

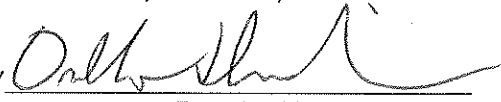


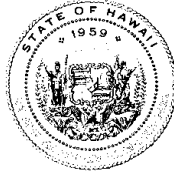
BEFORE THE LAND USE COMMISSION
STATE OF HAWAI'I

In the Matter of the Petition of)
ALEXANDER & BALDWIN, INC.) DOCKET NO. DR08-37
For Declaratory Order to Designate) FINDINGS OF FACT,
Important Agricultural Lands) CONCLUSIONS OF LAW,
for approximately 3,773.1 acres at) AND DECISION AND ORDER
Koloa and Waimea, Kauai, Hawai'i,)
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,)
1-9-03: 05, 2-1-01: 10, 2-1-01: portion)
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38,)
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12,)
2-3-04: 07, 2-3-10: portion of 01, 2-3-10:)
portion of 10, 2-3-10: 11, 2-3-10: 12,)
2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43)
_____)

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND DECISION AND ORDER

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT
COPY OF THE DOCUMENT ON FILE IN THE OFFICE OF THE
STATE LAND USE COMMISSION, HONOLULU, HAWAII.

March 9, 2009 BY 
Date Executive Officer



BEFORE THE LAND USE COMMISSION
STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. DR08-37
)	
ALEXANDER & BALDWIN, INC.)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
For Declaratory Order to Designate)	AND DECISION AND
Important Agricultural Lands)	ORDER
for approximately 3,773.1 acres at)	
Koloa and Waimea, Kauai, Hawai'i,)	
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,)	
1-9-03: 05, 2-1-01: 10, 2-1-01: portion)	
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38,)	
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12,)	
2-3-04: 07, 2-3-10: portion of 01, 2-3-10:)	
portion of 10, 2-3-10: 11, 2-3-10: 12,)	
<u>2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43</u>)	

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND DECISION AND ORDER**

ALEXANDER & BALDWIN, INC. ("Petitioner"), filed a Petition for Declaratory Order to Designate Important Agricultural Lands on December 19, 2008, pursuant to Hawai'i Revised Statutes ("HRS") §§ 205-44 and 45, and Hawai'i Administrative Rules ("HAR") chapter 15-15, to designate as Important Agricultural Lands ("IAL") approximately 3,773.1 acres of land, situated in Koloa and Waimea, Kauai, Hawai'i, Tax Map Key Nos. 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,

1-9-03: 05, 2-1-01: 10, 2-1-01: portion of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, 2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, 2-3-04: 07, 2-3-10: portion of 01, 2-3-10: portion of 10, 2-3-10: 11, 2-3-10: 12, 2-4-06: 01, 2-5-04: 26, 2-5-06: 05, and 2-5-10: 43 ("Petition Area").

The Land Use Commission ("Commission"), having heard and examined the testimony, evidence, and argument of counsel presented during the hearings, along with the pleadings filed herein, hereby makes the following Findings of Fact, Conclusions of Law, and Decision and Order.

I. PROCEDURAL MATTERS

1. On December 19, 2008 the Petitioner filed its Petition for Declaratory Order to Designate Important Agricultural Lands ("Petition"), and Exhibits "A" through "E" of the Petition.
2. On February 2, 2009, the Office of Planning, State of Hawai'i ("OP") submitted its comments on the Petition to the Commission.
3. On February 3, 2009, the Department of Agriculture, State of Hawai'i ("DOA") submitted comments on the Petition to the Commission.
4. On February 4, 2009, the County of Kaua'i, Department of Planning ("County") submitted comments on the Petition to the Commission.
5. On February 13, 2009, the Petitioner submitted its response to OP's, DOA's and County's comments to the Commission.

6. On March 5, 2009, the Commission held an action meeting on the Petition in Honolulu, Hawai`i. Benjamin Matsubara, Esq., appeared on behalf of Petitioner. Ezra Kanoho, Dean Okimoto, on behalf of the Hawai`i Farm Bureau Federation, and Abbey Mayer of the Office of Planning provided public testimony.

7. The written comments of OP, DOA, and County, and Petitioner's response, were made a part of the record in this proceeding.

8. Petitioner is not seeking to reclassify any agricultural lands to the urban, rural or conservation land use district.

9. Petitioner has represented that it is not claiming and will not claim any credits described in HRS § 205-45(h).

II. FINDINGS OF FACT

10. The Petition Area consists of approximately 3,773.1 acres of land, situated in Koloa and Waimea, Kauai, Hawai`i, Tax Map Key Nos. 1-9-01: 05, 1-9-02: 21, 1-9-02: 22, 1-9-03: 05, 2-1-01: 10, 2-1-01: portion of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, 2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, 2-3-04: 07, 2-3-10: portion of 01, 2-3-10: portion of 10, 2-3-10: 11, 2-3-10: 12, 2-4-06: 01, 2-5-04: 26, 2-5-06: 05, and 2-5-10: 43.

11. The description of the Petition Area acreage by Tax Map Key Numbers and Tax Maps depicting the Petition Area is shown in Petitioner's

Exhibit B, which is attached hereto and incorporated herein by reference as Exhibit "1".

12. The Petition Area is owned in fee simple by McBryde Sugar Company, Limited, a wholly owned subsidiary of Petitioner, who has provided its written authorization to Petitioner to file the Petition.

13. Petitioner seeks a determination from the Commission as to whether the lands identified by Petitioner in this Petition should be designated as IAL pursuant to HRS §§ 205-44 and 45.

14. It is Petitioner's position that the Petition Area meets the qualifications for designation as IAL under HRS § 205-44, and that the Commission should issue a declaratory order designating the Property as IAL pursuant to HRS § 205-45.

15. The majority of the Petition Area is being actively utilized for the cultivation and processing of coffee by Kauai Coffee Company, Inc. (KCC), a wholly owned subsidiary of the Petitioner. Also, portions of the Property located in Hanapepe Valley and within the coffee fields are used for the cultivation of seed corn.

16. Of the 3,773 acres proposed to be designated IAL, approximately 82% is in coffee cultivation, 5.2% is in seed corn cultivation and less than 1% is in pasture and other crops (rice, taro). The total area in agricultural cultivation is

about 3,311 acres or 88% of the total proposed IAL area. The remainder of approximately 12% includes reservoirs, streams, gulches and agricultural-related facilities (pump stations, roads, etc.) which are also essential components of the agricultural operation.

17. The University of Hawaii, Land Study Bureau ("LSB") developed the Overall Productivity Rating, which classified soils according to five (5) levels, with "A" representing the class of highest productivity soils and "E" representing the lowest. These letters are followed by numbers which further classify the soil types by conveying such information as texture, drainage and stoniness. Based on this, approximately 62% of the Petition Area is rated "A" and approximately 20% of the Petition Area is rated "B". The remaining balance is rated "C", "D", "E" or is not classified, and includes contiguous gulches, streams, and reservoirs, essential elements of the active agricultural operations.

18. Based on the Sunshine Maps prepared in 1985 by the Department of Business, Economic Development and Tourism, formerly known as the State Department of Planning and Economic Development, Energy Division, over 95% of the Petition Area receives an annual average of 450 calories of solar energy per square centimeter per day.

19. In 1977, the State Department of Agriculture developed a classification system to identify Agricultural Lands of Importance to the State of

Hawaii ("ALISH"). The classification system is based primarily, though not exclusively, upon the soil characteristics of the lands. The three (3) classes of ALISH lands are: "Prime", "Unique", and "Other", with all remaining lands termed "Unclassified". When utilized with modern farming methods, "Prime" agricultural lands have a soil quality, growing season, and moisture supply necessary to produce sustained crop yields economically. "Unique" agricultural lands possess a combination of soil quality, growing season, and moisture supply to produce sustained high yields of a specific crop. "Other" agricultural lands include those that have not been rated as "Prime" or "Unique". The ALISH system classifies approximately 80% of the Petition Area as "Prime". The balance of the Petition Area includes contiguous gulches, streams and reservoirs that are classified as "Other" or "Unclassified".

20. The majority of the Petition Area has been in active coffee cultivation since the mid 1990's. Prior to then it had been in sugar cane cultivation by McBryde Sugar Company, Limited. Portions of the Petition Area located in Hanapepe Valley and within the coffee fields are used for the cultivation of seed corn.

21. Access to reliable sources of water and efficient irrigation systems is crucial to the cultivation of coffee, as well as other agricultural crops. To conserve water, most of the cultivated fields in the Petition Area are served by

drip irrigation systems. Currently, irrigation water is derived from a combination of sources, including non drinking water wells and surface water systems. The irrigation system includes ditches, pipelines and reservoirs for the transport and storage of water. The availability of adequate water is crucial to maintaining current agricultural operations as well as for potential expansion opportunities.

22. The Petition Area is provided water by the Pump 3 and Alexander Dam ditch systems which are owned by McBryde Sugar Company and operated/maintained by Kauai Coffee Company, both wholly owned subsidiaries of Petitioner. Prior to the cultivation of coffee, these irrigation systems served the cultivation of sugar by the McBryde Sugar Company. The delivery capacity of the Pump 3 and Alexander Ditch systems totals approximately 33 million gallons per day (Alexander Dam ditch system: 15 mgd; Pump 3 ditch system: 18 mgd). The long-term average water delivery from the two systems is approximately 27 mgd. The cultivated areas within the Petition Area have long been in agricultural cultivation and have historically relied upon these two systems to sufficiently meet their irrigation needs.

