From: Gordon
To: DBEDT LUC
Subject: [EXTERNAL] Re: TMK #86008026
Date: Thursday, April 29, 2021 10:30:28 AM

Aloha,

Additionally to my statement in my email, we would like to continue to farm the land listed in the TMK list for my family as a source to provide essential nutrition and dietary consumption daily. Mahalo

-----Original Message-----
From: Gordon <gordonkanani@netscape.net>
To: dbedt.luc.web@hawaii.gov <dbedt.luc.web@hawaii.gov>
Sent: Thu, Apr 29, 2021 9:32 am
Subject: Re: TMK #86008026

Aloha,

Let me restate my stated email on Agricultural land. We have been using to grow fruits, vegetables and have a small amount of pigs but it is used for family consumption. We are not a business that sells these fruits, vegetables and pigs but share to our immediate Ohana. We continue to do this on this land as there is area on this property that we are able to grow vegetation but not all parts of this land can be used to grow vegetation. My misunderstanding for the use of Agricultural land is for a business but we use this land for our family to produce food to be divided by our family as part of everyday living. Mahalo

-----Original Message-----
From: Gordon <gordonkanani@netscape.net>
To: dbedt.luc.web@hawaii.gov <dbedt.luc.web@hawaii.gov>
Sent: Wed, Apr 28, 2021 3:48 pm
Subject: TMK #86008026

Aloha,

This is my written statement that we did not receive any information by mail or any sort of information on the IAL from the City and Country. I also want to go on record that the land that is on the the TMK list has not been used for agricultural for decades. This property has been our family since 1953. The dirt and land is not made for agriculture. Please accept this as a written statement that we did not receive any notification from the City and County accept the recent letter dated April 12, 2021. Mahalo

From: Hakoda, Riley K
To: Quinones, Natasha A; Orodenker, Daniel E
Subject: Fwd: Comment re IAL
Date: Thursday, April 29, 2021 2:19:30 PM
Attachments: image001.png

IAL comment

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: Kanani Kealalio <kkealalio@kuiwalu.com>
Sent: Thursday, April 29, 2021 2:02:52 PM
To: Hakoda, Riley K <riley.k.hakoda@hawaii.gov>
Cc: Dawn N.S. Chang <dawnchang.luc@gmail.com>
Subject: [EXTERNAL] FW: Comment re IAL

Aloha Riley,

Dawn asked that I forward you the comment below, which was submitted to Ku'iwalu via our company website:

Jeff Bloom just submitted
your form:

Message Details:
Name: Jeff Bloom
Email: jeffcta@hotmail.com
Subject: LUC re IAL
Phone: 808-371-6600
Address: Waimanalo, HI
Message: Aloha MS. Chang, I appreciate the time you have donated to sit on the LUC and your patience, especially with laws like IAL that create a very hostile relationship between our elected officials and the small landowner / farmer. I have lived in Waimanalo on a small farm for over 30 years and have belonged to the Waimanalo Agriculture Association for approx 20 years. Years ago we reached out to the State and C&C, with the help of our elected representatives to enforce the flagrant violators on AG lands in Waimanalo. We held meetings, took pictures and documented these flagrant violators, invited any of our elected officials and state employees from various Depts who had jurisdiction to come out and see for themselves. Bottom line, nothing was ever done and all we got was some legal / bureaucratic mumbo jumbo. Creating more laws to scare small landowners and farmers doesn't help anyone. Sorry to reach out through your business site but I know how the State wants to protect volunteers. (Years ago I sat on the Workforce Development Council, appointed by Gov Cayatano and re-apointed by Gov Lingle). I would hope people like you can represent small landowners and farmers. The big landowners (previous Big Five) have deep pockets but the small folks are barely able to survive in HI and certainly

don't have the time, knowledge, or resources to represent themselves in this process. Mahalo again for listening and hopefully keeping the State and County folks honest. They need to enforce the existing laws not just for the big guys but for the little folks too.

