

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture

PHYLIS SHIMABUKURO-GEISER  
Deputy to the Chairperson

2017 APR 21 PM 1:34

PLANNING DEPARTMENT  
COUNTY OF HAWAII

April 21, 2017

Mr. Michael Yee, Director  
Planning Department  
County of Hawaii  
East Hawaii Office  
101 Pauahi Street, Suite 3  
Hilo, HI 96720

Dear Mr. Yee:

Subject: Review of the Draft Hamakua Community Development Plan

The Hawaii Department of Agriculture (HDOA) has reviewed the Draft Hamakua Community Development Plan (Hamakua CDP) and offers the following comments.

### Important Agricultural Lands (IAL) designation within the Hamakua CDP

The Hamakua CDP's Revised Land Use Guide Maps have "Important Ag. Lands" as a land designation (Section 3.1.7, figures 2-13). According to the accompanying Land Use Planner's Guide (pages 6-7) for the Hamakua CDP, lands identified as IAL were determined by the following:

- Lands identified as "Intensive Agriculture" on the 1989 General Plan and Land Use Pattern Allocation Guide maps.
- Lands identified in the Agricultural Lands of Importance to the State of Hawaii (ALISH) classification system as "Prime" or "Unique".
- Lands rated "B" by the Land Study Bureau's "Detailed Land Classification – Island of Hawaii" (November, 1965).
- The "coffee belt", according to input from area farmers.
- State agricultural parks.

While it appears that the IAL identification within the Hamakua CDP is intended to be separate from State IAL law (Sections 205-41 to 205-52, Hawaii Revised Statutes (HRS)), this distinction is not clearly explained. We recommend the Hamakua CDP clarify the purpose and intent of its IAL identification. Identification of potential IAL as defined in State law involves three different processes - voluntary identification under



111161

Section 205-45, HRS, State public land identification under Section 205-44.5, HRS, and county identification under Section 205-47, HRS. State public lands, such as State Agricultural Parks, are not a part of the county identification process under Section 205-47, HRS. If the Hamakua CDP's Revised Land Use Guide Maps are intended to be considered draft maps for the County IAL identification process in Section 205-47, HRS, it should explain how the County's process is consistent with State law.

### **Land Use Policies on Agricultural Development**

The DOA is pleased to find language in the Hamakua CDP that supports preventing the encroachment of urban sprawl within agricultural lands. The DOA notes the Hamakua CDP's "Land Use Policy Intent" is to: "designate, protect and maintain important agricultural lands from urban encroachment"; "ensure that development of important agricultural land be primarily for agricultural use"; and, to "discourage speculative residential development on agricultural lands". (Hamakua CDP section 4.3.2, page 56).

Land Use Policies related to agricultural lands include:

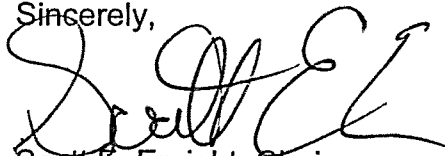
- Policy 23: Development and construction in "Important Agricultural Land" and "Extensive Agriculture" areas shall be limited to agriculture, related economic infrastructure and cottage industries, renewable energy, open area recreational uses, and community facilities unless otherwise permitted by law.
- Policy 25: The Planning Commission shall include in any Special Permit approval (or recommendation for approval to the State Land Use Commission) appropriate performance conditions to achieve Hamakua CDP objectives and implement Hamakua CDP policies.
- Policy 26: Educate landowners interested in subdividing agricultural lands on the option to subdivide as a farm subdivision pursuant to Hawaii County Code section 23-112.

The DOA looks to county CDPs for providing the county's policies and recommendation for future preferred land use restriction and guidance in reviewing various land use issues, including subdivision applications, petitions to designate land as IAL, and special use permits. We recommend that consideration be given to including language within the land use policies on Agricultural Lands & Open Space that discourages the subdivision and subsequent development of "fake farms" or "gentlemen's estates" within the Hamakua CDP's identified IAL. This inclusion would help align the policies on Agricultural Lands & Open Space more closely with its intent to "protect and maintain important agricultural lands from urban encroachment" and to "discourage speculative residential development on agricultural lands".

Mr. Michael Yee  
April 21, 2017  
Page -3-

Should you have any questions, please contact Earl Yamamoto at 973-9466, or by e-mail at [earl.j.yamamoto@hawaii.gov](mailto:earl.j.yamamoto@hawaii.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Scott E. Enright". The signature is fluid and cursive, with a prominent "S" and "E".

Scott E. Enright, Chairperson  
Board of Agriculture