

**State of Hawaii
Department of Agriculture
Agricultural Loan Division**

May 28, 2024

**Board of Agriculture
Honolulu, Hawaii**

SUBJECT: Loan Presentation

APPLICANT: Bamboo Farm & Sanctuary, Partnership
55-348 Hoha Road
Hawi, Hawaii 96719

Jeffrey T. Allen Revocable Trust
P.O. Box 190570
Hawi, Hawaii 96719

Katharine A. Clark Revocable Trust
P.O. Box 190570
Hawi, Hawaii 96719

**CLASSIFICATION
& ELIGIBILITY:**

The applicants meet the qualification under Hawaii Revised Statutes (HRS) Chapter 155-1, as Qualified Farmers and meet the general eligibility requirements under HRS 155-10. Jeffrey T. Allen has lived in Hawaii for 32 years. Katharine A. Clark has been a Hawaii resident for 28 years. They have been farming in Hawaii since 1996 and serve as Trustees for their respective trusts. Bamboo Farm & Sanctuary Partnership was formally organized in 2015, however, registered with Commerce and Consumer Affairs on January 14, 2008. Mr. Allen owns a 52% interest and Ms. Clark a 48% interest in the partnership.

COMMODITY: Nursery Plants & Sheep

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CREDIT HISTORY:

SEE EXHIBIT A (CONFIDENTIAL)

**OTHER STATE
AGRICULTURAL
LOANS:**

None

**LOAN REQUEST
& PURPOSE:**

<u>Amount</u>	<u>Class A</u>
\$124,000	Payoff balloon payment
\$124,000	Total Request

This loan request will enable the applicants to pay off a balloon payment due on short term financing and fully amortize the balance over the proposed term keeping the farm in operation. The 31.993-acre farm was purchased in 2005 for \$350,000. Their current short term mortgage loan of \$200,000 was provided in 2019 and has a current balloon balance of \$124,000 due.

TERMS:

Class A - Direct Farm Ownership Loan

Amount: \$124,000
Term: 20 years
Interest rate: 7.50% per annum, fixed.
Repayment: Monthly principal & interest payments of \$1,000 until maturity. Which is a similar monthly payment to their current mortgage outlay.

SECURITY:

The Class A will be secured as follows:

- 1) First position mortgage on a 31.993 fee simple property identified as Tax Map Key (TMK) (3) 5-5-007-014.

The property is owned by Mr. Allen and Ms. Clark Trusts as Tenants in Common. The property's permitted structures include a 528 sq. ft. wooden storage shed and a 336 sq. ft. open carport.

- 2) First lien financing statement on all crops, accounts, inventory, farm equipment, and tools.

Shown below is the loan-to-value (LTV) ratio for the proposed loan:

$$\text{Loan to Value Ratio} = \frac{\$124,000 \text{ (SALD Proposed)}}{\$1,137,000 \text{ (Market Land Value)}} = 10.9\%$$

The Market Land Value is based on the 2024 valuation of the county tax assessor. The LTV ratio of 10.9% meets the program's statutory requirements for a Class A Loans and the loan will be well secured with the real estate. The equipment was valued by applicants at \$188,150, however, due to the abundance of value in real estate and the proposed term of the loan the equipment value was not included in the above loan to value calculation.

GUARANTORS:

The personal guaranties of Jeffrey T. Allen & Katharine A. Clark will be required.

**FINANCIAL
CONDITION:**

SEE EXHIBIT A (CONFIDENTIAL)

**REPAYMENT
ABILITY:**

SEE EXHIBIT A (CONFIDENTIAL)

INSURANCE:

Liability Insurance

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**BACKGROUND/
MANAGEMENT
ABILITY:**

Mr. Allen grew up on a hog farm in Missouri and has previously owned and operated two cherry orchards in the Columbia River Gorge. In 1996, Ms. Clark and Mr. Allen began farming in Kohala on land leased from Chalon. The primary crops were papayas and culinary herbs.

In 1999 they acquired a 31.993-acres farm in the Kohala district that was formerly sugarcane land. The land has a slight grade that ranges from perfectly level up to a 12% slope. Soil Web records the mean annual precipitation at 40 to 60-inches. The soil is Kohala Silty Clay with a silty clay loam underneath and bedrock over 4-feet down.

Over the years they have restored the land from fallowed sugarcane fields into a productive nursery, pasture and timberyard. Initially, they tilled down 30-inches adding in their amendments and removing rocks transforming the packed clay to a friable soil. Mr. Allen estimates they added approximately 50 tons of Bokashi fertilizer, 25 tons of Biochar, and 4 tons of lime per acre. They added plumbing, underground utilities, sheds, irrigation, and planted wind breaks of over 2,000 trees. The property is fully fenced with part of the panel buried to further pig-proof the boundary. There is irrigation throughout the property with NST fire hydrants on all sides and near any buildings. The buildings include a tractor shed, storage building/welding shop, Quonset, and a permitted equipment shed and carport.

The farm is located in one of the windiest areas in the state as Mauna Kea diverts the winds into a super flow. As they cleared areas, they strategically planted windbreaks of specialty Hirose and Oliveriana bamboo, Podocarpus, Eucalyptus Grandis, Ironwood, Monkey Pod, Royal Poinciana, Rainbow Eucalyptus, New Zealand Kauri, Baobab, and Mock Orange. The windbreaks create a more hospitable environment for farming and establishing parent plant stock.

The farm currently has 2 acres in nursery plants and infrastructures, 10-acres of amended soil is covered in self-mulching perennial peanut and Bermuda grass and 19-acres in pasture for their 80 head hair sheep herd. In addition to the nursery plants, sheep and ground stabilizing ground

cover crops they produce Bokashi Plus and Biochar.

In 2000, they invested \$150,000 to install a pipeline that allowed access to affordable Kohala ditch water. In 2021, the Kohala Ditch was damaged and has languished in disrepair. County water can cost as much as ten times that of the Kohala Ditch ag water. In response, they adapted their inventory to less water intensive nursery plants and have had to adjust their irrigation cycles for ground cover crops to utilize less water.

SUMMARY:

The applicants show a long-term dedication to the improvement of Hawaii's soil health and an intrinsic understanding of the organic life cycle. They proved adaptable during times of unpredictable and enduring issues. Their industrious use of their own resources and skills to create products further demonstrates their business acuity. Their strong personal financial conditions and projections provide sufficient support for the loan.

A field visit to the farm indicated that it is in good condition with lush nursery beds of perennial peanut, Bermuda grass, and potted nursery plants. They have large inventories of Bokashi Plus and Biochar with an extensive "feed" pile of timber to supply future Biochar. By refinancing the balloon payment, they will be able to continue to sell high quality soil amendments and nursery plants to their wholesale vendors and direct to customers. The proposed loan is well secured by the real-estate and further secured with equipment and inventory.

TURNDOWNS:

Bank of Hawaii and First Hawaiian Bank declined the subject's loan request for the following reasons:

- 1) Insufficient cash flow.
- 2) Property is ineligible for loan program.
- 3) Type of collateral is not sufficient.

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STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANGEMENT DIVISION
HONOLULU, HAWAII

May 28, 2024

Board of Agriculture
Honolulu, Hawaii

Subject: RESUBMITTAL – REQUEST FOR APPROVAL TO AWARD A LEASE TO A. ASQUITH; TMK NO. (4) 4-3-004:009, KAPAA, KAWAIHAU, ISLAND OF KAUAI, HAWAII

Authority: Section 166E-8, Hawaii Revised Statutes (HRS), and Section 4-158-22, Hawaii Administrative Rules (HAR)

Tax Map Key: (4) 4-3-004:009

Land Area: 25.710 gross acres

Land Status: Property set aside to the Department of Agriculture (DOA) by Governor's Executive Order 4397 dated December 21, 2011

Lease Term: 35 years, commencing upon the completion of pre-requisite requirements and before or upon expiration of the Right-of-Entry term of 6 months

Base Annual Rental: \$303.00 per annum

Character of Use: Diversified Agriculture

BACKGROUND:

The Agricultural Resource Management Division received the vacant Kapaa, Kauai parcel (TMK: (4) 4-3-004:009) from the Department of Land and Natural Resources via Governor's Executive Order No. 4397 dated December 21, 2011.