Kanani Kealalio
P.O. Box 6280
Kaneohe, HI 96744
Tel: 808-539-3588
Fax: 808-539-3581

Hakoda, Riley K

From: John McCauslin <john.mccauslin1960@gmail.com>
Sent: Tuesday, April 27, 2021 12:49 PM
To: Hakoda, Riley K
Cc: Joanna Miranda
Subject: [EXTERNAL] 28-29Apr21 9a IAL Meetings

Aloha Riley.
Although I have registered to attend both zoom held IAL meetings on 28-29April, unfortunately I've been unaware of the full ramifications that the C&C DPP is including with the designation that my TMK is earmarked for. Upon further conversation with an attorney, I don't feel that the DPP has fully disclosed the pros n cons, specifically for those smaller scale farmers such as myself and neighboring Ag farmers.
Unfortunately I've not been fully involved with this project and process and favorably request the DPP conduct more openly and adequately announced public hearings before the LUC makes rulings as the livelihood of my Ag land for me, my family and generations to come is being hastly considered by those whom may not actually farm or experience the pros n cons we farmers, specifically the smaller scale ones endure.
There should more encouragement in order to keep farmers going yet entice future farmers. I've not been extended attendace to any DPP public meetings although I've been intouch with the DPP, LUC, Department of Ag and Real Property Ag Divisions to include the BOW Ag Water Rate Division heads.
I would appreciate an opportunity to hear and weigh in on the DPPs proposals and allowed adequate time to weigh my options.
I look forward to hearing from you.

Aloha

V/r
John McCauslin
85-508 Waianae Valley Road
(808) 927-2250
TMK: 054 85 019 054

Land Use Commission
Department of Business, Economic Development & Tourism
235 South Beretania Street Suite 406
Honolulu, HI 96813

Re: IAL Designations

Dear Members of the Land Use Commission,

First off, I want to thank you for your time and consideration on this matter regarding Hawaii's Important Agricultural Lands (IAL). These decisions are critical to the sustainability and survival of our island home. Your voluntary work is very much appreciated. I have two primary concerns with this process, both of which relate to Native Hawaiian cultural agricultural traditions.

In my home community of Kaneohe, we have at least four major areas that are historically used as agricultural production that I would like to point out:

- Luluku, lo'I terraces which also include other ag such as banana;
- Haiku Valley, which include lo'I terraces and was traditionally used for Hawaiian medicinal plants and is being restored as we speak;
- Lower Haiku and into Iolekaa, which include kuleana lands, lo'I terraces and other ag currently owned by Kamehameha Schools;
- Heeia wetlands, which are HCDA lands and provide the largest active agriculture in Kaneohe.

In greater Koolaupoko, there are many more traditional Hawaiian agricultural sites that are currently being reclaimed and used for agriculture. Heeia wetlands alone provide over 400 acres of lo'I and other agricultural production, along with jobs for local residents. Koolau Aina Aloha is an affiliation of aina-based organizations in the Windward region that includes approximately 20 active sites across the moku for cultural and agricultural education. It is my understanding that the Urban designation in the area excluded the entire swath of land after Waimanalo and up north to Kualoa falls into this category which stems from the City's initial preparation to create a second city in Windward Oahu, which we all know ended up in Kapolei. This Urban designation was never reversed despite the deep wealth of ag land and a community that supports our natural resources and sustainability.

How can this moku, a land district known historically as the 'bread basket' of Oahu, be excluded from IAL designation? The process the City has undertaken is flawed at best, having only three island-wide meetings, with only one single meeting for the entire Windward coast from Makapuu to Sunset. This is far from adequate outreach in our community.

Furthermore, I am concerned that Native Hawaiian traditional farming and agricultural practices are not being addressed appropriately in this process. It is also concerning that the seat for a Cultural Practitioner on the Land Use Commission remains vacant during this extremely important IAL designation process. This greatly diminishes the Native Hawaiian voice in the conversation.

I humbly request the LUC to reject the City and County of Honolulu's proposal of IAL and have review and rerun their selection and outreach to landowners and the community at large.

Malama pono,

Joseph K. Torres
Kaneohe, Hawaii

From: Hakoda, Riley K
To: Quinones, Natasha A
Subject: FW: [EXTERNAL] IAL Comments/Questions
Date: Tuesday, April 27, 2021 2:31:49 PM

IAL

From: Justin Smith <altafoods@gmail.com>
Sent: Tuesday, April 27, 2021 9:38 AM
To: Hakoda, Riley K <riley.k.hakoda@hawaii.gov>
Subject: [EXTERNAL] IAL Comments/Questions

I am writing to express some concerns regarding the Important Agricultural Lands (IAL).

