

April 26, 2021

To:
State Land Use Commission
PO Box 2359
Honolulu, Hawaii 96814-2359

Subject: "All agricultural lands are important but some are more important than others."

To the Members of the Land Use Commission,

I would like to request you to **deny** the County's proposal for designation of IAL for the Island of Oahu. The City and County (C&C) of Honolulu IAL designation process has caused more confusion among small parcel landowners and the C&C has presented misleading information where they downplayed many of the important changes that will affect the most basic property rights of individual land-owners.

The IAL designation is perhaps a complex process, but it shouldn't be an unfair one. Those with more acreage at stake, out of necessity will have more time and resources to analyze the intricacies of its implication, have representatives to attend meetings, and better benefit from taking advantage of Landowner Initiated designation process (and have the legal & financial resources to voluntarily designate majority (>50%) of the land and protect the remainder from further designation by the County) thus determining an optimal path forward to strategize activities to take advantage of IAL credits among other benefits such as the "85/15 incentive".

I have received a single community meeting notice (Hale'iwa 2017) for the IAL from the C&C, and I attended that one meeting. The panelists provided misleading take-away-message: that no additional restrictions would be placed on the county designated IAL and simply it is not a zoning issue. They emphasized that by having the county designate, it would relieve individual small parcel landowners of the legal burden of voluntary designation and would open small parcel owners to IAL related tax credit. (which I have found out recently that it is set to expire in 2021 unless SB339 SD2 is passed to extend the DOA certification of credit to 2030).

In addition, the City and Count of Honolulu has done a very poor job in justifying how and why they are proposing to designate certain parcels as IAL (un-farmable cliffs and gorges) and some were specifically excluded. I'm afraid that C&C designated IAL acreage-count will become a blanket "acreage-under-IAL-designation" card to trade so that prime "lands in blocks of contiguous, intact, and functional land units large enough to allow flexibility in agricultural production and management" HRS [§205-43] (e.g. Koa Ridge & Ho'opili) are urbanized without the scrutinization that it deserves: "because there are choke acres of farmable cliffs and small parcels that can take advantage of the economics of scale."

We have not received additional meeting notices from the C&C nor additional informational & input sessions, until the notice (dated April 12th 2021) for this hearing to testify before the Land Use Commission.

Finally, isn't all agricultural land important? The practice of designating some AG but not all already zoned as AG as "important" is in bad faith and in pretense of the constitutional mandate of promoting agriculture. I do not believe the City & County has done a fair and transparent process for identifying parcels for IAL designation. I would urge the Land Use Commission to further review the C&C's designation process to ensure it is actually an inclusive process and that it fairly involve small parcel land-owners & famers whose land are at stake.

Aloha,

Han-Chow Wang & The Wang Family