In accordance with §166E-8, HRS, and §4-158-24 and 29, HAR, a public notice of public auction was published on October 6, 2023, announcing the subject parcel available for lease. The division received a total of two (2) applications for the vacant parcel, of which one (1) applicant qualified to bid in accordance with the 4-158-1 and 27, HAR. Staff determined that the applicant Adam Asquith qualified as a bona fide farmer

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with more than two years of intensive farming experience and meets eligibility residency requirements of the Non-Agricultural Park Lands Program.

Exhibit "A" attached hereto, lists the applicant and status. Exhibit "B" reflects the location of the parcel.

RECOMMENDATIONS:

That the Board of Agriculture approve issuance of the appropriate Right-of-Entry document to the successful awardee for the lot in accordance with §4-158-22, HAR, and subsequently issue the appropriate general lease subject to the completion of lease prerequisites. All related documents are subject to the review and approval as to form by the Department of the Attorney General, and such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully submitted,



BRIAN KAU, P.E.
Administrator and Chief Engineer
Agricultural Resource Management Division

Attachments: Exhibits "A" and "B"

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture

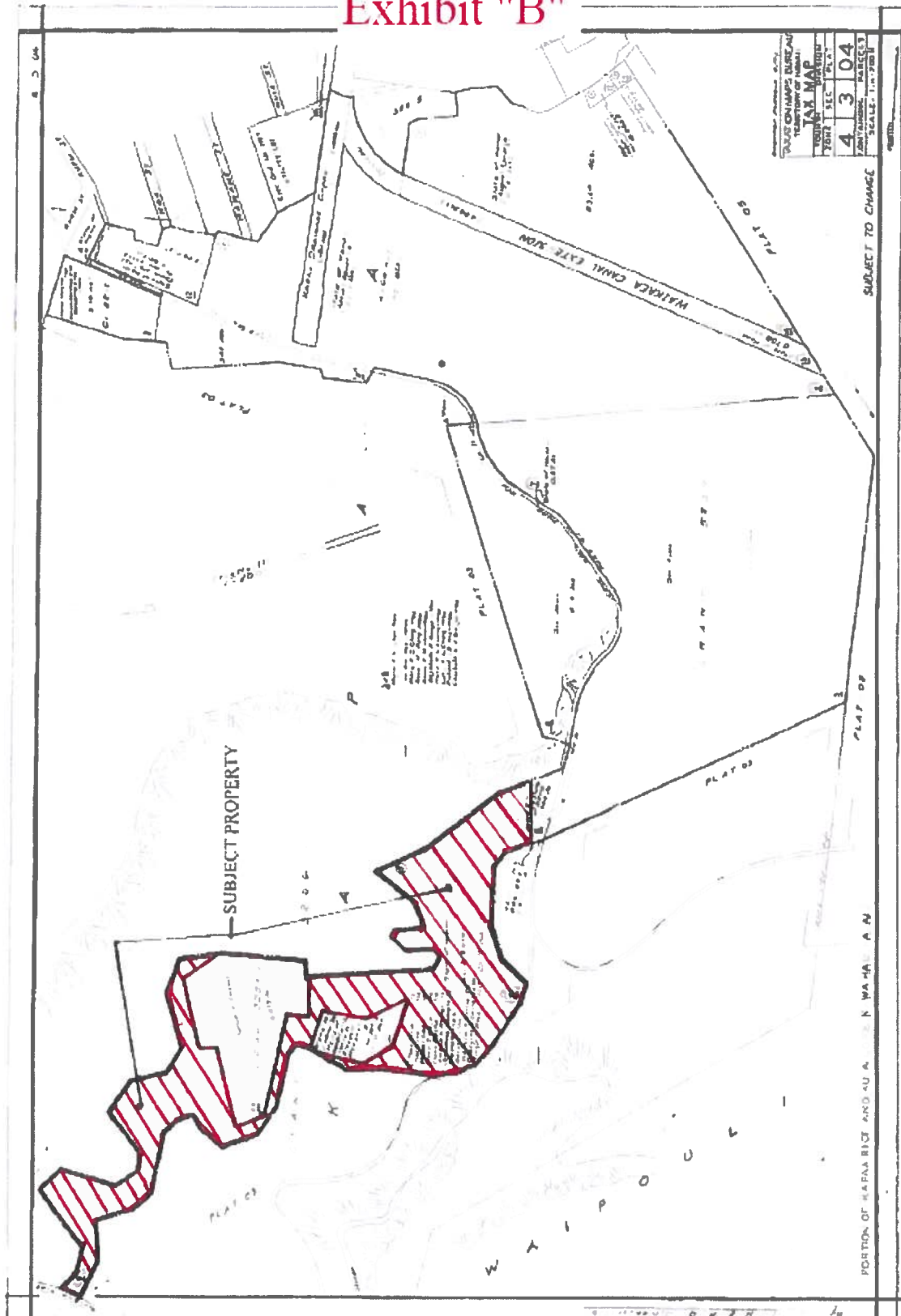
EXHIBIT "A"
NON-AGRICULTURAL PARK LANDS DISPOSITION - 2024

<u>Applicant Name</u>	<u>TMK: (4) 4-3-004:009 bid amount</u>
Adam Asquith	\$303.00

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Exhibit "B"



STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII

May 28, 2024

Board of Agriculture
Honolulu, Hawaii

Subject: REQUEST FOR ACCEPTANCE OF ANNUAL LEASE RENT AMOUNTS AS DETERMINED BY INDEPENDENT APPRAISAL FOR RENT REOPENINGS AND VACANT LAND FOR VARIOUS LOTS LOCATED STATEWIDE; TMK NOS.: (1) 4-1-008:076, (1) 4-1-010:026, (1) 4-1-010:042, (1) 4-1-010:048, (1) 4-1-025:022,023, (1) 4-1-025:057, (1) 4-1-026:017, (1) 4-1-027:002, (1) 4-1-027:009, (1) 4-1-027:028, (1) 5-6-006:029, (1) 5-6-006:031, (1) 5-6-006:033, (1) 5-6-006:035, (1) 5-6-006:037, (1) 5-6-006:038, (1) 5-6-006:039, (1) 5-6-006:040, (1) 5-6-006:041, (1) 5-6-006:042, (1) 5-6-006:043, (1) 5-6-006:044, (1) 5-6-006:045, (1) 5-6-006:046, (1) 5-6-006:047, (1) 5-6-006:048, (1) 5-6-006:049, (1) 5-6-006:050, (1) 5-6-006:051, (1) 5-6-006:052, (2) 5-2-001:010, (2) 5-2-001:013, (2) 5-2-001:015, (2) 5-2-001:016, (2) 5-2-001:021, (2) 5-2-001:022, (2) 5-2-001:024, (2) 5-2-001:025, (2) 5-2-001:026, (2) 5-2-004:016, (2) 5-2-004:119, (3) 1-5-116:026, (3) 1-5-116:045, (3) 7-3-049:001, (3) 7-3-049:006, (3) 7-3-049:014, (3) 7-3-049:030, (4) 4-4-004:043, (4) 4-4-004-044

Authority: Sections 166-9 and 166E-6, Hawaii Revised Statutes (HRS), and Sections 4-153-3(b)(10) and 18, and Sections 4-158-2(a)(11) and 21, Hawaii Administrative Rules (HAR)

Lease: Various listed in Exhibit "A"

Lessee: Various

Land Status: Properties set aside to the Department of Agriculture by various Governor's Executive Orders

Character of Use: Various

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REMARKS:

Pursuant to the provisions of Sections 4-153-3(b)(10) and 18, 4-158-2(a)(11) and 21, HAR, the Board of Agriculture (Board) is required to establish and approve annual lease rentals by independent appraisal for issuance of new leases, extensions of leases, and re-openings of base and additional rentals for existing leases in the Agricultural Park and Non-Agricultural Lands programs.

The Department of Agriculture contracted ACM Consultants, Inc. to determine the fair market rents of various Agricultural Park and Non-Agricultural Park Lands leases for rents reopened on various dates, lease conversions, and dispositions of new leases. ACM Consultants, Inc. recently completed the appraisal reports and the new lease rents are presented in the table attached as Exhibit "A." Location maps of the parcels are attached as Exhibit "B".

Staff believes the new rental rates are fair and reflect the current market conditions for the agricultural leases. Accordingly, staff recommends that the Board accept the new rental values as determined by ACM Consultants, Inc.