23. The Petition Area's agricultural classification is consistent with the County's General Plan and Community Plans. The general plan designates the

Property for Agriculture or Open use. Additionally, the Property is situated within the State Agricultural District.

24. The Petition Area contributes to maintaining a critical land mass important to agricultural operating productivity.

25. Lands containing high to steep slopes which include gulches, valleys, ravines and drainage ways provide critical infrastructure support of the adjacent highly productive lands by providing and preserving the necessary natural drainage ways for adjacent lands which have been identified as highly productive.

26. Lands containing natural and/or man-made water ways and features such as streams, reservoirs, wetlands, and drainage basins provide critical infrastructure support for adjacent highly productive lands by providing and preserving the necessary water source for existing as well as potential future irrigation systems necessary to assure agriculture productivity for the Petition Area.

27. Additional lands proposed for inclusion, although not identified as historically highly productive, nor characteristic of , or containing elements which may provide critical infrastructure support for highly productive lands being proposed, are necessary to provide the overall critical “contiguous” land

mass necessary for the agricultural operating productivity of the overall approximately 3,773.1 acres of land being proposed by the Petitioner

28. The Petition Area has been in active agricultural use since the 1800's. Prior to the cultivation of coffee, the Petition Area was used for the cultivation of sugar cane by McBryde Sugar Company, Limited. Much of the supporting infrastructure developed for the cultivation and production of sugar has been adapted to the cultivation and production of coffee. These include water irrigation systems, hydroelectric generation systems, roadways and transport systems, warehousing and processing structures and facilities.

III. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the Petition pursuant to HRS §§ 91-8, 205-44 and 205-45 and HAR § 15-15-98.

2. The entire Petition Area is currently used for agricultural production and eighty-eight percent of the Petition Area is in active cultivation in accordance with HRS § 205-44(c)(1).

3. The Petition Area has soil qualities and growing conditions that support agricultural production in accordance with HRS § 205-44(c)(2).

4. Eighty percent of the Petition Area is rated as Prime under ALISH in accordance with HRS § 205-44(c)(3).

5. Eighty-two percent of the Petition Area is currently in coffee cultivation in accordance with HRS § 205-44(c)(4).
6. The Petition Area has sufficient quantities of water to support viable agricultural production in accordance with HRS § 205-44(c)(5).
7. The Petition Area's designation as IAL is consistent with the general, development, and community plans of the County in accordance with HRS § 205-44(c)(6).
8. The entire Petition Area, including those areas comprised of gulches, streams and reservoirs, that are not actively cultivated constitute a critical land mass that is important to agricultural operating productivity in accordance with HRS § 205-44(c)(7).
9. The Petition Area is within close proximity to or is near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power in accordance with HRS § 205-44(c)(8).
10. The entire Petition Area, including those areas that are not actively cultivated comprised of gulches, streams and reservoirs, constitute a contiguous, intact, and functional land unit large enough to allow flexibility in agricultural production and management and is consistent with the policies of HRS § 205-43(1).

11. The Petition Area meets the requirements of HRS § 205-45(c) for designation as important agricultural land.

12. Any conclusion of law herein improperly designated as a finding of fact should be deemed or construed as a conclusion of law; any finding of fact herein improperly designated as a conclusion of law should be deemed or construed as a finding of fact.

IV. DECISION AND ORDER

IT IS HEREBY ORDERED that the Petition Area, consisting of approximately 3,773.1 acres of land, situated in Koloa and Waimea, Kauai, Hawai`i, Tax Map Key Nos. 1-9-01: 05, 1-9-02: 21, 1-9-02: 22, 1-9-03: 05, 2-1-01: 10, 2-1-01: portion of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38, 2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12, 2-3-04: 07, 2-3-10: portion of 01, 2-3-10: portion of 10, 2-3-10: 11, 2-3-10: 12, 2-4-06: 01, 2-5-04: 26, 2-5-06: 05, and 2-5-10: 43, and shown approximately on Exhibit "1," attached hereto and incorporated by reference herein, shall be and is hereby designated as Important Agricultural Lands as governed by HRS Chapter 205.

IT IS HEREBY FURTHER ORDERED that the designation of the Petition Area as Important Agricultural Lands shall be subject to the following conditions:

1. Petitioner shall comply with representations made to the Commission with respect to not claiming any credits described in HRS § 205-45(h) with respect to the Petition Area.

2. Within seven days of the issuance of the Commission's Decision and Order, Petitioner shall record it with the Bureau of Conveyances.

ADOPTION OF ORDER

The undersigned Commissioners, being familiar with the record and proceedings, hereby adopt and approve the foregoing ORDER this 5th day of March, 2009. This ORDER and its ADOPTION shall take effect upon the date this ORDER is certified and filed by this Commission.

Done at Honolulu, Hawai'i, this 5th day of March, 2009

APPROVED AS TO FORM

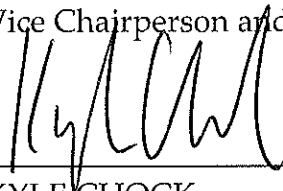
Diane Jackson
Deputy Attorney General

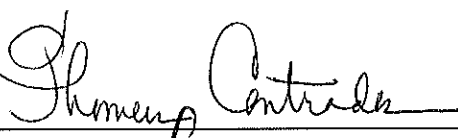
LAND USE COMMISSION
STATE OF HAWAII

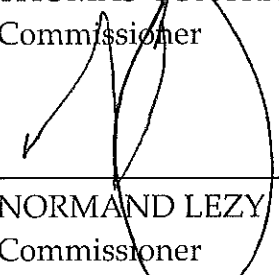
By Duane Kanuha
DUANE KANUHA
Chairperson and Commissioner

By ABSENT
VLADIMIR PAUL DEVENS
Vice Chairperson and Commissioner

By ABSENT
RANSOM PILTZ
Vice Chairperson and Commissioner

By 
KYLE CHOCK
Commissioner

By 
THOMAS CONTRADES
Commissioner

By 
NORMAND LEZY
Commissioner

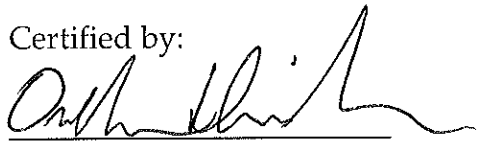
By 
LISA JUDGE
Commissioner

By 
NICHOLAS W. TEVES, JR.
Commissioner

Filed and effective on:

March 9, 2009

Certified by:



Orlando Davidson, Executive Officer

By ABSENT
REUBEN S.F. WONG
Commissioner

EXHIBIT 1

(Consisting of 14 pages;)

