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JAMES J. NAKATANI  
Executive Director

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March 30, 2022



Mr. Daniel Orodener, Executive Officer  
State of Hawai'i Land Use Commission  
235 S. Beretania Street, Room 406  
Honolulu, HI 96813

Re: Land Use Commission Brief on Docket No. DR21-75 due March 30, 2022

Dear Mr. Orodener:

The State of Hawai'i Agribusiness Development Corporation (ADC) strongly supports the Petition for Declaratory Order to Designate Important Agricultural Lands (Petition) submitted by the Kekaha Agriculture Association (KAA) on December 2, 2021, and reiterates its support and concurrence with the KAA's Brief in Response to Commission's Letter Dated February 2, 2022 (Brief), submitted to the Land Use Commission on March 30, 2022.

ADC asserts that, based on the plain language of Executive Order No. 4007 (EO No. 4007), ADC has been given the power to control and manage the agricultural lands in Kekaha, Kaua'i, which are the subject of this Important Agricultural Lands petition. And in that capacity, ADC may consent to the petition as the de facto landowner as required by section 15-15-121(b)(1), *Hawaii Administrative Rules*. Until such time as EO No. 4007 is cancelled, or the premises or any portion of the premises subject to EO No. 4007 have been abandoned or not used for agricultural and related purposes for a continuous period of one year, or for any reason whatsoever, the Kekaha lands remain under the jurisdiction of ADC. Until that triggering event occurs, ADC has been designated by EO No. 4007 as the entity responsible for representing the State of Hawai'i in regard to the lands set aside in EO No. 4007.

The ADC Board of Directors, which is comprised in part of ex-officio members of the department of agriculture, the department of business economic development and tourism, and the department of land and natural resources, wholeheartedly supports KAA's quest for the designation of agricultural lands in Kekaha, Kaua'i, as Important Agricultural Lands. Please see the March 16, 2022 Board submittal and letter from the ADC Executive Director dated March 18, 2022, which are attached as Exhibits to the Brief.

Granting KAA's Petition will assist farmers by promoting the long-term use of these valuable agricultural lands for food production, which will go a long way toward meeting the nutritional needs of Hawai'i's people.

Sincerely,



James J. Nakatani  
Executive Director

Attachments