RECOMMENDATION:

That the Board accept the fair market rentals for the various Agricultural Park and Non-Agricultural Park Lands leases as listed in Exhibit "A." The new rental rates will take effect upon the stated rent reopening dates, as may be appropriate for each lease.

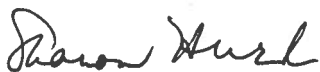
Respectfully submitted,



BRIAN KAU, P.E.
Administrator & Chief Engineer
Agricultural Resource Management Division

Attachments: Exhibits "A" and "B"

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture

EXHIBIT "A"**SUMMARY OF VALUE CONCLUSIONS**

Board of Agriculture, May 28, 2024

Parcel TMK	Lease No.	Gross Acres	Appraised Fair Market Rental	% Rent on Gross Proceeds	Purpose	Character of Use
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ISLAND OF OAHU

(1) 4-1-008:076	S-5353	1.000	\$3,795	1.50%	reopening	diversified ag
(1) 4-1-010:026	S-5713	11.745	\$14,858	1.50%	reopening	diversified ag
(1) 4-1-010:042	S-3110	4.486	\$10,380	1.50%	reopening	diversified ag
(1) 4-1-010:048	S-5707	5.256	\$11,093	1.50%	reopening	diversified ag
(1) 4-1-025:022,023	S-3102	8.923	\$16,800	1.50%	reopening	diversified ag
(1) 4-1-025:057	S-5354	0.800	\$3,518	1.50%	reopening	diversified ag
(1) 4-1-026:017	S-3111	7.136	\$13,238	1.50%	reopening	diversified ag
(1) 4-1-027:002	S-3107	1.002	\$3,698	1.50%	reopening	diversified ag
(1) 4-1-027:009	S-5577	8.860	\$15,900	1.50%	reopening	diversified ag
(1) 4-1-027:028	S-3112	7.195	\$13,253	1.50%	reopening	diversified ag
(1) 5-6-006:029	S-6001	15.462	\$9,563	1.50%	reopening	diversified ag
(1) 5-6-006:031	S-6003	8.136	\$5,348	1.50%	reopening	diversified ag
(1) 5-6-006:033	S-6005	5.173	\$3,008	1.50%	reopening	diversified ag
(1) 5-6-006:035	S-6007	9.065	\$6,210	1.50%	reopening	diversified ag
(1) 5-6-006:037	S-6009	9.996	\$6,248	1.50%	reopening	diversified ag
(1) 5-6-006:038	S-6010	5.170	\$2,873	1.50%	reopening	diversified ag
(1) 5-6-006:039	S-6011	5.775	\$3,285	1.50%	reopening	diversified ag
(1) 5-6-006:040	S-6012	5.394	\$3,090	1.50%	reopening	diversified ag
(1) 5-6-006:041	S-6013	7.509	\$4,418	1.50%	reopening	diversified ag
(1) 5-6-006:042	S-6014	6.196	\$3,720	1.50%	reopening	diversified ag
(1) 5-6-006:043	S-6015	6.100	\$1,838	1.50%	reopening	diversified ag
(1) 5-6-006:044	S-6016	10.263	\$4,740	1.50%	reopening	diversified ag
(1) 5-6-006:045	S-6017	11.254	\$5,640	1.50%	reopening	diversified ag
(1) 5-6-006:046	S-6018	9.430	\$4,988	1.50%	reopening	diversified ag
(1) 5-6-006:047	S-6019	10.321	\$5,895	1.50%	reopening	diversified ag
(1) 5-6-006:048	S-6020	9.808	\$6,165	1.50%	reopening	diversified ag
(1) 5-6-006:049	S-6021	10.913	\$4,718	1.50%	reopening	diversified ag
(1) 5-6-006:050	S-6022	12.913	\$5,370	1.50%	reopening	diversified ag
(1) 5-6-006:051	S-6023	12.764	\$5,753	1.50%	reopening	diversified ag
(1) 5-6-006:052	S-6024	9.865	\$6,555	1.50%	reopening	diversified ag

EXHIBIT "A"

SUMMARY OF VALUE CONCLUSIONS

Board of Agriculture, May 28, 2024

Parcel TMK	Lease No.	Gross Acres	Appraised Fair Market Rental	% Rent on Gross Proceeds	Purpose	Character of Use
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ISLAND OF MOLOKAI

(2) 5-2-001:010	S-9000	23.701	\$1,230	1.50%	reopening	diversified ag
(2) 5-2-001:013	S-9005	27.980	\$1,395	1.50%	reopening	diversified ag
(2) 5-2-001:015	S-9007	25.890	\$1,315	1.50%	reopening	diversified ag
(2) 5-2-001:016	S-9008	26.890	\$1,355	1.50%	reopening	diversified ag
(2) 5-2-001:021	S-9013	42.422	\$1,925	1.50%	reopening	diversified ag
(2) 5-2-001:022	S-9014	32.696	\$1,570	1.50%	reopening	diversified ag
(2) 5-2-001:024	S-9016	124.654	\$960	1.50%	reopening	diversified ag
(2) 5-2-001:025	S-9017	50.859	\$2,135	1.50%	reopening	diversified ag
(2) 5-2-001:026	S-9018	25.739	\$1,195	1.50%	reopening	diversified ag
(2) 5-2-004:016	S-9002	7.796	\$630	1.50%	reopening	diversified ag
(2) 5-2-004:119	S-9003	5.571	\$485	1.50%	reopening	diversified ag

ISLAND OF HAWAII

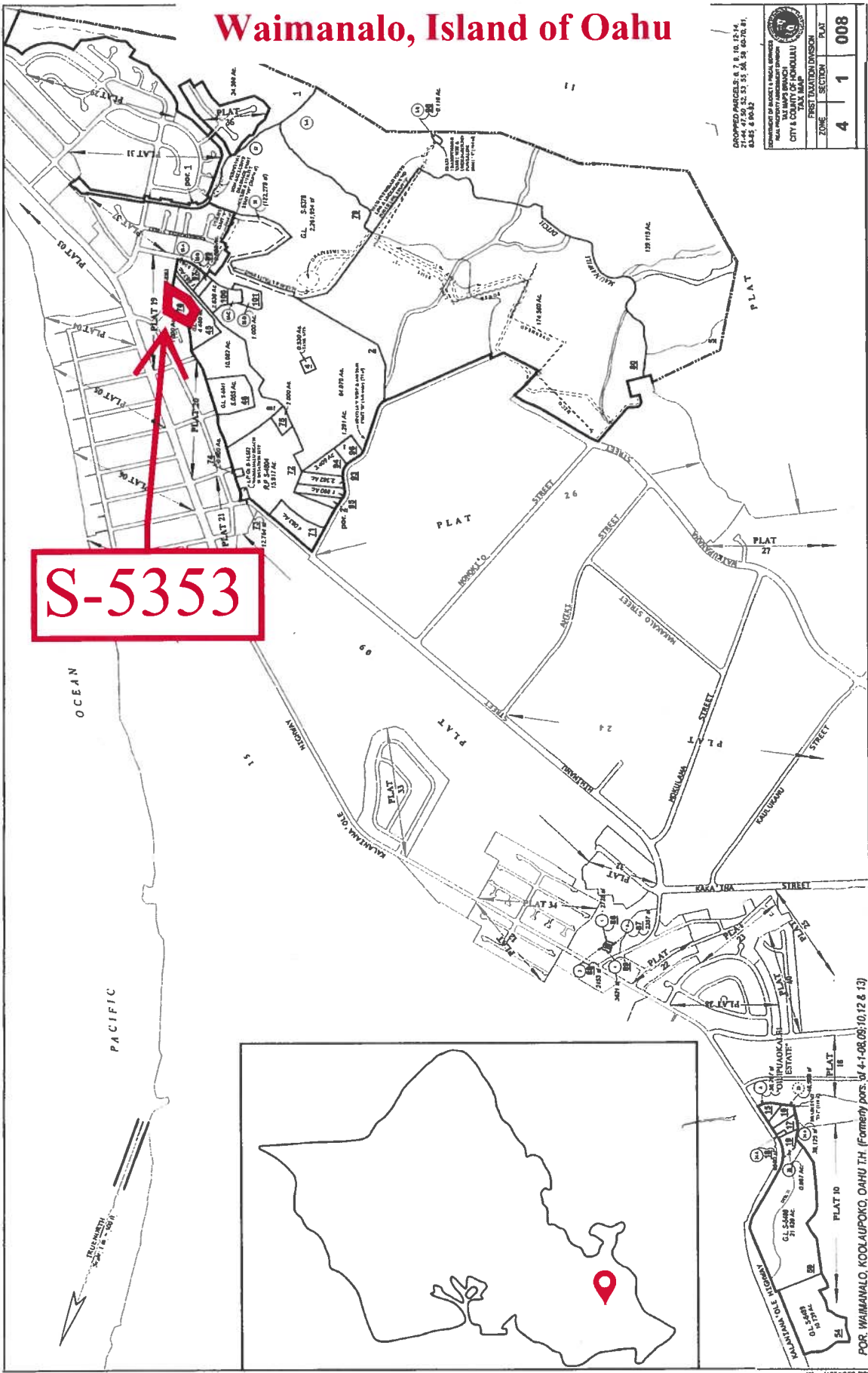
(3) 1-5-116:026	S-4826	21.276	\$1,650	1.50%	reopening	diversified ag
(3) 1-5-116:045	S-4827	5.842	\$610	1.50%	reopening	diversified ag
(3) 7-3-049:001	S-4856	7.282	\$3,960	1.50%	reopening	diversified ag
(3) 7-3-049:006	S-4857	5.183	\$3,190	1.50%	reopening	diversified ag
(3) 7-3-049:014	S-4858	5.272	\$3,250	1.50%	reopening	diversified ag
(3) 7-3-049:030	S-4855	5.027	\$3,130	1.50%	reopening	diversified ag