Petitioner's Exhibit B to Petition

DR08-37

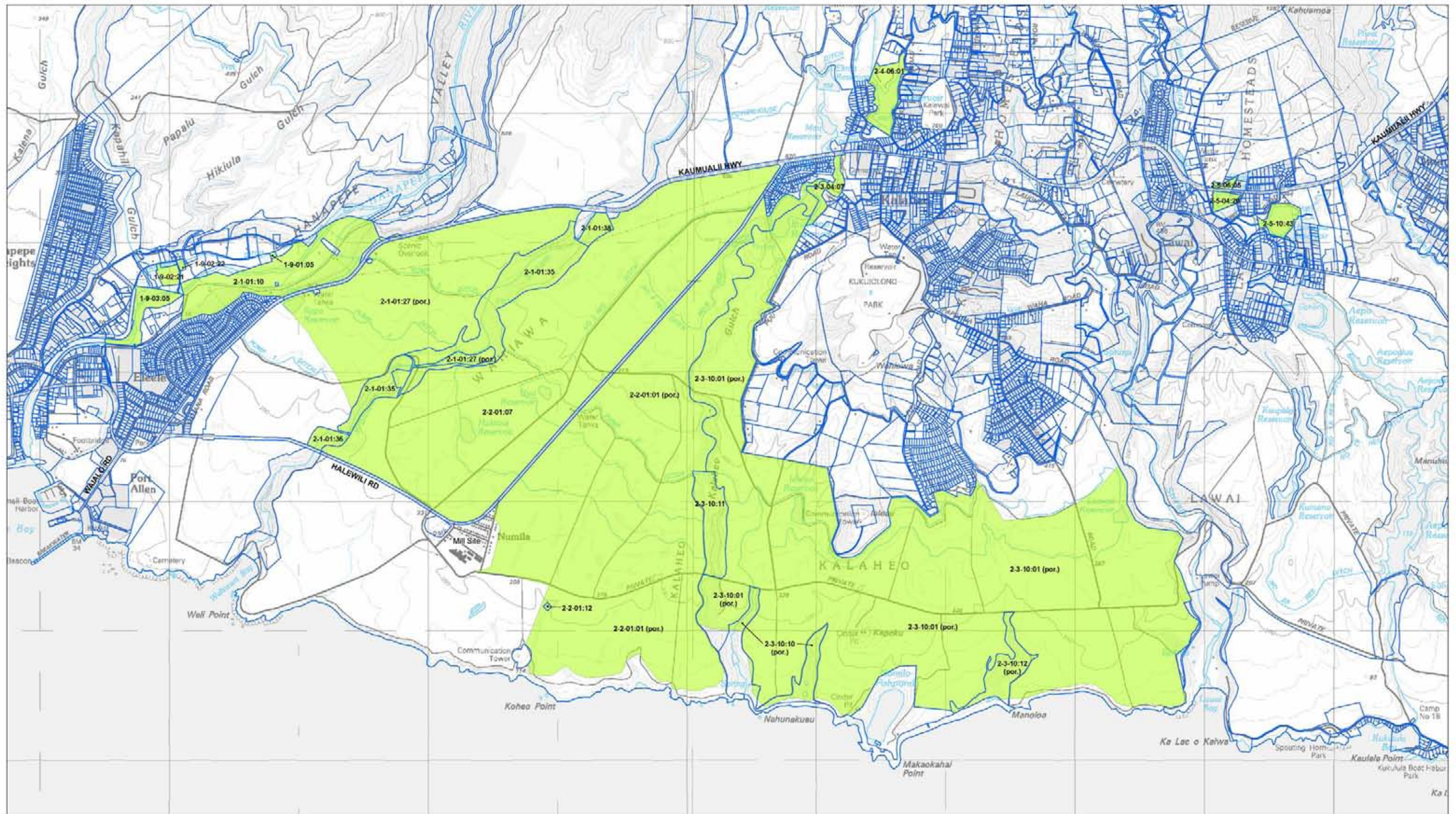
Exhibit B: Tax Map Key Description

Approximately 3,773 acres of land owned by McBryde Sugar Company, Ltd. on Kauai are proposed to be designated as IAL, specifically described as TMK numbers: 1-9-01:05; 1-9-02: 21 and 22; 1-9-03:05; 2-1-01:10, 27 (portion), 35, 36, and 38; 2-2-1: 01 (portion), 07, and 12; 2-3-4: 07; 2-3-10: 01 (portion), 10 (portion), 11, and 12; 2-4-06:01; 2-5-04:26; 2-5-06:05; and 2-5-10:43.



The following table shows a summary of TMK numbers and approximate acreage for proposed IAL lands:

TMK NUMBER	APPROXIMATE ACREAGE
1-9-01:05	0.5
1-9-02:21	6.7
1-9-02:22	1.3
1-9-03:05	19.8
2-1-01:10	123.1
2-1-01:27 (POR.)	372.6
2-1-01:35	108.6
2-1-01:36	10.1
2-1-01:38	8.9
2-2-01:01 (POR.)	840.9
2-2-01:07	738.5
2-2-01:12	0.5
2-3-04:07	12.8
2-3-10:01 (POR.)	1,374.8
2-3-10:10 (POR.)	47.5
2-3-10:11	25.8
2-3-10:12	32.6
2-4-06:01	26.2
2-5-04:26	5.9
2-5-06:05	2.3
2-5-10:43	13.7
TOTAL:	3,773.1

Exhibit B illustrates the proposed IAL lands and the related Tax Map Key parcels. To illustrate the individual TMK parcels, Exhibits B-1 to B-11 identify the individual TMK parcels and portions thereof that are proposed to be designated IAL.



Legend

-  TMK Parcel Boundary
-  Proposed Important Agricultural Lands

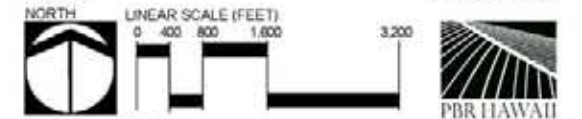
Source:
County of Kauai
U.S. Geological Survey

Disclaimer:
This map has been prepared for general planning purposes only.

**EXHIBIT B
Tax Map Key**

A&B IAL Kauai

A&B INC ISLAND OF KAUAI

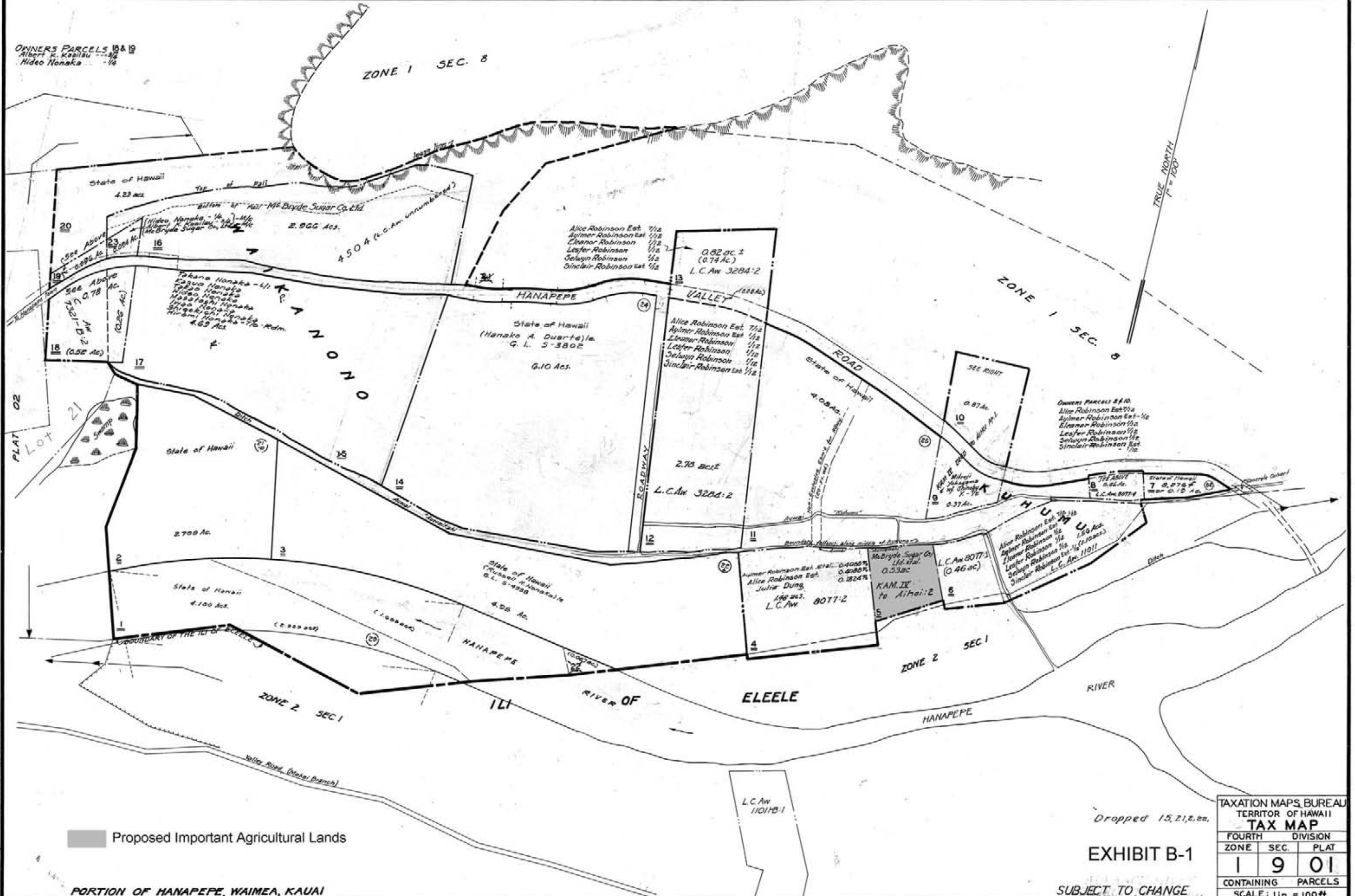


December 2008



CORRECTED
 DEC 29 1938
 NOV 13 1939
 JUN 17 1940
 JAN 2 1941
 MAR 23 1941
 AUG 16 1943
 JUL 29 1946
 OCT 31 1946
 JUL 23 1947

