

## Hakoda, Riley K

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**From:** Frederick Redell <fred@hawaiiicleanpower.org>  
**Sent:** Tuesday, May 25, 2021 12:56 PM  
**To:** DBEDT LUC  
**Cc:** Hakoda, Riley K  
**Subject:** [EXTERNAL] Fwd: Testimony, May 26, 2021, Agenda Item V  
**Attachments:** HCPA Testimony to LUC re IAL.pdf

**Categories:** Red Category

Aloha,

I didn't see the attached testimony posted. I do see testimony from April. Can you please consider this?

Mahalo!

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**From:** Frederick Redell <fred@hawaiiicleanpower.org>  
**Sent:** Friday, May 21, 2021 16:03  
**To:** dbedt.luc.web@hawaii.gov  
**Subject:** Testimony, May 26, 2021, Agenda Item V

Please see attached testimony. Mahalo!



May 21, 2021

VIA EMAIL ([dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov))

State of Hawaii Land Use Commission

P. O. Box 2359

Honolulu, HI 96814-2359

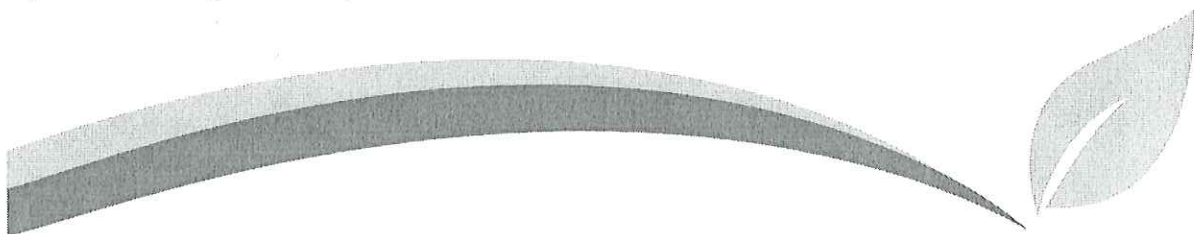
Re: Meeting of May 26, 2021, Agenda Item V  
City and County of Honolulu Important Agricultural Lands Recommendation

Dear Chair Scheuer and Members of the Commission:

Hawaii Clean Power Alliance is a nonprofit alliance organized to advance the development and sustainability of clean energy in Hawaii. Our goal is to support the State of Hawaii's goal of 100% renewable energy by 2045. We advocate for utility-scale renewable energy, which is critical to meeting the State's renewable energy and carbon reduction goals. The City & County of Honolulu's Recommendation (and Errata) ("C&C Recommendation"), for the Land Use Commission to designate over 41,000 acres of land on Oahu as Important Agricultural Land ("IAL"), jeopardizes Hawaii's ability to meet its renewable energy target of 100% renewable energy by 2045.

The risks facing Hawaii have changed dramatically since the IAL provision was added to the Hawaii Constitution in 1978. The IAL law of 2005, enacted to fulfill the promise made almost 30 years earlier, in a world many of us would no longer recognize, did not benefit from our growing awareness of the acute energy/climate crisis facing Hawaii, and it therefore does not take those needs into account. In the years since 2005, Hawaii's awareness of renewable energy needs has increased, as sea level rise, erratic weather patterns, and spiking energy costs are conditions faced by the people of Hawaii every day. The IAL laws put into place in 2005 have not been amended to take these trends into account.

HCPA is very concerned that the C&C overlooked the renewable energy community in formulating its Recommendation, that the LUC, therefore, does not have the information necessary to take that issue into consideration. We are also concerned that the IAL mandate from the Legislature, which was enacted in 2005, is inconsistent with numerous later laws that were enacted to promote renewable energy projects on Agricultural District land. Because of this narrow approach taken by the C&C, without consideration for, information on, what impacts IAL designation may have on renewable energy, the Recommendation should be



rejected.

