisory Committee meetings and the first round of three public meetings to inform the public about the process were held in April 2015.

The DPP completed Phase I in April 2014 and began Phase II in August 2014. The objectives of Phase II are to recommend which criteria to use, conduct a series of public meetings to present draft IAL maps, notify affected landowners, submit draft maps to the City Council, then forward the City's IAL maps to the LUC for final decision-making and designation.

Based on this work, the DPP is recommending that land meeting at least one of the three criteria below be eligible for IAL:

- Land currently used for agricultural production (Criterion 1, Chapter 205-44(c)(1), HRS);
- Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops (Criterion 2, Chapter 205-44(c)(2), HRS); or
- Land with sufficient quantities of water to support viable agricultural production (Criterion 5, Chapter 205-44(c)(5), HRS).

Available Geographic Information System mapping from various City, State, and Federal government agencies were used to map the physical conditions of the criteria. Examples of data collected and the accompanying reference/source for each of the criteria above are given, but are not limited to:

Criterion 1:

- 2011 Aerial Imagery, State Office of Planning and the U. S. Geological Survey;
- Koolaupoko Watershed Management Plan (2012) prepared for the Honolulu Board of Water Supply by Townscape, Inc., and 2011 Real Property Taxation Database, City and County of Honolulu Department of Budget and Fiscal Services (BFS), Real Property Assessment Division.

Criterion 2:

- Soil Survey Geographic Database, U. S. Department of Agriculture, Natural Resource Conservation Service.

Criterion 5:

- Water Use Permit Records, DLNR, Commission on Water Resource Management;
- Irrigation System Data, State DOA; and
- Water Rate Inventory, Honolulu Board of Water Supply.

A more detailed description of the methodology used to develop the criteria is provided in the Phase I Study at:

[http://www.honoluludpp.org/Planning/ImportantAgriculturalLands\(IAL\).aspx](http://www.honoluludpp.org/Planning/ImportantAgriculturalLands(IAL).aspx)

Many properties are being included in the list of IAL that may only include a portion of the total land area. So, it is important to view the Draft IAL Maps to determine what specific lands are included in the City's recommended inventory of IAL designation. First, look at the Draft IAL Maps posted on the project website: www.mapoahuagland.com. Using the map viewer tool, you will be able

to zoom in and pan through the map to find specific properties. You may also search for property by entering the Tax Map Key parcel number.

6. **How will an IAL designation benefit landowners?**

Landowners are eligible for eleven State incentives that include grant assistance, tax incentives to offset operational costs, financing, access to cost-effective sources of water, agricultural education, and training for new farmers, and other measures consistent with Section 205-46. Land designated as IAL also provides greater protection of existing agricultural land from future development because an IAL designation will require six of nine votes from the LUC to reclassify lands from the State Agricultural District to the State Urban District.

The DPP continues to research possible County incentives to benefit landowners in accordance with Section 205-46(a), (b) and (d), HRS.

7. **What are the consequences if my land is not ultimately designated as IAL by the LUC?**

The land will not be eligible for the agricultural incentives and benefits for land designated IAL. However, the land may still be used for all permitted activity under current State and County rules and regulations.

8. **Are any lands excluded from County Initiated IAL designation Process?**

Yes, certain categories of land are not eligible for IAL consideration under the *County Initiated* method, including:

- Lands outside the City and County of Honolulu's jurisdictional responsibilities, such as lands that are Federally-owned or State-owned or are located in the State Conservation District;
- Lands within the State Urban District or designated for urban use by county land use plans; and
- All land owned by a landowner if more than 50 percent of that landowner's property was voluntarily designated IAL, in accordance with Section 205-47(d).

9. **Will all landowners affected by the DPP's IAL project be notified?**

Yes. In accordance with Section 205-47(d), HRS, the DPP is required to "take reasonable action to notify each owner of those lands by mail or posted notice on the affected lands to inform them of the potential designation of their lands." The DPP has mailed notices to approximately 2,000 landowners it was able to identify using information on file with the City's BFS, Real Property Division. The DPP also issued a press release, sent a notice to all Oahu Neighborhood Boards, and placed a legal notice and informational notice in the Honolulu Star-Advertiser and Mid Week.