ISLAND OF KAUAI

(4) 4-4-004:043	S-3113	3.000	\$10,120	1.50%	reopening	diversified ag
(4) 4-4-004-044	S-4393	40.260	\$8,930	1.50%	reopening	diversified ag

Exhibit "B"

Waimanalo, Island of Oahu

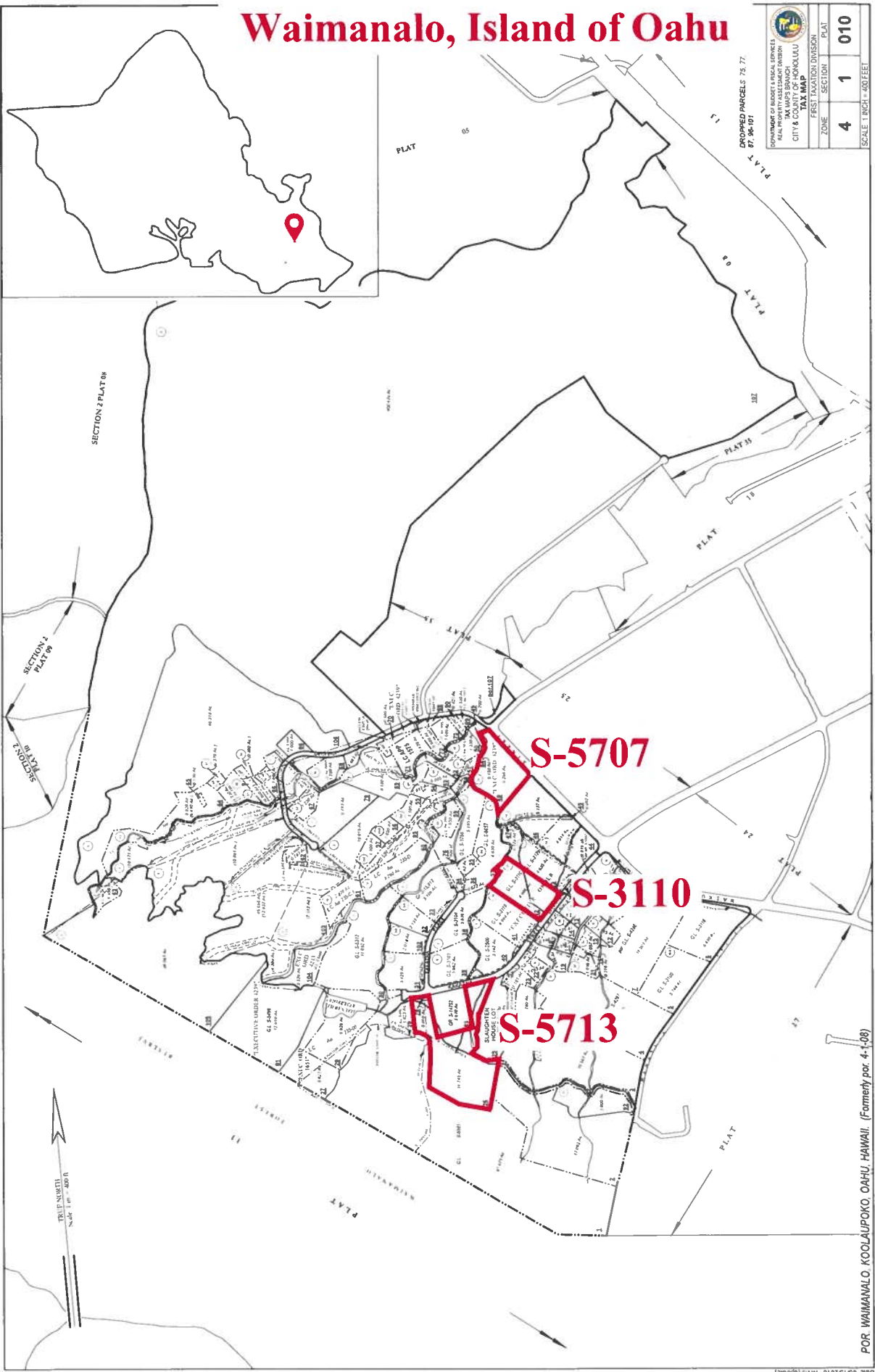


FOR WAIMANALO, KOOLAUPOKO, OAHU HI. (Formerly posts of 4-1-06, 05, 10, 12 & 13)

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Exhibit "B"

Waimanalo, Island of Oahu



PROPOSED PARCELS 75, 77, 87, 96-101

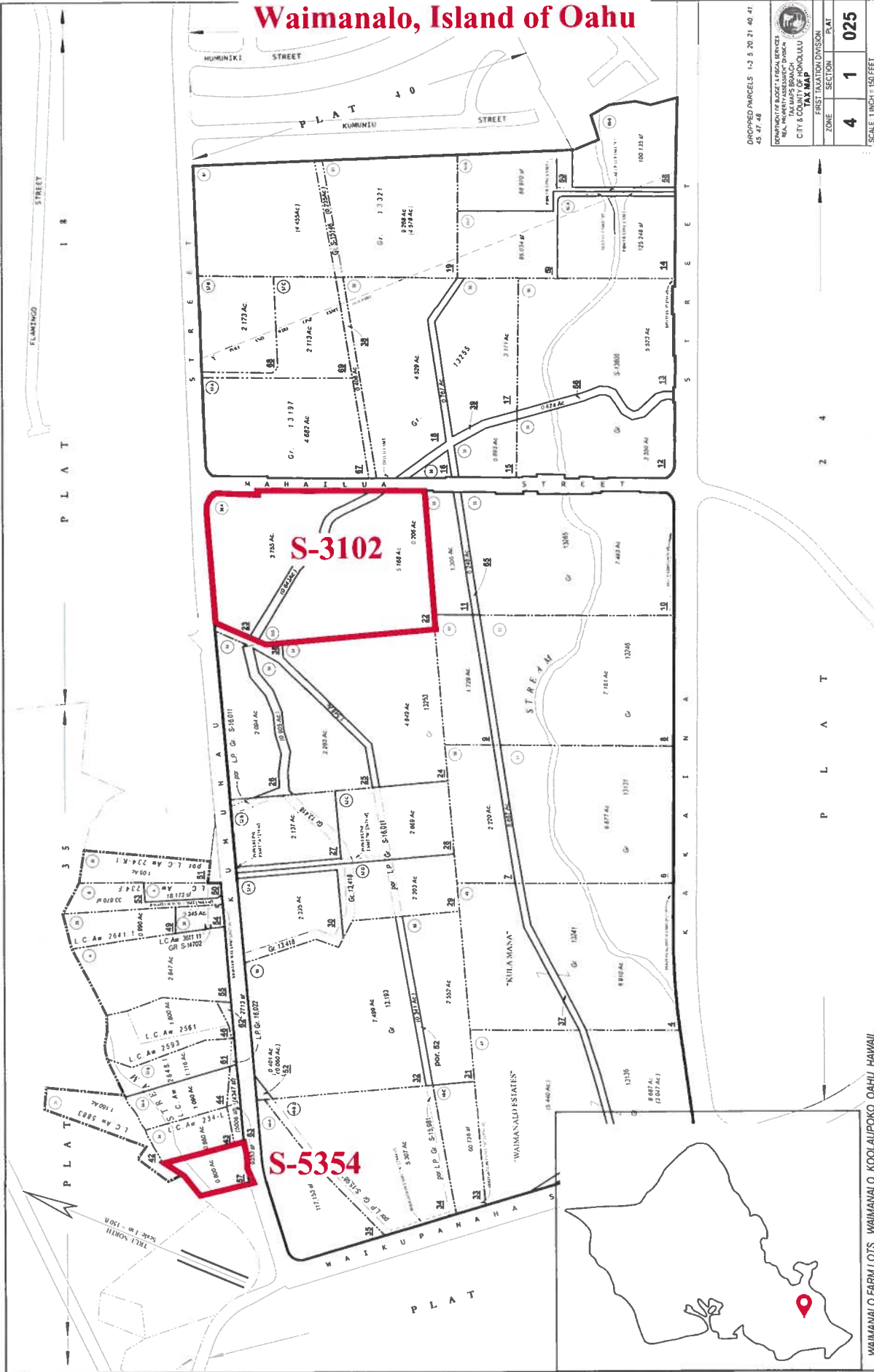
DEPARTMENT OF INDUSTRY & COMMERCIAL SERVICES REAL ESTATE DIVISION TAX MAPS BRANCH CITY & COUNTY OF HONOLULU			
ZONE	SECTION	PLAT	
4	1	010	