1. THE IAL LAWS FAIL TO TAKE INTO ACCOUNT NUMEROUS MORE RECENT LAWS ENACTED TO ADDRESS CARBON NEUTRALITY, CLIMATE CHANGE, AND THE STATE'S RENEWABLE ENERGY GOALS

The IAL laws were made in July 2005 (Act 183), which was almost 30 years after the enactment of Article XI, Section 3 of the Constitution in 1978 calling for the establishment of standards and criteria for IAL. Eight years later the LUC passed administrative rules to address IAL. A lot has changed in Hawaii since 1978, and a lot has changed in the 16 years since the 2005 IAL law was enacted.

Many important amendments have been made to HRS Chapter 205 in recognition of our changing environment, climate change, and Hawaii's special energy dependence vulnerability. Despite these changes, however, the IAL provisions of HRS Chapter 205 have remained the same, including policies that discourage physical improvements on IAL-designated lands and may preclude the use of IAL-designated lands for renewable energy projects. See HRS § 205-43(3)(4). These statutory IAL policies are directly contrary to the more recent amendments to HRS Chapter 205 that were made to protect Hawaii's energy and climate future.

For instance, Act 159 of 2007 broadened the permitted uses in the Agricultural District under Chapter 205 in recognition of Hawaii's dependence on petroleum and extreme vulnerability to oil embargos, supply disruptions, and international market dysfunctions. "To shape Hawaii's energy future and achieve the goal of energy self-sufficiency for the State of Hawaii, efforts must continue on all fronts, integrating new and evolving technologies, seizing upon economic opportunities to become more energy efficient and economically diversified, and providing incentives and assistance to address barriers." See Act 159 (2007).

Act 31 of 2008 further amended permitted uses within the Agricultural District to allow for solar energy facilities. This was done in recognition of the serious risks to Hawaii's economic and energy security and sustainability, and the value of increasing the use of Hawaii's abundant renewable energy resources to reduce greenhouse gas emissions, and contributions to global warming (as well as creating new job opportunities and economic diversification).<sup>1</sup>

The Legislature continued this crucial trend toward promoting Hawaii's energy self-sufficiency in 2011 through the enactment of Act 217, which expanded the range of Agricultural District lands where solar energy facilities could be located. In explaining its rationale for this change, "The legislature further finds that allowing renewable energy facilities within the agricultural

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<sup>1</sup> Act 97 noted that "Hawaii's trade deficit is a significant impediment to Hawaii's goal of economic and energy security and sustainability. Specifically, in 2006, Hawaii goods and services exports were only \$16,300,000,000, including visitor spending, while imports were approximately \$24,000,000,000. The legislature further finds that Hawaii's oil imports totaled \$3,400,000,000 for the year, accounting for approximately 15 per cent of the total imports. Over 93 per cent of Hawaii's energy is supplied by fossil fuel. The legislature further finds that allowing solar energy facilities to be built on marginal agricultural lands may have more beneficial effects for Hawaii's economy, environment, and energy security than leaving such lands unused."

district furthers and is consistent with the purposes, standards, and criteria for uses within agricultural lands. Renewable energy facilities increase the State's energy self-sufficiency and agricultural sustainability."

In 2015, Act 97 was enacted, requiring 100% of Hawaii's electricity sales to come from renewable resources by 2045:

The legislature finds that Hawaii's dependency on imported fuel drains the State's economy of billions of dollars each year. A stronger local economy depends on a transition away from imported fuels and toward renewable local resources that provide a secure source of affordable energy. . . . This target will ensure that Hawaii moves beyond its dependence on imported fuels and continues to grow a local renewable energy industry.

