

RUSH MOORE LLP
A Limited Liability Law Partnership

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Attorney for Petitioner
ROBINSON KUNIA LAND LLC,
a Hawaii limited liability company

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

ROBINSON KUNIA LAND LLC,
a Hawaii limited liability company

For Declaratory Order to Designate Important
Agricultural Lands for approximately 1,239.20 acres
at Kunia, O‘ahu; TMK (1) 9-4-003-001 (por.) and -
004, (1) 9-4-004-002 (por.), -003, -004 (por.), -007,
008, -010, -011, -012, -018 and -019 (por.)

DOCKET NO. DR18-64

PETITION FOR DECLARATORY ORDER
TO DESIGNATE IMPORTANT
AGRICULTURAL LANDS;
VERIFICATION; EXHIBITS “A”-“E”;
CERTIFICATE OF SERVICE

PETITION FOR DECLARATORY ORDER TO DESIGNATE
IMPORTANT AGRICULTURAL LANDS

Petitioner ROBINSON KUNIA LAND LLC, a Hawaii limited liability company (“Petitioner”), by and through its attorneys Rush Moore LLP, respectfully petitions the Land Use Commission of the State of Hawaii (the “Commission”) to issue a declaratory order designating approximately 1,239 acres of land at Kunia, O‘ahu (the “Property”), more particularly described below, as Important Agricultural Lands (“IAL”) pursuant to §§ 205-44 and -45 of the Hawaii Revised Statutes (“HRS”) and §§ 15-15-98, -99, -120, and -121 of the Hawaii Administrative Rules (“HAR”).

I. PETITION CONTENT REQUIREMENTS

Pursuant to the formal requirements set forth in HAR § 15-15-99, Petitioner submits the following:

A. Name, Address, and Telephone Number of Petitioner

Petitioner is Robinson Kunia Land LLC, a Hawaii limited liability company. Petitioner's address is 1100 Alakea Street, Suite 600, Honolulu, Hawaii 96813. Petitioner's telephone number is (808) 440-2730. As permitted by HAR § 15-15-35(b), Rush Moore LLP, A Limited Liability Law Partnership, represents Petitioner in this matter and all mailings and communications regarding this Petition may be served upon Stephen K.C. Mau at Rush Moore, LLP, 737 Bishop Street Suite 2400, Honolulu, Hawaii 96813.

B. Statement of Petitioner's Interest in the Subject Matter and Reason for the Submission

Petitioner is the fee simple owner of fourteen (14) contiguous parcels of land in Kunia, Oahu, identified by Tax Map Keys (1) 9-2-001-002, 9-4-002-052, 9-4-003-001, 9-4-003-004, 9-4-004-002, -003, -004, -007, -008, -010, -011, -012, -018, and -019, and three (3) parcels of land in Mililani, Oahu, identified by Tax Map Keys (1) 9-4-003-003, 9-4-110-057 and -058 (collectively, "Petitioner's Land"). This is shown on the map attached as **Exhibit "A"** and consists of approximately 2,440.35 acres.

The Property sought to be designated IAL is a portion of Petitioner's Land, consisting of approximately 1239 acres, which is approximately 50.8 % of Petitioner's Land.

The Property is actively used by Petitioner for agricultural purposes. Petitioner submits this Petition to obtain a declaratory order designating the Property as IAL. Such designation is appropriate under the applicable constitutional, statutory, and regulatory frameworks. Petitioner as the owner of the Property, desires IAL designation to secure the

Property's agricultural use in the future and to enable Petitioner to take advantage of incentives offered now or in the future in connection with its ownership and use of IAL.

C. Designation of Specific Statutory Provision, Rule, or Order in Question

This Petition is made pursuant to HRS §§ 205-44 and -45, and HAR §§ 15-15-98, -99, -120 and -121. The relevant facts in connection with the Petition are set forth herein, and in the Exhibits attached hereto. The issue to be decided is whether the Property meets the criteria to be designated IAL under the authorities cited above.

D. Statement of Petitioner's Position or Contention

Petitioner's position is that the Property may properly be designated IAL under HRS § 205-44 and HAR § 15-15-120. The Commission should issue a declaratory order designating the Property as IAL in accordance with HRS § 205-45 and HAR § 15-15-121.

E. Memorandum of Authorities, Containing a Full Description of Reasons and Legal Authorities in Support of Petitioner's Position

The generally applicable formal requirements for a petition for a declaratory order are set forth in HAR § 15-15-99 and HRS § 205-45(c), and are addressed in sections I/A through I/D and sections I/F through I/H of this Petition.

The specific requirements for a petition for declaratory order designating land as IAL are set forth in HAR § 15-15-121(b), and are addressed as follows:

1. Tax Map Keys of the land to be designated, and verification and authorization from the landowner

The Property consists of Tax Map Keys (1) 9-4-003-001 (por.) and -004, (1) 9-4-004-002 (por.), -003, -004 (por.), -007, -008, -010, -011, -012, -018 and -019 (por.), as more particularly depicted on the map attached to this Petition as **Exhibit "A."** The table below shows the approximate area of each parcel of Petitioner's Land, the area of each parcel proposed to be

designated IAL, and the area of each parcel that is not proposed to be designated IAL at this time:

Tax Map Key Parcel No.	Total Acres (Land)	IAL Acres (Property)	Non-IAL Acres (Remainder Land)
9-2-1:2	1.27	0	1.27
9-4-2:52*	161.02	0	161.02
9-4-3:1	881.68	448.12	433.56
9-4-3:3	39.59	0	39.59
9-4-3:4	7.98	7.98	0
9-4-4:2	14.83	6.49	8.34
9-4-4:3	4.00	4.00	0
9-4-4:4	564.68	54.66	510.02
9-4-4:7	14.45	14.45	0
9-4-4:8	1.15	1.15	0
9-4-4:10	106.00	106.00	0
9-4-4:11	46.00	46.00	0
9-4-4:12	535.00	535.00	0
9-4-4:18	2.22	2.22	0
9-4-4:19	60.02	13.13	46.89
9-4-110:57	0.42	0	0.42
9-4-110:58	0.04	0	0.04
Total	2,440.35	1,239.20	1,201.15
Percentage of Total	100%	50.8%	49.2%

* Note: TMK: 9-4-2:52 is in the State Urban District. Remaining Land is in State Agricultural District.
Source: City and County of Honolulu, Real Property Assessment Division

A letter from Title Guaranty of Hawaii, Inc. confirming fee simple ownership of the Property by the Petitioner, is attached hereto as **Exhibit “B.”** A letter authorizing the firm of Rush Moore LLP to file and process this Petition on Petitioner’s behalf is attached hereto as **Exhibit “C.”**

2. Proof of qualification for designation as IAL under HAR § 15-15-120

The standards and criteria for designating land as IAL are set forth in HRS § 205-44(c) and HAR § 15-15-120(c). Not every standard and criterion must be met in light of the constitutional and statutory purposes, objectives, and policies. Lands meeting any of the criteria set forth in HRS § 205-44(c) shall be given initial consideration. The IAL designation is to be

made “by weighing the standards and criteria with each other to meet the constitutionally mandated purposes in article XI, section 3, of the Hawaii constitution and the objectives and policies for important agricultural lands in sections 205-42 and 205-43.” See HRS § 205-42(a).

As set forth below and in the Agricultural Land Assessment for Robinson Kunia Land LLC’s Proposed Important Agricultural Land, attached hereto as **Exhibit “D”** (the “Assessment”), the Property satisfies substantially all of the standards and criteria for designation as IAL.

a. Whether the land is currently used for agricultural production

CURRENT AGRICULTURAL USE

All of the Property is in agricultural use or uses accessory or supportive of agriculture. As noted in the Assessment, approximately 686.11 acres, or 55.4 percent of the Property, is in active crop production with crops planted on the Property including but not limited to bananas, corn, tomatoes, bell peppers, won bok, and watermelon. Approximately 209.84 acres (16.9 percent) of the Property are utilized for pasture use with approximately 50 head of cattle currently utilizing the pasture lands.

The balance of the Property (approximately 343.25 acres, or 27.7 percent) consists of agricultural support (such as portions of the Waiāhole Ditch, water reservoir, vegetable processing, equipment storage), soil conservation measures, and gulch land. As set forth in the Assessment, all of this area is important to, and used in relation to, the agricultural uses on the Property.

PRIOR LAND USE

The Property has historically been in sugar cane or pineapple cultivation. In 1897, the O‘ahu Sugar Company established the sugar plantation on the dry, southwestern side

of O‘ahu. The Waiāhole Ditch System was constructed to transport surface water from the windward side of the Ko‘olau Range and a portion of the Waiāhole Ditch extends through the central portion of the Property. Prior to 1967, the area of the Property north of the Waiāhole Ditch was cultivated in pineapple by Libby, McNeill & Libby. After 1967, the Property was used for sugar cane cultivation. After O‘ahu Sugar Company operations ceased in 1995, Waikele Farms has been utilizing the Property for vegetable production.

b. Whether the land has soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops

The Detailed Land Classification System and Agricultural Land Productivity Ratings by the Land Study Bureau (“LSB”), University of Hawai‘i, are based on a five-class productivity rating system using the letters A, B, C, D, and E, with A representing the class of highest productivity and E the lowest. As shown in Figure 4 in the Assessment (at page 8), approximately 56.2 percent of the Property is rated A or B; approximately 50.0 percent is rated A, and approximately 6.2 percent is rated B. The remaining approximately 43.8 percent of the Property is rated C, D, E or Unclassified.

The soil productivity ratings on the Property are high, and the area has been and continues to be used for active agriculture. Table 3 in the Assessment (at page 7) summarizes the LSB productivity rating of the Property.

c. Whether the land is identified under agricultural productivity rating systems, such as the Agricultural Lands of Importance to the State of Hawaii (ALISH) system adopted by the Board of Agriculture on January 28, 1977

The Agricultural Lands of Importance to the State of Hawaii (ALISH) classification system was developed in 1977 by the State Department of Agriculture. The system

was primarily, but not exclusively, based on the soil characteristics of lands and existing cultivation. There are three classes of land under the ALISH system: Prime, Unique, and Other.

Prime ALISH is land best suited to the production of food, feed, forage, and fiber crops. The land has the soil quality, growing season, and moisture supply that are needed to produce high yields of crops in an economic manner when the land, including water resources, is treated and managed according to modern farming methods.

Unique ALISH is land other than Prime ALISH that is used for the production of specific high-value food crops. This land classification has the special combination of soil quality, growing season, temperature, humidity, sunlight, air drainage, elevation, aspect, moisture supply, or other such conditions as nearness to market, that favor the production of a specific crop of high quality and/or high yield when the land is treated and managed according to modern farming methods. In Hawaii, some examples of crops grown on Unique ALISH land are coffee, taro, rice, watercress, and non-irrigated pineapple.

Other ALISH is land other than Prime or Unique ALISH that is of state-wide or local importance for the production of food, feed, fiber, and forage crops. This land is important to agriculture in Hawaii, and yet it exhibits properties (such as seasonal wetness, erodibility, limited rooting zone, slope, flooding, or drought) that exclude the land from Prime or Unique agricultural land use classifications. Two examples are: (i) lands which do not have an adequate moisture supply to be qualified as Prime; and (ii) lands which have similar characteristics and properties as Unique, except that the land is not currently in use for the production of a “unique” crop. These Other lands can be farmed sufficiently by applying greater amounts of fertilizer and other soil amendments, drainage improvement, erosion control practices, and flood protection. Other ALISH land can produce fair to good crop yields when managed properly.

As shown in Table 4 and in Figure 5 in the Assessment (at pages 9 and 10), approximately 63.3 percent of the Property is classified under the ALISH system: 61.7 percent is classified as Prime, 0.3 percent is classified as Unique, and 1.3 percent is classified as Other:

Table 4: ALISH Classifications of Property

LSB Productivity Rating	Acres	Percent
Prime	764.06	61.7%
Unique	4.09	0.3%
Other	15.86	1.3%
Unclassified	455.19	36.7%
Total	1,239.20	100%

Source: Hawai'i State Department of Agriculture

The balance of the Property is not classified under the ALISH system but includes essential elements for active agricultural operations, such as gulches, streams and drainageways, water system infrastructure, roadways, and areas for soil conservation.

d. Whether the land has been or is a type that has been associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production

Based on available information, the Property has historically been in sugar cane or pineapple cultivation. Since O'ahu Sugar Company operations ceased in 1995, the Property has been utilized for vegetable production, including but not limited to bananas, corn, tomatoes, bell peppers, won bok, and watermelon.

e. Whether the land has sufficient quantities of water to support viable agricultural production

The Property has sufficient quantities of water, water-related infrastructure, and other agricultural-related infrastructure to support viable production, as summarized in the Assessment. Figure 7 of the Assessment (at page 12) shows the water resources and agricultural support facilities on the Property.

Petitioner is permitted to withdraw Waiāhole Ditch water pursuant to Ground Water Use Permit No. 804, issued by the Commission on Water Resources Management (CWRM), State of Hawai‘i, on February 22, 2007. The permit allows the withdrawal of 2.39 million gallons per day (MGD) of water on a 12-month moving average for the land.

The Robinson No. 1 well (Well No. 2602-03) is located just north of the Waiāhole Ditch to the east of Poliwai Gulch. The permit, dated June 21, 2007, allows the withdrawal of 100,000 gallons per day of water for agricultural use. The well was completed in April 2011. Waikele Well No. 2 was approved by the CWRM on January 5, 2017 for TMK: 9-4-012:002, which is adjacent to the Property. A withdrawal of 609,000 gallons per day of water on a 12-month moving average is approved.

A water reservoir is located near the northern portion of the Property (TMK: 9-4-4:7). There is another water reservoir adjacent to Kunia Road (TMK: 9-4-4:4) which is outside of the proposed IAL area.

In addition to water from the Waiāhole Ditch system and the wells, the property receives a mean annual rainfall of approximately 30 to 35 inches annually.

f. Whether the land’s designation as important agricultural lands is consistent with general, development, and community plans of the county

Designation of the Property as IAL is consistent with State and County plans and classifications, as discussed below.

State Land Use District

All of the Property is within the State Agricultural Land Use District. See Assessment, Figure 8 (at page 14). HRS § 205-2(d) specifies that lands within the State Agricultural District shall include (among other things): 1) activities or uses as characterized by

the cultivation of crops, crops for bioenergy, orchards, forage, and forestry; and 2) farming activities or uses related to animal husbandry and game and fish propagation. Current and planned uses on the Property are consistent with these uses.

County General Plan

The General Plan for the City and County of Honolulu (2002) (“General Plan”) is a comprehensive statement of objectives and policies which sets forth the long-range aspirations of O‘ahu’s residents and the strategies of actions to achieve them. The General Plan includes 11 subject areas that provide the framework for the City’s expression of public policy concerning the needs of the people and the functions of government.

Under the “Economic Activity” section of the General Plan is an objective and several policies to maintain the viability of agriculture on O‘ahu. As discussed in the Assessment (at page 13), the designation of the Property as IAL is consistent with this objective and these policies, in that the designation of the Property as IAL will: 1) contribute toward the continuation of agriculture as an important source of income and employment; 2) help to ensure sufficient agricultural land in ‘Ewa and Central O‘ahu to encourage the continuation of agriculture in these areas; and 3) encourage more intensive use of productive agricultural land.

As of September 2018, the City and County of Honolulu is in the process of updating the General Plan. In March 2017, the City and County of Honolulu’s Department of Planning and Permitting (DPP) presented the Second Public Review Draft of the General Plan (“Draft General Plan”). DPP then made revisions based on comments received to a final draft which was presented to the Planning Commission for review in March 2018. The Draft General Plan is currently at the City Council. The Draft General Plan includes an objective and several policies to ensure the long-term viability and continued productivity of agriculture on O‘ahu. The

designation of the Property as IAL is consistent with this objective and these policies in that the designation of the Property as IAL will: 1) help to ensure the continuation of agriculture as an important component of O‘ahu’s economy; 2) encourage active use of high quality agricultural land for agricultural purposes; 3) preserve agricultural land with high productivity potential for agricultural production; 4) contribute toward lessening the urbanization of high-value agricultural land located outside the City’s growth boundaries; and 5) encourage investment to improve and expand agricultural infrastructure, such as irrigation systems, agricultural processing centers, and distribution networks.

County Community Plans

The City and County of Honolulu’s Development Plans and Sustainable Communities Plan are policy documents intended to guide the County’s land use approvals, infrastructure improvements, and private sector investment decisions for the enhancement and improvement of life on O‘ahu. The Island of O‘ahu is organized into eight regions. The Property is located within the Central O‘ahu Sustainable Communities Plan (Central O‘ahu SCP) region, with the ‘Ewa Development Plan (‘Ewa DP) region located to the southwest.