OWNERS PARCELS 18 & 19
 Albert K. Kaialau - 1/2
 Hideo Nonaka - 1/4



MAR 3 1969
 JUL 1971
 JUL 1975

Proposed Important Agricultural Lands

PORTION OF HANAPEPE, WAIMEA, KAUAI

Dropped 15, 21, 22, 23

EXHIBIT B-1

SUBJECT TO CHANGE

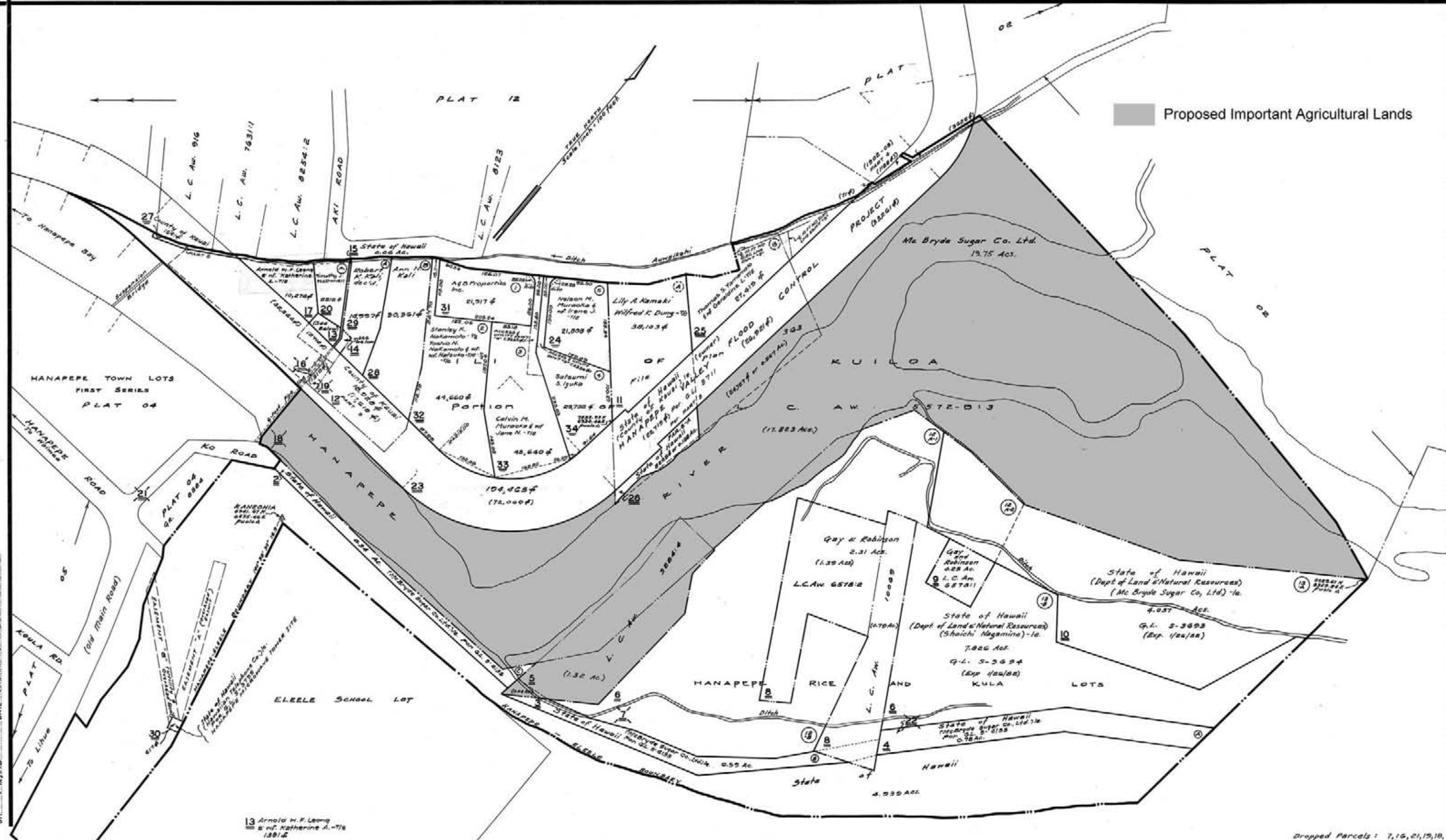
TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH	DIVISION	
ZONE	SEC.	PLAT
1	9	01
CONTAINING PARCELS		
SCALE: 1 in. = 100 ft.		

PRINTED

Dwg. No. : 2848
 Source : Taxation Maps Bureau
 By : H.N. Kitchell, July 1975

SEP 2 1968
JUL 3 1968
OCT 3 1968
NOV 24 1968
AUG 1 1968

DWG. NO. 2056
SOURCE: TMB Data, State Survey Division of County of Kauai - Map-116
BY: P.K./AS DATE (Revised) December, 1968



13 Arnold H. F. Leong
& M. Katherine A. - 7/8
0.04 Ac.

14 Arnold H. F. Leong
& M. Katherine A. - 7/8
0.04 Ac.

Dropped Parcels: 7, 16, 21, 19, 18, 22

ZONE E SEC 1
E L E E L E

EXHIBIT B-3

FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE

DEPARTMENT OF TAXATION PROPERTY ASSESSMENT DIVISION TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
FOURTH TAXATION DIVISION		
ZONE	SEC.	PLAT
1	9	03
SCALE: 1 IN. = 100 FT.		

CORRECTED
 NOV 16 1933

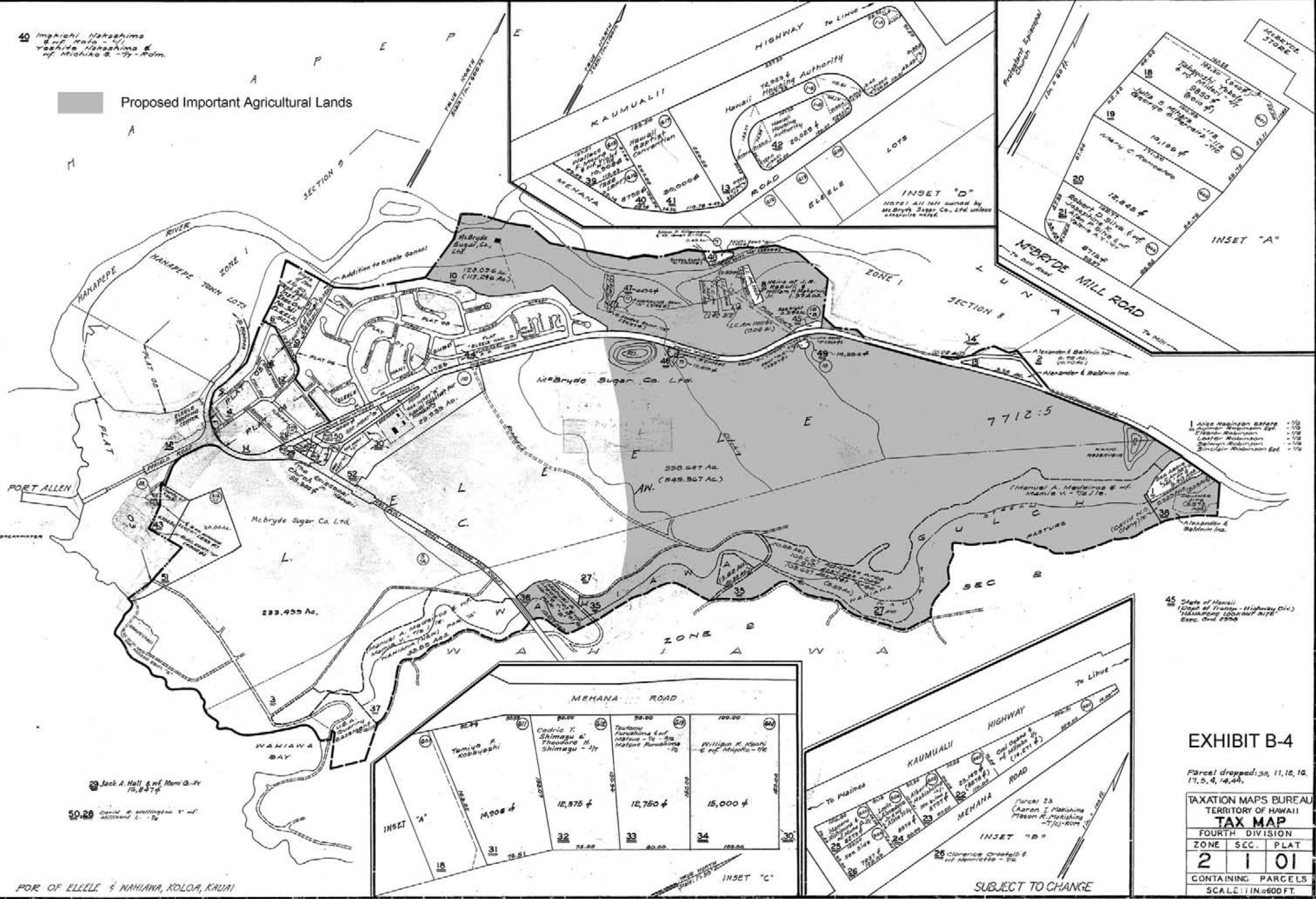
FILE NO. 3440
 MAY 1 1940
 AUG 1 1940
 SEP 1 1940
 NOV 1 1940
 FEB 1 1941
 JUL 1 1941
 JUL 29 1946
 OCT 31 1946
 AUG 28 1950
 MAY 3 1951

DEC 2 1967
 APR 18 1968
 MAY 2 1968
 JUL 1 1968
 MAR 8 1969
 MAY 12 1969
 JUL 3 1969
 MAY 2 1970
 OCT 1 1970
 MAY 1 1971
 MAR 14 1972
 JUN 6 1973
 AUG 2 1973
 OCT 30 1973
 DEC 11 1973
 MAY 29 1974

DWG. NO. 3440
 BY: T. H. G. J. Nov. 1933

40 Imachi Nakashima
 & rf. Kala - 5/1
 Yoshida Nakashima &
 rf. Michiko S. - 77-Rdm.

Proposed Important Agricultural Lands



1 Alice Robinson Estate - 1/2
 2 Arthur Robinson Est. - 1/2
 3 Lester Robinson - 1/2
 4 Spring Robinson - 1/2
 5 Sinclair Robinson Est. - 1/2

45 State of Hawaii
 (Dept. of Transp. - Highway Div.)
 "HANAPEPE LOOKOUT SITE"
 Exec. Ord. 2998

EXHIBIT B-4

Parcel dropped: 30, 11, 12, 16,
 17, 5, 4, 14, 44.

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION		
ZONE	SEC.	PLAT
2	1	01
CONTAINING PARCELS		
SCALE: 1 IN = 600 FT.		