Although I may not be entirely up to speed on the absolute implications of this bill, it seems that there has developed a gap in the overall intention of the bill and the potential outcome with its passing.

I greatly appreciate a goal for a cohesive plan… BUT I find it selective to allow thousands of acers of farm land in Eva to be cemented over for a shopping mall and a rail all the while choosing small plots to be dedicated for highly specific and restrictive use. For me, there is a large disconnect here.

Below are just a few of my quickly articulate thoughts after reading over the bill.

1. How the land was selected seems to be rather arbitrary. Solely base on the map, I see that some areas (the one in which I live) have been elected for designation, while other areas directly adjacent of higher caliber usability have been omitted. What was the process for selection for these designations? Maybe since this process started so long ago, it is no longer applicable with existing qualifications? The material shows that the selected was based on having one or two of a possible group of qualifying components, but doesn't take into consideration things that disqualify it from being selected.

2. Although I understand a need to preserve land and create a food security for the islands, it seem targeting and imposing use mandate will not do the trick especially upon smaller parcels. If the concern was for such food security, the thousands upon

thousands of acres that lie fallow year after year are the source for a viable and productive farming areas.

3. With regards to residency, I'm a bit taken aback as to how it can be regulated with specifics of who can live on a certain property under what circumstance. If I have a legal residence having complied with the layers upon layers of existing regulations, how can it be dictated as to whom can actually live in my house? Not sure how the overall law of the land would allow for such selective discrimination.

4. Regarding income amounts and income percentages: would it even be constitutionally legal for a 2/3 total income minimum to be imposed upon someone to be made as farm generated proceeds? If I can eek out $10-$15K of sales for the year… am I then limited to only generating $22.5K annually as a total income?

5. How was it selected? How was it deemed important? I purchased land from someone who bought land off a larger land holder years ago because the land was not productive for them as farm land. I did/do hope to produce something viable here someday, but it turns out that this space had been so abused by the existing tenants and land owners that its very difficult to even manage. There were piles and pile of boulders rolled off the adjacent slop to clear way. Dead animals and countless cars and equipment have been buried in the soil, not to mention a great deal on the soil is on a rocky slope. Metal garbage, rolls of plastic irrigation shredded all over the place, barbed wire fencing tilled into the soil… the list goes on and on, sadly.

6. Speaking of land stewardship… if the true concern for the quality of the land is there and the interest of additional regulations are there… we may want to look into existing systems of farming. The current large scale fruit production on the north shore alone does more ecological harm than I could possibly imagine. Each crop has miles and miles of plastic irrigation piping as well as plastic weed barriers that are tilled into the soil as shredded (not-so) micro plastics each and every time a crop is harvested and replanted (1.5-2 year cycle). There is nothing good coming from this practice. I only notice this, because the land I'm living on has experienced the same type of abuse.

7. The time frame seems short to notify the public of such a potentially significant and enduring decision.

Thank you for your time and any further explanation of this observations and questions would be greatly appreciated.

Justin Smith

North Shore Resident.

State Land Use Commission
P.O. Box 2359
Honolulu, HI 96804

April 20, 2021

To Whom It May Concern,

(I was hoping to testify at the public hearing held on April 28th, but was prohibited to do so, as the attendance capacity of 100 had been reached. Please find below my testimony.)

I am an owner of an IAL designation, TMK 66008004 (referenced as #765 on page 10 of your May 2019 Inventory). It is a parcel in the heart of Haleiwa Town, that is flanked on both south and north by residential lots, by an agricultural lot (toward the west) owned by Kamehameha Schools which is destined (in accordance with the North Shore master plan) to accommodate a senior living community. The east portion of our parcel is a part of the wetland marsh habitat which encompasses the heart of Haleiwa. Half of our 3.76 acres is therefore in Ag 1, Preservation/Conservation, which for obvious reasons cannot be cultivated.
The City's three highest priority for IAL identification criteria for mapping is:

- Land with sufficient quantities of water
- Land currently used for agriculture production
- Land with soil qualities and good growing conditions

Hence, I am confused as to how and why our property was designated.