The City and County of Honolulu is currently in the process of updating the 2002 Central O‘ahu SCP. In the Central O‘ahu SCP Proposed Revised Plan (2016), the maps continue to designate the area of the Property that is within the Central O‘ahu SCP area as “Agricultural Areas” and “Preservation Areas.” The Assessment, Figure 10 (at page 17) , shows the Central O‘ahu SCP Proposed Revised Plan (2016) and ‘Ewa DP (2013) land use maps. The designation of the Property as IAL would support both the 2002 SCP and the 2016 SCP Proposed Revised Plan’s policy of preservation of “prime and unique agricultural lands for use in diversified

agriculture...” It will also support the current and proposed plan policies of: 1) retaining natural gulches and drainageways; and 2) protecting greenways and open space.

County Zoning

The Property is zoned AG-1 Restricted Agricultural District (AG-1) (Assessment Figure 11 at page 19). Revised Ordinances of Honolulu (ROH) Section 21-3.50(b), provides that the intent of the AG-1 District is to “conserve and protect important agricultural lands for the performance of agricultural functions by permitting only those uses which perpetuate the retention of these lands in the production of food, feed, forage, fiber crops, and horticultural plants.” Current and future uses of the Property are consistent with this intent.

City and County of Honolulu Important Agricultural Lands Study

In July 2012, the City and County of Honolulu Department of Planning and Permitting (“DPP”) initiated the City’s Important Agricultural Land Study (“Study”) to identify the City’s candidate lands for IAL designation. The Study consists of two phases.

DPP completed Phase I in April 2014 and began Phase II of the Study after that with public meetings held as recently as November 2017. In Phase II, DPP has produced draft maps of proposed IAL lands on O’ahu based on the City’s top three priority criteria: (i) land currently used for agricultural production, (ii) land with soil qualities and growing conditions suitable for agricultural production, and (iii) land with sufficient quantities of water to support viable agricultural production.

Land possessing at least one of these three priority criteria has been included in the City’s proposed designation as IAL. A map of the Property in relation to the City’s proposed IAL lands is included in the Assessment as Figure 12 (at page 20), which shows that the designation of the Property as IAL is consistent with the City’s proposed IAL lands.

g. Whether the land contributes to maintaining a critical land mass important to agricultural operating productivity

Petitioner seeks to designate as IAL approximately 1239 acres of contiguous land, which in and of itself contributes to maintaining a critical land mass important for agricultural productivity.

h. Whether the land has, or is near, support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power

In addition to the water resources infrastructure, the Property contains agricultural roads between and within fields, and has access to Kunia Road which is capable of supporting farming equipment and direct road transportation to/from markets. The Property also has fences, gates, berms and windbreaks to improve agricultural productivity and protect the environment.

3. Current or planned agricultural use of the area to be designated

As more fully described in section I.E.2.a. above, the Property is in agricultural use or uses accessory to or supportive of agriculture. As noted in the Assessment (at page 4), approximately 686.11 acres, or 55.4 percent of the Property, is in active crop production with crops planted on the Property including but not limited to bananas, corn, tomatoes, bell peppers, won bok, and watermelon. Approximately 209.84 acres (16.9 percent) of the Property are utilized for pasture use with approximately 50 head of cattle currently utilizing the pasture lands.

F. Names of any Other Potential Parties

Petitioner expects that the State of Hawaii Department of Agriculture, the State of Hawaii Office of Planning, and the Department of Planning and Permitting of the City and County of Honolulu may participate in these proceedings.

No other potential parties have been identified. However, the property is being utilized for vegetable production by Waikele Farms, 94-877 Kunia Road, Kunia, Hawaii 96759.

No consulted parties reported any traditional Hawaiian archaeological sites or ongoing cultural practices on or near the Property. See Exhibit “E” (Letter dated September 24, 2018 from International Archaeology, LLC).

G. Signature of Each Petitioner

Counsel for Petitioner has, with Petitioner’s authorization, signed this Petition on Petitioner’s behalf.

H. Whether the Petition Relates to any Commission Docket for District Boundary Amendment or Special Permit

The Petition is not related to any Commission Docket for district boundary amendment or special permit.

II. WAIVER OF IAL INCENTIVE CREDITS

HRS § 205-45(b) provides that a petitioner for designation of IAL may also seek reclassification of land in the agricultural district to the rural, urban, or conservation district, or a combination thereof. Petitioner is not seeking such reclassification.

Furthermore, Petitioner hereby voluntarily waives its right to claim or exercise any “credits” provided for under HRS § 205-45(h) to reclassify any other of Petitioner’s lands. The foregoing waiver is limited to the aforesaid credits, and shall not apply to any other right, credit, entitlement, or privilege held now or in the future with respect to any of Petitioner’s property.

III. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Commission (1) find that this Petition meets the applicable standards for a petition for declaratory order to designate lands as IAL, and (2) designate the Property as IAL.

DATED: Honolulu, Hawaii, November 28, 2018.

A handwritten signature in black ink, appearing to read 'S. K. Mau', written over a horizontal line.

STEPHEN K.C. MAU
Attorney for Petitioner
ROBINSON KUNIA LAND LLC,
a Hawaii limited liability company

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

ROBINSON KUNIA LAND LLC,
a Hawaii limited liability company

DOCKET NO. DR18-64
VERIFICATION

For Declaratory Order to Designate Important
Agricultural Lands for approximately 1,239.20 acres
at Kunia, O'ahu; TMK (1) 9-4-003-001 (por.) and -
004, (1) 9-4-004-002 (por.), -003, -004 (por.), -007,
008, -010, -011, -012, -018 and -019 (por.)

VERIFICATION

William Rhett Taber, being first duly sworn on oath, deposes and says that he is a trustee of the Mark A. Robinson Testamentary Trust, one of the managers for Robinson Kunia Land LLC, a Hawaii limited liability company, and, as such, is authorized to make this verification on behalf of Robinson Kunia Land LLC, and that he has read the foregoing Petition for Declaratory Order to Designate Important Agricultural Lands and knows the contents thereof, and that the same is true to the best of his knowledge, information, and belief.

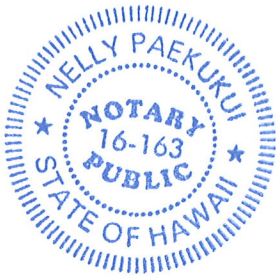
DATED: Honolulu, Hawaii, November 27, 2018.



William Rhett Taber

STATE OF HAWAII)
) SS:
CITY AND COUNTY OF HONOLULU)

On this 27th day of November, 2018, in the First Circuit of the State of Hawaii, before me personally appeared WILLIAM RHETT TABER, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed this 2-page Verification dated November 27, 2018, as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Nelly Paekukui

Notary Public, State of Hawaii

Printed name: _____ NELLY PAEKUKUI _____

My commission expires: 05/15/2020

**Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land**

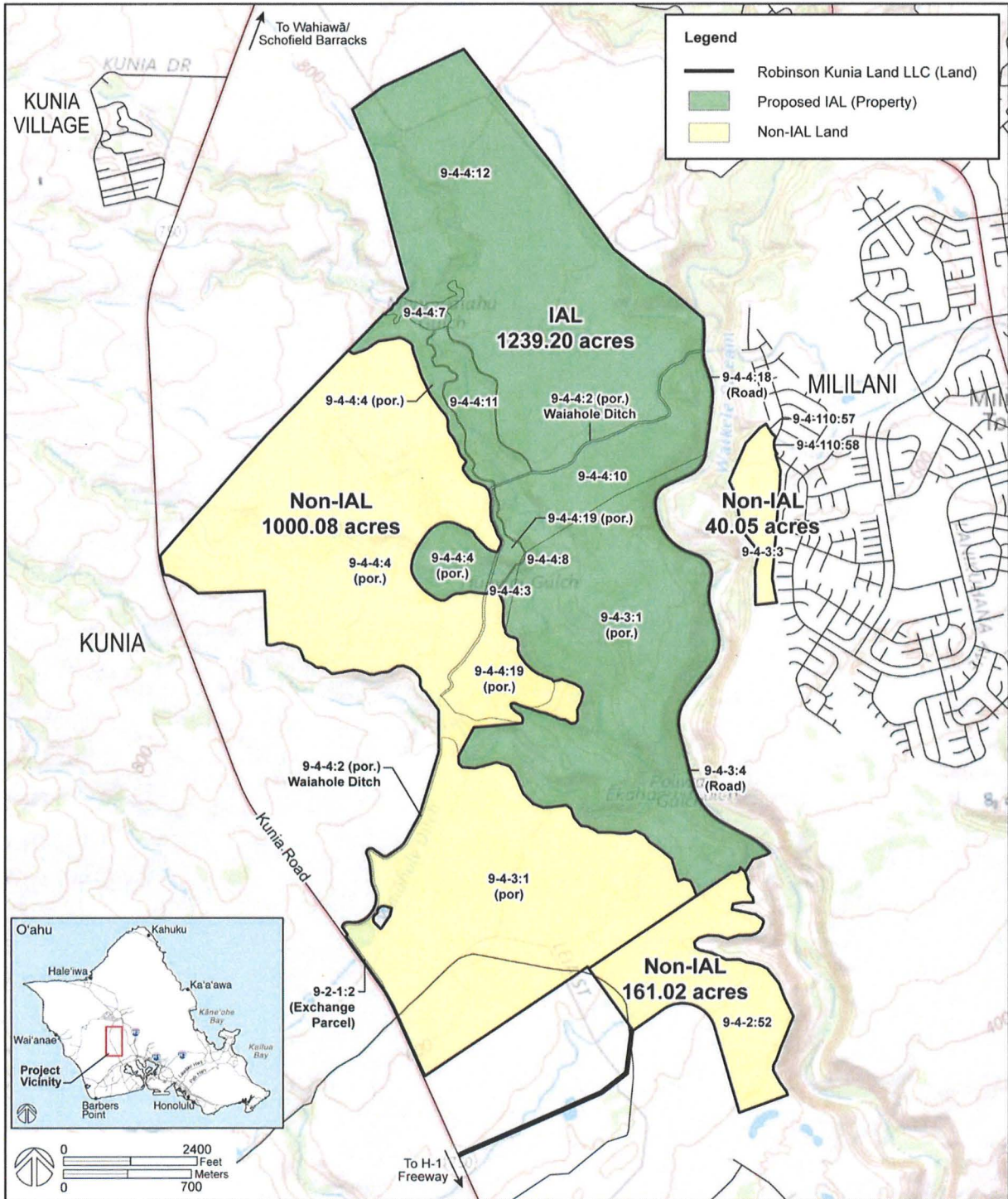


Figure 1: TMK Parcels and IAL Lands
Robinson Kunia Land LLC | Kunia, O'ahu



TITLE GUARANTY OF HAWAII, INC.

Established in 1896

September 24, 2018

Stephen Mau
Rush Moore LLP
737 Bishop Street - Mauka Tower 2400
Honolulu, HI 96813

RE: Robinson Kunia Land LLC
TG Order No. 201846400

Limited Letter Report Maximum Liability \$3500

Dear Mr. Mau:

We have made a careful search of the indices filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii and recorded in the Bureau of Conveyances of the State of Hawaii, and find that the properties in the attached Exhibit A are owned by ROBINSON KUNIA LAND LLC, a Hawaii limited liability company.

Our search is to the hour of 8:00 A.M. on September 17, 2018.

Questions regarding this letter
should be directed to
Lisa Goo
Phone: (808) 521-0297
[Mailto:lgoo@tghawaii.com](mailto:lgoo@tghawaii.com)

EXHIBIT "B"

EXHIBIT "A"

1. Tax Map Key (1) 9-2-001-002

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, State of Hawaii, described as follows:

LOT 2495, area 1.267 acres, more or less, as shown on Map 228, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, deceased.

Being the land described in Transfer Certificate of Title No. 892,819 issued to ROBINSON KUNIA LAND LLC, a Hawaii limited liability company, as to an undivided 0.998861628 interest, and BANK OF HAWAII, as Trustee under Paragraph "Fifth" of the Will of Clarence Scott McWayne, deceased, as to an undivided 0.001138372 interest.

Note: The interest of BANK OF HAWAII, TRUSTEE, a Hawaii corporation under Paragraph Fifth of the Will of Clarence Scott Mc Wayne should be removed from the TCT.

This entity started out with 0.002276745 interest on TCT 427,778. By Deed filed as Land Court Document No. 2096944, 0.01138373 interest was conveyance to the Mark Alexander Robinson Trust, leaving a remaining 0.001138372 interest in the property.

Then by the Deed filed as Land Court Document No. 2096945, the remaining 0.001138372 interest was conveyed to the Mark Alexander Robinson and Mary K. Hart Robinson Trust.

The subsequent TCTs through this current TCT 892,819 carried this interest forward under Bank of Hawaii, Trustee under Paragraph Fifth of the Will of Clarence Scott McWayne, when it should have been added to the interest of the Mark Alexander Robinson and Mary K. Hart Robinson Trust – the full interest of which was conveyed to Robinson Kunia Land LLC by Document No. 3289497.

We are awaiting confirmation from the Assistant Registrar of the Land Court, State of Hawaii as to the vesting shown on TCT 892,819.

2. Tax Map Key (1) 9-4-110-057

All of that certain parcel of land situate at Waipio, District of Ewa, City & County of Honolulu, State of Hawaii described as follows:

LOT 8406, area 18,099 square feet, more or less, as shown on Map 531, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1000 of John li Estate, Limited.

Being a portion of the land described in Transfer Certificate of Title No. 892,820 issued to ROBINSON KUNIA LAND LLC, a Hawaii limited liability company.

3. Tax Map Key (1) 9-4-110-058

All of that certain parcel of land situate at Waipio, District of Ewa, City & County of Honolulu, State of Hawaii described as follows:

LOT 8407, area 1,742 square feet, more or less, as shown on Map 531, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1000 of John li Estate, Limited.

Being a portion of the land described in Transfer Certificate of Title No. 892,820 issued to ROBINSON KUNIA LAND LLC, a Hawaii limited liability company.

4. Tax Map Key (1) 9-4-002-052

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent 4486, Apana 1, Mahele Award 4 to Luluhiwalani and Royal Patent 4490, Land Commission Award 10747, Apana 9 to N. Namauu) situate, lying and being at Hoaeae and Waikele, Ewa, Oahu, State of Hawaii, being LOT B, bearing Tax Key designation (1) 9-4-002-052, and containing an area of 161.023 acres, more or less.

5. Tax Map Key (1) 9-4-003-001

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namauu and Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, being a portion of LOT C, containing an area of 881.685 acres, more or less, which portion is identified as "unpartitioned lands", which Lot C is a consolidation of Lot 2 of Royal Kunia Phase II Increment 1 (File Plan 2154) and Lot 2 of Kunia 665 Reservoir (File Plan 2147) and Resubdivision of said consolidation.

6. Tax Map Key (1) 9-4-003-003

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Numbers 4370 and 4372, Land Commission Award Number 7260, Apana 5 to B. Namakehal situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-003-003, and containing an area of 39.590 acres, more or less.

7. Tax Map Key (1) 9-4-003-004

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4486, Mahele Award 4, Apana 1 to Luluhiwalani) situate, lying and being at Lower Pouhala, Waikele, District of Ewa, City and County of Honolulu, State of Hawaii, being a strip of land forty (40) feet wide bearing Tax Key designation (1) 9-4-003-004, and containing an area of 7.981 acres, more or less.

8. Tax Map Key (1) 9-4-004-002

All of that certain parcel of land (being portions) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namauu) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-002, and containing an area of 14.827 acres, more or less.

9. Tax Map Key (1) 9-4-004-003

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namauu) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-003, and containing an area of 4.0 acres, more or less.

10. Tax Map Key (1) 9-4-004-004

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land commission Award Number 10474, Apana 9 to N. Namauu and Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-004, and containing an area of 564.683 acres, more or less.

11. Tax Map Key (1) 9-4-004-007

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-007, and containing an area of 14.45 acres, more or less.

12. Tax Map Key (1) 9-4-004-008

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-008, and containing an area of 1.15 acres, more or less.

13. Tax Map Key (1) 9-4-004-010

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namauu and Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-010, and containing an area of 106.0 acres, more or less.

14. Tax Map Key (1) 9-4-004-011

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namauu and Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-011, and containing an area of 46.0 acres, more or less.

15. Tax Map Key (1) 9-4-004-012

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namauu and Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-012, and containing an area of 535.0 acres, more or less.