FOR OF ELEELE & NAHIAWA, KOLOA, KAUI

SUBJECT TO CHANGE

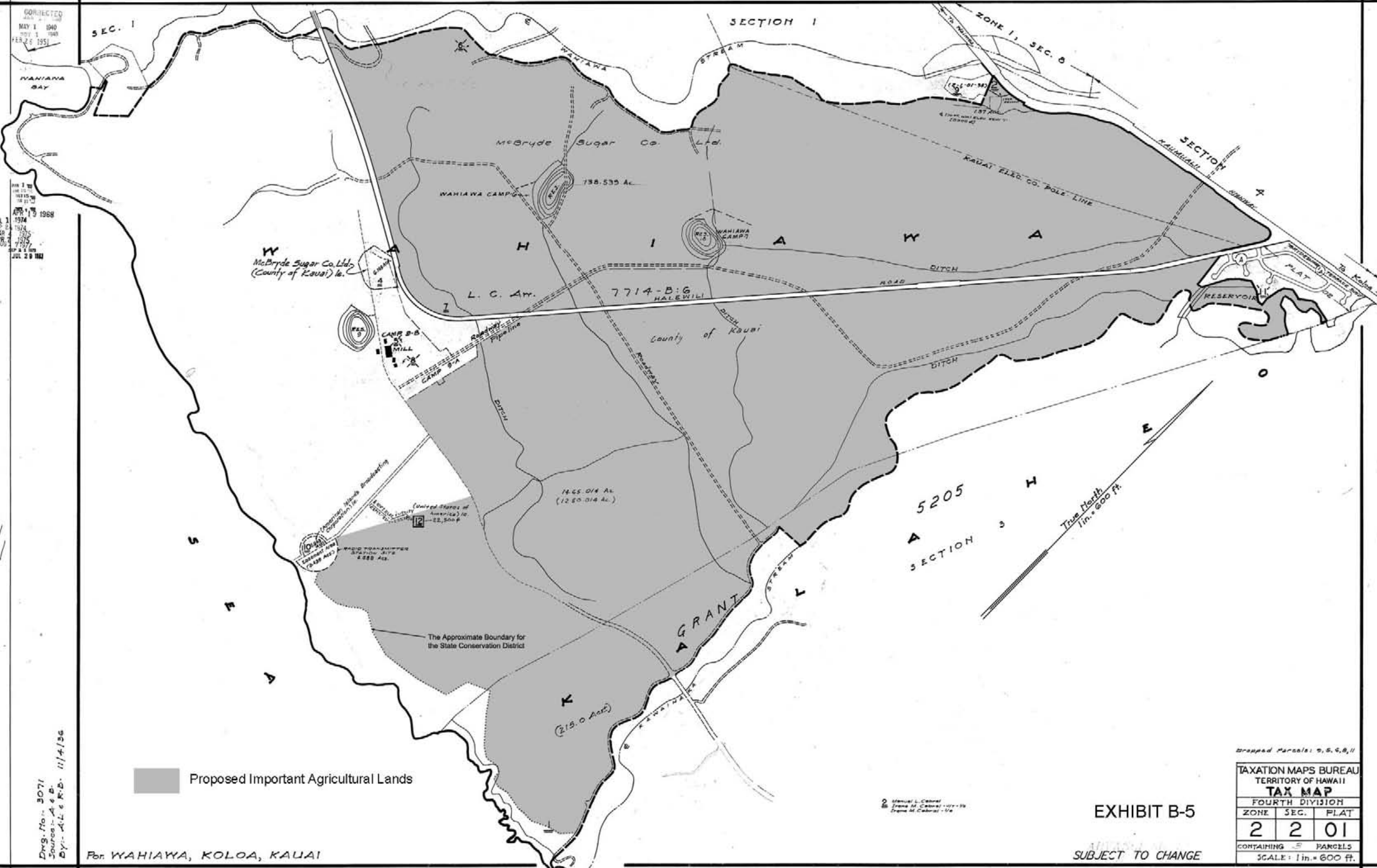
CORRECTED
MAY 1 1940
NOV 1 1940
FEB 25 1951

MAY 1 1968
APR 1 1974
JUL 1 1974
MAY 1 1975
APR 1 1977
JUL 29 1980

Dwg. No. 3071
Sources: A & B
By: A.L. & R.D. 11/4/36

For WAHIAWA, KOLOA, KAUAI

Proposed Important Agricultural Lands



Dropped Parcels: 9, 6, 4, 8, 11

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION		
ZONE	SEC.	PLAT
2	2	01
CONTAINING 5 PARCELS		
SCALE: 1 in. = 600 ft.		

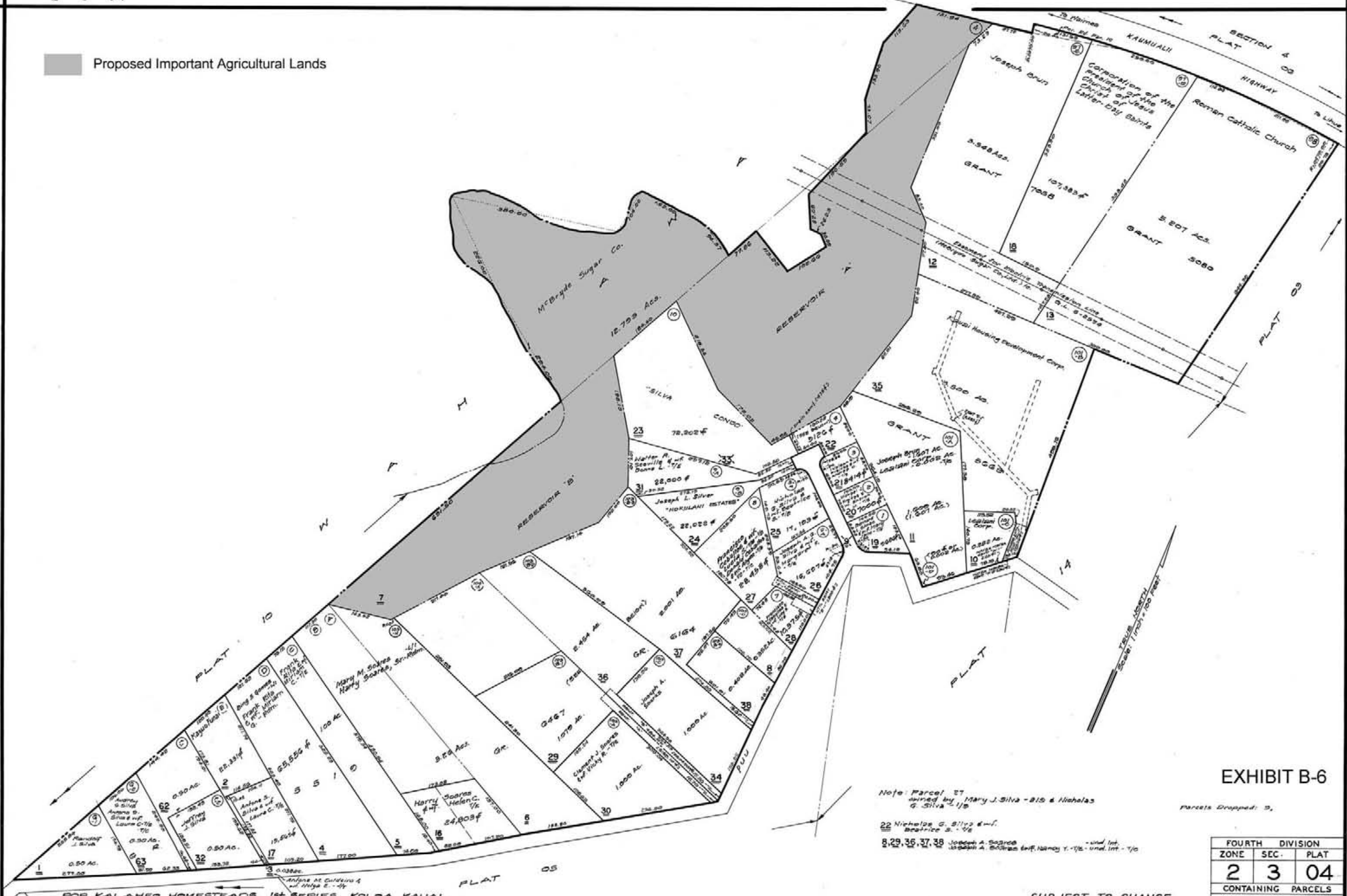
EXHIBIT B-5

SUBJECT TO CHANGE

PRINTED

NOV 20 1950
 DEC 17 1958
 JAN 20 1959
 FEB 10 1961
 MAR 14 1962
 APR 18 1963
 MAY 17 1964
 JUN 16 1965
 JUL 15 1966
 AUG 14 1967
 SEP 13 1968
 OCT 12 1969
 NOV 11 1970
 DEC 10 1971
 JAN 9 1972
 FEB 8 1973
 MAR 8 1974
 APR 7 1975
 MAY 6 1976
 JUN 5 1977
 JUL 4 1978
 AUG 3 1979
 SEP 2 1980
 OCT 1 1981
 NOV 1 1982
 DEC 1 1983

Proposed Important Agricultural Lands



Dwg. No.: 2889 (revised)
 Source: Taxation Maps Bureau
 By: RB Traced by BL - August 2, 1982

Note: Parcel 27 owned by Mary J. Silva - 2/3 & Nicholas G. Silva - 1/3
 22 Nicholas G. Silva & Beatrice S. - 1/2
 8, 29, 36, 37, 38 Joseph A. Soares - and Int. Joseph A. Soares & Nancy T. - 1/2 - und. Int. - 1/2

Parcels Dropped: 9,

EXHIBIT B-6

FOURTH DIVISION		
ZONE	SEC.	PLAT
2	3	04
CONTAINING PARCELS		
SCALE: 1 IN. = 100 FT.		