That was followed in 2018 by the passage of Act 15, requiring Hawaii to become net carbon negative "as soon as practicable, but no later than 2045." Explaining that:

The legislature finds that, according to the Hawaii Sea Level Rise Vulnerability and Adaptation Report released in December 2017, Hawaii could suffer \$19,000,000,000 in damage due to projected sea level rise. Worldwide, natural disasters are becoming more severe and frequent. In the United States alone, natural disasters inflicted a record \$306,000,000,000 worth of damage, breaking the previous record by almost \$100,000,000. Rising global temperatures threaten biodiversity in every ecosystem, and habitat loss grows as higher temperatures permanently change the life cycles of plants and animals.

The C&C did not consult with energy and climate groups in developing its proposed IAL maps. See e.g. "List of Invited Participants: Focus Groups January 2015" provided as Appendix C to the C&C's "O'ahu Important Agricultural Land Mapping Project" report dated August 2018 ("2018 IAL Report") <https://luc.hawaii.gov/wp-content/uploads/2021/02/IAL-Final-Pages-1-54.pdf>. In addition, the State Office of Planning submitted papers in support of the C&C's proposal (<https://luc.hawaii.gov/wp-content/uploads/2021/02/Citys-IAL-Recommendations-to-LUC-OP-comments-Signed.pdf>), but neglected to address the impacts of the proposed IAL designations on climate, energy, and sustainability as set forth in the Hawai'i 2050 Sustainability Plan.

Before involuntary IAL designations are pushed by the C&C and approved by the LUC, the IAL provisions under HRS Chapter 205 need to be revisited in a comprehensive way, together with the other Agricultural District provisions in Chapter 205, so that the laws and policies are in alignment and do not foreclose Hawaii's ability to meet its 100% renewable energy and carbon neutrality mandates. The Recommendation should be rejected.

## 2. THE C&C HAS NOT ACCURATELY INFORMED THE PUBLIC WHAT IAL DESIGNATION REALLY MEANS

At this point it is totally unclear what the effects of involuntary IAL designation are. The information provided by the C&C on this point appears to contradict the requirements under HRS Chapter 205. As a matter of fundamental fairness, this involuntary IAL proceeding should be stopped, at least until the State and the C&C, as required under HRS Section 205-43, disclose to the public what changes to policies, land use plans, ordinances, and rules they will be enacting to pursue the IAL policies under HRS Section 205-43, so that landowners and lessees (including renewable energy developers) are provided fair notice of the implications of IAL designation.

The C&C's 2018 IAL Report downplays the impacts of an IAL designation:

Administered by the State Land Use Commission, the IAL designation overlays existing State and county land use classifications (i.e., state land use districts, county zoning districts) and does not change existing classifications or affect the range of current permitted land uses. Contrary to popular belief, the IAL designation does not impose a higher level of permanent protection from future development, and it does not simply ensure that agricultural land is preserved in perpetuity.

2018 IAL Report at 1.

The C&C used similar language in its "Frequently Asked Questions" document dated September 2018 (see <https://luc.hawaii.gov/wp-content/uploads/2021/05/CC-HNL-IAL-FAQs.pdf>). There, on p. 5, the C&C informed the public that:

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 the City's zoning requirements.

However, these statements seem contrary to the requirements under HRS Section 205-43, which mandates that State and County laws must promote IAL policies, including policies that prevent uses that are otherwise permitted within the State LUC Agricultural District.

The IAL Policies provision in HRS Section 205-43 provides in relevant part:

State and county agricultural policies, tax policies, land use plans, ordinances, and rules shall promote the long-term viability of agricultural use of important agricultural lands and shall be consistent with and implement the following policies:

\* \* \*

(3) Direct nonagricultural uses and activities from important agricultural lands to other areas and ensure that uses on important agricultural lands are actually agricultural uses;

(4) Limit physical improvements on important agricultural lands to maintain affordability of these lands for agricultural purposes;

\* \* \*

It is difficult to reconcile the C&C's assertions that IAL designation will not change the range of permitted uses for IAL-designated land in the Agricultural District,<sup>2</sup> with the fact that HRS Chapter 205 requires the C&C's land use plans, and its laws and rules, to promote policies that prevent non-agricultural uses on these lands. The land use plans, ordinances, and rules that the C&C will be enacting to fulfill the IAL policies must be presented to the public before any County-driven IAL designations are made.