1) We are near the ocean with a soil depth of four to five feet before reaching the water table of brackish water not suitable for crop irrigation. Water would have to be brought in from the county line which than demands a water easement through private Kamehameha Schools property.
2) Although we attempted to produce various crops over the years we were met with constant complaints from adjacent residential lots and even fines assessed from the city and state for dust created from seasonal soil grading, tilling, and spraying.
3) The soil composition is mainly oxisol meaning that it is highly weathered and low in fertility. . . the oxide clay minerals form exceptionally strong aggregates that behave like sand particles which is sticky and difficult to cultivate.
   In addition, this property is prone to flooding with poor drainage (located in the flood inundation zone), which has contributed to constant crop failures over the years.

My immediate concerns at this juncture is that the DPP has not performed due diligence in communicating adequate important information to IAL designees in a timely manner.
I have received two notifications, on November 9, 2017 and April 19, 2021, which provided vague information regarding their intentions with community meeting notifications whose dates were unreasonably less than 20 days from receipt of written notification.
Other private meetings held by the DPP that included select groups of people, i.e., ag land companies, farmers, etc., seemed to simply suffice their "check-the-box" procedure, and was not a fair representation of the majority of IAL designees.
Its not enough to just "hold a hearing" but it is your fiduciary duty to painstakingly determine first of all, whether each lot truly meets the IAL criteria, then actively, constructively engage in

dialogue with designees, listening with genuine consideration to their concerns, not just "going through the motion".

Secondly, I am uncertain as to whether the objective of the DPP is genuinely being sought. If the city and county is seeking to *"conserve and protect ag land, diversify ag, increase self-sufficiency, and assure availability of suitable lands",* then why aren't more of the larger prime agricultural parcels that have been in agricultural production for almost 200 years, being targeted? Instead you are affording large land-owning conglomerates preferential treatment or exemptions, for an easier out, i.e., allowing them to volunteer a smidgen of their property toward the IAL initiative for an exchange of "hands-off" to the entire enormous remainder of their ag holdings.
Instead, the DPP has targeted smaller land plots (less than 4 acres) that are not continguous, and not conducive to farming for various reasons.

Thirdly, I believe that the IAL project will cause undue hardship on many designees, including myself. I would like to exercise my constitutional freedom and to continue to be a good steward of my land but without intrusion and manipulation from an overbearing, unreasonable act of the government.

All in all, I am seeking the removal of my property from the designation of "*Important Agricultural Lands*."

Sincerely,
Kurumi Ka'apana-Aki
kdkaapana124@gmail.com

From: Kyle Bernhardt
To: DBEDT LUC
Subject: [EXTERNAL] IAL testimony
Date: Thursday, April 29, 2021 10:08:51 AM

Hello

My name is Kyle Bernhardt. My wife Tonya and I bought a 2 acre (ag2) parcel 1-6-8-3-9 unit 13 in June of 2016. Like nearly all of the others who testified, we have received tax statements and paid taxes on the land yet have not received ANY information regarding IAL. For that reason we are very confused about how this will affect us.

I would like to suggest that the DPP or LUC define what exactly how the IAL designation affects the land owners BEFORE it asks land owners to opt in or out.

Thank you the opportunity to voice our concerns.

Aloha Kyle and Tonya Bernhardt

From: Maurie Feldberg
To: DBEDT LUC
Subject: [EXTERNAL] Fwd: Hawaii Revised Statute §205-47 - IAL - written testimony
Date: Thursday, April 29, 2021 9:48:24 AM

To Whom It May Concern;

We have a 7 acre parcel in the Poamoho Estates. This is a private, gated community. There are a few small, private hobby farms but mostly individuals living quietly and privately on their acreage and enjoying their horses and other rural interests.

We believe that this proposed law is **unconstitutional and a wrongful taking of land. This undertaking may force residents and renters from living on their land** as well opening the door to so many potential wrongdoings by the increasingly power hungry City & County**.**

The process executed by the City and County of Honolulu, in our opinion, did not follow the legal statute; and in addition did not include all landowners. This law will put private agricultural lands into **government control** while restricting the use of our lands for current and future generations. This is just another socialist step towards communism and must be stopped! This process cannot be a "catch all" for all lands that you have drawn your circle around. Privately owned, residential, gated communities should not be 'randomly' included in such government land grabs.