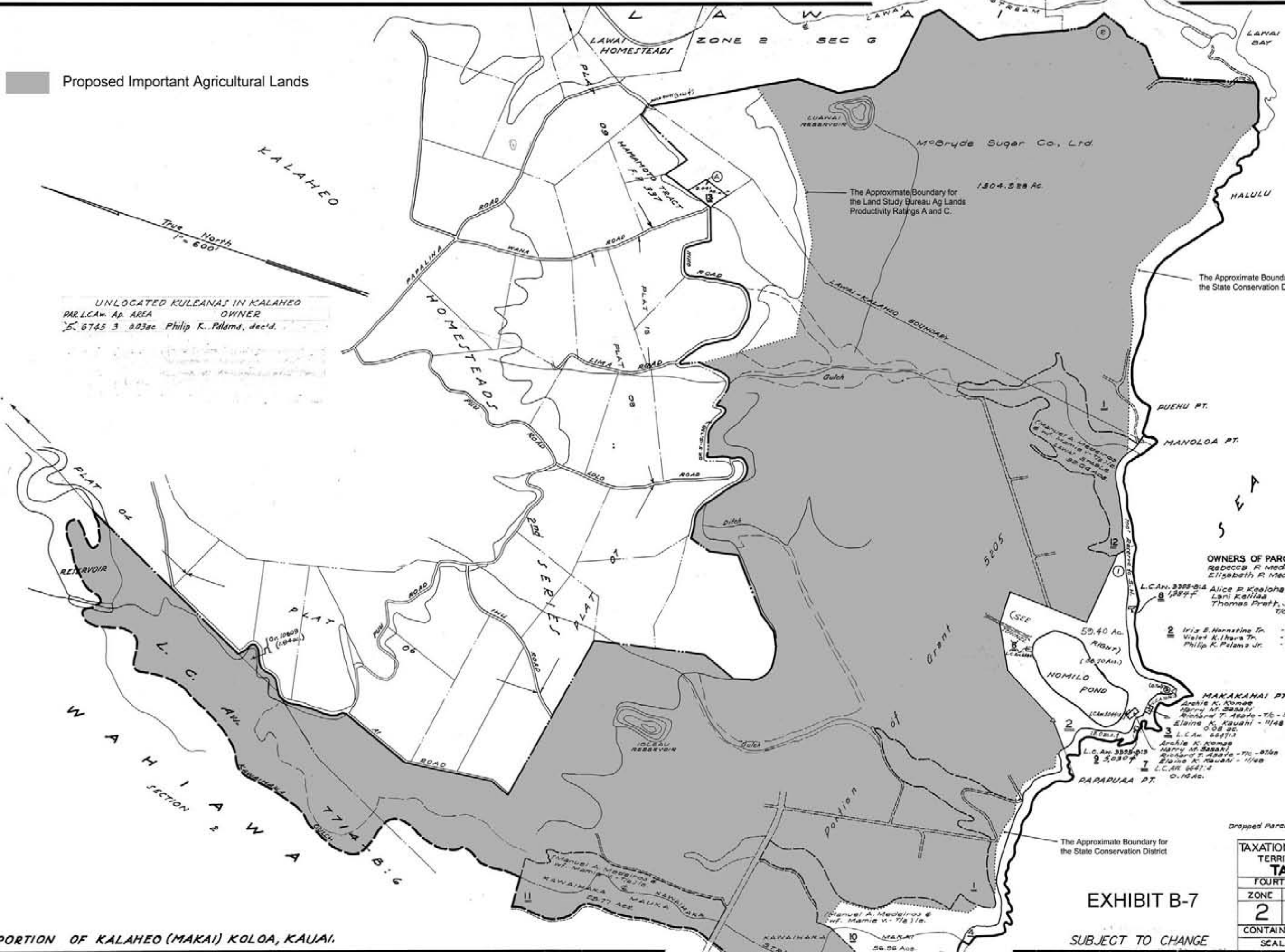
SUBJECT TO CHANGE

FOR KALAHOE HOMESTEADS, 1st SERIES, KOLOA, KAUAI.

CORRECTED
 SEP 21 1938
 JUL 27 1939
 JUL 6 1940
 DEC 14 1939
 JAN 5 1940
 MAY 1 1940
 DEC 1 1940
 DEC 11 1940
 MAR 3 0 1940
 JUN 24 1940
 JUL 1 1940
 JUL 10 1940
 JUL 19 1940
 AUG 1 1940
 AUG 10 1940
 AUG 15 1940
 SEP 1 1940
 SEP 15 1940
 OCT 1 1940
 OCT 15 1940
 NOV 1 1940
 NOV 15 1940
 DEC 1 1940
 DEC 15 1940
 JAN 1 1941
 JAN 15 1941
 FEB 1 1941
 FEB 15 1941
 MAR 1 1941
 MAR 15 1941
 APR 1 1941
 APR 15 1941
 MAY 1 1941
 MAY 15 1941
 JUN 1 1941
 JUN 15 1941
 JUL 1 1941
 JUL 15 1941
 AUG 1 1941
 AUG 15 1941
 SEP 1 1941
 SEP 15 1941
 OCT 1 1941
 OCT 15 1941
 NOV 1 1941
 NOV 15 1941
 DEC 1 1941
 DEC 15 1941
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 FEB 1 1942
 FEB 15 1942
 MAR 1 1942
 MAR 15 1942
 APR 1 1942
 APR 15 1942
 MAY 1 1942
 MAY 15 1942
 JUN 1 1942
 JUN 15 1942
 JUL 1 1942
 JUL 15 1942
 AUG 1 1942
 AUG 15 1942
 SEP 1 1942
 SEP 15 1942
 OCT 1 1942
 OCT 15 1942
 NOV 1 1942
 NOV 15 1942
 DEC 1 1942
 DEC 15 1942
 JAN 1 1943
 JAN 15 1943
 FEB 1 1943
 FEB 15 1943
 MAR 1 1943
 MAR 15 1943
 APR 1 1943
 APR 15 1943
 MAY 1 1943
 MAY 15 1943
 JUN 1 1943
 JUN 15 1943
 JUL 1 1943
 JUL 15 1943
 AUG 1 1943
 AUG 15 1943
 SEP 1 1943
 SEP 15 1943
 OCT 1 1943
 OCT 15 1943
 NOV 1 1943
 NOV 15 1 A H I A W A
 DEC 1 1943
 DEC 15 1943
 JAN 1 1944
 JAN 15 1944

Proposed Important Agricultural Lands

UNLOCATED KULEANAS IN KALAHEO
 PAR.L.C.A.W. Ap. AREA OWNER
 S. 6745 3 003ac Philip K. Palama, dec'd.



- OWNERS OF PARCELS 8 & 9:**
- Rebecca R. Medeiros - 4/10
 - Elizabeth R. Medeiros - 8/10
 - L.C.A.N. 3385-0-4 Alice E. Keeloha - 8/10
 - 1384-4 Lani Kalila - 1/10
 - Thomas Pratt, Jr. - 1/10
 - Thomas Pratt, Jr. - 1/10
 - 2 Iris E. Hornstine Tr. - 33.33%
 - Violet K. Ihara Tr. - 33.33%
 - Philip K. Palama Jr. - 33.33%

- MAKAKAHAI PT.**
- Archie K. Komag
 - Harry M. Sasaki
 - Richard T. Asahi - 70 - 37/100
 - Elaine K. Kawaii - 1/100
 - 0.08 ac
 - L.C.A.N. 6671-3
 - Archie K. Komag
 - Harry M. Sasaki
 - Richard T. Asahi - 70 - 37/100
 - Elaine K. Kawaii - 1/100
 - L.C.A.N. 6671-4
 - 0.10 ac

Dropped Parcels: 6, 9.

The Approximate Boundary for the State Conservation District

EXHIBIT B-7

SUBJECT TO CHANGE

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH	DIVISION	
ZONE	SEC.	PLAT
2	3	10
CONTAINING PARCELS		
SCALE: 1 in = 600 ft.		

PRINTED

Dwg. No. 2876
 Source: Taxation Maps Bureau
 By: P.K.P.A.L. Aug. 1935

PORTION OF KALAHEO (MAKAI) KOLOA, KAUAI.