SCALE 1" = 400 FEET

POR, WAIMANALO, KOOLAUPOKO, OAHU, HAWAII. (Formerly por. 4-1-00)

Exhibit "B"

Waimanalo, Island of Oahu



DISPOSED PARCELS 1-3 5-20 21-40 41-45 47-48

DEPARTMENT OF PUBLIC WORKS
LAND & NATURAL RESOURCES
LAND & NATURAL RESOURCES
TAX MAPS BRANCH
CITY & COUNTY OF HONOLULU

FIRST TIERED DIVISION

ZONE	SECTION	PLAT
4	1	025

SCALE: 1 INCH = 150 FEET

B11

B12

Exhibit "B"

Waimanalo, Island of Oahu

PROPOSED PARCELS 1, 4, 6, 22, 29

DEPARTMENT OF INDUSTRY & COMMERCIAL AFFAIRS
 REAL PROPERTY DIVISION
 TAX MAPS BRANCH
 CITY & COUNTY OF HONOLULU

TAX MAP	FIRST DIVISION	SECTION	PLAT
S-3111	4	1	026

SCALE: 1 INCH = 300 FEET

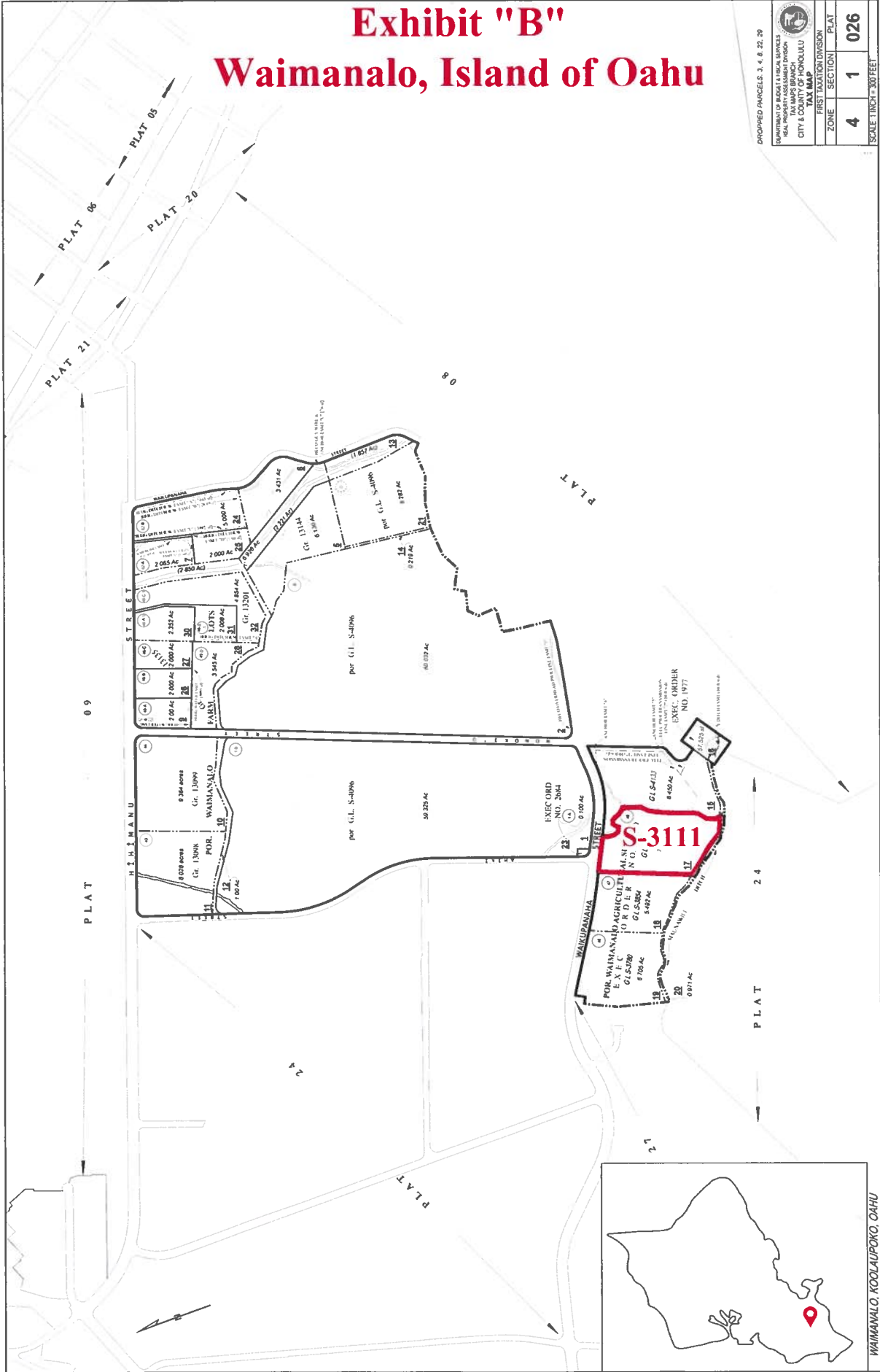
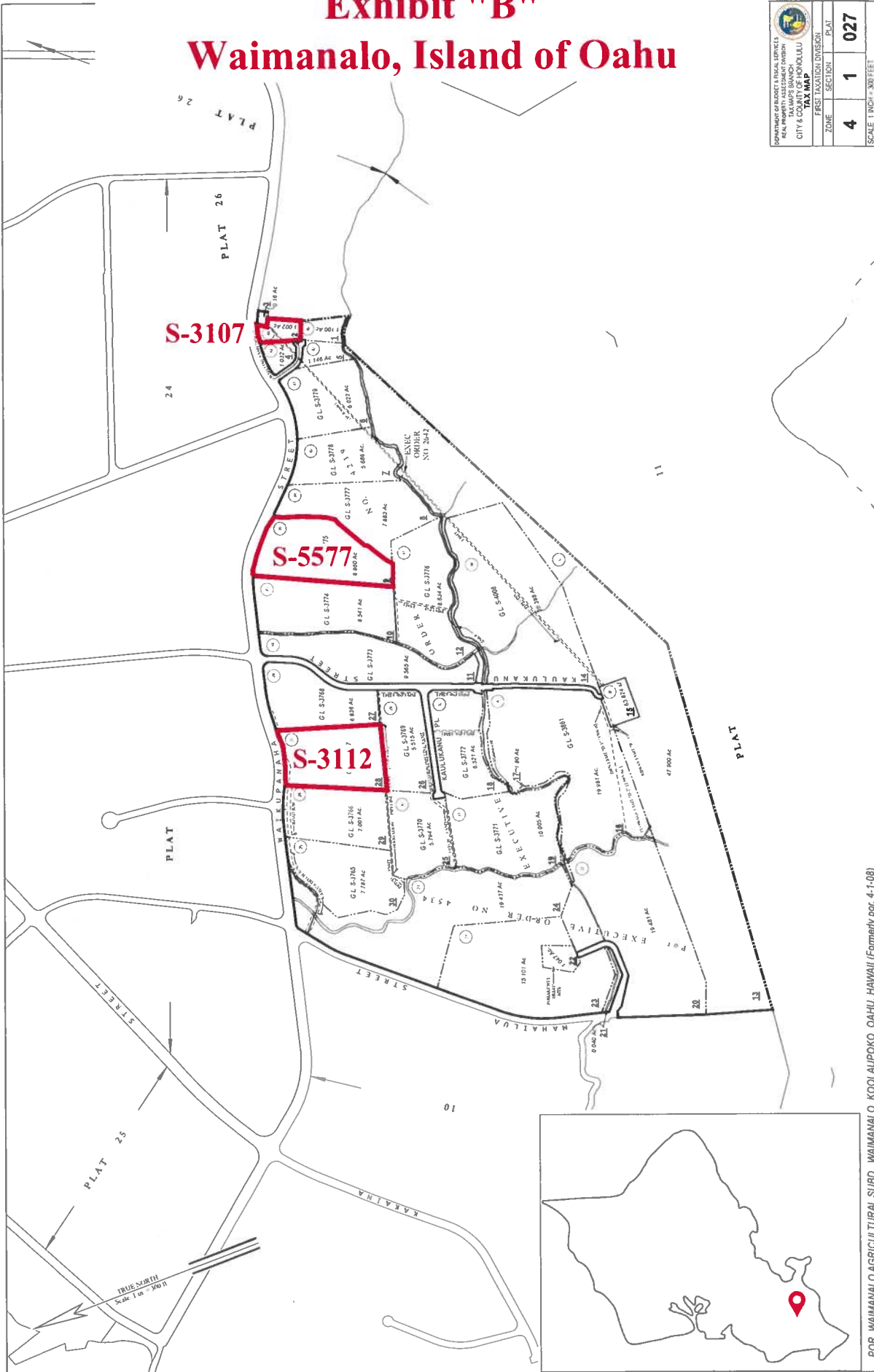