We request that the State of Hawaii and City and County of Honolulu make IAL a **VOLUNTARY** process and allow the Hawaii citizens and landowners to rightfully choose if they desire their land to become IAL. IAL should not be forced on us.

Regards,
Maurie

From:	melissa
To:	DBEDT LUC; repmartin@capitol.hawaii.gov; Representative Sean Quinlan; Representative Lauren Matsumoto; Senator Gil Riviere
Subject:	[EXTERNAL] LUC
Date:	Thursday, April 29, 2021 10:28:32 AM

Aloha LUC, City and County of Honolulu DPP and all

First of all I would like say a big Mahalo to you the LUC for bringing transparency to this and for all your dedication and all the volunteer time.

The city did not correctly follow the notification process to the farmers who are directly affected , looking at the testimony from yesterday 99.5% of those who gave written or oral testimony did not know about this or that their land was part of this IAL. A direct contact to each landowner should have been done. We did not hear of any focus group meetings, public meetings etc… and neither did most other farmers.
We do not know each other yet we all said the same thing. No one knew about this.
Not everyone reads the paper, or goes to LUC website
Not everyone knew about this meeting yesterday if not for a few people contacting each other as they did not get their April 12 letter.

If this is what you are deciding today please understand that with all that information that the city did NOT fulfill their standard and
WE the people need to be heard .

The City & County of Honolulu has fallen grossly short in ensuring that small farmers are fully informed and understand the implications of an IAL designation of their farm land. We were not fully aware and have not received notifications of meetings and forums regarding IAL. Our family has been farming on Oahu for over 120 years. There has NOT been full transparency from the CIty & County in how this IAL designation would affect a small farming operation like ourselves. We question their IAL designation procedures and how their criteria was applied to certain ag lands. We don't know who the consultant was or the committee members. If these persons had any farming experience, they would know that the criteria they set would only be detrimental to certain small farmers like us. Why is it that the committee set only 3 criteria for IAL designation when they were supposed to set 8 criteria according to the law?
Why did the C&C not make sure they consulted with all landowners as the IAL law mandates? This provision in the law MUST be followed.
Just sending out meeting notices via their website does not assure that all landowners and farmers have been contacted and are aware of the ramifications of this designations on their family farm.
If the state and city wants to support Hawaiian agriculture for current and future farmers of our state, then we need to take several steps back on the implementation of the IAL and review how this can be better implemented with full transparency and complete communication with all farmers and landowners.

The IAL new rules and regulations will affect all farmers here on Oahu there is no give and take there is only Take from the DPP without any discussion or opportunity to opt out.
The new rules will make it harder for small farmers not easier. Substance farming is important.

Mahalo for your time
Melissa P Ginella

Hakoda, Riley K

From: Peter Opdahl <stanhopellc@outlook.com>
Sent: Wednesday, April 28, 2021 9:47 AM
To: Hakoda, Riley K
Subject: [EXTERNAL] IAL Recommendation: TMK 6-7-002-038

Hello:

I have just learned in the past few days about the IAL Recommendation currently being considered. My TMK is listed above in the SUBJECT, but I have never received any notification about these hearings, only learning about it from a neighbor. I purchased this property in December, 2020, which is likely the reason I am not getting mailings, but considering the importance of this designation, I would like to strongly request that I be included in any future mailing – With 100+ acres, we are not a particularly small landholder.

Stanhope LLC
PO Box 968
Laie, HI 96762

I am concerned in general with the communications on this issue. For example, the first letter I have seen regarding these hearings was the one dated April 12, but which also highly recommended that people attend a meeting that happened back in March.

I have a specific question:

Is there a simple "As a landowner, what are my options?" page that explains the overall timeline, the general possible outcomes, and any elections that landowners can proactively make rather than wait for a decision?

Regards,

Peter Opdahl
Owner

Hakoda, Riley K

From: Ralph Aona <raona@cofchrist.org>
Sent: Wednesday, April 28, 2021 9:53 AM
To: Hakoda, Riley K
Cc: haylerh001@hawaii.rr.com; Mililani Watanabe; Briar Nakamoto; Kaimo Muhlestein; kealiiledward@gmail.com; mertonchinen@gmail.com; Ralph Aona
Subject: [EXTERNAL] State Land Use Commission

Aloha,

My name is Ralph Aona, I am the representative of the Reorganized Church of Jesus Christ of Latter Day Saints, also known as the Community of Christ, owners of 10.5 acres located at 87-210 Puhawai Road in Lualualei Valley, Waianae. The church has owned this property since 1973. About 4.8 acres are leased by Waianae Community Re-Development Corporation, Mala Ai Opio for farming purposes. The rest of the property is used by the church for religious activities and gatherings.