The public has not been shown the land use plans, ordinances, and rules that the State and the C&C plan to enact in adherence with the policies under HRS Section 205-43. Proposing or establishing IAL maps now puts the cart before the horse because the public cannot understand what IAL means unless and until the required changes to State and local laws are presented and enacted. The LUC should not go forward with this IAL process until the required IAL policies are enacted and understood.

### 3. MUCH OF THE LAND THE C&C RECOMMENDS FOR IAL DESIGNATION IS OF QUESTIONABLE AGRICULTURAL USE

Much of the land originally placed into the Agricultural District was marginal land that nobody thought was actually suitable for agricultural production. From the initial enactment of Hawaii's land use law in 1963, it was understood that land put into the LUC Agricultural District would include marginal, non-agricultural lands.

Agricultural districts shall include activities or uses as characterized by the cultivation of crops, orchards, forage, and forestry; farming activities . . .

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<sup>2</sup> Just a few of the currently permitted uses within the State Agricultural District that could be contrary to the policies under HRS Section 205-43 include: (i) wind-generated energy production, (ii) biofuel processing, (iii) solar energy facilities, (iv) hydroelectric facilities, (v) public and private open area recreational uses, (vi) utility lines, roadways, transformer stations, communications equipment buildings, solid waste transfer stations, major water storage tanks, and appurtenant small buildings such as booster pumping stations, (vii) mills, storage, and processing facilities, maintenance facilities, photovoltaic, biogas, and other small-scale renewable energy systems, and (viii) wireless communication antennas. See HRS Sections 205-2(d), 205-4.5(a).

These districts may include areas which are not used for, or which are not suited to, agricultural and ancillary activities by reason of topography, soils, and other related characteristics.

This language remains in HRS Section 205-2(d) and HAR Section 15-15-19 to this day.

IAL was to be the differentiating factor where actual agricultural standards and criteria were to be established and applied to the very best Agricultural District lands. However, because marginal land has been left in the Agricultural District, the C&C's starting point for IAL determination is inherently flawed because it is relying on old decisions that should have been updated on a regular basis.

HRS Section 205-18 calls for periodic reviews of State land use districts. The State Office of Planning is obligated to undertake a review of all lands in the State every five years, starting in 1990 (before this power was delegated to the Office of Planning, it was the responsibility of the LUC). The Office of Planning is also empowered to initiate boundary amendments proceedings. Yet these boundary reviews have not taken place.

Because of this inaction, decisions that were made in the 1960s, when land was first put into State LUC districts (including lands that were acknowledged as inappropriate at the time), are controlling land uses and activities to this day. Before the C&C or any governmental agency seeks to impose IAL designations on private lands, the government should first comprehensively assess the propriety and viability of existing State Agricultural District designations to set a current and accurate baseline from which IAL considerations can then be made.

The C&C compounded this baseline failure by not considering all of the standards and criteria for IAL as required under HRS Section 205-44. The C&C must apply all of the standards and criteria under HRS Section 205-44 before it recommends land for IAL. This obligation is set forth in HRS Section 205-47, which states that the counties' identification of proposed IAL must be "based on the standards and criteria in section 205-44[.]" Ignoring this requirement, the C&C, in consultation with its technical advisory committee, considered only three of the eight statutory requirements provided under HRS Section 205-44, and based its Recommendation upon that. See C&C 2018 IAL Report, Appendix G. As a result, the C&C's Recommendation is seriously flawed and should be rejected.