Exhibit "B"

Waimanalo, Island of Oahu

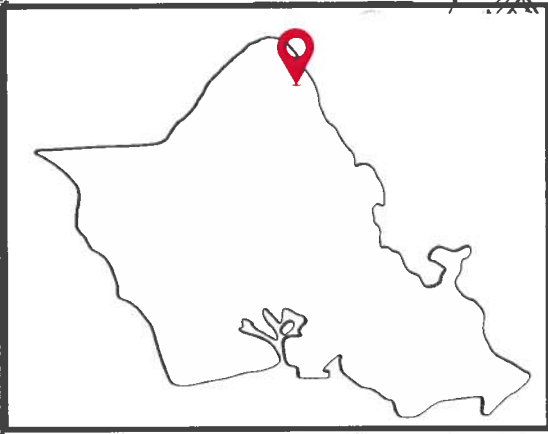


ZONE	SECTION	PLAT	SCALE: 1"=200 FEET
4	1	027	

POR, WAIMANALO AGRICULTURAL SUBD., WAIMANALO, KOOLAUPOKO, OAHU, HAWAII (Formerly par. 4-1-08)

B13

5 6 06

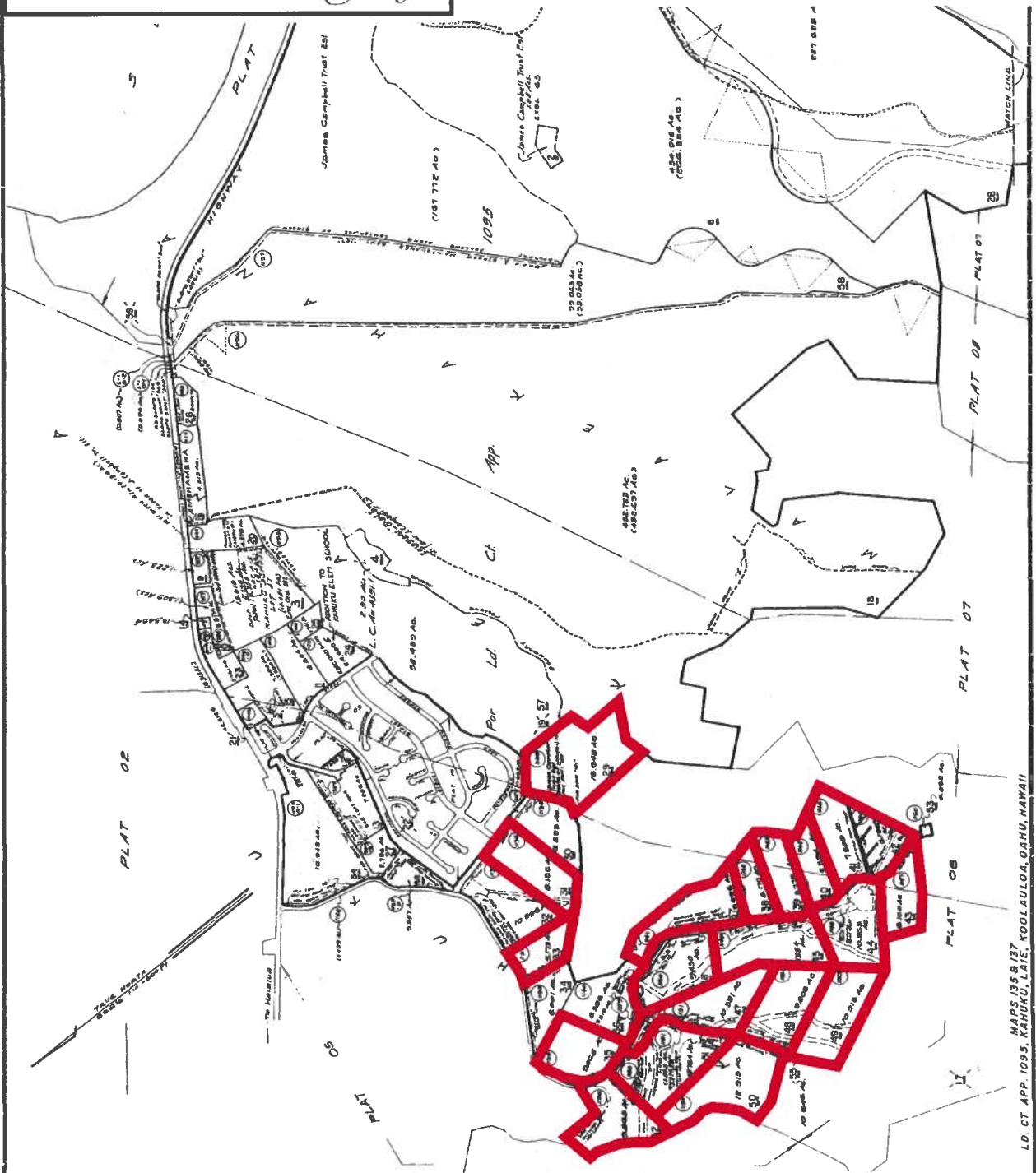


TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP
FIRST DIVISION
ZONE SEC. PLAT
5 6 06
CONTAINING PARCELS
SCALE 1 in = 500 ft.