16. Tax Map Key (1) 9-4-004-018

All of that certain parcel of land (being portion of the land(s) described in and covered by Royal Patent Number 4486, Apana 1, Mahele Award 4 to Luluhiwalani) situate, lying and being at Pouhala, Waikele, Ewa, City and County of Honolulu, State of Hawaii, being PARCEL 18, same being a portion of former Oahu Railway and Land Company's Forty-Foot Railroad Right-of-Way (Wahiawa-Waikele Branch), and thus bounded and described:

Beginning at the northeast corner of this parcel of land, on the southerly boundary of Presidential Executive Order Number 2800 dated February 4, 1918, the direct azimuth and distance from United States Military Reservation Monument Number 84 being 130° 16' 37" 864.58 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIPIO UKA" being 1,062.39 feet north and 7,275.05 feet west, and running by azimuths measured clockwise from true south:

Along United States Military Reservation (Civil 738), on a curve to the right with a radius of 2,884.93 feet, the chord azimuth and distance being:

- | | | | | | |
|----|------|-----|-----|--------|---|
| 1. | 359° | 15' | 06" | 370.50 | feet; |
| 2. | 2° | 56' | | 198.70 | feet along United States Military Reservation (Civil 738); |
| | | | | | thence along United States Military Reservation (Civil 738), on a curve to the left with a radius of 696.34 feet, the chord azimuth and distance being: |
| 3. | 351° | 36' | | 273.68 | feet; |
| 4. | 340° | 16' | | 166.41 | feet along United States Military Reservation (Civil 738); |
| | | | | | thence along United States Military Reservation (Civil 738), on a curve to the right with a radius of 1,166.28 feet, the chord azimuth and distance being: |
| 5. | 353° | 52' | 30" | 548.81 | feet; |
| 6. | 7° | 29' | | 820.10 | feet along United States Military Reservation (Civil 738); |
| 7. | 64° | 45' | | 47.55 | feet along remainder of Mahele Award 4 to Luluhiwalani crossing the former Oahu Railway and Land Company's forty-foot railroad right-of-way (Wahiawa-Waikele Branch); |
| 8. | 187° | 29' | | 845.81 | feet thence along remainder of Mahele Award 4 to Luluhiwalani; |

					thence along remainder of Mahele Award 4 to Luluhiwalani, on a curve to the left with a radius of 1,126.28 feet, the chord azimuth and distance being:
9.	173°	52'	30"	529.99	feet;
10.	160°	16'		166.41	feet along remainder of Mahele Award 4 to Luluhiwalani;
					thence along remainder of Mahele Award 4 to Luluhiwalani, on a curve to the right with a radius of 736.34 feet, the chord azimuth and distance being:
11.	171°	36'		289.41	feet;
12.	182°	56'		198.70	feet along remainder of Mahele Award 4 to Luluhiwalani;
					thence along remainder of Mahele Award 4 to Luluhiwalani, on a curve to the left with a radius of 2,844.93 feet, the chord azimuth and distance being:
13.	178°	51'		405.13	feet;
14.	310°	16'	37"	56.67	feet along Presidential Executive Order Number 2800 dated February 4, 1918 to the point of beginning and containing an area of 2.217 acres, more or less.

17. Tax Map Key (1) 9-4-004-019

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 4490, Land Commission Award Number 10474, Apana 9 to N. Namahu and Royal Patent Number 4486, Apana 1, Mahele Award Number 4 to Luluhiwalani) situate, lying and being at Waikele and Hoaeae, District of Ewa, City and County of Honolulu, State of Hawaii, bearing Tax Key designation (1) 9-4-004-019, and containing an area of 60.020 acres, more or less.

EXHIBIT "C"

LANDOWNER LETTER OF AUTHORIZATION

Tax Map Key Nos: (1) 9-4-003-001 (por.) and -004,
(1) 9-4-004-002 (por.), -003, -004 (por.), -007, -008,
-010, -011, -012, -018 and -019 (por.)

Robinson Kunia Land LLC, a Hawaii limited liability company ("Petitioner") is the fee simple owner of that certain real property identified above.

Petitioner hereby authorizes STEPHEN K. C. MAU, CHERYL A. NAKAMURA and the law firm of RUSH MOORE LLP A LIMITED LIABILITY LAW PARTNERSHIP to prepare and process a Petition to the State of Hawaii Land Use Commission for Declaratory Order to Designate Important Agricultural Lands, and to take such other actions as may be reasonably necessary in furtherance thereof.

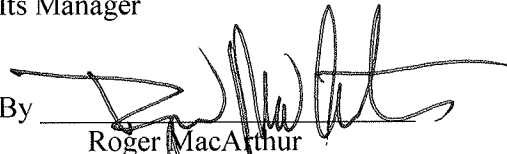
Any manager or trustee of the any managers of the Robinson Kunia Land LLC is authorized to verify on behalf of Robinson Kunia Land LLC that the Petition for Declaratory Order to Designate Important Agricultural Lands submitted to the Land Use Commission, State of Hawaii is true to the best of his or her knowledge, information and belief.

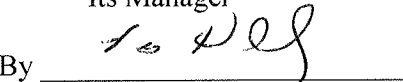
This authorization may be delivered by electronic or facsimile reproduction.

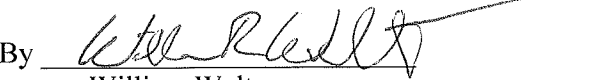
DATED: Honolulu, Hawaii, November 27, 2018.

ROBINSON KUNIA LAND, LLC,
a Hawaii limited liability company


By CAROLINE J. ROBINSON LLC
Its Manager

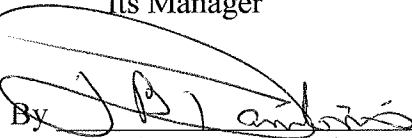
By 
Roger MacArthur
Its Manager


By 
Patricia Kehau Wall
Its Manager

By 
William Walter
Its Manager

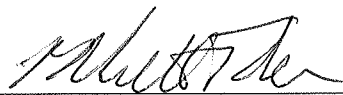
By J. L. P. ROBINSON LLC
Its Manager

By 
John Morgan
Its Manager

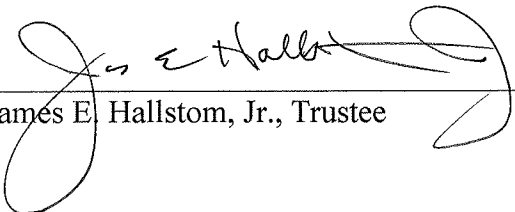
By 
John B. Tamulonis
Its Manager

By 
Dianne E. Robinson
Its Manager

TRUSTEES UNDER THE WILL AND OF
THE ESTATE OF MARK ALEXANDER
ROBINSON, DECEASED
Its Manager


William Rhett Taber, Trustee


Alan Zawtock, Trustee


James E. Hallstom, Jr., Trustee

Agricultural Land Assessment
For
Robinson Kunia Land LLC's
Proposed Important Agricultural Land
Island of O'ahu

Prepared for:

Robinson Kunia Land LLC

Prepared by:

HHF Planners

September 30, 2018

Amended November 27, 2018

EXHIBIT "D"

Agricultural Land Assessment for Robinson Kunia Land LLC’s
Proposed Important Agricultural Land

Table of Contents

	Page
1. Introduction/Purpose	1
2. Agricultural Use History	4
3. Current and Future Agricultural Operations.....	4
4. Agricultural Soils Productivity Ratings	7
5. Agricultural Lands of Importance to the State of Hawai’i (ALISH).....	7
6. Solar Radiation	9
7. Water Resources and Agricultural Infrastructure.....	9
8. State Land Use District Boundaries	13
9. General Plan for the City and County of Honolulu	13
10. City and County of Honolulu: Central O’ahu Sustainable Communities Plan and ‘Ewa Development Plan	15
11. City and County of Honolulu Zoning	18
12. City and County of Honolulu Important Agricultural Lands Study	18
13. References	21

List of Figures

	Page
Figure 1 TMK Parcels and IAL Lands.....	3
Figure 2 Agricultural Areas	5
Figure 3 Topography and Streams	6
Figure 4 Land Study Bureau (LSB).....	8
Figure 5 Agricultural Lands of Importance to the State of Hawai’i (ALISH)	10
Figure 6 Solar Radiation	11
Figure 7 Water Resources and Agricultural Infrastructure	12
Figure 8 State Land Use Districts	14
Figure 9 Central O’ahu Sustainable Community Plan (2002) and ‘Ewa Development Plan (2013)	16
Figure 10 Central O’ahu Sustainable Community Plan (2016) and ‘Ewa Development Plan (2013)	17
Figure 11 City and County of Honolulu Zoning	19
Figure 12 City and County of Honolulu Important Agricultural Lands Overlay	20

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

List of Tables

	Page
Table 1 Robinson Kunia Land LLC TMKs and Proposed IAL Areas.....	1
Table 2 Agricultural Uses	4
Table 3 Land Study Bureau Ratings of Property	7
Table 4 ALISH Classifications of Property.....	9

Agricultural Land Assessment for Robinson Kunia Land LLC’s
Proposed Important Agricultural Land

1. Introduction/Purpose

This Agricultural Lands Assessment: 1) is prepared in support of a Petition for Declaratory Order to Designate Important Agricultural Lands (IAL) for land on Oahu owned by Robinson Kunia Land LLC and; 2) provides an overview of various agricultural land and other characteristics of the land that Robinson Kunia Land LLC proposes to designate as IAL.

1.1 Robinson Kunia Land LLC’s O’ahu Land and Proposed IAL Designation

Robinson Kunia Land LLC owns approximately 2,279.33 acres of land in the State Agricultural District on O’ahu. The subject property is located on two non-contiguous areas between portions of Kunia Road and Mililani Town. A 2,239.28-acre portion is separated from a 40.05-acre portion of Robinson Kunia Land LLC’s land by a portion of Waikakalaua Gulch owned by other landowners. Robinson Kunia Land LLC also owns an abutting 161.02-acre parcel located to the south of the foregoing properties which is in the State Urban District.

Throughout this report the term:

- “Robinson Kunia Land LLC” refers to the entity that owns the land.
- “Land” refers to Robinson Kunia Land LLC’s land within the State Agricultural District and Urban District as described above.
- “Property” refers to the land Robinson Kunia Land LLC proposes to designate as IAL.
- “Remainder Land” refers to Robinson Kunia Land LLC’s land that it is not proposing to designate as IAL.

Robinson Kunia Land LLC proposes to designate approximately 1,239.20 acres (50.8 percent) of its Land as IAL. The remaining approximately 1,201.15 acres is not proposed to be designated as IAL at this time.

The table below shows the Tax Map Key (TMK) number of each parcel of Land which Robinson Kunia Land LLC owns, the area of each parcel, the area of each parcel proposed to be designated as IAL, and the area of each parcel that is not proposed to be designated as IAL.

Table 1: Robinson Kunia Land LLC TMKs and Proposed IAL Areas

Tax Map Key Parcel No.	Total Acres (Land)	IAL Acres (Property)	Non-IAL Acres (Remainder Land)
9-2-1:2	1.27	0	1.27
9-4-2:52*	161.02	0	161.02
9-4-3:1	881.68	448.12	433.56
9-4-3:3	39.59	0	39.59
9-4-3:4	7.98	7.98	0
9-4-4:2	14.83	6.49	8.34
9-4-4:3	4.00	4.00	0
9-4-4:4	564.68	54.66	510.02
9-4-4:7	14.45	14.45	0

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

Tax Map Key Parcel No.	Total Acres (Land)	IAL Acres (Property)	Non-IAL Acres (Remainder Land)
9-4-4:8	1.15	1.15	0
9-4-4:10	106.00	106.00	0
9-4-4:11	46.00	46.00	0
9-4-4:12	535.00	535.00	0
9-4-4:18	2.22	2.22	0
9-4-4:19	60.02	13.13	46.89
9-4-110:57	0.42	0	0.42
9-4-110:58	0.04	0	0.04
Total	2,440.35	1,239.20	1,201.15
Percentage of Total	100%	50.8%	49.2%

* Note: TMK: 9-4-2:52 is in the State Urban District. Remaining Land is in State Agricultural District.
Source: City and County of Honolulu, Real Property Assessment Division

Figure 1 shows the TMK parcels as well as IAL and non-IAL lands.

1.2 Standards and Criteria to Identify IAL

Hawai'i Revised Statutes (HRS) Section 205-44(c) provides standards and criteria to identify IAL. HRS Section 205-44(a) provides that lands identified as IAL need not meet every standard and criteria, but lands meeting any of the criteria shall be given initial consideration, provided that the designation of IAL shall be made by weighing the standards and criteria with each other to meet: 1) the constitutionally mandated purposes in Article XI, Section 3, of the Hawai'i Constitution; and 2) the objective and policies for IAL set forth in HRS Section 205-42 and HRS Section 205-43.

The standards and criteria to identify IAL set forth in HRS Section 205-44(c) are:

- 1) *Land currently used for agricultural production;*
- 2) *Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel-and energy-producing crops;*
- 3) *Land identified under agricultural productivity systems, such as the agricultural lands of importance to the State of Hawai'i (ALISH) system adopted by the board of agriculture on January 28, 1977;*
- 4) *Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production;*
- 5) *Land with sufficient quantities of water to support viable agricultural production;*
- 6) *Land whose designation as important agricultural lands is consistent with general, development and community plans of the county;*
- 7) *Land that contributes to maintaining a critical land mass important to agricultural operation productivity;*

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

2. Agricultural Use History

The property has historically been in sugar cane or pineapple cultivation. In 1897, the O'ahu Sugar Company established the sugar plantation on the dry, southwestern side of O'ahu. The Waiāhole Ditch System was constructed to transport surface water from the windward side of the Ko'olau Range. A segment of the Waiāhole Ditch extends through the central part of the Property.

Prior to 1967, the area of the Property north of the Waiāhole Ditch had been cultivated in pineapple. After 1967, the Property was utilized for sugar cane cultivation. O'ahu Sugar Company operations ceased in 1995. Since that time, Waikele Farms Inc. is the lessee and has been utilizing the property for vegetable production.

3. Current and Future Agricultural Operations

All of the Property is in agricultural use or uses accessory or supportive of agriculture. Approximately 686.11 acres, or 55.4 percent of the Property is in active crop production. A range of crops are planted on the Property including but not limited to bananas, corn, tomatoes, bell peppers, won bok, and watermelon. Approximately 209.84 acres (16.9 percent) of the Property are utilized for pasture use. Approximately 50 head of cattle currently utilize the pasture lands.

Waikele Farms cooperates closely with the United States Department of Agriculture's Natural Resource Conservation Service, with a goal of soil and water conservation. Specific measures include the use of vegetative barriers established across slopes to slow and divert rain water runoff, contour farming, grassed waterways to channel rain water runoff and slow its flow rate, and on-demand irrigation sensors. In addition, sediment basins, cover crops, windbreaks and other tillage and dust mitigation measures are utilized, as appropriate. Agricultural practices emphasize impact minimization and sustainability of the long-term health and productivity of the soil and water.

The balance of the Property (approximately 343.25 acres, or 27.7 percent) consists of agricultural support (such as portions of the Waiāhole Ditch, water reservoir, vegetable processing, equipment storage), soil conservation measures, and gulch land. All of this area is important to, and used in relation to the agricultural uses on the Property. Table 2 summarizes the agricultural uses on the Property:

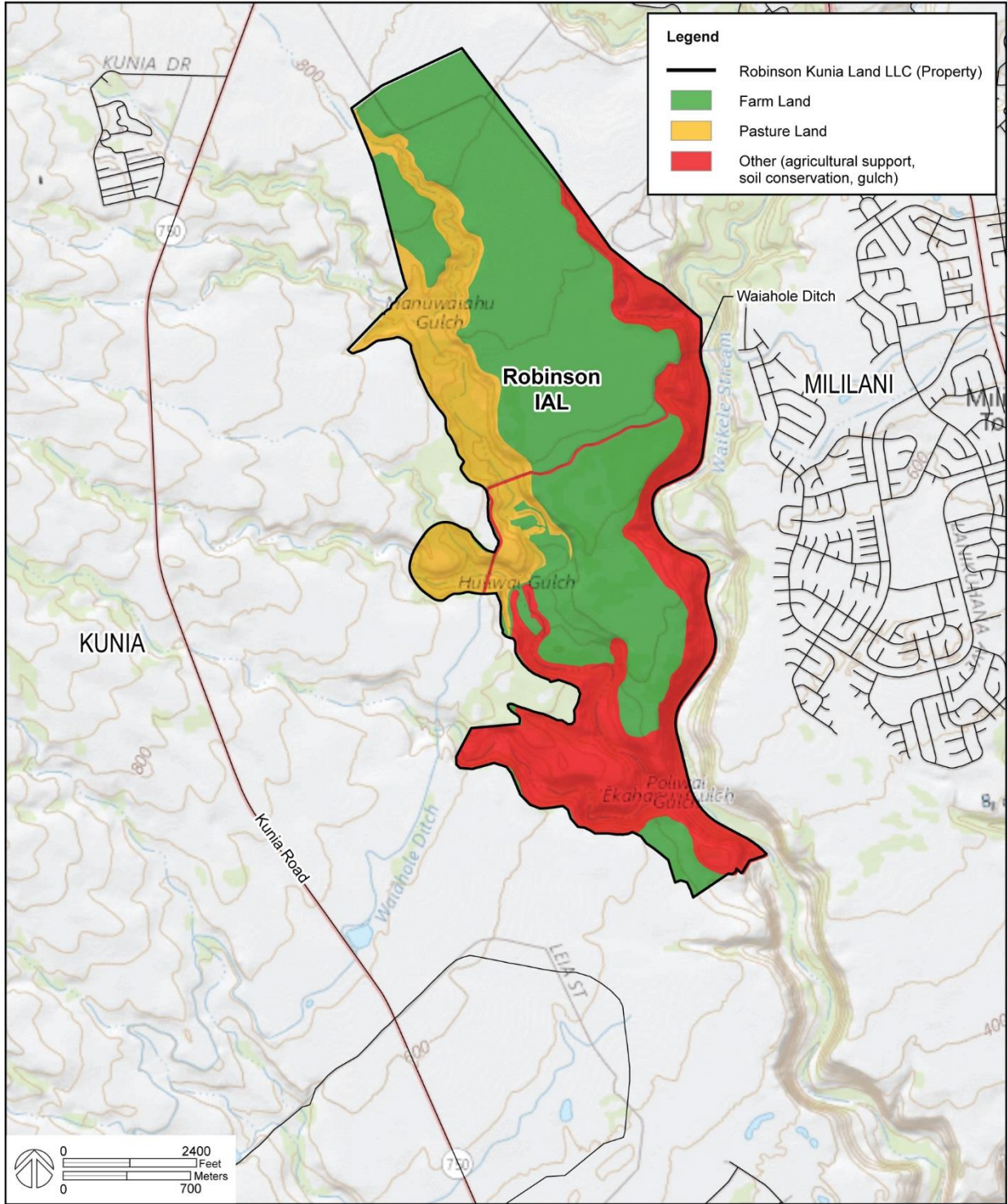
Table 2: Agricultural Uses

Agricultural Use	Acres	Percent
Crop Production	686.11	55.4%
Pasture	209.84	16.9%
Other (agricultural support, soil conservation, gulch)	343.25	27.7%
Total	1,239.20	100%