By law, the C&C was obligated to evaluate each of the statutory criteria when identifying lands for IAL consideration. Only after it assessed the consistency with each criteria, so that the appropriate range of information was provided and analyzed, could the C&C then engage in a ranking methodology to determine what criteria and lands were most well suited for IAL. That did not happen. This flawed process should end now because the LUC has not been given the information it needs to exercise its statutory obligations under HRS Section 205-49(a), and confirm whether the C&C's proposal "meet with the standards and criteria under section 205-44."

The C&C's Recommendation to involuntarily designate many thousands of acres of land as IAL fails to take into account the sustainable and balanced needs of the C&C and the State - agriculture, renewable energy, carbon neutrality. We respectfully request that the Land Use Commission reject the C&C's Recommendation and instruct the C&C to take action on the matters raised in this letter before it submits any subsequent proposal for involuntary IAL designation.

Thank you for the opportunity to testify.

Sincerely,



Frederick Redell, PE

Executive Director

(949) 701-8249

[www.hawaiiicleanpoweralliance.org](http://www.hawaiiicleanpoweralliance.org)



## Hakoda, Riley K

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**From:** John McCauslin <john.mccauslin1960@gmail.com>  
**Sent:** Tuesday, May 25, 2021 1:29 PM  
**To:** Hakoda, Riley K; Quinones, Natasha A  
**Subject:** [EXTERNAL] McCauslin's IAL Objection Request TMK: 85019054  
**Attachments:** 20210525\_130351.jpg

Riley, as a small farm owner, I don't have a computer, fax, printer or scanner therefore cell phone email is all. Please accept this 2021 Real Property Notice os Assessment as proof that my property does not qualify for the C&C IAL program therefore should be excluded. Based on how this program was administered, announced, lack of pono, the programs current design does not benefit me, my property or short and long range goals. I respectfully ask to be removed from the IAL list based on my land area, the C&C handling of this and down the road future unknowns.

I will also foward emails I sent to Natasha Quinones pertaining to my objections with intent these will be submitted as my testimony of objection that the C&C did not do a "GOOD" job but performed a "good enough" job on they'll proposal.

I strongly believe that a farmers intent is to achieve good enough food for the public right. So why is the city soing a good enough proposal.

Should be "GOOD" as the food they expect from us farmers.

Please also send me the meeting registration links for both days as well as the actual meeting links.

Mahalo

V/r

John McCauslin  
TMK 85019054  
808 927-2250

## Hakoda, Riley K

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**From:** John McCauslin <john.mccauslin1960@gmail.com>  
**Sent:** Tuesday, May 25, 2021 1:31 PM  
**To:** Hakoda, Riley K  
**Subject:** [EXTERNAL] Fwd: LUC Meeting Agenda Subscription  
**Attachments:** 20210525\_130351.jpg

**Categories:** Red Category

TMK 85019054 McCauslin's IAL Objection and Opt out testimony

----- Forwarded message -----

**From:** John McCauslin <john.mccauslin1960@gmail.com>  
**Date:** Tue, May 25, 2021, 1:08 PM  
**Subject:** Re: LUC Meeting Agenda Subscription  
**To:** Quinones, Natasha A <natasha.a.quinones@hawaii.gov>

Please include this 2021 Real Property Notice of Assessment with my objection to the C&C DPPs IAL proposal as proof that my .856 acre does not qualify for the IAL program IAW the State Law.

Favorably request receipt and acknowledgement to this submission for the 26-27May21 meetings

Mahalo  
John M. McCauslin

On Tue, May 25, 2021, 12:59 PM John McCauslin <john.mccauslin1960@gmail.com> wrote:  
Good afternoon. I would very much like to attend the 26th and 27May 9a zoom LUC IAL zoom meetings.  
Please send the registering links as well as meeting entering links.