SEP 9 1968
JUN 6 1968
SEP 10 1970
MAY 5 1974
OCT 17 1975
OCT 21 1977
JUL 4 1980
MAY 23 1987

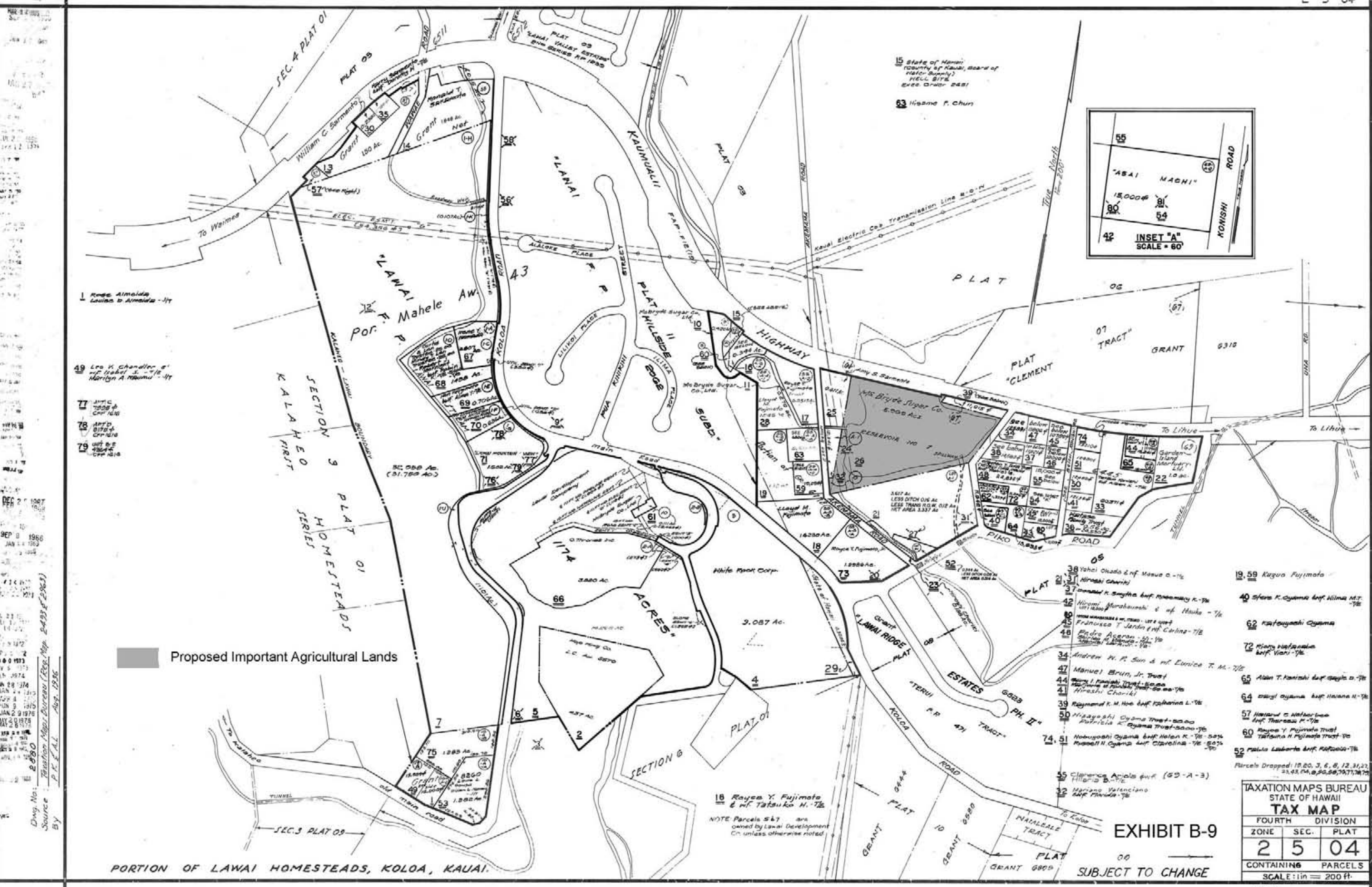
Proposed Important Agricultural Lands



DWG. NO. 8485 (revised)
SOURCE: TAXATION MAPS BRANCH
DATE: JANUARY 20, 1968

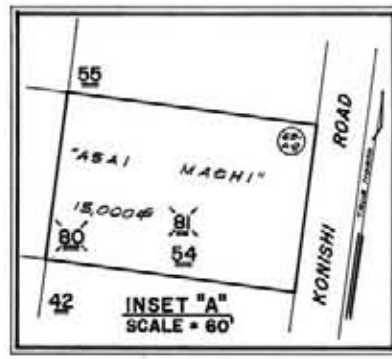
DEPARTMENT OF TAXATION PROPERTY ASSESSMENT DIVISION TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
FOURTH ZONE	TAXATION SEC.	DIVISION PLAT
2	4	06
SCALE: 1 in. = 100 FT.		

EXHIBIT B-8
FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE



Dwg. No.: 2880
 Source: Taxation Maps Bureau (Reg. Map 2-493 of 1963)
 By: P. K. F. A. L. Aug. 1976

15 State of Hawaii
 County of Kauai, Board of
 Water Supply
 HELL SITE
 Exec. Order 2481
 63 Hisano F. Chun



- 49 Leo V. Chandler & M. Tatsuho H. T.
- 77 J.M.C. 7500 & C.P. 1418
- 78 APP'D 8170 & C.P. 1218
- 79 WIT 817 & 1484 & C.P. 1218

Proposed Important Agricultural Lands

- 38 Yachi Okada & M. Masuo & M. Tatsuho H. T.
- 39 Raymond K. M. Ho & M. Tatsuho H. T.
- 40 Spera K. Oyama & M. Tatsuho H. T.
- 41 Hiroshi Chariki
- 42 Hiroshi Chariki
- 43 Hiroshi Chariki
- 44 Hiroshi Chariki
- 45 Hiroshi Chariki
- 46 Hiroshi Chariki
- 47 Hiroshi Chariki
- 48 Hiroshi Chariki
- 49 Hiroshi Chariki
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- 63 Hiroshi Chariki
- 64 Hiroshi Chariki
- 65 Hiroshi Chariki
- 66 Hiroshi Chariki
- 67 Hiroshi Chariki
- 68 Hiroshi Chariki
- 69 Hiroshi Chariki
- 70 Hiroshi Chariki

18 Rayee Y. Fujimoto & M. Tatsuho H. T.
 NOTE: Parcels 5 & 7 are owned by Lawai Development Co. unless otherwise noted.

TAXATION MAPS BUREAU		
STATE OF HAWAII		
TAX MAP		
FOURTH	DIVISION	
ZONE	SEC.	PLAT
2	5	04
CONTAINING		PARCELS
SCALE: 1 in = 200 ft.		

EXHIBIT B-9
 SUBJECT TO CHANGE

PORTION OF LAWAI HOMESTEADS, KOLOA, KAUAI.