Exhibit "B"

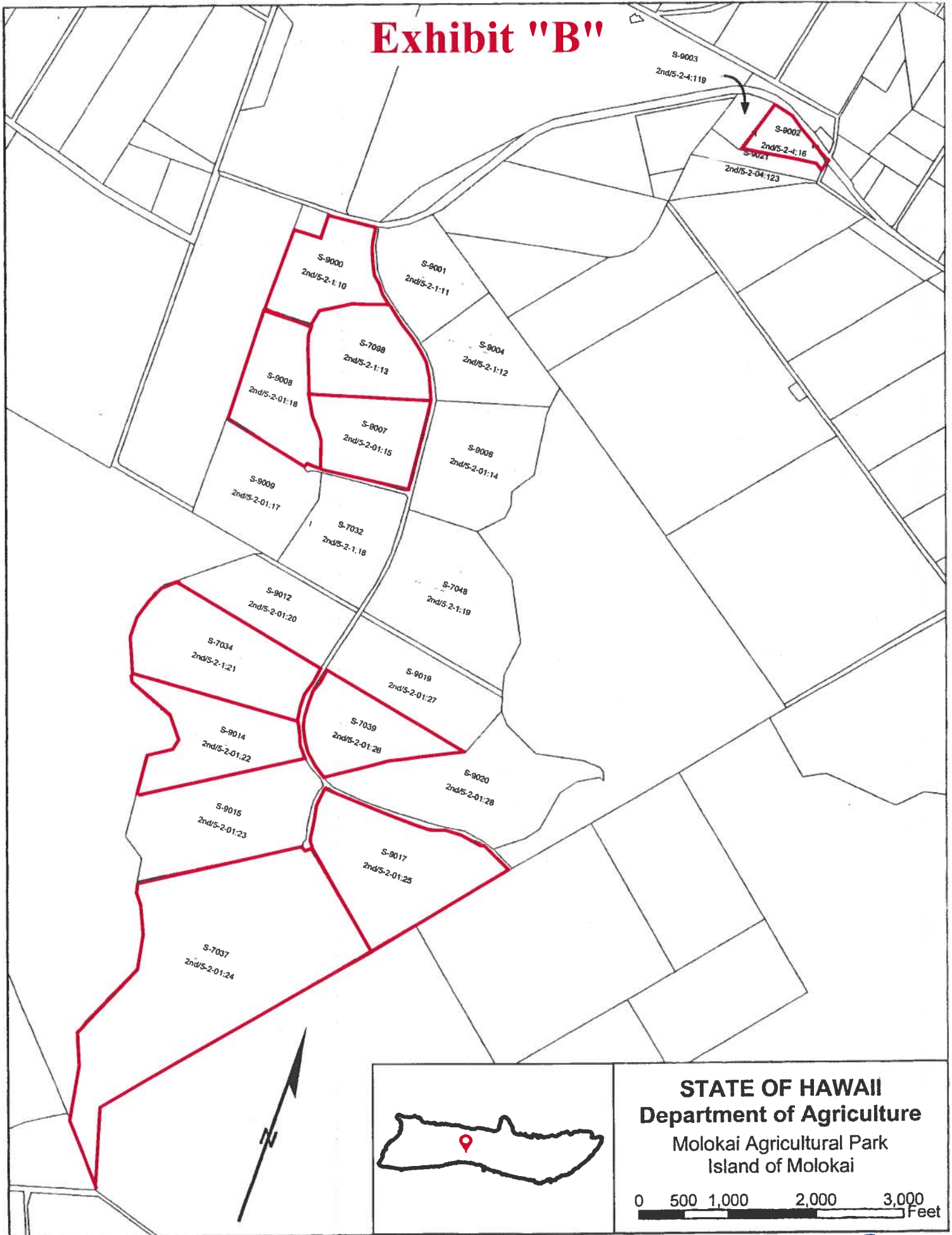
Kahuku Agricultural Park

Island of Oahu



1. 100' x 100' lots
 2. 50' x 100' lots
 3. 25' x 100' lots
 4. 10' x 100' lots
 5. 5' x 100' lots
 6. 2' x 100' lots
 7. 1' x 100' lots
 8. 1/2' x 100' lots
 9. 1/4' x 100' lots
 10. 1/8' x 100' lots
 11. 1/16' x 100' lots
 12. 1/32' x 100' lots
 13. 1/64' x 100' lots
 14. 1/128' x 100' lots
 15. 1/256' x 100' lots
 16. 1/512' x 100' lots
 17. 1/1024' x 100' lots
 18. 1/2048' x 100' lots
 19. 1/4096' x 100' lots
 20. 1/8192' x 100' lots
 21. 1/16384' x 100' lots
 22. 1/32768' x 100' lots
 23. 1/65536' x 100' lots
 24. 1/131072' x 100' lots
 25. 1/262144' x 100' lots
 26. 1/524288' x 100' lots
 27. 1/1048576' x 100' lots
 28. 1/2097152' x 100' lots
 29. 1/4194304' x 100' lots
 30. 1/8388608' x 100' lots
 31. 1/16777216' x 100' lots
 32. 1/33554432' x 100' lots
 33. 1/67108864' x 100' lots
 34. 1/134217728' x 100' lots
 35. 1/268435456' x 100' lots
 36. 1/536870912' x 100' lots
 37. 1/1073741824' x 100' lots
 38. 1/2147483648' x 100' lots
 39. 1/4294967296' x 100' lots
 40. 1/8589934592' x 100' lots
 41. 1/17179869184' x 100' lots
 42. 1/34359738368' x 100' lots
 43. 1/68719476736' x 100' lots
 44. 1/137438953472' x 100' lots
 45. 1/274877906944' x 100' lots
 46. 1/549755813888' x 100' lots
 47. 1/1099511627776' x 100' lots
 48. 1/2199023255552' x 100' lots
 49. 1/4398046511104' x 100' lots
 50. 1/8796093022208' x 100' lots
 51. 1/17592186044416' x 100' lots
 52. 1/35184372088832' x 100' lots
 53. 1/70368744177664' x 100' lots
 54. 1/140737488355328' x 100' lots
 55. 1/281474976710656' x 100' lots
 56. 1/562949953421312' x 100' lots
 57. 1/1125899906842624' x 100' lots
 58. 1/2251799813685248' x 100' lots
 59. 1/4503599627370496' x 100' lots
 60. 1/9007199254740992' x 100' lots
 61. 1/18014398509481984' x 100' lots
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 230. 1/134799734

Exhibit "B"



STATE OF HAWAII
Department of Agriculture
Molokai Agricultural Park
Island of Molokai



BIS

Exhibit "B"