10. **How am I affected if the City is recommending all of my land for IAL?**

This is only the recommendation phase. No decisions on IAL are made until action is taken by the State LUC. Until action is taken, there is no affect on ownership and development rights.

Since the process to identify and map IAL on Oahu is still a work in progress, there will be opportunities for more public input to refine the IAL maps before the DPP forwards them to the Honolulu City Council.

Land that is ultimately designated as IAL by the LUC does not preclude the landowner from using his or her land for purposes allowed or permitted under current LUC rules and regulations and County zoning. However, land designated as IAL just makes it more difficult for the landowner to reclassify IAL from the State Agricultural District to the State Urban or Rural District because it will take six votes rather than five votes by the LUC to reclassify the land.

11. **How am I affected if the DPP is recommending only a portion of my land as IAL?**

If a portion of a property is ultimately designated as IAL by the LUC, the DPP believes it will still be eligible for IAL incentives. Moreover, partial designation does not preclude the use of all land as provided under current State LUC rules and regulations and County zoning. Land designated as IAL just makes it more difficult for the landowner to reclassify the IAL portion of the property from the State Agricultural District to the State Urban or Rural District because it will take six votes rather than five votes by the LUC to reclassify the land.

12. **What if my neighbor's land was not recommended for IAL, can he/she still have some or all of their land designated as IAL as part of the City's *County Initiated* method?**

Yes, it is possible. They should contact the DPP so that we can review their property based on the top three criteria mentioned above.

13. **What if I don't want my land recommended for IAL by this *County Initiated* method?**

Identifying and mapping IAL on Oahu is still a work in progress and comments will help the DPP finalize its recommendation. There will be further opportunity to review the DPP's IAL recommendation and refine the IAL maps when it reaches the City Council and the State LUC. Please write to the DPP to file your position. The DPP's mailing address is on the last page.

14. **Is the IAL process Eminent Domain or a legal taking?**

No. The IAL process will not condemn or "take" anyone's land away.

15. **If all or a portion of my land is designated as IAL by the LUC, will my property tax rate change?**

At this time, neither the DPP nor the City's BFS, Real Property Division is proposing any tax rate changes based on IAL designation.

16. **Once lands are designated IAL by the LUC, can additional lands be added to Oahu County's IAL inventory?**

Yes, Section 205-52, HRS, requires that counties review their IAL inventory at least every ten years, but no more than once every five years. Also, a landowner may voluntarily initiate a petition to the LUC to designate all or a portion of their land as IAL in accordance with Section 205-45, HRS.

17. **Where can I find more information about the City's IAL process?**

- Visit the DPP's website at: <http://www.honoluludpp.org/Planning/IAL.aspx>. Click on the link under "Documents" for the Phase I Report. Visit the project's

website at: www.mapoahuagland.com and use the interactive mapping tool to view the Draft IAL Maps.

- Attend one of the two community meetings listed in the letter we sent you.

For questions, please contact Tim Hata of our staff at 768-8043. To be added to our email notification list, please contact us at: info@hhf.com.

18. What is the status of Honolulu's IAL project?

The DPP is currently in the process of notifying affected landowners and seeking landowner and public input on the draft IAL maps. A second round of community meetings is planned for January 2017. The dates and locations for the two meetings are on the notice you received.

CONTACT INFORMATION.

1. If you don't want your land recommended for IAL by this *County Initiated* method, please write to the DPP at the address below:

Director
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

Your letter should provide the following information:
The property's Tax Map Key(s);
Name of the landowner;
Total acreage affected; and
Justification or information that is needed to support the claim.

2. Other comments on the current Draft IAL Maps are welcome until March 31, 2017. Written comments should be addressed to:

HHF Planners
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813

3. If you wish to email your comments, or want to receive future updates and announcements about the project, please send an email to:
mapoahuagland@hhf.com.