I understand the purpose of the Important Agricultural Land laws, however, I need clarification on how it will impact us as a religious organization.

So here are some questions:

1. Will we be able to continue to use the portion of our land not used for agricultural purposes for religious activities, such as worship, classes, social gatherings, meetings, and family camps?
2. For the portion of our property not used for agricultural purposes, should we apply for an "exemption" from the IAL laws?
3. We were granted a Conditional Use Permit, to develop our property, what happens to this Permit?
4. Will the Conditional Use Permit be grandfathered in?
5. What happens if we were granted to use a portion of our property outside of the IAL laws and then sold the other portion of our property used for agricultural purposes? Will the portion retained by the church need to be repurposed for agricultural use?

I look forward to hearing a response to my inquiries. I am sure there are other questions but I will start with these questions. Thank you for your consideration.

Ralph K. Aona
Pacific Islands Mission Centre
Office: (808) 536-6330
Cell: (808)256-6135
www.cocpacific.com

From: Hakoda, Riley K
To: Quinones, Natasha A
Subject: FW: [EXTERNAL] Testimony submission regarding IAL designation on my home
Date: Thursday, April 29, 2021 4:20:49 PM

ial

From: Eulanda Campbell <eulanda7@gmail.com>
Sent: Thursday, April 29, 2021 2:52 PM
To: Hakoda, Riley K <riley.k.hakoda@hawaii.gov>
Subject: [EXTERNAL] Testimony submission regarding IAL designation on my home

Samuel Keith Campbell
85-810 Waianae Valley Road
Waianae, HI 96792

April 29, 2021

Land Use Commission
235 South Beretania Street, Suite 406
Honolulu, HI 96813

Re: TMK# 85019036

My name is Samuel Campbell and I did present oral testimony at yesterday's LUC Zoom's meeting on Wednesday, April 28, 2021. However, I want to take this opportunity to address my concerns and submit a written testimony regarding my home and property being identified as Important Agriculture Land (IAL).

My wife and I were public school teachers here in Hawaii, but now I am retired and my wife has recently died after fighting cancer for two years. During those two years (2018 -- 2020), I took early retirement to be a caregiver for my wife. My wife retired in 2017 because she was sick, but the cancer was not identified even though she went to the doctor's office for diagnostics and treatment care. Her cancer was finally confirmed in January 2018 after having a colostomy procedure and biopsy. I now am being told with the IAL designation of my home that I will not be able to live in my home that my wife and I purchased as our retirement home.

When we bought our current home and property in 2011, we purchased the land from the bank because the property was foreclosed. Our FHA mortgage loan had very strict requirements and we were told that FHA does not allow us to use our property as a business. We specifically asked for clarification and we were told that we definitely cannot use our property for an agricultural business. These requirements were always in our mindset because we knew that we would never be allowed to have an agricultural business. Now, I am being told that I must run an agricultural business to live on my own land. The FHA rules on how I use my land are still in effect. Please explain how I am expected to run an agricultural business when I am

not allowed to run an agricultural business under FHA requirements.

The previous owner of my home, before going into foreclosure, used the property as an industrial park. The owners brought in tons of gravel to make a parking lot for their commercial fleets of semi-trucks and heavy industrial equipment. The heavy industrial equipment and semi-trucks compacted and contaminated the soil with oil leaks. The soil is not only rocky but most definitely usable. Our goal as homeowners was to take care of the land and hopefully, the land can recover from its previous use and abuse. Eventually, the land could become usable agricultural land. The property cannot sustain itself as agricultural land under its current condition. It would be great if the property can be used sometime in the future. But now, I am being told, by the IAL designation, that my land must be an active agricultural land business.