PLEASE ALSO NOTE THAT I WISH TO OPT OUT OF BEING IDENTIFIED AS IAL as my property is less than an acre. Verification of property sqft is identified on the Real Property Tax Assessment statement provided by the C&C and will be submitted along with my objections to the C&C means of improperly managing, handling and executing this program with what I deem as a "GOOD ENOUGH" approach. IAW the State and all due respect to the hard working farmers and dedicated Ag owners, nothing should be good enough, as the food provided to our stores, farmers markets and ultimately everyones table, is GOOD and not good enough. Nothing less than good should come from those State and C&C agency than the same quality of food provided.

Again I repeat, my property size does not quality to be listed as IAL nor do I wish to be identified based on the less than quality work that was performed by the C&C, less than quality incentives the C&C is electing and the lack of GOOD recommendations involved with this process and program.

I am a small farm dwelling, do not have a computer, printer or fax in order to submit a formal grievance therefore please accept this email as my testimony.

Favorably request receipt of this submission and acknowledgement that its been entered for against what the city performed and is recommending as there wasnt full disclosure, full announcement nor full honesty in this process. Shameful that islanders would be treated this way when all should work together for the benefit and betterment of all.

Mahalo  
John McCauslin

TMK 85019054

On Tue, May 18, 2021, 1:41 PM John McCauslin <[john.mccauslin1960@gmail.com](mailto:john.mccauslin1960@gmail.com)> wrote:  
85-508 Waianae Valley Road  
Waianae, HI 96792

Subscribing to receive what pertains to all islands and IAL.

On Mon, May 17, 2021, 11:47 AM Quinones, Natasha A <[natasha.a.quinones@hawaii.gov](mailto:natasha.a.quinones@hawaii.gov)> wrote:

Aloha,

Thank you for registering to receive the Land Use Commission's Agenda. We are currently updating our email and mailing list. You have indicated that you wish to receive our Agenda by Mail and Email, however we are missing some information. Please reply to this email and provide us with the following:

- Complete mailing address if you want to receive the agenda by mail
- Indication of whether your subscription is only for:
  - Statewide
  - Oahu
  - IAL matter only

Mahalo,

*Natasha A. Quinones*

Program Specialist

State of Hawaii- Land Use Commission

Email: [Natasha.a.quinones@hawaii.gov](mailto:Natasha.a.quinones@hawaii.gov)

Phone: 808-587-3923

Fax phone: 808 587-3827

Website: [www.luc.hawaii.gov](http://www.luc.hawaii.gov)

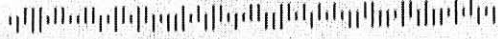
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**2021 REAL PROPERTY NOTICE OF ASSESSMENT**  
**CITY AND COUNTY OF HONOLULU**  
**REAL PROPERTY ASSESSMENT DIVISION**  
**TAX YEAR JULY 1, 2021 TO JUNE 30, 2022**

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850190540000



119129  
 MCCAUSLIN, JOHN M TR  
 85-508 WAIANAE VALLEY RD  
 WAIANAE HI 96792-2637

Honolulu Office                      Kapolei Office  
 842 Bethel St. Basement      1000 Uluohia St. #206  
 Honolulu, Hawaii 96813      Kapolei, Hawaii 96707

**APPEAL HOTLINE: (808)768-7000**  
 Only available December 15, 2020 through  
 January 15, 2021, from 7:45 am to 4:30 pm.  
 Please call with any questions or concerns.

**THIS IS NOT A BILL**

**TAX RATES ARE POSTED ON OUR WEBSITE IN JUNE 2021 AND TAX BILLS ARE SENT IN JULY 2021**

**ASSESSMENT OF PROPERTY:** This notice contains assessment information based on property records. Real property is assessed in accordance with Revised Ordinances of Honolulu 1990 ("ROH"). "Real property shall be assessed in its entirety to the owner..." ROH Sec. 8-6.3, "In its entirety" is interpreted as fee simple interest. "All real property shall be subject to a tax upon 100 percent of its fair market value..." ROH Sec. 8-6.1.

