

June 11, 2020

dbedt.luc.web@hawaii.gov

TO: Honorable Jonathon Scheuer, Chair  
Mr. Daniel E. Orodener, Executive Officer  
Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96814-2359

Cc: Planning and Permit Department  
Raymond Young

Fr: Gerald YH Young Trust /Diana Young, Trustee  
41-655 Kumuhau Street  
Waimanalo, Hawaii 96795

TMK# 41-0180220000 LOT 43

Subject: Opposition to Proposed Important Agricultural Lands Designation

Dear Chair Scheuer, Members of the Commission and the Attorney General,

My name is Diana Young, trustee for my husband Gerald YH Young, we are the landowner in Waimanalo TMK# 41-0180220000 LOT 43. I recently received a letter from the Land Use Commission informing me that our property has been designated by the City and County of Honolulu as Important Agricultural Lands (IAL). Further, I was never informed that the Land Use Commission may be taking action to accept the City and County of Honolulu's Important Agricultural Lands designation which includes our property in Waimanalo. I have written several letters without any reply back from any departments regarding this matter and still waiting.

I object to the designation of my property as IAL for the following reasons:

This is my formal letter again on this matter regarding these issues.

I was not given my due process or notified in an adequate, timely matter, nor my rights as a landowner acknowledged. The process for the IAL designation was flawed and did not fully inform landowners of the designation's impact; the LUC process did not provide adequate information as to how the acceptance of these maps would impact our property; there was not

clear guidance on how I could opt of the IAL designation; and lastly, the process was rushed and has left my family and I confused and perplexed.

Please consider my concerns and reject the City and County of Honolulu's representation that is has followed all procedures with respect to state statute. The IAL designation process needs more vetting, and landowners must be better informed about their options. How such designation will impact their lands, and whether or not they have the ability to "OPT OUT" of such designation also needs to be included.

Researching on the internet for polices with procedures regarding the above issues are not clear when trying to contact someone in a department office you will find only a message machine with no answer or follow up. Our property has been in our family four generations, and we have a trust in place for the next generation. I was not told about this until April 12<sup>th</sup>, which was my very first-time hearing about this program. It's very confusing to me and not clear on their policies and procedures. This is not a program we want or need on our property and since have stated good reasons in several letters with no response from any departments. I AM OFFICIALLY, REQUESTING THAT MY PROPERTY INDICATED ABOVE BE EXCLUDED AND EXEMPT FROM THE IAL.

To clarify, I object to my land being designated due to: 1) failure of my land to meet the IAL criteria set forth by the law at HRS Section 205-44 (c)(1-8), and 2) the City and County's failure to follow the all the statutory requirements in HRS Sections 205-41 through 205-51, prior to submitting its IAL recommendations and maps to the LUC.

Thank you for your consideration.

Gerald YH Young Trust/Diana Young,Trustee

## Quinones, Natasha A

---

**From:** DBEDT LUC  
**Sent:** Monday, June 14, 2021 5:36 AM  
**To:** Quinones, Natasha A; Orodener, Daniel E; Derrickson, Scott A  
**Subject:** FW: [EXTERNAL] IAL

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

IAL

-----Original Message-----

**From:** Luann <luann@tinroofranch.org>  
**Sent:** Friday, June 11, 2021 12:15 PM  
**To:** DBEDT LUC <dbedt.luc.web@hawaii.gov>  
**Cc:** gary <gary@tinroofranch.org>  
**Subject:** [EXTERNAL] IAL

Aloha,

This is a follow up to my email written on 5/22/21.

We received the first notice that our property was being considered as IAL on May 1, 2021.

Our property is less than 2 acres, we do not have agriculture water, and do not have enough property for any suitable or sustainable agricultural income.

Our address is 61-470 Kamehameha Hwy, Haleiwa, 96712

The tax map key is 6-1-08:24 & 30 (the combined parcels are less than 2 acres).

Thank you for your consideration to take our property out of the parcels that are being considered for IAL.

LuAnn Casey & Gary Gunder



Annette Lee, Member  
Ace Farm LLC  
41-208 Hihimanu Street  
Waimanalo, HI 96975-1528

June 11, 2021

SENT VIA E-MAIL: [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)

Honorable Jonathon Scheuer  
Chair  
Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96814-2359

SUBJECT: Opposition to Proposed Important Agricultural Lands Designation

Dear Chair Scheuer and Members of the Commission,

My name is Annette Lee. My husband and I own and farm 2 acres in Waimanalo (TMK 410260250000). We recently received a letter from the Land Use Commission informing us that our property has been designated by the City and County of Honolulu as Important Agricultural Lands (IAL). Further, we were informed that the Land Use Commission may be taking action to accept the City and County of Honolulu's Important Agricultural Lands designation which includes our property in Waimanalo.

Originally, Waimanalo landowners were told that we do not fit the criteria to be designated IAL. We were also told that we could "**opt out**" of this process if we wished. By arbitrarily designating all areas of small farmers IAL seems like an example of changing the rules after the fact. This seems to be a land grab by the City and State. This is a program primarily for large landowners (10 acres +) which would make sense but does NOT benefit smaller landowners who just wish to farm as long as they can and then retire on THEIR property. The new proposed changes would not allow farmers to lease their property or to live on the property if they cannot physically farm. It does not allow older retirees to lease their property if they are complying with agricultural purposes.