I wish to be exempt from my home being identified as IAL. The City and County did not in good faith contact and notify of the IAL designation. My land only has access to my garden hose as a source of water but does not meet the other two requirements. I am presently a widower and retired, and I want to stay and live in the home that my deceased wife and I bought for our retirement. Finally, according to FHA mortgage rules, I cannot use my home for an agricultural business.

Thank you for the opportunity to submit my concerns and my reasons for being exempt from the IAL designations.

Samuel Campbell (Sam)

From: Hakoda, Riley K
To: Quinones, Natasha A
Subject: FW: [EXTERNAL] IAL Testimony STRONGLY SUPPORT political engagement by Kanaka Maoli (Native Hawaiian)
Date: Thursday, April 29, 2021 8:54:13 AM

IAL

From: Shannon Lokelani Oberle <poifect96717@gmail.com>
Sent: Thursday, April 29, 2021 8:51 AM
To: DBEDT LUC <dbedt.luc.web@hawaii.gov>; Hakoda, Riley K <riley.k.hakoda@hawaii.gov>
Subject: [EXTERNAL] IAL Testimony STRONGLY SUPPORT political engagement by Kanaka Maoli (Native Hawaiian)

My name is Shannon Lokelani Oberle.

53-370 G. Kamehameha Highway (Punaluu, Oahu).

With respect and appreciation for your roles as community advocates, I encourage you all to STRONGLY SUPPORT political engagement by Kanaka Maoli (Native Hawaiian), in regards to Important Agricultural Land (IAL) designation and recommendations.The crux of the matter is there is much potential for agricultural sustainability. It is necessary for Kanaka Maoli to have dialogue and economic pathways in agriculture. Seek ‘ike (knowledge) beyond land ownership and be inclusive of the host culture's values in environmental stewardship.

Existing and proposed IAL is on point in the Koolauloa district.

A few notes, there are small ag parcels of ‘Āina (land) owned by the State in Punaluu Valley.

It is land-locked, yet designated public.

Please consider giving the 2 small Punaluu Valley parcels to an entitiy that supports Native Hawaiian agricultural sustainability and education, namely Kanewai, a part of the University of Hawaii.

Easement can be worked out with Kanaka Maoli in Punaluu Valley.

Please give my people a fair chance.

Me ke aloha,

Shannon Lokelani Oberle

Hakoda, Riley K

From: simon g chong <simongchong@gmail.com>
Sent: Wednesday, April 28, 2021 1:25 PM
To: Hakoda, Riley K
Subject: [EXTERNAL] Important agricultural land

We were informed by a law firm letter that this adverse action was being done.
No one from the city made an appointment or called us to inform us of this proposed procedure.
Monetary fines should be cancelled.
The expectation that current owners will leave their current employment to become farmers is unreasonable, unrealistic and not feasible, with many not having any experience in agriculture.
In this procedure or proposal, has the city studied or assessed the loss of housing for Owners and retirees that may come as a result of IAL proposals.
Are there any compensatory procedures?
Will the city compensate owners for the loss of value for their land.
For property owners unable to farm.
Loss of land and land value.
Penalties are severe beyond undeserving, fines, evictions and possible confiscation of land for not producing at least $10,000 worth of goods.
Any procedural proposal that fails to address the consequences of the adverse affect that the IAL plan has on owners and retirees should not be accepted.

The IAL puts people into involuntary servitude.
That is against the 13th amendment.
Owners of ag1 land should have a choice.
The IAL should be voluntary.
To receive tax benefits.

Sent from my iPhone

大成DENTONS

Timothy H. Irons
Counsel

tim.irons@dentons.com
D +1 808-441-6147

Dentons US LLP
1001 Bishop Street
Suite 1800
Honolulu, HI 96813
United States
dentons.com

April 29, 2021

VIA E-MAIL ONLY
State of Hawaii, Land Use Commission
P.O. Box 2359
Honolulu, HI 96814-2359
dbedt.luc.web@hawaii.gov

Dear Chair Scheuer and Commissioners:

This is a follow up to my April 26, 2021 letter on behalf of The Edmund C. Olson Trust No. 2 concerning the City & County of Honolulu's ("C&C") IAL mapping proposal. Your April 28-29 Meeting Notice specifically stated that the Land Use Commission ("LUC") "will not be considering or determining the legal rights, duties, or privileges of specific landowners or issues relating to particular properties." Further, the Agenda stated the LUC "…will not be considering or determining at this meeting the legal rights, duties, or privileges of specific landowners or issues relating to particular properties."