CORRECTED
SEP 21 1944

OCT 7 1946

DEC 7 1949

JAN 2 1949

MAY 1 1949

JUN 1 1949

JAN 7 1949

APR 9 1945

APR 17 1945

MAY 9 1946

MAY 31 1946

FEB 18 1947

MAY 2 1947

AUG 16 1947

SEP 8 1968

MAR 21 1969

APR 23 1969

APR 8 1970

APR 24 1970

MAY 21 1971

MAY 2 1974

JUN 7 1974

JUL 23 1974

OCT 1 1974

DEC 22 1975

APR 21 1976

MAY 6 1976

FEB 0 1977

MAY 2 1979

MAY 20 1981

MAY 28 1981

MAY 2 1981

AUG 6 1981

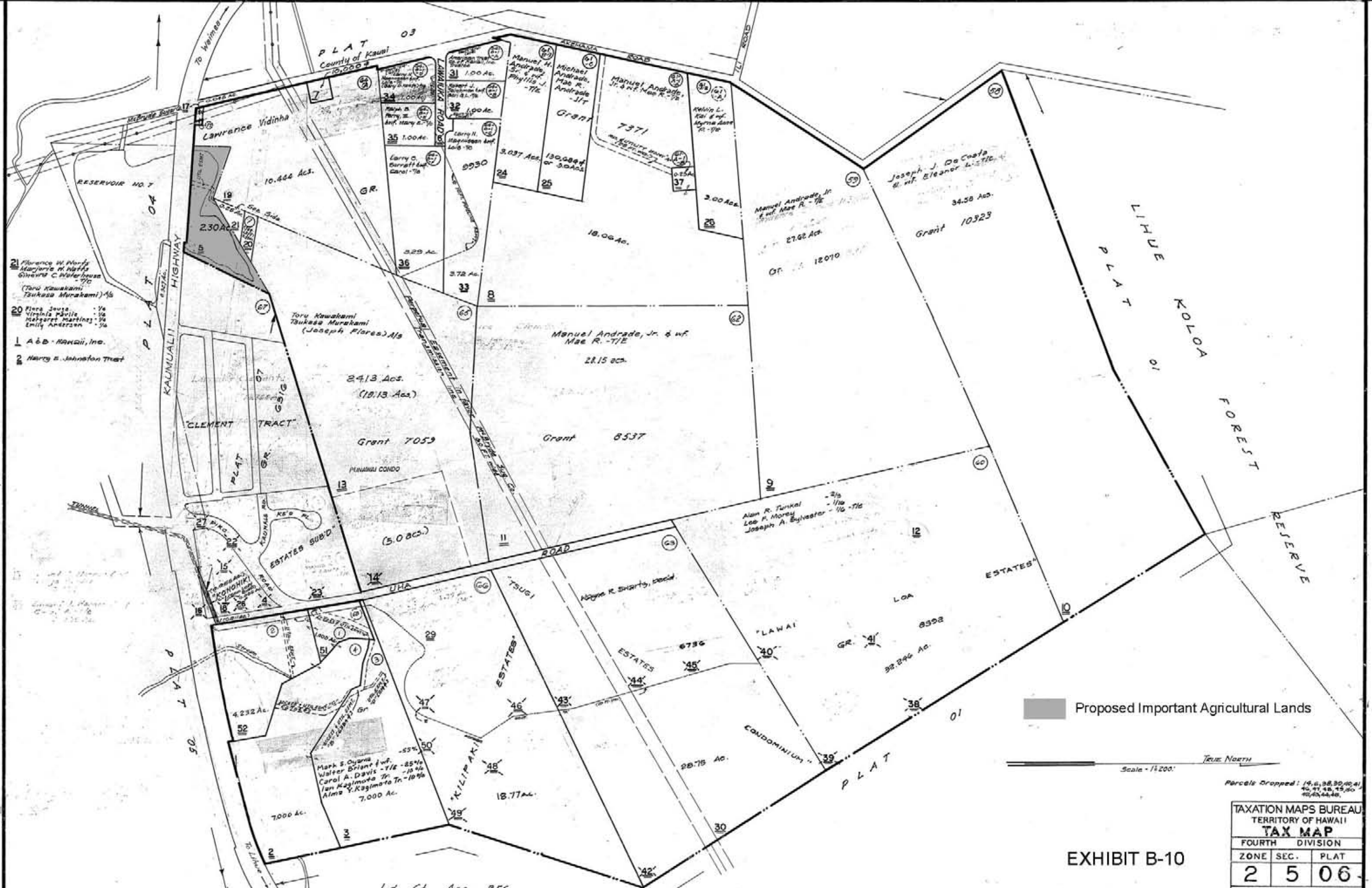
JUN 4 1984

OCT 23 1984

Dwg No. 2877

Source Taxation Maps Bureau (Reg. Maps 2499 & 2963)

By P.K.F.A.L. Aug. 1936



PORTION OF LAWAI HOMESTEADS, KOLOA, KAUAI.

Proposed Important Agricultural Lands

Scale - 1/200'

EXHIBIT B-10

SUBJECT TO CHANGE

Parcels Dropped: 14, 2, 28, 30, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH DIVISION		
ZONE	SEC.	PLAT
2	5	06
CONTAINING PARCELS		
SCALE: 1" = 200 FT		
PRINTED		

Ld. Ct. App. 956

APR 2 1974
 MAY 13 1974
 JUN 13 1974
 JUL 13 1974
 AUG 13 1974
 SEP 13 1974
 OCT 13 1974
 NOV 13 1974
 DEC 13 1974
 JAN 13 1975
 FEB 13 1975
 MAR 13 1975
 APR 13 1975
 MAY 13 1975
 JUN 13 1975
 JUL 13 1975
 AUG 13 1975
 SEP 13 1975
 OCT 13 1975
 NOV 13 1975
 DEC 13 1975

SOURCE: LOCAL APP. 1010 MAPS & TMS

BY: M.D. - G.S.

DATE: April 5, 1978

DWG. NO. 2348

PLAT 05

TRUE NORTH
Scale: 1 in. = 60 ft.

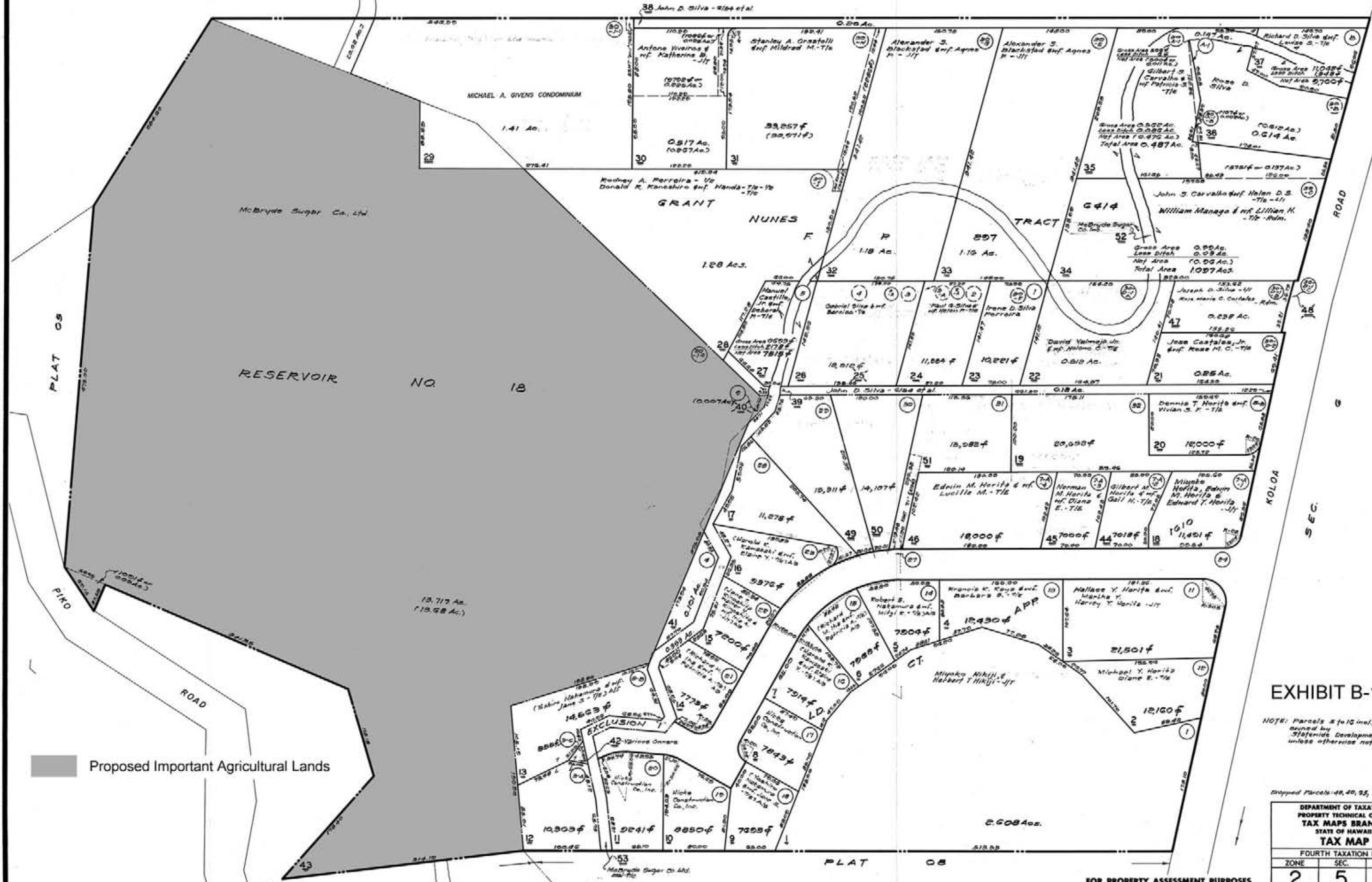


EXHIBIT B-11

NOTE: Parcels 4 to 10 incl, 41 & 42 owned by Stefania Development, Inc. unless otherwise noted.

Dropped Parcels: 48, 49, 55

DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
FOURTH TAXATION DISTRICT		
ZONE	SEC.	PLAT
2	5	10
SCALE: 1 IN. = 60 FT.		

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE



BEFORE THE LAND USE COMMISSION
STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. DR08-37
)
ALEXANDER & BALDWIN, INC.) CERTIFICATE OF SERVICE
)
For Declaratory Order to Designate)
Important Agricultural Lands)
for approximately 3,773.1 acres at)
Koloa and Waimea, Kauai, Hawai'i,)
TMK: 1-9-01: 05, 1-9-02: 21, 1-9-02: 22,)
1-9-03: 05, 2-1-01: 10, 2-1-01: portion)
of 27, 2-1-01: 35, 2-1-01: 36, 2-1-01: 38,)
2-2-01: portion of 01, 2-2-01: 07, 2-2-01: 12,)
2-3-04: 07, 2-3-10: portion of 01, 2-3-10:)
portion of 10, 2-3-10: 11, 2-3-10: 12,)
2-4-06: 01, 2-5-04: 26, 2-5-06: 05, 2-5-10: 43)
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the FINDINGS OF FACT, FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND DECISION AND ORDER was served upon the
following by either hand delivery or depositing the same in the U. S. Postal Service by
regular or certified mail as noted:

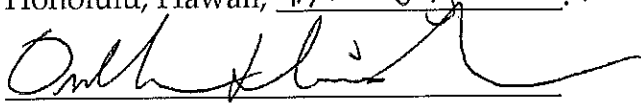
DEL. ABBEY SETH MAYER, Director
 Office of Planning
 P. O. Box 2359
 Honolulu, Hawaii 96804-2359

DEL. BRYAN YEE, Esq.
Deputy Attorney General
Hale Auhau, Third Floor
425 Queen Street
Honolulu, Hawaii 96813

REGULAR IAN COSTA, Director
MAIL: County of Kauai Planning Department
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Kapule Building, Suite A473
Lihue, Kauai, Hawaii 96766

REGULAR AMY ESAKI, Esq.
MAIL: Office of County Attorney
Kauai County
4444 Rice Street, Suite 220
Lihue, Kauai, Hawaii 96766

CERTIFIED BENJAMIN M. MATSUBARA
MAIL: CURTIS T. TABATA
Matsubara - Kotake
888 Mililani Street, Eighth Floor
Honolulu, Hawaii 96813

Honolulu, Hawaii, March 9, 2009

ORLANDO DAVIDSON
Executive Officer