

From: [DBEDT LUC](#)
To: [Quinones, Natasha A](#)
Subject: FW: [EXTERNAL] LUC - Opposing Designation
Date: Friday, May 07, 2021 3:46:53 PM

IAL

From: Dorene <dorene1950@gmail.com>
Sent: Friday, May 7, 2021 9:39 AM
To: DBEDT LUC <dbedt.luc.web@hawaii.gov>
Cc: raysr@uprightllc.com
Subject: [EXTERNAL] LUC - Opposing Designation

My name is Raynald Cooper Sr, my property address is [87-630 Kaukama Rd, Waianae, HI 96792](#), TMK: 1-8-7-018-018-0000. I strongly oppose any IAL designation upon my AG land property. Below I have detailed my informed response to proposed IAL designation.

Under Hawaii Revised Statute §205-47, the Hawaii State government through the Land Use Commission (LUC), is attempting to force agricultural lands owned by Oahu local residents into a new classification of land, Imported Agricultural Lands (“IAL”). I believe that this proposed law is unconstitutional and a wrongful taking of land. This undertaking may force Kupuna, residents, and renters from living on their land. The process executed by the City and County of Honolulu 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.

Additional deficiencies in the State and City and County process:

1. IAL may prevent future conservation easements, which has been a great vehicle to conserve land on the North Shore.
2. City and County of Honolulu did not contact landowners adequately to conduct an agricultural economic feasibility analysis on each property proposed in the map. This requirement is outlined in the LUC 15-15

admin-Rules10.19.19. Under [15-15-125](#) “B” “5” “D”
Viability of existing agribusinesses.

3. IAL is trying to limit occupancy in dwellings to “actively farming” tenants only. This could profoundly affect the cost of leases and land and will limit Kupuna and other retired farmers from living on their land.
4. Large landowners like Kamehameha Schools, Castle and Cooke, etc. have designated 51% of their lands to be IAL while preserving the other 49%. Over 1800+ small landowners have not had the proper notification, understanding, or financial resources to navigate this process due to Covid and the complexity of §205-47. These landowners will be forced to contribute 100% of their land into IAL.
5. If our agricultural land becomes IAL, landowners will have to navigate the City and County’s arduous petition processes and will be forced to deal with the State’s already overburdened Land Use Commission. This will hinder the growth of future agriculture diversification by increasing the cost of maintaining and expanding the use of agricultural land.
6. If properties were purchased within the last three years, the new owners have had no prior notice of IAL.
7. The voluntary process for IAL allows landowners to employ a thorough, on-the-ground review process to identify important agricultural lands for designation. In contrast, for example, the City's proposed IAL lands were determined through mass analysis of GIS data and include lands that are currently paved or otherwise encumbered with improvements, lands that border residential neighborhoods, have steep slopes, poor soil conditions, or are unable to support infrastructure conducive to agricultural productivity (water, power, transportation to markets, etc.).

8. Kauai, Maui, and Hawaii counties chose not to submit IAL maps and force this on their citizens.

I petition 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.

Sadly, these tactics has been used throughout the history of the United States. Manipulating laws, looking for loopholes, and garnering the support of elected officials, big money and even law enforcement. The difference between past and present is that the news of attempted land grabs are broadcast far and wide. Illegal actions like this will not go unnoticed and the collective "WE" are saying NO MORE! We hope that those involved will recognize this is a bad idea.

Regards,

Raynald Cooper SR

Property Owner: [87-630 Kaukama Rd, Waianae, HI 96792](mailto:87-630-Kaukama-Rd-Waianae-HI-96792)

Sent from my iPad