Source: Robinson Kunia Land LLC

Figure 2 shows the areas of the Property used for crop production, pasture, support, soil conservation, and gulch land. Figure 3 shows the Property's topography. Areas with relatively gentle grades are used

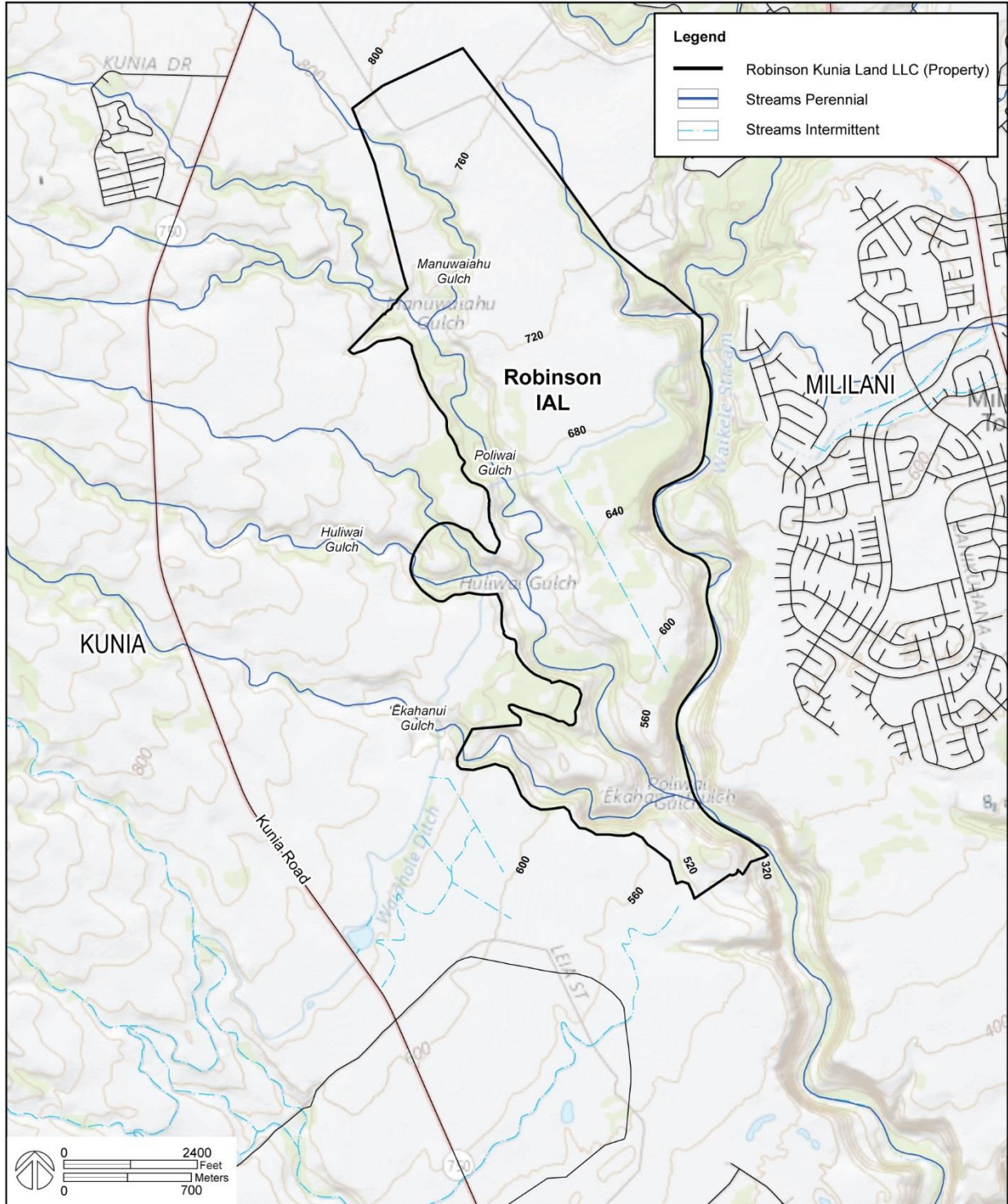
Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: Robinson Kunia Land LLC, August 30, 2010

Figure 2: Agricultural Areas
Robinson Kunia Land LLC | Kunia, O'ahu

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: USGS Digital Line Graphs, 1983 version; CWRM Hawaii Stream Assessment database, 1993; DLNR Division of Aquatic Resources, 2004, 2008

Figure 3: Topography and Streams
Robinson Kunia Land LLC | Kunia, O'ahu

for crop production. Gulch land with relatively mild slopes are utilized as pasture. Areas with steeper slopes are relatively minimal and are important parts of the overall Property for soil conservation and cohesion and continuity of agricultural uses across the Property. Figure 3 also shows perennial and

Agricultural Land Assessment for Robinson Kunia Land LLC’s
Proposed Important Agricultural Land

intermittent streams through or adjacent to the Property and in the area. It also shows the gently sloping topography ranging from 320 feet elevation above mean sea level at the makai southern end to 800 feet above mean sea level at the mauka northern end. Average grades are in the two percent range.

4. Agricultural Soil Productivity Ratings

The Detailed Land Classification System and Agricultural Land Productivity Ratings by the Land Study Bureau (LSB), University of Hawai’i (1972) are based on a five-class productivity rating system using the letters A, B, C, D, and E, with A representing the class of highest productivity and E the lowest.

As shown in Figure 4, approximately 56.2 percent of the Property is rated A or B; approximately 50.0 percent is rated A, and approximately 6.2 percent is rated B. The remaining approximately 43.8 percent of the Property is rated C, D, E or Unclassified as summarized in Table 3 below (Land Study Bureau (LSB), 1972).

The soil productivity ratings on the Property are high, and the area has been and continues to be used for active agriculture.

Table 3 summarizes the LSB productivity rating of the Property.

Table 3: Land Study Bureau Ratings of Property

LSB Productivity Rating	Acres	Percent
A	619.12	50.0%
B	76.85	6.2%
C	35.99	2.9%
D	83.69	6.7%
E	418.72	33.8%
Unclassified	4.83	0.4%
Total	1,239.20	100%

Source: Land Study Bureau

5. Agricultural Lands of Importance to the State of Hawai’i (ALISH)

The Agricultural Lands of Importance to the State of Hawai’i (ALISH) classification system was developed in 1977 by the State Department of Agriculture (Hawai’i State Department of Agriculture, 1977). The system was primarily, but not exclusively, based on the soil characteristics of lands and existing cultivation. There are three classes of land under the ALISH system: Prime, Unique and Other.

Prime land is best suited for the production of food, feed, forage and fiber crops. The land has the soil quality, growing season, and moisture supply that are needed to produce high yields of crops economically when the land, including water resources, is treated and managed according to modern farming methods.

Unique ALISH is land other than Prime that is used for the production of specific high-value crops. The land has the special combination of soil quality, growing season, temperature, humidity, sunlight, air, drainage, elevation, aspect, moisture supply, or other conditions, such as nearness to market, that favor the production of a specific crop of high quality and/or high yield when the land is treated and managed

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

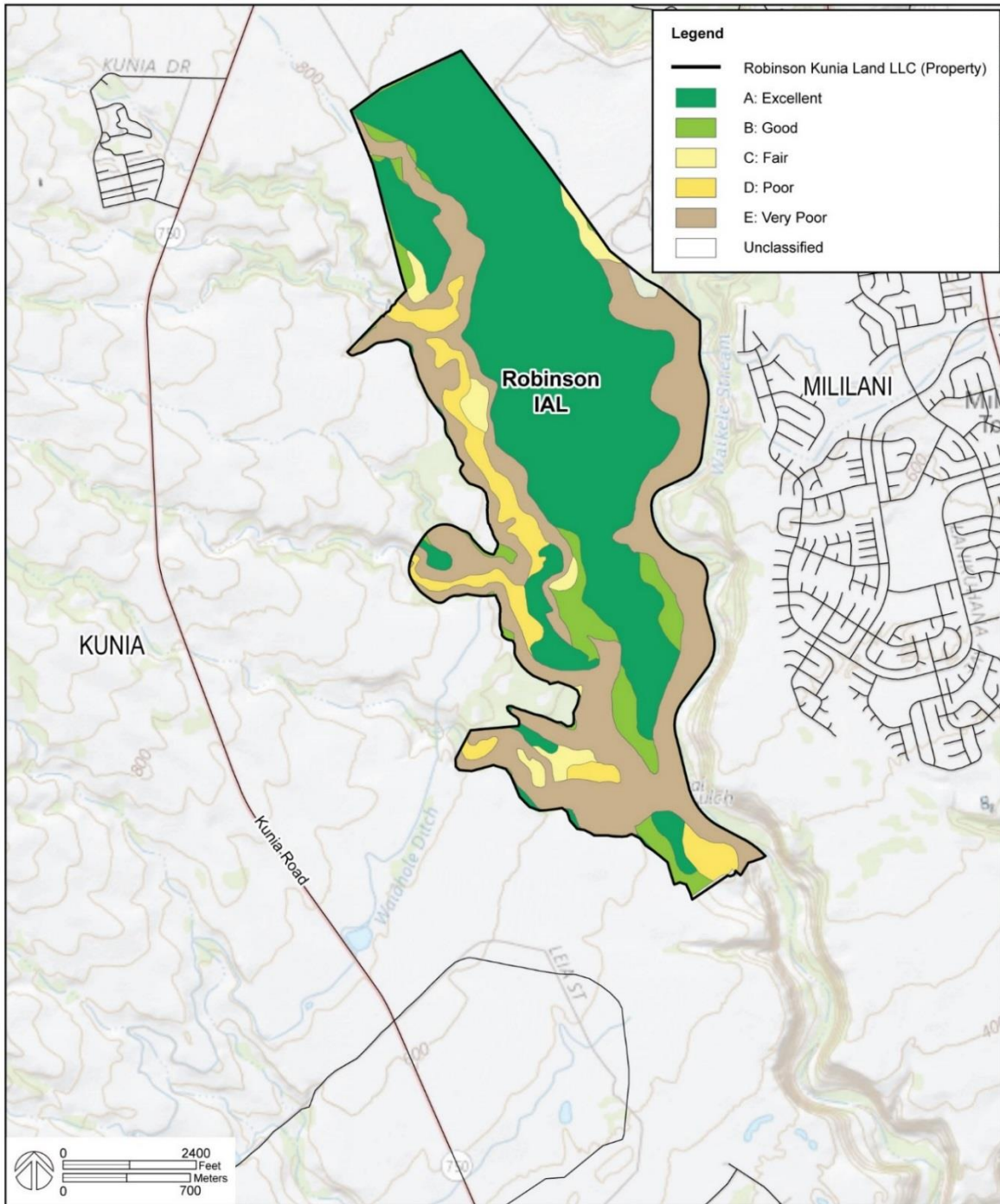


Figure 4: Land Study Bureau (LSB)
Robinson Kunia Land LLC | Kunia, O'ahu

according to modern farming methods. In Hawai'i, some examples of such crops are coffee, taro, rice, watercress, and non-irrigated pineapple (Hawai'i State Department of Agriculture, 1977).

Other ALISH is land other than Prime or Unique that is of state-wide or local importance for the production of food, feed, fiber, and forage crops. The land is important to agriculture in Hawai'i and yet

Agricultural Land Assessment for Robinson Kunia Land LLC’s
Proposed Important Agricultural Land

it exhibits properties, such as seasonal wetness, erodibility, limited rooting zone, slope, flooding, or drought, that exclude the land from Prime or Unique agricultural land use classifications. Two examples are: 1) lands which do not have an adequate moisture supply to be qualified as Prime; and 2) lands which have similar characteristics and properties as Unique, except that the land is not currently in use for the production of a “unique” crop. These Other lands can be farmed sufficiently by applying greater amounts of fertilizer and other soil amendments, drainage improvement, erosion control practices, and flood protection. Other ALISH land can produce fair to good crop yields when managed properly.

As shown in Figure 5, approximately 63.3 percent of the Property is classified under the ALISH system: 61.7 percent is classified as Prime, 0.3 percent is classified as Unique, and 1.3 percent is classified as Other.

Table 4 summarizes the ALISH classifications of the Property.

Table 4: ALISH Classifications of Property

LSB Productivity Rating	Acres	Percent
Prime	764.06	61.7%
Unique	4.09	0.3%
Other	15.86	1.3%
Unclassified	455.19	36.7%
Total	1,239.20	100%

Source: Hawai’i State Department of Agriculture

The balance of the Property is not classified under the ALISH system but includes essential elements for active agricultural operations, such as gulches, streams and drainageways, water system infrastructure, roadways, and areas for soil conservation.

6. Solar Radiation

The Property receives more than sufficient solar radiation to support agricultural production. Mean annual solar radiation on the Property ranges from 188 to 194 watts per square meter per hour, based on information from the *Evapotranspiration of Hawai’i Final Report* prepared in February 2014 by Department of Geography, University of Hawai’i at Mānoa for U.S. Army Corps of Engineers Honolulu District and State of Hawai’i Commission on Water Resource Management (Thomas W. Giambelluca, 2014). Figure 6 shows the solar radiation levels received on the Property in graphic form.

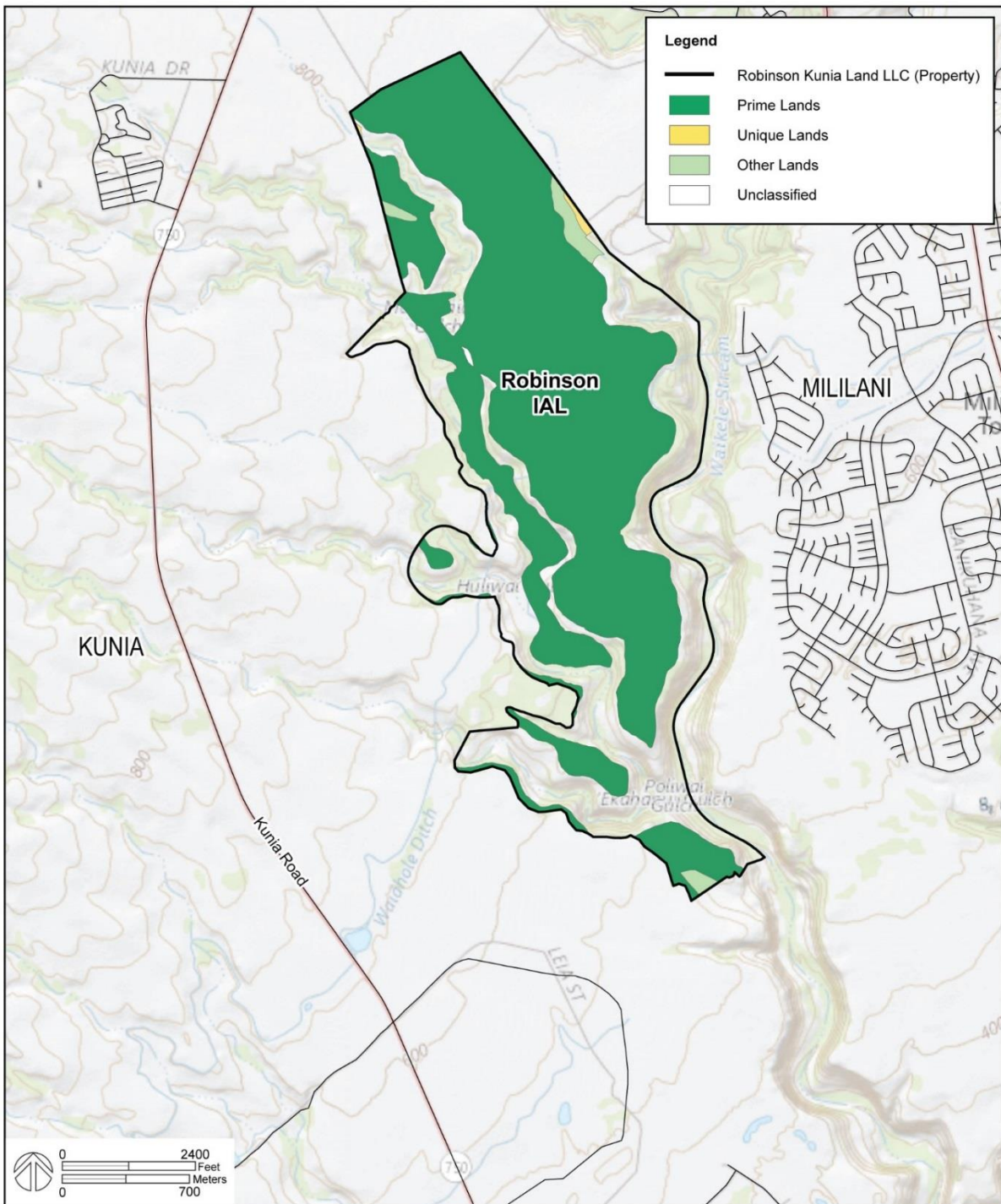
7. Water Resources and Agricultural Infrastructure

The Property has sufficient quantities of water, water-related infrastructure, and other agricultural-related infrastructure to support viable production, as summarized below. Figure 7 shows the water resources and agricultural support facilities on the Property.