After the close of public comment, in the morning of April 29, the Chair stated that the LUC would be taking action on the C&C proposal, including whether the County IAL process mandated by State law was followed. The C&C then presented its position that all procedures had been followed and that they fully complied with the State statute. C&C asked the Commission to find that the process was complete and in compliance with State law and LUC rules.

Taking the requested action would violate the due process rights of affected landowners by eliminating a meaningful opportunity to be heard on C&C's State law compliance. Public comment at a meeting is not a substitute for a fair hearing. The process violations are critical because they resulted in an incomplete record based on a definition of IAL that does not comply with State law and excluded any meaningful cooperation and consultation with affected landowners. Any LUC confirmation that the C&C IAL process complied with State law, is an action that requires a hearing.

If the LUC does not remand the matter back to the C&C, the only other appropriate action to take is to continue the matter and to properly notice future hearing(s) to determine both: (1) whether the C&C process complied with State law and LUC rules and (2) whether individual landowner properties meet the requirements of IAL for designation.

Sincerely,

Timothy H. Irons
Dentons US LLP
On Behalf of The Edmund C. Olson Trust No. 2

From: Hakoda, Riley K
To: Quinones, Natasha A
Subject: FW: [EXTERNAL] Re: Why am i only getting notified about this now?
Date: Friday, April 30, 2021 8:57:40 AM

IAL testimony

-----Original Message-----
From: William Lum <willlum@aol.com>
Sent: Thursday, April 29, 2021 9:35 AM
To: William Lum <Willlum@aol.com>
Cc: Hakoda, Riley K <riley.k.hakoda@hawaii.gov>
Subject: [EXTERNAL] Re: Why am i only getting notified about this now?

I am leaving Zoom meeting. Farm people don't have time to watch someone one read a paper on a Zoom meeting. Why don't you send out a written script of what that lady was reading?

Sent from my iPad

> On Apr 29, 2021, at 9:32 AM, William Lum <Willlum@aol.com> wrote:
>
> Also, we have two ag properties so the probability that I missed seeing your letters is low.
>
> Sent from my iPad
>
>> On Apr 29, 2021, at 9:29 AM, William Lum <Willlum@aol.com> wrote:
>>
>> Never received any notice of this ila stuff other than a letter I received last week.
>>
>> A neighbor just texted me about this now. What are you guys trying to accomplish? Is there some kind of written report or proposal? I worked in real estate development and am familiar of some notification procedures. Do you guys have return receipts as proof of landowners receiving notice?
>>
>> Something doesn't sound right here.
>>
>> Sent from my iPad

Testimony/Petition to the Land Use Commission Regarding the Proposed Important Agricultural Land (IAL) Designation

Subject Property:
TMK: 4 1 026 009 (2 acres zoned AG-2)
Address: 41-610 Nonokio Street, Waimanalo, HI 96795
Fee Owners: Thomas J. and Melvine T. Mendes
Date: 4-30-2021

As owners of the subject property, we strongly oppose having our property designated as IAL and respectfully opt out of having our parcel so designated. While we understand and appreciate the broad goals of this effort, we feel that the IAL concept is inappropriate for our property (and perhaps other small parcels like ours) for the following reasons:

1. This property is already zoned for agriculture (AG-2) with its requirements and restrictions that promote agricultural activity. The IAL process is not going to enhance the owner's ability to generate more revenue from small AG-2 parcels like ours.

2. The IAL process was insensitive to the home ownership needs of farmers on small AG lots. AG-2 zoning allows for a single-family residence, a home, not a farmhouse like it is called in the IAL rules.

3. Having lived on this property for 37 years, built our home and raised our family, we have also kept the land productive with agricultural activity. We have photos that show early crops. We sold cut flowers and raised hundreds of pheasants and other gamebirds for the DLNR's hunting program. But this year I will be 80. There is no provision in the IAL designation for a landowner to enjoy retirement on his property.

4. Although well-intentioned, we believe that the IAL process was too broad brush and perhaps more appropriate for very large properties. I was notified of the proposed designation only days ago, seemingly like an after-thought to meet some acreage goal.

Respectfully submitted,

Thomas J. Mendes