I object to the designation of our property as IAL for the following reasons: the process for the IAL designation was flawed and did not fully inform landowners of the designation's impact; the LUC process did not provide adequate information as to how the acceptance of these maps would impact our property; there was not clear guidance on how I could opt out of the IAL designation; and lastly the process was rushed and has left my family and I confused and perplexed.

Please consider my concerns and reject the City and County of Honolulu's representation that it has followed all procedures with respect to state statute. The IAL designation process needs more vetting and landowners must

Annette Lee, Member

---

be better informed about their options, how such designation will impact their lands, and whether or not they have the ability to “opt out” of such designation. To be fair, a process must be set up to allow this “opt out” option.

**As for us, we wish to “opt out” of this process.**

Yours Truly,

Darrell & Annette Lee  
Ace Farm LLC

## Quinones, Natasha A

---

**From:** DBEDT LUC  
**Sent:** Monday, June 14, 2021 5:34 AM  
**To:** Quinones, Natasha A; Orodener, Daniel E; Derrickson, Scott A  
**Subject:** FW: [EXTERNAL] IAL Designation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

IAL

**From:** Linda Baptiste <baptiste.linda@gmail.com>  
**Sent:** Friday, June 11, 2021 3:04 PM  
**To:** DBEDT LUC <dbedt.luc.web@hawaii.gov>; hawaiiag <hawaiiag@hawaii.gov>  
**Cc:** Rblangiardi@honolulu.gov; Andrew Malahoff Andrew Malahoff - Chief Of Staff/ Administrative <amalahoff@honolulu.gov>  
**Subject:** [EXTERNAL] IAL Designation

Linda R. Baptiste  
41-849 Kakaina Street  
Waimanalo, Hawaii 96795

June 11, 2021

Honorable Jonathan Scheuer  
Chair  
Land Use Commission  
P. O. Box 2359  
Honolulu, Hawaii 96814-2359

Attorney General Connors:  
Department of the Attorney General  
State of Hawaii

Mr. Daniel E. Orodener  
Executive Officer  
Land Use Commission  
P. O. Box 2359  
Honolulu, Hawaii 97804-2359

SENT VIA E-MAIL: [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov) & [hawaiiag@hawaii.gov](mailto:hawaiiag@hawaii.gov)

Subject: Opposition to Proposed Important Agricultural Lands Designation (IAL)  
**I am Officially Opting OUT of the IAL designation.**

RE: Parcels 4-1-025-006 -0000 &  
4-1-025-007 -0000

Both parcels are referred to in all my letters as My Property.

The title to both parcels is in my husband's and my trusts as follows:  
Howard Baptiste Revocable Trust dated November 8, 1989, as amended and  
Linda Baptiste Revocable Trust dated November 8, 1989, as amended.

Dear Chair Scheuer and Members of the Commission, and  
Dear Attorney General Connors:

My name is Linda R. Baptiste and I am the landowner of the above named parcels. I believe together both parcels together total 8.89 acres.

I am opposed and object to the planned IAL program. Again, I respectfully request that my property be excused and excluded from any IAL designation and I am opting out of the IAL designation.

As I stated in my prior letters and will repeat now, **I was never informed of the IAL from any governmental agency and was informed as a result of a letter that I received from a lawyer.** This fact alone is appalling in as much as we have owned our property for over 50 years and have no problem ever receiving our mail. There are also a large number of my neighbors that never received notification that the city is representing they sent.

Every land owner should have received notification by Certified Mail at the very least. That notification never happened and I find this fact inexcusable. The magnitude of the IAL impact on property ownership is paramount to each owner. The standards and requirements set to notify each owner are imprecise, insufficient and inadequate.

Only one of my letters has been acknowledged as received and I have never received a response or notification of receipt for my other letters sent.

Had I been informed or notified, I would have exercised the option not to have the IAL designation. As I stated in my prior letters the IAL designation is flawed and has not fully informed landowners of the designation's impact. Property owners were misled and are still misled and confused.

The LUC process has not provided adequate information as to how the acceptance of these maps would impact my property. I never received any clear guidance on how I could opt out of the IAL designation. I was never informed that my property was involved with this IAL. This flawed process has left me upset and alarmed. The lack of transparency and clarity that exists is questionable and concerning. Far too many landowners did not receive notification or were misrepresented to and this is shameful.

I object to my land being designated due to: 1) failures of my land to meet the IAL criteria set forth by the law at HRS Section 205-44 (c)(1-8), and 2) the City and County's failure to follow the all the statutory requirements in HRS Sections 205-41 through 205-51, prior to submitting its IAL recommendations and maps to the LUC.

Again, **I was never informed of the IAL from any governmental agency and was informed as a result of a letter that I received from a lawyer dated April 12, 2021 .** My due process rights have been denied and violated.

Thank you for your kind consideration in this matter.

Sincerely,

Linda R. Baptiste

Linda R. Baptiste