7.1 Water Resources

Robinson Kunia Land LLC is permitted to withdraw Waiāhole Ditch water pursuant to Ground Water Use Permit No.804, issued by the Commission on Water Resources Management (CWRM), State of Hawai’i, on February 22, 2007. The permit allows the withdrawal of 2.39 million gallons per day (MGD) of water on a 12-month moving average for the Land.

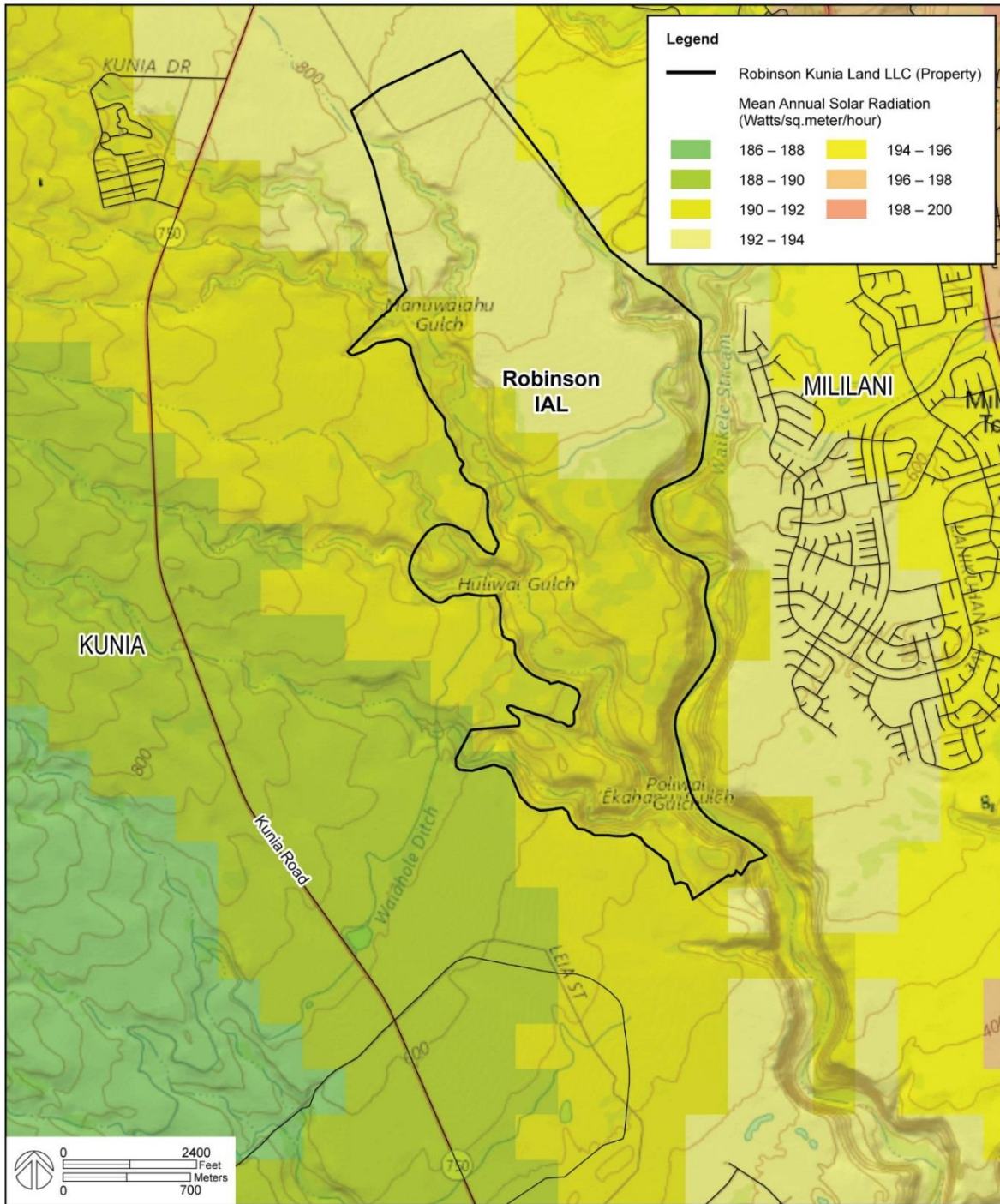
Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: State of Hawai'i GIS, State Department of Agriculture, 1977

Figure 5: Agricultural Lands of Importance to the State of Hawai'i (ALISH)
Robinson Kunia Land LLC | Kunia, O'ahu

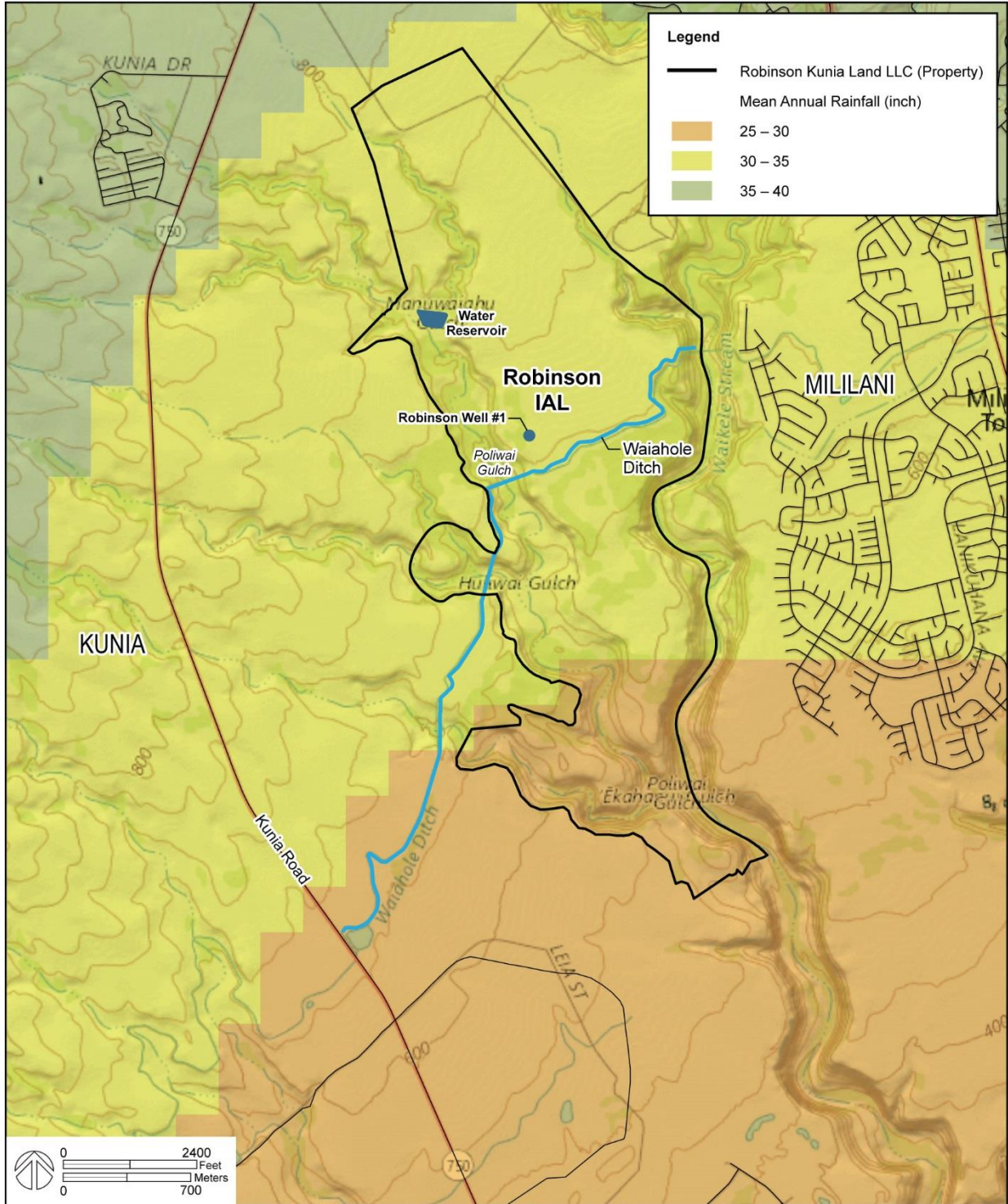
Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: University of Hawai'i Solar Radiation of Hawai'i, 2014

Figure 6: Solar Radiation
Robinson Kunia Land LLC | Kunia, O'ahu

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: University of Hawai'i Rainfall Atlas of Hawai'i (2011).

Figure 7: Water Resources and Agricultural Support
Robinson Kunia Land LLC | Kunia, O'ahu

The Robinson No. 1 well (Well No. 2602-03) is located just north of the Waiāhole Ditch to the east of Poliwai Gulch. The permit, dated June 21, 2007, allows the withdrawal of 100,000 gallons per day of water for agricultural use. The well was completed in April 2011.

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

Well water is used for food processing and is internally recycled so that it is not used only in a "single pass." Low consumption sprinklers are also utilized in the food processing systems. The reused water is then placed in the Waiāhole Ditch for crop irrigation in accordance with CWRM permit conditions.

Irrigation water is pumped to various portions of the property by a network of PVC irrigation lines. Sections of aluminum distribution pipes are connected for distribution and moved depending on which area needs irrigation. Irrigation water control is a critical farming practice so the farm utilizes on-demand sensors to regulate the amount of irrigation water being used.

A water reservoir is located near the northern portion of the Property (TMK: 9-4-4:7).

In addition to water from the Waiāhole Ditch system and the wells, the property receives a mean annual rainfall of approximately 30 to 35 inches annually (Giambelluca T.Q., 2013).

7.2 Agricultural Support

In addition to the water resources infrastructure, the Property contains agricultural roads between and within fields. The Property has access to Kunia Road which is capable of supporting farming equipment and direct road transportation to/from markets. The Property also has fences, gates, berms and windbreaks to improve agricultural productivity and protect the environment.

8. State Land Use District Boundaries

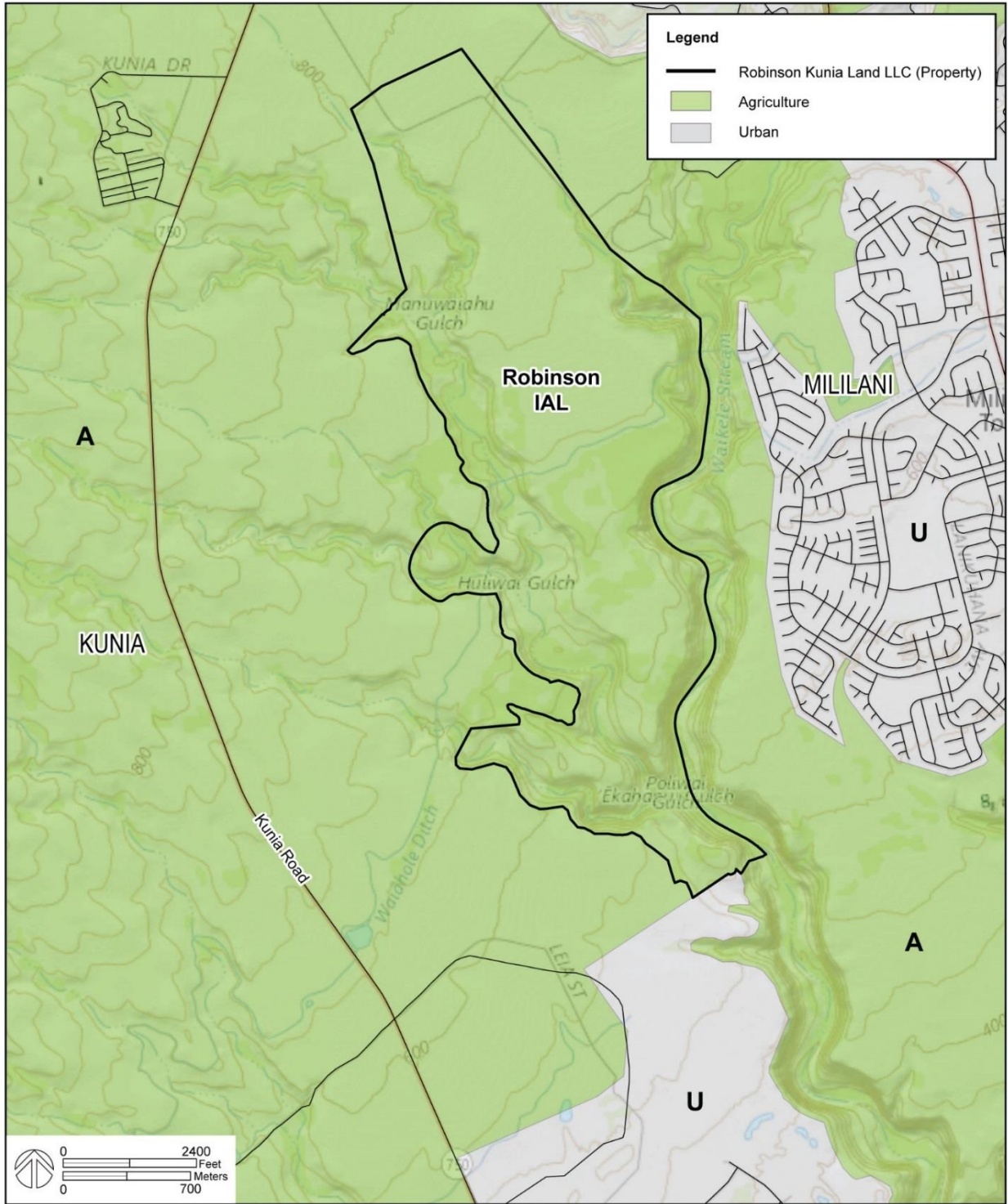
The State Land Use Law (HRS Chapter 205) establishes the State Land Use Commission and authorizes this body to designate all lands in the State into one of four districts: Urban, Rural, Agricultural, and Conservation. Robinson Kunia Land LLC's Property is located in the State Agricultural District (Figure 8). Section 205-2(d), HRS, specifies that lands within the State Agricultural District shall include (among other things): 1) activities or uses as characterized by the cultivation of crops, crops for bioenergy, orchards, forage, and forestry; and 2) farming activities or uses related to animal husbandry and game and fish propagation. Current uses on the Property are consistent with these uses.

9. General Plan for the City and County of Honolulu

The General Plan for the City and County of Honolulu (2002) (General Plan) is a comprehensive statement of objectives and policies which sets forth the long-range aspirations of O'ahu's residents and the strategies of actions to achieve them. The General Plan includes 11 subject areas that provide the framework for the City's expression of public policy concerning the needs of the people and the functions of government.

Under the "Economic Activity" section of the General Plan is an objective and several policies to maintain the viability of agriculture on O'ahu. The designation of the Property as IAL is consistent with this objective and these policies, in that the designation of the Property as IAL will: 1) contribute toward the continuation of agriculture as an important source of income and employment; 2) help to ensure sufficient agricultural land in 'Ewa and Central O'ahu to encourage the continuation of agriculture in these areas; and 3) encourage more intensive use of productive agricultural land.