NOA 1 of 2

PARCEL ID (Tax Map Key)	SITE ADDRESS		LAND AREA
850190540000	85-508 WAIANAE VALLEY RD		.856 ACRE
FEE OWNER(S)	UNIQUE ID	LESSEE(S) / ASSIGNEE(S)	UNIQUE ID
MCCAUSLIN, JOHN M TR	85019054000000005		
EXEMPTION TYPE		EXEMPTION AMOUNT AND NAME OF CLAIMANT	
2021 PROPERTY CLASS	2020 PROPERTY CLASS (IF DIFFERENT THAN 2021)	SPECIAL ASSESSMENT	
AGRICULTURAL		AG DEDI - 10 YEARS	
2020 PROPERTY VALUE	2020 EXEMPTION AMOUNT	2020 NET TAXABLE VALUE	
79,200	0	79,200	
2021 PROPERTY VALUE	2021 EXEMPTION AMOUNT	2021 NET TAXABLE VALUE	
10,000	0	10,000	

**APPEAL DEADLINE - JANUARY 15, 2021**

To dispute this assessment, file an appeal (form BFS-RP-P-51) to the Board of Review with a \$50.00 cost of deposit and evidence or supporting documentation. Refer to page 2 for more information.

Website  
QR code



## Hakoda, Riley K

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**From:** John McCauslin <john.mccauslin1960@gmail.com>  
**Sent:** Tuesday, May 25, 2021 1:33 PM  
**To:** Hakoda, Riley K  
**Subject:** [EXTERNAL] Fwd: 12May21 3p IAL Q&A - TMK 85019054

Please include with my IAL Objection and Opt Out Testimony

----- Forwarded message -----

**From:** John McCauslin <john.mccauslin1960@gmail.com>  
**Date:** Tue, May 11, 2021, 1:59 PM  
**Subject:** 12May21 3p IAL Q&A - TMK 85019054  
**To:** <admin@dmlhawaii.com>  
**Cc:** Joanna Miranda <joanna.l.miranda@gmail.com>

Farming is not easy, more so in these ever changing times of climate change, financial downturns, unpredictable farming requirements, affordable equipment and material, costly pesticides, herbicides, fertilizers, irrigation, aging farmers, Government mandates, expenses, profits, income taxes, general taxes, resources, maintenance and property longevity. If Ag owners are to continue as this is a lifestyle, than there's gotta be more Encouraging than Discouraging incentives.

Bottom line:

NO FARMERS, NO FOOD.

Specifically since these are properties within the Hawaiian Islands provened self sufficient as the Hawaiians of old once did from ridge to reef.

Basic survival needs:

Water, food, shelter. Everthing else is luxury.

I own just about an acre in the Waianae Valley area, owned my parcial since 2017 as the previous owner was aging, had no family to help farm, lost income, had no medical insurance, required hip surgery so forced ro sell her family generationally owned property in or to seek medical attention.

Unfortunately she died 3 months after her surgery so all for nothing. Thats what she and her family earned for years of farming.

Farming is new to me but am Enchourgaged towards self Sustainability. Take care self, neighbors, kupuna and those whom cannot afford. I invested my savings into my 2017 property purchase with no assistance, although educated via talks with C&C DPP, USDA and LUC. Again, plenty talk story, little action as I the farmer walk and work my land.

2018 planted fruit trees.

2019 I was able to produce some fruits therefore able to make some income to offset little of the expenses. Far from recovering my initial and on going daily, monthly and annual costs. Climate changes had an impact too of how the trees grew and produced.

2020 took a hugh loss due to all businesses closing. Fruits were trashed or given away.

2021 sale losses continue as vendors try to regain thier businesses in or to place orders, make purchases.

WE, meaning you, my Ag neighbors, communities, Ag resourcing businesses, our elected council members and government POC's need to step it up.

Less paper, less talking, more helping as the farmers who are doing all the labor, stressing, investing, up front funding, sacrificing, researching and self-educating while others make the rules how and when we can yet take a cut of our livelihoods and income.

