

To: State Land Use Commission
P.O.Box 2359
Honolulu, Hawaii 96804

LAND USE COMMISSION
STATE OF HAWAII
2021 MAY 18 P 12:59

Dear Mr. Daniel Orodener,

My name is Russell Higa and I reside at 41-560 Flamingo St. in Waimanalo, Oahu. I recently received a letter from you in regard to the Land Use Commission requesting that the City identify important agricultural lands (IAL). The City has designated this property as an important agricultural land (IAL). I don't recall receiving any communication from the City informing me that my residence was being considered as IAL. After receiving your letter, I did some research and admit I'm confused on how the City determined the IAL status for the different properties on this street.

1. There are 20 properties on this street. Fifteen are being designated as IAL and the other 5 properties are not on the City's IAL list. What was the basis of determination?
 - a. One of the 5 properties: TMK 41018002 is a church which is not on the IAL list but TMK 41018008, another church is on the IAL list. A bit confusing.
 - b. Also a bit confusing: there are three plant nurseries on this street, one of them is not on the IAL list while the two other nurseries are listed to be designated as IAL. By the way, these nurseries grow their plants in pots where soil quality is irrelevant.
 - c. Also 8 of the 15 properties are in flood zones and some (including my property has a grade of 20% or more) have sloping terrains.
 - d. Thirteen of the 15 designated IAL properties are not involved in any kind of active agriculture.

Also, I'm unclear on what the benefits or restrictions are for being designated as IAL. I have tried to research this but admit being overwhelmed by technical legal language and gave up. So, I'm addressing my concerns to you and hope that you'll be able to clarify how this land designation will affect me and my heirs. I read that once a property is designated as an IAL, it will almost be impossible to reclassify it for other uses. This concerns me because I'm unaware of what are the City's criteria or conditions for owning an IAL. My concerns are as follows:

Will I have to engage in active agriculture?

This property is currently zoned AG1. All the residents on this street have 1 acre lots. We have 2 churches, 3 nurseries on our street and the majority of my neighbors are elderly residents and retired. The nurseries grow the majority of their products in pots, not soil. If I understood correctly, one of the criteria for IAL was the soil. Would this mean growing products from the soil?

Will there be income requirements for IAL?

I'm not sure how much revenue an acre of land will generate? My property is on a hill and may need a sizable investment to sustain a profitable business model. Some of my neighbors live near a stream in a flood zone which could pose other economic

disadvantages. As I mentioned above, a lot of neighbors are retired and living on fixed incomes, starting a business would cause an economic strain for them.

How will IAL designation affect property values?

If the conditions of owning an IAL are restrictive, property values may go down. If this does happen, our retired residents who cannot meet these requirements may be forced to sell their property at depressed values. But where will they be able to relocate to with the property values so high everywhere?

What will happen to my new neighbors who just bought residences on this street? They paid a premium for their lot because of the high cost for real estate. Depending on the City's IAL conditions for owning an IAL property they may have opted out of the purchase if they knew there would be conditions affecting their heirs. Personally, my heirs don't appear to be interested in farming let alone be able to financially support themselves on an acre lot.

What about water?

The residences on Flamingo street currently use City water from the Board of Water Supply. We have no access to well water, reservoir water or ditch water. If the City continues to dedicate these properties as important agricultural lands and unless we have an infrastructure to access non potable water, we will have to depend on our precious potable water supply. Since most if not all agricultural crops require access to water, will IAL status enhance our ability to obtain agricultural water at the lower rates? For example, will the Waimanalo properties with IAL status have priority to the water in the Waimanalo reservoir?

Bottom line, if the state and city wants to protect important agricultural lands then they should provide incentives for people who own them. I'm currently unaware if there are any benefits for being designated IAL This property was passed down to me by my heirs (who farmed this land along with 2 acres leased from the state), and they barely got by. I saw them struggle and work hard to survive. I wanted more financial independence and sought a career. Now I'm retired and wondering if my freedom and financial security is going to be taken away from me. I hope you consider the above concerns. Until these issues can be clarified I urge the State Land Use Commission proceed with caution with their decision to accept the City's proposal because it will impact the lives of the residents that inhabit Flamingo street.

An early reply would be greatly appreciated.

Sincerely,
Russell Higa

A handwritten signature in black ink, appearing to read "Russell Higa". The signature is stylized and cursive, written over a light blue circular stamp.