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: State of Hawai'i GIS, State Land Use Commission, February 2016

Figure 8: State Land Use Districts
Robinson Kunia Land LLC | Kunia, O'ahu

As of September 2018, the City and County of Honolulu is in the process of updating the General Plan. In March 2017, the City and County of Honolulu Department of Planning and Permitting (DPP) presented

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

the Second Public Review Draft of the General Plan (Draft General Plan). DPP then made revisions based on comments received to a final draft which was presented to the Planning Commission for review in March 2018. The Draft General Plan is currently at the City Council. The Draft General Plan includes an objective and several policies to ensure the long-term viability and continued productivity of agriculture on O'ahu. The designation of the Property as IAL is consistent with this objective and these policies in that the designation of the Property as IAL will: 1) help to ensure the continuation of agriculture as an important component of O'ahu's economy; 2) encourage active use of high quality agricultural land for agricultural purposes; 3) preserve agricultural land with high productivity potential for agricultural production; 4) contribute toward lessening the urbanization of high-value agricultural land located outside the City's growth boundaries; and 5) encourage investment to improve and expand agricultural infrastructure, such as irrigation systems, agricultural processing centers, and distribution networks.

10. City and County of Honolulu: Central O'ahu Sustainable Communities Plan and 'Ewa Development Plan

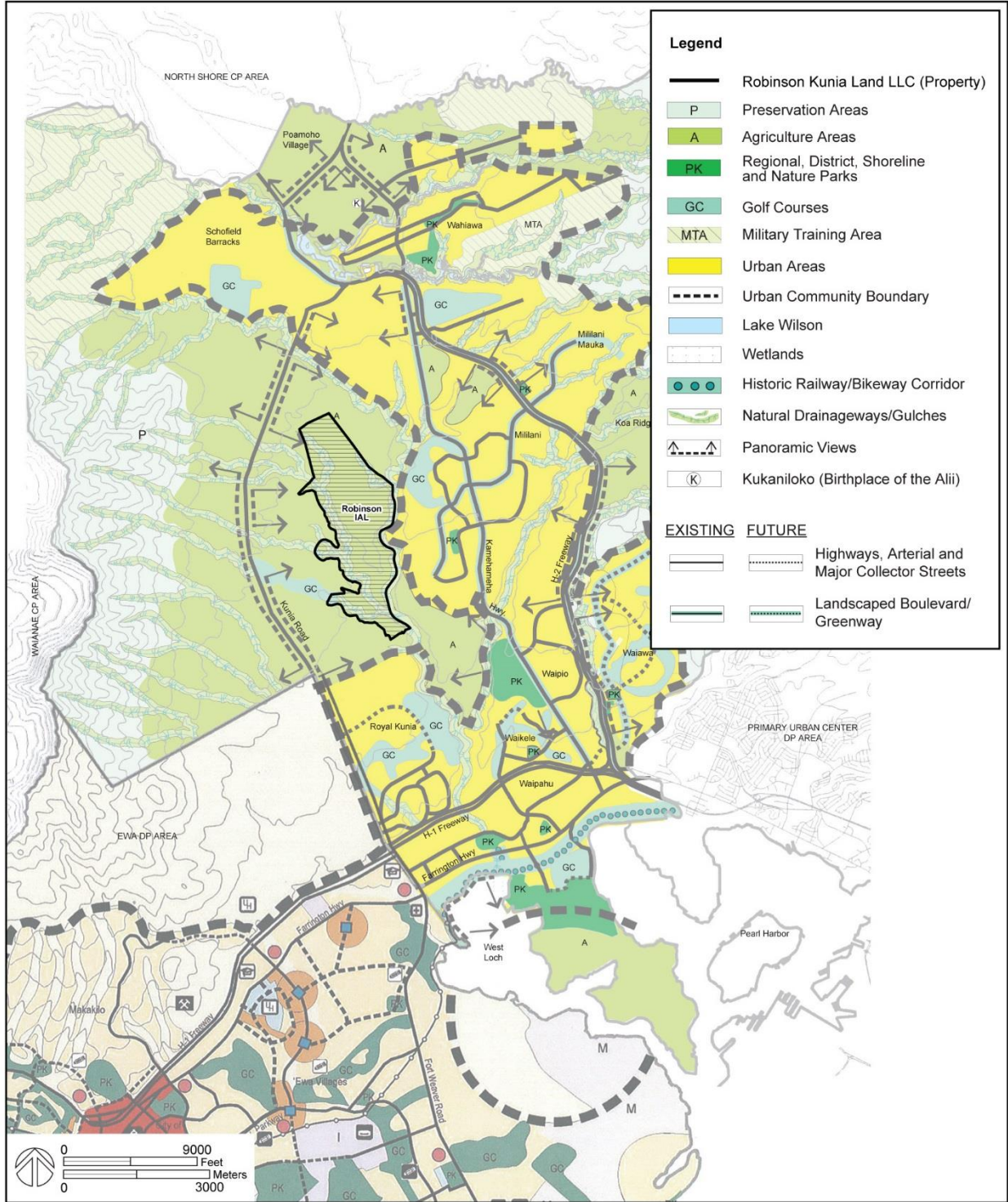
The City and County of Honolulu's Development Plans and Sustainable Communities Plans are policy documents that are intended to guide the County's land use approvals, infrastructure improvements, and private sector investment decisions for the enhancement and improvement of life on O'ahu. The Island of O'ahu is organized into eight regions. The Property is located within the Central O'ahu Sustainable Communities Plan (Central O'ahu SCP) region, with the 'Ewa Development Plan ('Ewa DP) region located to the southwest.

The Central O'ahu SCP (2002) contains a series of maps for various designations within the Central O'ahu SCP area. All of the Central O'ahu SCP maps designate the Property as "Agricultural Areas" and "Preservation Areas." Additionally, the Central O'ahu SCP and 'Ewa DP maps show urban community boundary growth boundaries. The Property is not within the growth boundaries on any of the Central O'ahu SCP and 'Ewa DP maps. Figure 9 shows the Central O'ahu SCP (2002) and 'Ewa DP (2013) land use maps.

The City and County of Honolulu is currently in the process of updating the Central O'ahu SCP. In the Central O'ahu SCP Proposed Revised Plan (2016), the maps continue to designate the area of the Property that is within the Central O'ahu SCP area as "Agricultural Areas" and "Preservation Areas". Figure 10 shows the Central O'ahu SCP Proposed Revised Plan (2016) and 'Ewa DP (2013) land use maps.

The designation of the Property as IAL would support both the 2002 SCP and the 2016 SCP Proposed Revised Plan's policy of preservation of "prime and unique agricultural lands for use in diversified agriculture..." (SCP 2002/2016: 2.2.1-2.2.3 and SCP 2016 Draft: 2.1, 3.1.3.4). It will also support the current and proposed plan policies of: 1) retaining natural gulches and drainageways (SCP 2002: 3.1.4.2 and SCP 2016 Draft: 3.1.3.2); and 2) protecting greenways and open space (SCP 2002: 3.1.4.8 and SCP 2016 Draft: 3.1.3.8).

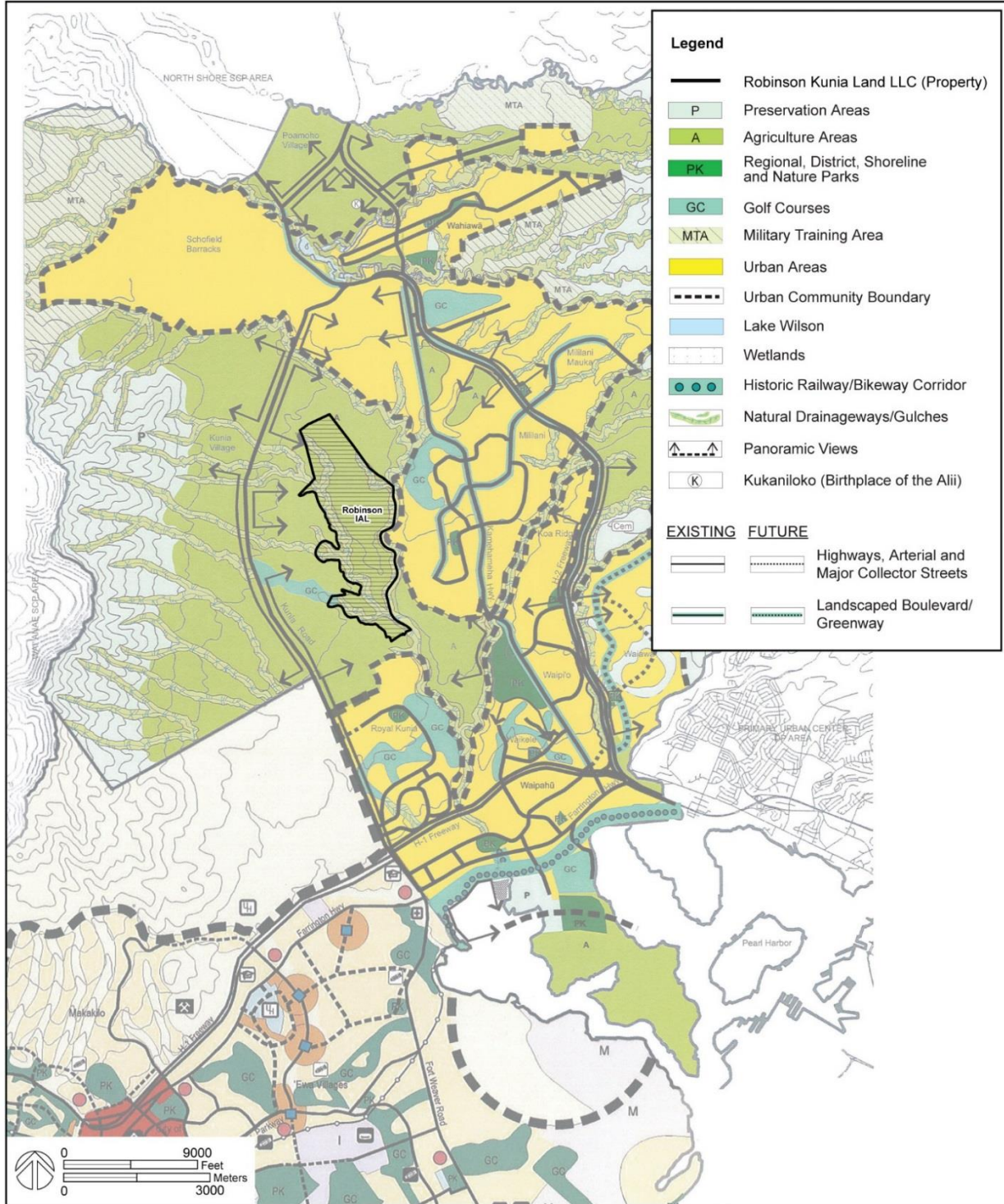
Agricultural Land Assessment for Robinson Kunia Land LLC's Proposed Important Agricultural Land



Source: City and County of Honolulu; Central O'ahu (December 2002); Ewa (July 2013)

Figure 9: Central O'ahu Sustainable Communities Plan (2002) and Ewa Development Plan (2013)
Robinson Kunia Land LLC | Kunia, O'ahu

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: City and County of Honolulu; Central O'ahu (October 2016); 'Ewa (July 2013)

Figure 10: Central O'ahu Sustainable Communities Plan (2016 Draft) and 'Ewa Development Plan (2013)
Robinson Kunia Land LLC | Kunia, O'ahu

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

In addition to maps, the Central O'ahu SCP (2002), the Central O'ahu SCP Proposed Revised Plan (2016), and the 'Ewa DP (2013) include objectives and policies regarding retaining "prime," "unique," "high-quality," or "high-value" agricultural lands.

11. City and County of Honolulu Zoning

The City and County of Honolulu zoning for the Property is AG-1 Restricted Agricultural District (AG-1) (Figure 11). According to the Revised Ordinances of Honolulu (ROH) Section 21-3.50(b), the intent of the AG-1 District is to "conserve and protect important agricultural lands for the performance of agricultural functions by permitting only those uses which perpetuate the retention of these lands in the production of food, feed, forage, fiber crops, and horticultural plants." Current and future uses of the Property are consistent with this intent.

12. City and County of Honolulu Important Agricultural Lands Study

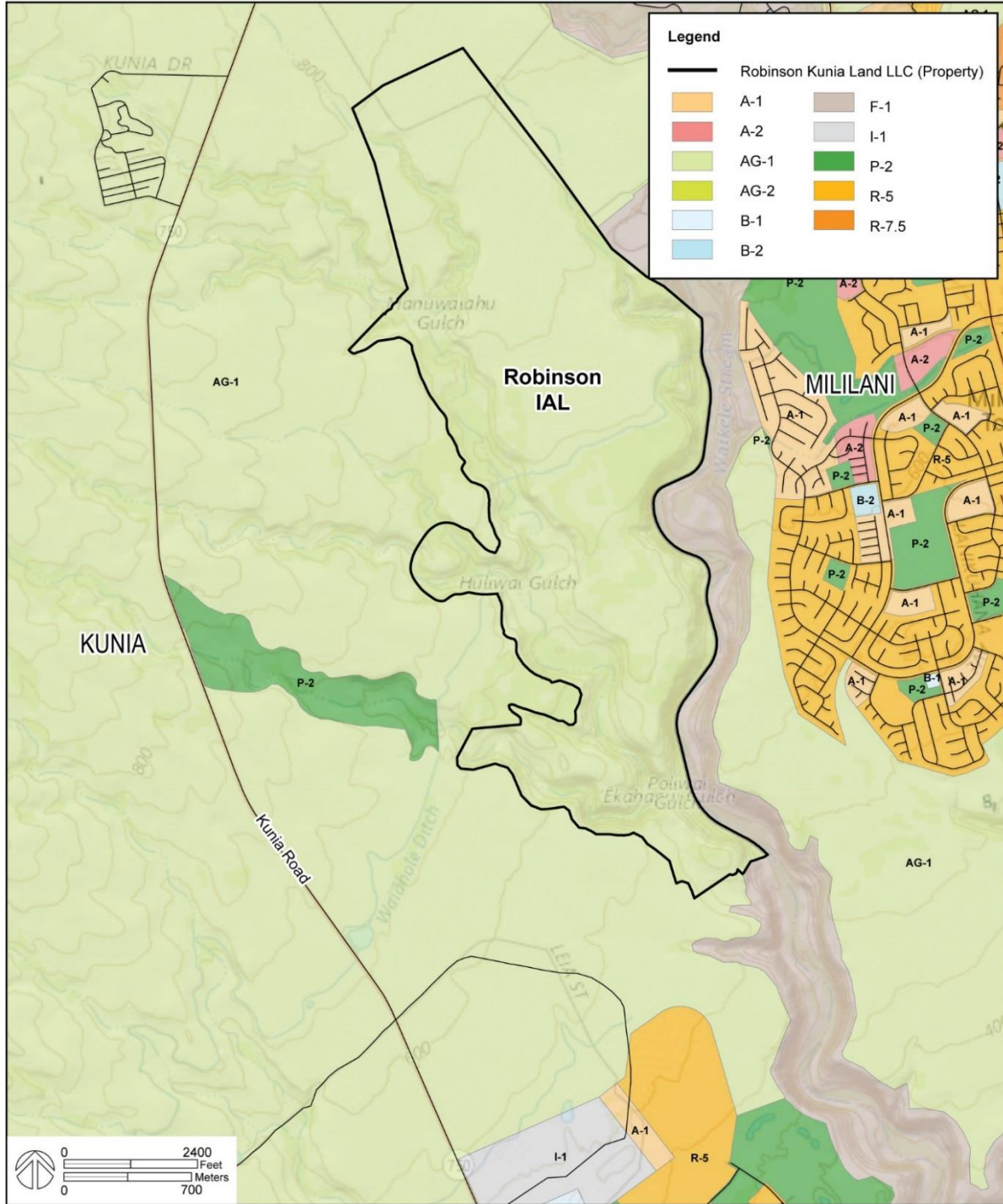
In July of 2012, the City and County of Honolulu Department of Planning and Permitting (DPP) initiated the City's Important Agricultural Land Study (Study) to identify the City's candidate lands for IAL designation. The Study consists of two phases.

DPP completed Phase I in April 2014. Phase I tasks included: 1) defining the IAL site selection criteria; 2) identifying available data sets to assist in mapping the defined criteria; and 3) developing methodology for weighing or ranking the criteria. Formal public review, a comment period, and notification to affected land owners was not part of Phase I tasks. Although the City's proposed IAL were not defined in the Phase I study, DPP prepared a series of criteria maps and formulated two composite maps of the City's top three and four priority criteria using a geographic information system (GIS).

DPP began Phase II of the Study after the completion of Phase I in 2014, with public meetings held as recently as November 2017. In Phase II, DPP has produced draft maps of proposed IAL lands on Oahu based on the City's top three priority criteria: 1) land currently for agricultural production, 2) land with soil qualities and growing conditions suitable for agricultural production, and 3) land with sufficient quantities of water to support viable agricultural production. Land possessing at least one of these three priority criteria has been included in the City's proposed designation as IAL. Figure 12 shows the Property in relation to the City's proposed IAL lands. As shown in Figure 12, the designation of the Property as IAL is consistent with the City's proposed IAL lands.