Here's my two cents worth:

-Allow Ag owners the option to opt in/out IAL category.

Purpose: Consideration towards Ag owner(s), thier finances, economic, livelihood, aging kupuna, physical wellness, disabilities, potentially non-participating future family farmers, changes driven by climate change, government mandates, economy, finances, physical capacity, current and future farming requirements/outlook.

Appears that lands have changed hands since that April April testimonies, DPPs last assessment and data checks. Priorities have changed due to the pandemic although basic needs such as food consumption has not.

Lands have changed due to climate, financial turns, aging kupuna's and the generational gap of less potential farmers within the existing farmers communities.

-Make the Opt-in/Out option easy. More regulations, paperwork, timelines and schedules results in less time farming.

-Collaborate with and schedule regularly free n open community townhalls to include all government entities charged with responsibilities to the Ag specific lands. Each side of the island has unique Ag requirements and resources. Those seated positions were created and funded to help the farmers, not just collect a paycheck, benefits and retirement as to where Ag owners are dependent upon how thier crops do over a year or sometimes seasons.

-Reopen or redirect diverted natural running water to those Ag lands that once was dependent on those resources and it was ease to than to utilize and practice the ole Hawaiian ridge to reef farming concepts.

Add more USDA, State, C&C, Ag incentives i.e.:

-Extend the BOW Cross-Connect Annual Inspection requirement to align with the Real Property 10yr Ag Dedication requirement. Annual inspections adds another layer from an outside source to mandate and schedule owners to perform.

-Lower or cover a percent of the BOW Ag Water Rate cost as incentive and enchorage Ag owners to continue farming yet entice potential farm family members and potential Ag buyers to purchase, to farm and ultimately provide food for Hawaii.

-Cover BOW Cross connect inspectors fees as an incentive rather than provide a tax break which is really only a percentage taken.

-Utilize the State and C&C owned tree clippings made to mulch and have delivered to Ag owners free of charge to encourage farming, reduces use of herbicides which poisons soil, surrounding and edible crops, yet is a natural nutrient for farming.

-provide incentives for Ag owners utilization of Ag specific heavy, medium, lite equipment. Smaller scale owners may not have the finances, operator knowledge, laborers or equipment transport means.

-Enchourage Grow Local, Eat Local.

Not just talk it. It starts at the highest level in our government elect to back farmers with actual tangibles as I and fellow Ag owners who actually walk and invest in the lands.

-Those to old and electing not to farm should have thier lands rededicated to residential. However keeping the TMK as Ag, with exception as an Ag-Non Active. This way should some generational gap family member decide to farm later, it would be an incentive and encouragement to rededicate the property back to Ag-Active. Of course the real property assessment and taxes would change. But least the owners have the option.

-As land become scarce and subjectively consumed to large financially backed developers and investors, considerations should be made for those Ag owners faced with having to house those extended family members to potentially reframe from potential homelessness.

I believe the real property assessment rule is 5,000 sqft is automatically declared as residential althouth the TMK identifies the entire property as Ag. If my actual farm house is 750 sqft, I believe i could extend the house not to exceed 5,000 sqft. Question arises as to how and what is the real property assessment metric used to identify what sqft specifically qualifies as residential and Ag when the entire TMK is Ag more so if the residential house is less than 5000 sqft.

Last point:

-Repeal the Joned Act. Allow entities to have an open market competition there by reducing sole entity driven high cost to the general public.

In closing, I appreciate all that my fellow farmers strive for as it is not easy but rewarding when your crops come in, your able to feed, make some income and be able to keep and work your lands for the benefit of your family, neighbors, kupuna's, those less fortunate and your community.

I only seek that our public officials would or will have the same appreciation and give the active Ag owners what they need to sustain and keep going.

V/r

Mahalo Nui Loa  
John McCauslin  
Waianae Valley  
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