Since the publication of the City's draft maps of proposed IAL lands, DPP has presented the draft maps at public meetings, received comments from the public and affected landowners, and notified affected property owners. Starting in January of 2018, DPP refined the proposed IAL maps and finalized their recommendations. DPP transmitted its report and recommendations to the Honolulu City Council on August 31, 2018. It is expected that the Council will review the proposed IAL recommendations and maps and make any adjustments before transmitting the recommendations and maps to the State Land Use Commission for review and adoption.

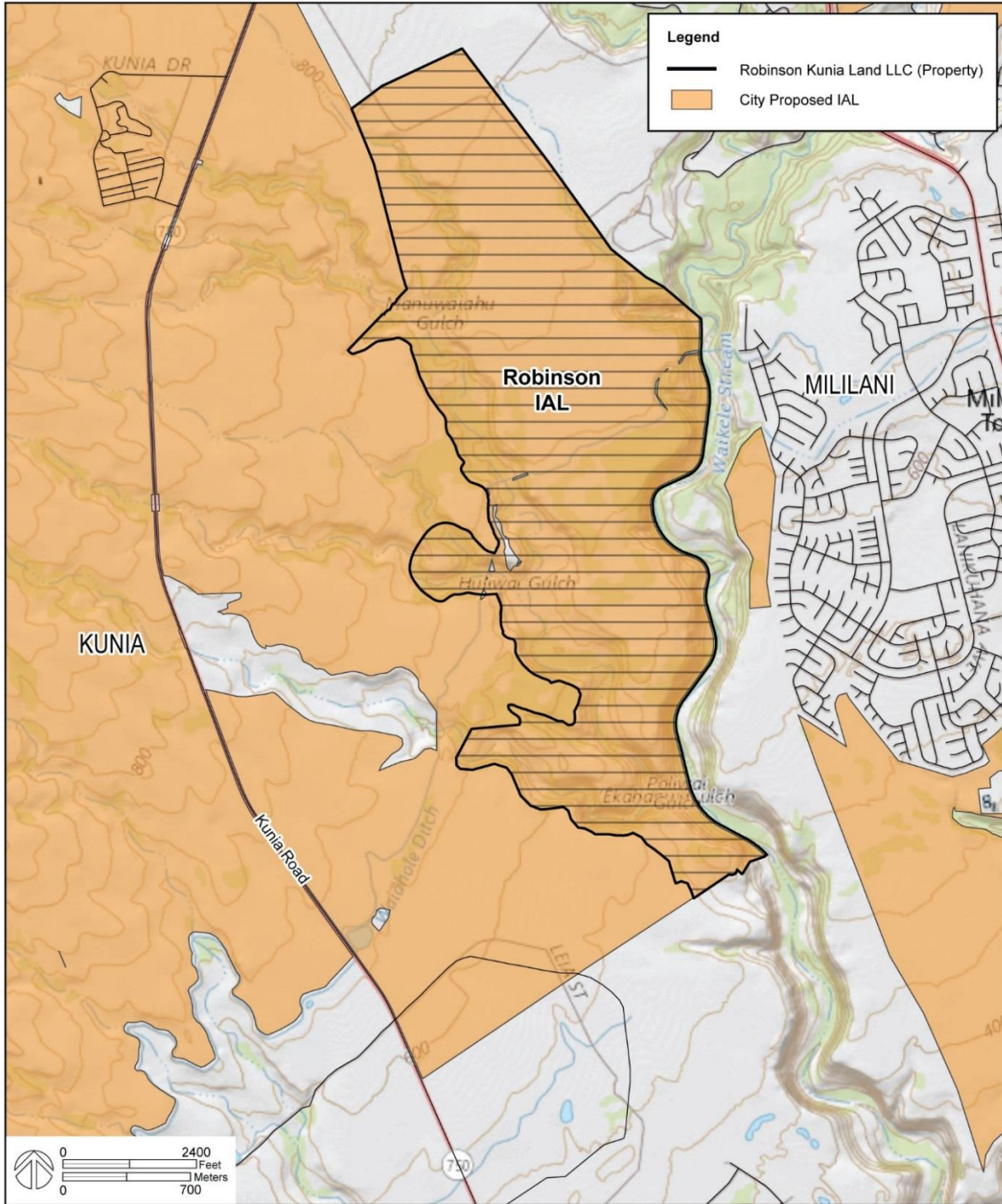
Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: City and County of Honolulu, April 2017

Figure 11: Zoning
Robinson Kunia Land LLC | Kunia, O'ahu

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land



Source: City and County of Honolulu, 2018

Figure 12: City and County of Honolulu
Important Agricultural Lands Overlay
Robinson Kunia Land LLC | Kunia, O'ahu

Agricultural Land Assessment for Robinson Kunia Land LLC's
Proposed Important Agricultural Land

13. References

- City and County of Honolulu. *Zoning*. Retrieved July 16, 2018 from <http://gis.hicentral.com/PubWebsite/>.
- City and County of Honolulu Department of Budget and Fiscal Services Real Property Assessment Division, *Web Access to Property Records*, Retrieved July 2, 2018 from http://qpublic9.qpublic.net/hi_honolulu_search.php.
- City and County of Honolulu Department of Planning and Permitting. (2002). *Central O'ahu Sustainable Communities Plan*. Retrieved July 16, 2018 from <http://www.honoluludpp.org/Portals/0/pdfs/planning/CentralOahu/CentralOahuSCP.pdf>.
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- City and County of Honolulu Department of Planning and Permitting. (2002). *O'ahu General Plan*. Retrieved July 16, 2018 from <http://www.honoluludpp.org/Portals/0/pdfs/planning/generalplan/GPReport.pdf>.
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- Giambelluca, T.W., X. Shuai, M.L. Barnes, R.J. Allis, R.J. Longman, T. Miura, Q. Chen, A.G. Frazier, R.G. Mudd, L. Cuo, and A.D. Businger. (2014). *Evapotranspiration of Hawai'i*. Final report submitted to the U.S. Army Corps of Engineers – Honolulu District, and the Commission on Water Resource Management, State of Hawai'i. Retrieved July 11, 2018 from <http://evapotranspiration.geography.hawaii.edu/assets/files/PDF/ET%20Project%20Final%20Report.pdf>.
- Hawai'i State Department of Agriculture. (1977). *Agricultural Lands of Importance to the State of Hawai'i (ALISH)*, Prepared with the Assistance of the Soil Conservation Service, U.S. Department of Agriculture, and the College of Tropical Agriculture, University of Hawai'i.: Retrieved July 11, 2018 from http://files.hawaii.gov/dbedt/op/gis/maps/oah_alish_large.pdf.
- Land Study Bureau (LSB). (1972). Honolulu: University of Hawai'i.



September 24, 2018

Milton Arakawa
Senior Planner
HHF Planners
733 Bishop St., Ste 2590
Honolulu, HI 96813

SUBJECT: Literature Review and Cultural Consultation for Robinson Kunia LLC. [IA201813]

Dear Mr. Arakawa:

At the request of HHF Planners, International Archaeology, LLC (IA) has prepared the following literature review and cultural consultation report for a 1,239.20-acre property in Kunia, within Waikele Ahupua'a on the island of O'ahu (Fig. 1). The report is in support of a petition by the property owner, Robinson Kunia Land LLC (Robinson Kunia), to designate the property as Important Agricultural Lands (IAL). The Robinson Kunia property is currently divided into farm land (686.11 acres), pasture land (209.84 acres), and other categories (343.25 acres) that include agricultural support, soil conservation, gulch land, and a 14.83-acre portion of the historic Waiāhole Ditch (see Fig. 1).

The Robinson Kunia property is at the north end of Waikele Ahupua'a, generally east of Kunia Road, west of Mililani Town, mauka (north) of Royal Kunia, and makai (south) of Schofield Barracks and Wheeler Army Airfield. The parcel is mostly bound by Waikele Stream Gulch (not owned by Robinson Kunia) to the east and Poliwai Gulch to the west; the parcel's southern boundary terminates approximately where the two gulches converge. The property is near a shared boundary between Waikele Ahupua'a (to the east), and Ho'ae'ae Ahupua'a and Honouliuli Ahupua'a (both to the west).

Literature Review

The literature review involved an examination of relevant archaeological reports and historical documents in the IA library, a search for known archaeological sites in and around the Robinson Kunia property using IA's archaeological geographic information system (GIS) geodatabase for O'ahu, and a review of relevant online Hawaiian land databases (e.g., the Office of Hawaiian Affairs' [OHA] Kipuka and Papakilo databases, AVA Konohiki). The following documents served as the primary references for this report:

- Condé, Jesse C. and Gerald M. Best
1973 *Sugar Trains: Narrow Gauge Rails of Hawai'i*. Glenwood Publishers, Felton, California.
- Cos. A. G. and I. Engineers, U.S. Army
1913 Schofield Barracks Quadrangle – VIII. Original scale 1:18,000. U.S. Army.
- Handy, E.S. Craighill
1940 *The Hawaiian Planter, Volume I: His Plants, Methods and Areas of Cultivation*. Bernice P. Bishop Museum, Bulletin 161.
- Hammatt, Hallett H., David W. Shideler, and Douglas K. Borthwick
1988 *Archaeological Reconnaissance Survey of the Waikakalaua Ammo Storage Tunnels Site, Waikele, 'Ewa, O'ahu*. Prepared for the U.S. Army Corps of Engineers. Cultural Surveys Hawai'i.
- Hammatt, Hallett H., Joe Genz, Doug Thurman, and David W. Shideler
2012 *Archaeological Assessment for the Sixty Parkside Project, (Mililani), Waikele Ahupua'a, 'Ewa District, Island of O'ahu, TMK: [1] 9-5-012:020*. Prepared for Build Systems International. Cultural Surveys Hawai'i.
- Larsen, Jack L., with Thomas A. Marks
2010 *1894–2010 Hawaiian Pineapple Entrepreneurs*. Jack L. Larsen, Sheridan, Oregon.
- McAllister, J. Gilbert
1933 *Archaeology of O'ahu*. Bernice P. Bishop Museum, Bulletin 104.
- Riford, Mary F.
1986 *Archaeological Survey of Portions of Lualualei Naval Magazine, Waikele Branch*. Prepared for the Department of the Navy. Department of Anthropology, Bernice Pauahi Bishop Museum.
- Sterling, Elspeth P. and Catherine C. Summers
1978 *Sites of O'ahu*. Department of Anthropology, Bernice P. Bishop Museum, Honolulu.
- USGS (United States Geological Service)
1928 Wahiawā, Hawai'i. Original scale 1:20,000. U.S. Geological Service.
1928 Waipahu, Hawai'i. Original scale 1:20,000. U.S. Geological Service.
- U.S. War Department
1919 U.S. War Department 7.5-minute Fire Control map, Wahiawā Quadrangle.

The results of the literature review are summarized in the following two sections:
History of the Property and Archaeological and Historic Sites.

History of the Property

During the traditional Hawaiian period, lasting centuries before first Western contact in 1778, the Hawaiian population of Waikele Ahupua‘a was largely settled around Pū‘uloa lagoon (later Pearl Harbor), where marine resources and fishponds provided a reliable food source (Hammatt et al. 1988:9–10). This intensive occupation is evidenced by the high number of agricultural terraces recorded around Pearl Harbor and Waipahu during the 20th century, extending up to 3.2 kilometers (km) along the southern portion of Waikele Stream (Handy 1940:82). Traditional histories written during the early post-Contact period also describe a high number of significant places and events occurring within 2 km of Pearl Harbor (Hammatt et al 1988:10; Sterling and Summers 1978:‘Ewa map).

In contrast, the inland portion of Waikele, which includes the Robinson Kunia property, is rarely mentioned in the standard historical literature, suggesting that human occupation in this area was far less intensive than along the *ahupua‘a* coastline. The only traditional event recorded near the property is a battle between raiding Maui chiefs and O‘ahu forces at Waikakalaua Gulch, occurring more than 3.2 km northeast of the parcel (McAllister 1933:107).

During the Mahele, the 19th-century conversion and redistribution of Hawaiian lands to a Western model of fee-simple ownership, the Robinson Kunia property was part of a large land award (‘Āpana 1 of LCA 4) to Luluhiwalani, a Maui chief who may have participated in Kahekili’s invasion of O‘ahu in 1783 (Hammatt et al. 1988:16). No *kuleana* awards (land titles for Hawaiians who lived and worked on the land) were granted on or near the property, implying that the area continued to remain sparsely populated throughout the early post-Contact period (Hammatt et al. 1988:19). Luluhiwalani’s descendants leased the grant for cattle ranching sometime around 1859, and eventually sold the parcel to the James Robinson Ranch in 1862 (Hammatt et al. 1988:19). The land’s history is unclear during the late 19th century, but by the 1890s, the entire rangeland was apparently resold or leased to the O‘ahu Sugar Company (OSC).

The OSC cultivated sugarcane on thousands of acres of land in central and southern O‘ahu from 1897 until the plantation closed in 1995. A U.S. War Department map shows that the northern portion of the proposed IAL property was laid out with gridded roads by 1919 (U.S. War Department 1919, reproduced in Hammatt et al. 1988:21), suggesting that the area was being actively cultivated by this time. The southern portion of the property is included within Fields 49 and 54 on a 1925 map of OSC lands (Condé and Best 1973:317), and by 1929, three-quarters of the property were covered by gridded roads (USGS 1928 Wahiawā and Waipahu maps).

Pineapple was also grown on the Robinson Kunia property sometime during the early to mid-20th century. Two major pineapple companies operated in the area at the time: the Hawaiian Pineapple Company (HAPCo; later Dole Food Company), which founded a plantation near Wahiawā in 1901; and Libby, McNeill & Libby of Honolulu Ltd. (Libby), which began work in Waipi‘o in 1915. Pineapple cultivation on the property before the 1950s is unclear, but the gridded roads constructed in the northern portion of the parcel by 1919 (U.S. War Department), which are assumed to be for sugarcane, could also be for pineapple fields. By 1957, an annotated map of HAPCo’s Wahiawā plantation shows three pineapple fields on the parcel roughly north of the Waiāhole Ditch (Larsen 2010:292). The map further notes the location of a HAPCo labor camp called “Robinson #1” on the property near the southwest edge of the fields. This camp, along with 15 others scattered across the Wahiawā Plantation, was relocated to

Whitmore Village in the early 1950s (Larsen 2010:292). There is no evidence that any remnant of the camp remains on the parcel.

A portion of the O‘ahu Railway and Land Company (OR&L) Railroad connecting Waipahu to Wahiawā and Schofield Barracks was constructed along and across Waikele Stream Gulch adjacent to the Robinson Kunia parcel around 1905, tying into an already extensive OR&L rail network that linked remote O‘ahu regions such as Kahuku or Wai‘anae to the ports and industrial hubs of Pearl Harbor and Honolulu. A rail station named “Robinson” was located near Waikele Stream Gulch just east of the property, but no traces of it remain today (Hammatt et al. 1988:32). A U.S. military map shows that roads leading to the Robinson station were built on the parcel sometime between 1909 and 1913 (Cos. A. G. and I. Engineers 1913). The OR&L rail line transported sugarcane, pineapple, supplies, soldiers, and passengers to and from central O‘ahu before ceasing operations in 1947.

The dramatic increase in U.S. military activity around Schofield Barracks during World War II resulted in the construction of 51 ammunition storage tunnels and a connecting access road between 1943 and 1947 in Waikele Stream Gulch. A large “contractors camp” (possibly the base yard for the storage tunnel construction) was also built around the same time near the gulch at the northern end of the property (Hammatt et al. 1988:28).

Archaeological and Historic Sites

No traditional Hawaiian archaeological sites have been recorded on the Robinson Kunia property. A portion of the historic Waiāhole Ditch System (State Inventory of Historic Places [SIHP] 50-80-09-2268)—a 42.6-km irrigation system completed in 1916 to transport water from the Ko‘olau Mountains to the cane fields of central O‘ahu—crosses east to west through the northern portion of the parcel, and is still likely utilized by the local farms (Fig. 2).

Two small terraces associated with historic sugarcane cultivation were recorded in a portion of Waikele Stream Gulch immediately east of the IAL property, but were not determined to be archaeologically significant, and were not assigned SIHP numbers (Hammatt et al. 2012:28; see Fig. 2). Additionally, a brick rail footing for the OR&L Railroad was found in the gulch near the parcel, but was also not considered archaeologically significant (Hammatt et al. 1988:23).

The Waikakalaua Gulch Stone Wall (SIHP 50-80-08-02923), an historic site, is approximately 0.09 km outside the south boundary of the property (Riford 1986:48; see Fig. 2), on the downslope side of an overgrown road at the top of the Waikele Stream Gulch (named Waikakalaua Gulch in the original report). The wall, which is constructed of stacked, angular basalt boulders, is interpreted as a road facing and vehicle retaining wall built during initial construction of the military storage tunnels in the gulch around 1943. Two traditional sites—the Waikakalaua Rock Shelter (SIHP 50-80-08-2919) and the Waikakalaua Gulch Cave Shelter (SIHP 50-80-09-2920)—and one historic site—the Waikakalaua Rock Quarry (SIHP 50-80-08-2922)—are also within the gulch, in an area approximately 0.5 km to 1 km southeast of the south property boundary (Riford 1986:32, 38, 48; see Fig. 2).

Although no archaeological surveys have been conducted on the IAL property itself, it is likely that any traditional surface features once present on the parcel were destroyed during the

nearly century-long era of intensive pineapple and sugarcane cultivation in the area. Historic agriculture, military construction, and grading and filling associated with the OR&L Railroad have also impacted the integrity of most remaining historic properties within Waikele Stream Gulch (Hammatt et al. 1988:5, 32, 34; Riford 1986:7).

Cultural Consultation

The cultural consultation entailed e-mail exchanges with noted kūpuna, cultural practitioners, descendants, community members, and civic groups with recognized cultural knowledge of lands in or around the Robinson Kunia property. Prominent individuals and organizations within the Hawaiian community were also asked to recommend consultants with relevant cultural knowledge. The following individuals and organizations were contacted:

- The Hawaiian Civic Club of Wahiawā
- Hinano Rodrigues, History & Culture Branch Chief, State of Hawai‘i Historic Preservation Division (SHPD)
- Lani Ma‘a Lapilio, Owner/Principal of Aukahi Consulting
- Maile Alau, Executive Director of Hawai‘i Maoli
- Michael Kumukauoha Lee, a Native Hawaiian cultural practitioner and ‘Ewa District cultural descendant
- The Native Hawaiian Chamber of Commerce
- OHA
- Shad Kane, a Native Hawaiian cultural practitioner and Honouliuli Ahupua‘a cultural descendant
- Sheleigh Ka‘ahiki Solis, Cultural Historian, SHPD
- Thomas Shirai, a Waialua District cultural descendant

All consultants were provided with a written description and a map of the Robinson Kunia property. The consultants were given the option of replying to IA by either phone or e-mail; all chose to respond by e-mail. Follow-up e-mails were sent to consultants who did not respond to IA’s initial inquiry.

The following table summarizes the responses of the cultural consultants who were contacted by IA. The table is divided into three columns: the first column lists the individual or organization names of the consultants; the second column contains a summary of the unique questions posed to each consultant; and the third column summarizes the consultants’ responses.

Table 1. A Summary of Cultural Consultations for the Robinson Kunia Property

Consultant	Questions	Responses
Hawaiian Civic Club of Wahiawā	Can you recommend any consultants who can discuss the cultural significance of the Robinson Kunia property?	Acknowledged the inquiry but they did not follow up.

Consultant	Questions	Responses
Hinano Rodrigues	Can you recommend any consultants who can discuss the cultural significance of the Robinson Kunia property?	Referred the request to Sheleigh Ka'ahiki Solis of SHPD.
Lani Ma'a Lapilio	Can you recommend any consultants who can discuss the cultural significance of the Robinson Kunia property?	Recommended Shad Kane.
Maile Alau	Can you recommend any consultants who can discuss the cultural significance of the Robinson Kunia property?	Recommended Shad Kane of Pu'u o Kapolei, and Aunty Kala Holden ¹ of Ahahui Siwila Hawaii o Kapolei.
Michael Kumukauoha Lee	What is your opinion about the cultural significance of the Robinson Kunia property? Are there significant archaeological or historic sites on or near the land? Do any ongoing cultural practices occur in the area? Would the IAL designation have any cultural impact?	Quoted a 1877 Hawai'i Land Record (Liber 51, pp. 218–219) stating that his great fourth cousin A.W. Bush leased land near Waikele Stream to breed fish. The land is described in the record as “beginning at a marked rock near Waikele Stream at the mauka corner of Ulumanu on the line with Bushes fish pond and stone marker on the west side to Waikeke [sic] River in Waikele Ewa O'ahu”. Mr. Lee also says that his 5th great-grandfather, Captain John Meek, Sr., owned property in Ho'ae'ae Ahupua'a on the east coast of Pearl Harbor adjacent to the Robinson ranch, according to a property deed in the State of Hawai'i Bureau of Conveyances. Mr. Lee says the records provide proof that he is a cultural descendant to the land of Waikele.
Native Hawaiian Chamber of Commerce	Can you recommend any consultants who can discuss the cultural significance of the Robinson Kunia property?	No response.
OHA	Can you recommend any consultants who can discuss the cultural significance of the Robinson Kunia property?	No response.

¹ Ms. Holden was not contacted for this report.

Consultant	Questions	Responses
Shad Kane	What is your opinion about the cultural significance of the Robinson Kunia property? Are there significant archaeological or historic sites on or near the land? Do any ongoing cultural practices occur in the area? Would the IAL designation have any cultural impact?	Mr. Kane grew up in Wahiawā and lived in Waipi‘o Acres before Mililani was built. As a child, he hiked and biked across the pineapple fields to the Ko‘olau Mountains. He is familiar with the cultural landscapes of Pohakea, Kupehau, and Līhu‘e. He has been in many of the ‘Ewa gulches, including Waikakalaua, Kipapa, and the smaller gulches near the Kunia Farm Lands and the Hawai‘i Country Club, and knows the cultural sites and probable burials there. He believes that the cultural sites in proximity to the Robinson Kunia property will not be impacted by the IAL designation because they are located in valleys. Lands previously used for agriculture have already been disturbed.
Sheleigh Ka‘ahiki Solis	Can you recommend any consultants who can discuss the cultural significance of the property?	Recommended Dr. Sam Gon ² of the Nature Conservancy/DLNR (Dr. Gon left the DLNR in 2017), Tom Lenchenko (and family) of the Hawaiian Civic Club of Wahiawā, Shad Kane, and Michael Kumukauoha Lee.
Thomas Shirai	What is your opinion about the cultural significance of the property? Are there significant archaeological or historic sites on or near the land? Do any ongoing cultural practices occur in the area? Would the IAL designation have any cultural impact?	No response.

None of the consultants who responded reported any archaeological features on the Robinson Kunia plot, or any ongoing cultural practices in the area. This is consistent with the results of the literature review, which indicate that the area has historically been sparsely populated, and that extensive agricultural, railroad, and military activities have significantly impacted the integrity of most cultural properties in the vicinity. None of the consultants suggested that the IAL designation would affect the cultural significance of the land.

² Dr. Gon was not contacted for this report.

Conclusions

The literature review identified no traditional cultural properties on the Robinson Kunia property. The historic Waiāhole Ditch (SIHP 50-80-09-2268) crosses a portion of the proposed IAL parcel, but remains in active use, and should not be impacted by the IAL designation. Cultural properties have been previously recorded in the adjacent Waikele Stream Gulch—which is not owned by Robinson Kunia—but these sites are considered either not archaeologically significant, or far enough outside the property boundary to be unaffected by the IAL designation. None of the cultural consultants contacted for the report identified any archaeological sites or ongoing cultural practices on or near the property.

This concludes IA's cultural resource report. Please contact me if you have any questions or concerns, or require additional information. I can be reached at (808) 946-2548 ext. 112, or by email at rpacheco@iarii.org.

Thank you,

A handwritten signature in cursive script that reads "Robert A. Pacheco".

Robert A. Pacheco
IA Project Director

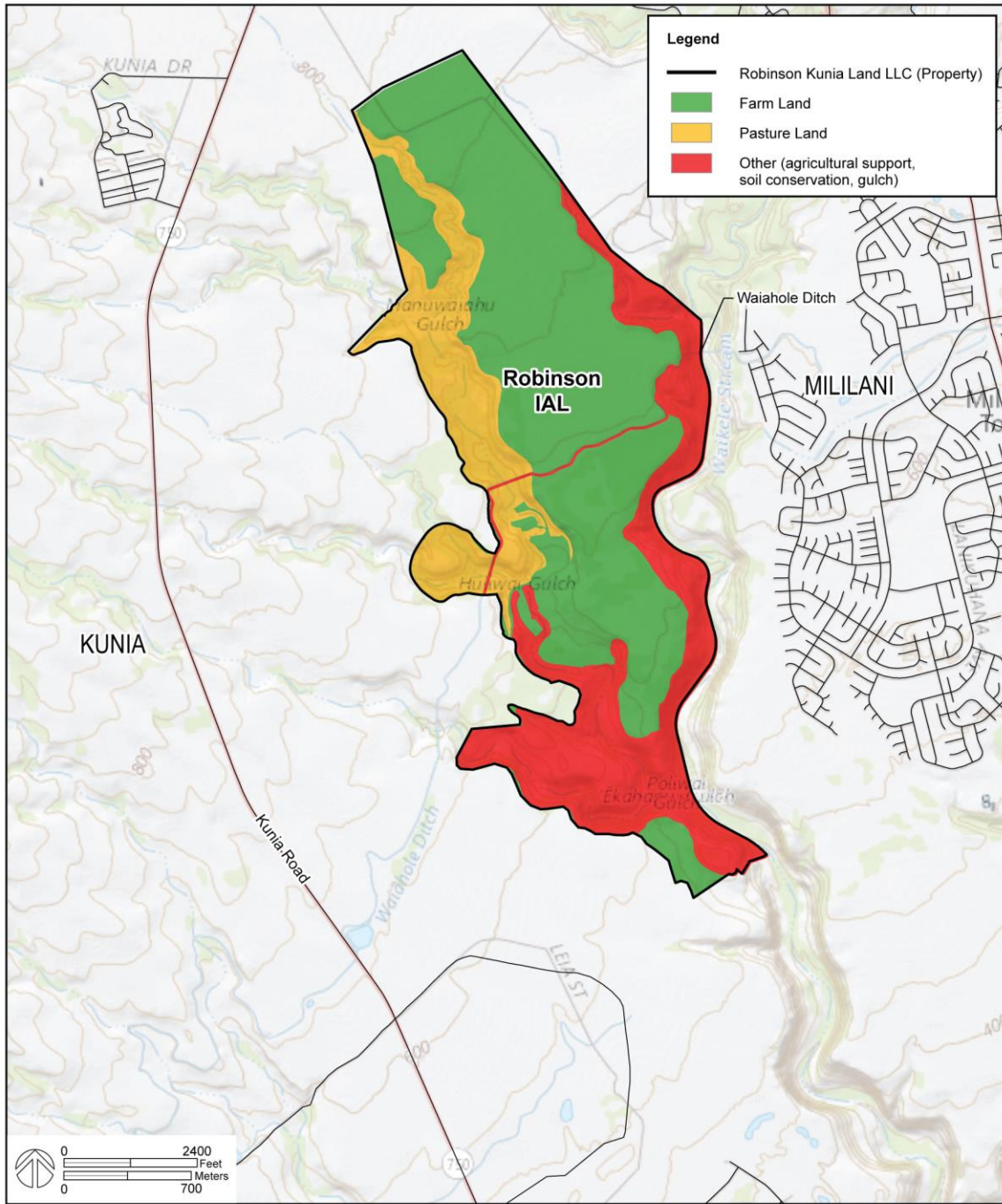


Figure 2: Agricultural Areas
Robinson Kunia Land LLC | Kunia, O'ahu

Figure 1. A map of the Robinson Kunia property agricultural areas (HHF Planners 2018). The proposed IAL parcel is marked in green, yellow, and red.

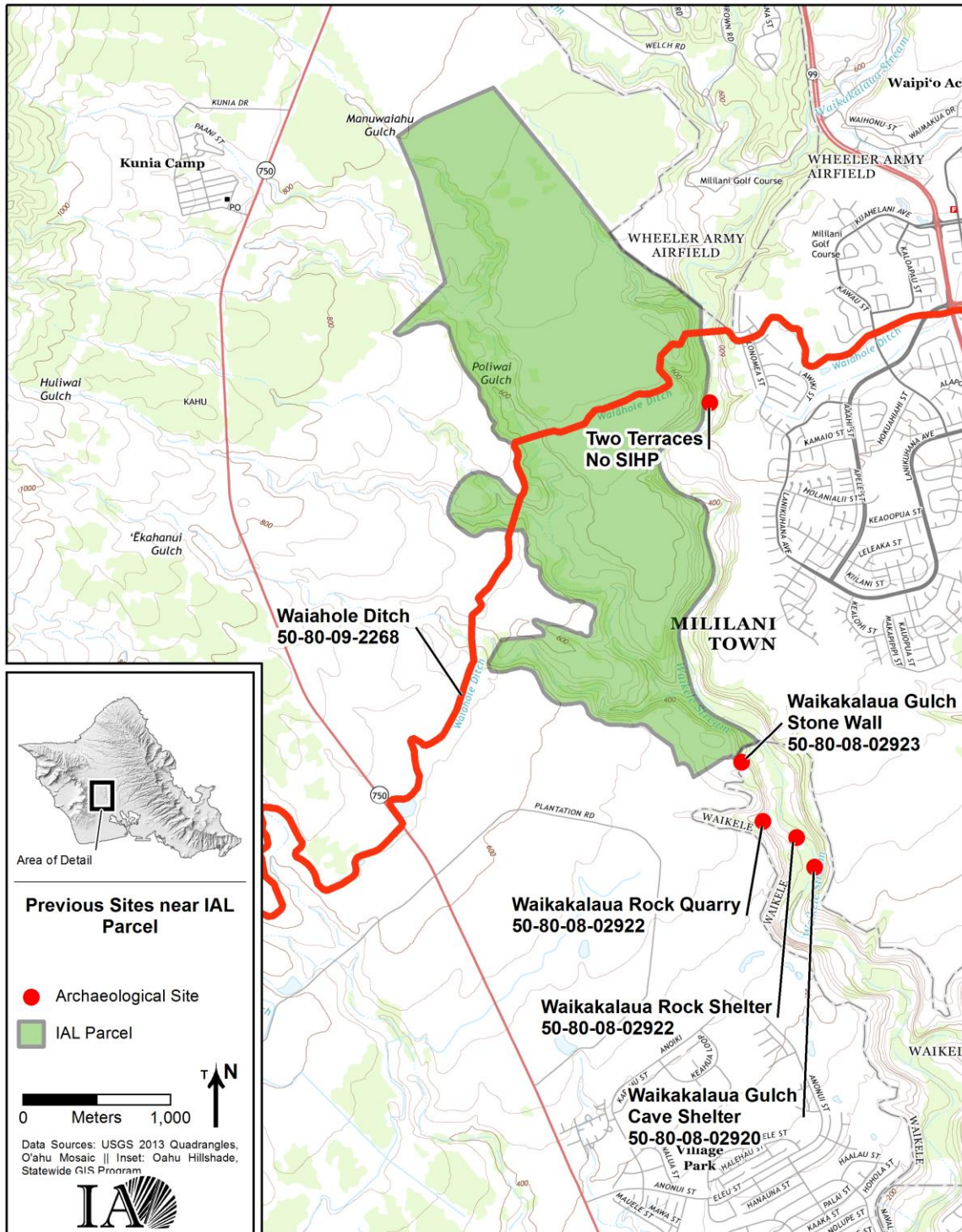


Figure 2. A map of the archaeological and historic sites on or near the proposed IAL parcel.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

ROBINSON KUNIA LAND LLC,
a Hawaii limited liability company

For Declaratory Order to Designate Important
Agricultural Lands for approximately 1,239.20 acres
at Kunia, O'ahu; TMK (1) 9-4-003-001 (por.) and -
004, (1) 9-4-004-002 (por.), -003, -004 (por.), -007,
008, -010, -011, -012, -018 and -019 (por.)

DOCKET NO. DR18-64

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

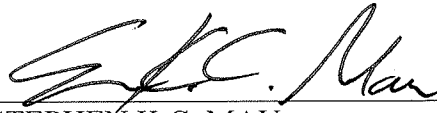
The undersigned hereby certifies that true and exact copies of PETITION FOR
DECLARATORY ORDER TO DESIGNATE IMPORTANT AGRICULTURAL LANDS;
VERIFICATION; EXHIBITS "A"- "E" were duly served on the party identified below, at their
last known address, by U.S. Postal Service, first class mail, on this date, addressed as follows:

CITY & COUNTY OF HONOLULU
DEPARTMENT OF PLANNING & PERMITTING
650 South King Street
Honolulu, Hawaii 96813
Attn: Kathy Sokugawa

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814
Attn: Scott E. Enright

STATE OF HAWAII
OFFICE OF PLANNING
235 South Beretania Street, 6th Floor
Honolulu, Hawaii 96813
Attn: Leo R. Asuncion, Jr.

DATED: Honolulu, Hawaii, November 28, 2018.

A handwritten signature in black ink, appearing to read "S.K.C. Mau", written over a horizontal line.

STEPHEN K.C. MAU
Attorney for Petitioner
ROBINSON KUNIA LAND LLC,
a Hawaii limited liability company