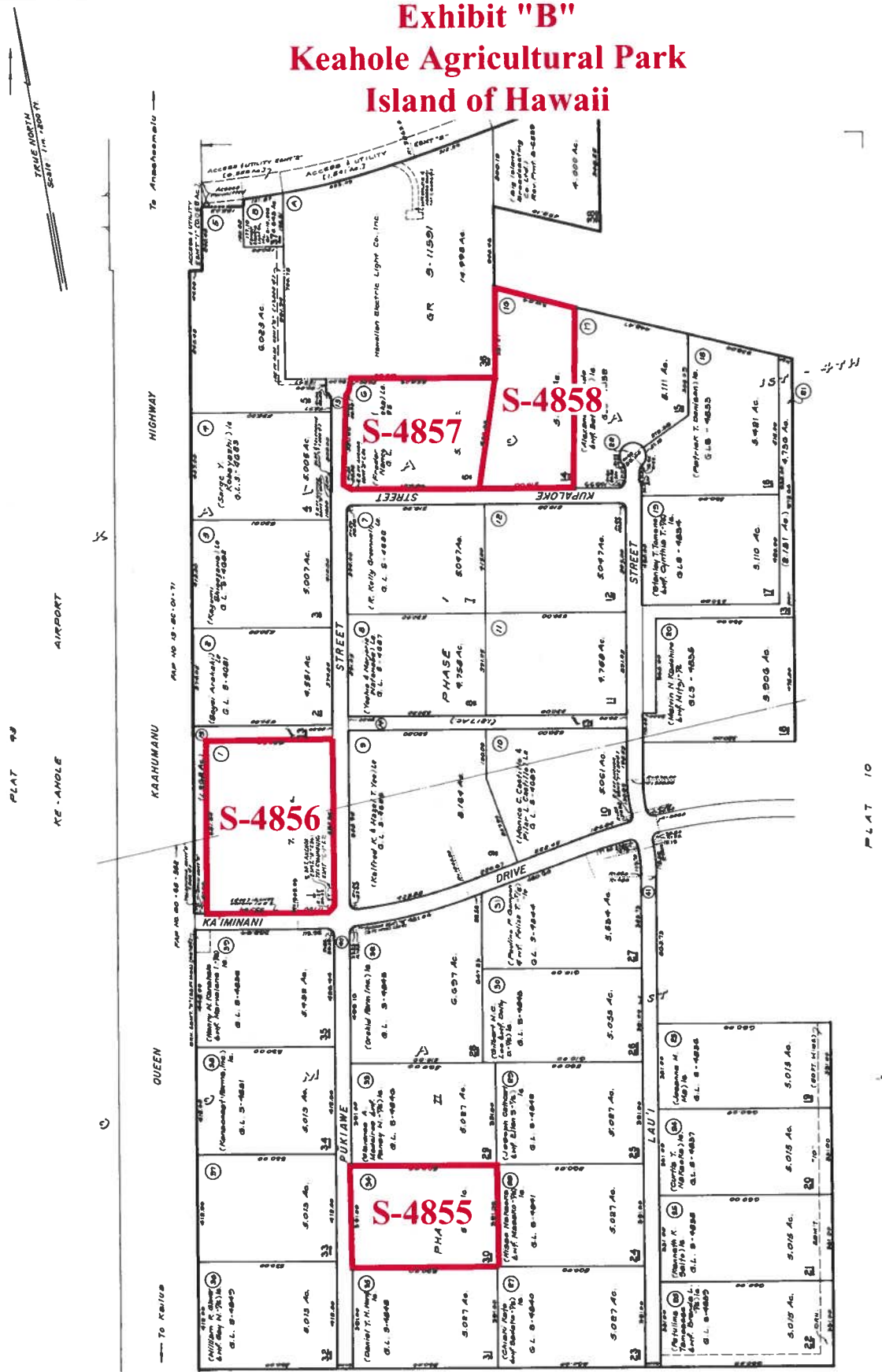
Keahole Agricultural Park

Island of Hawaii

DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH TAX MAP			
ZONE	THIRD TALENDR DISTRICT	PLAT	7 3 49
SCALE	1 IN. = 200 FT.		

NOTE: All info issued by State of Hawaii unless otherwise noted

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE



E.I. P. 1755
KEAHOLE AGRICULTURAL PARK, PHASE I, P.P. 1691, KALADA I ST., 4TH & OOMA I ST., NORTH KONA, HAWAII, HAWAII (Formerly, pgs. 7 - 3 - 10)

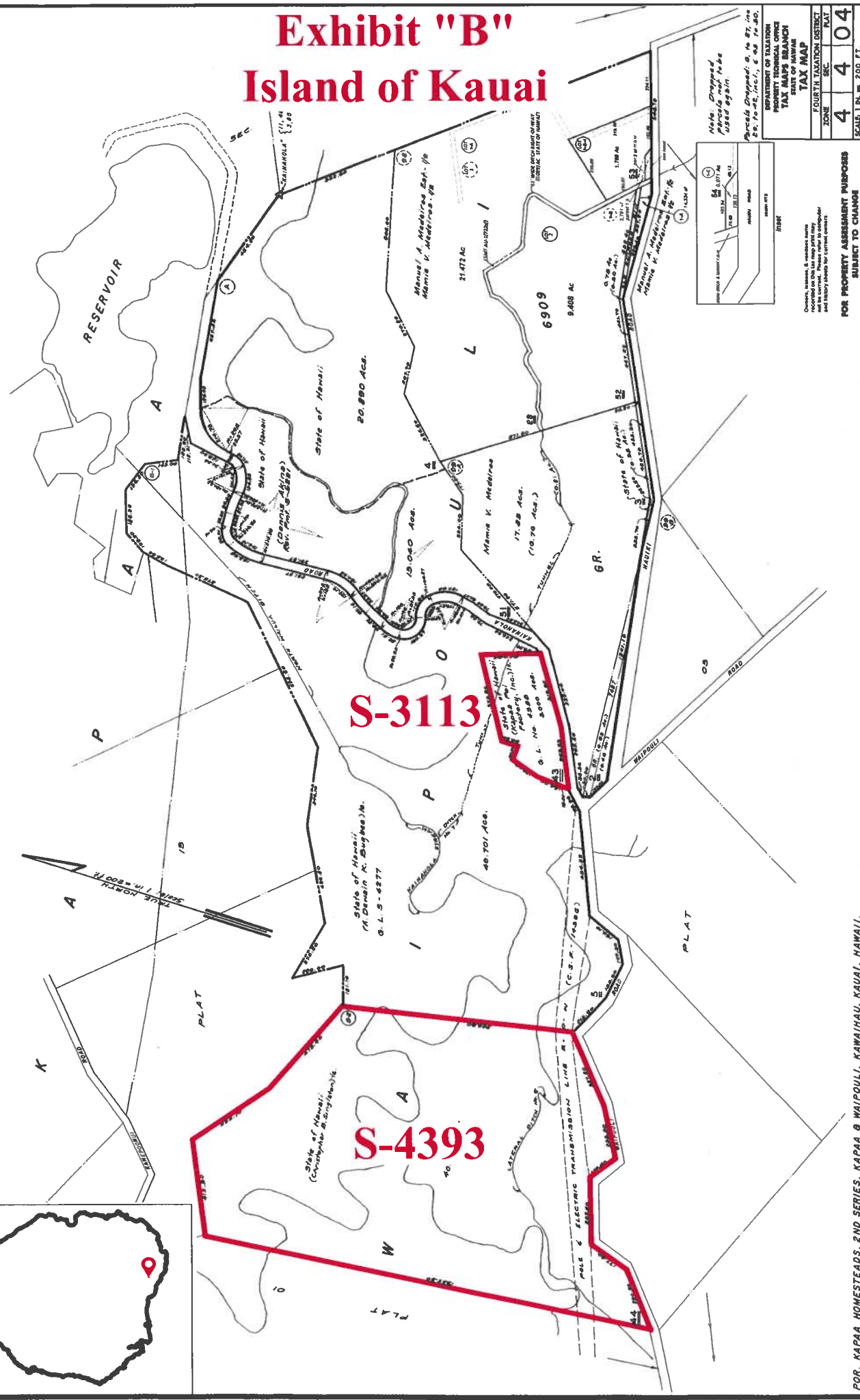
B17

Exhibit "B"

Island of Kauai

B18

4 4 04 41N DISI.



Note: Original
Survey Plat
Used Again

Plat No. Dropped: 5, 14, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 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

DEPARTMENT OF TAXATION	
PROPERTY TECHNICAL OFFICE	
TAX MAP DISTRICT	
STATE OF HAWAII	
TAX MAP	
ZONE	SEC.
4	4
4	04
SCALE: 1 IN. = 200 FT.	

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII 96814

May 28, 2024

Board of Agriculture
Honolulu, Hawaii

Subject: REQUEST FOR APPROVAL FOR THE TRANSFER OF PUBLIC LANDS FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO THE DEPARTMENT OF AGRICULTURE PURSUANT TO ACT 90, SLH 2003, CODIFIED AS CHAPTER 166E, HAWAII REVISED STATUTES; TMK NOS: (1) 4-1-008:054 AND 059, WAIMANALO, KOOLAUPOKO, ISLAND OF OAHU, HAWAII

Authority: Sections 166E-3, Hawaii Revised Statutes (“HRS”)

BACKGROUND:

Act 90, Session Laws of Hawaii (“SLH”) 2003 established the Non-Agricultural Park Lands Program within the Hawaii Department of Agriculture (“HDOA”), and was codified as Chapter 166E, HRS. Under this program, the Legislature found that certain public lands classified for agricultural use by the Department of Land and Natural Resources (“DLNR”) should be transferred to the HDOA for purposes and in a manner consistent with Article XI, Section 10, of the State Constitution.

The purpose of this chapter is to ensure the long-term productive use of public lands leased or available to be leased by the DLNR for agricultural purposes by allowing these lands to be transferred to the HDOA for leasing and management.

In accordance with provisions of Act 90, SLH 2003, the Board of Agriculture must mutually approve of the selected encumbrances for transfer. On the island of Oahu, staff verified compliance of two encumbrances for approval by BOA as listed below.


Doc. No.	Lessee	Tax Map Key	Character of Use	Acreage
g15488	New Town & Country Stables, Inc.	(1) 4-1-008:059	Special Equestrian, Pasture	21.628
g15489	New Town & Country Stables, Inc.	(1) 4-1-008:054	Pasture, Rodeo Arena	10.739

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RECOMMENDATION:

Staff has reviewed the list of proposed encumbrances and performed its due diligence and recommends that the Board approve the transfer of the two encumbrances on the island of Oahu as listed.

Respectfully submitted,



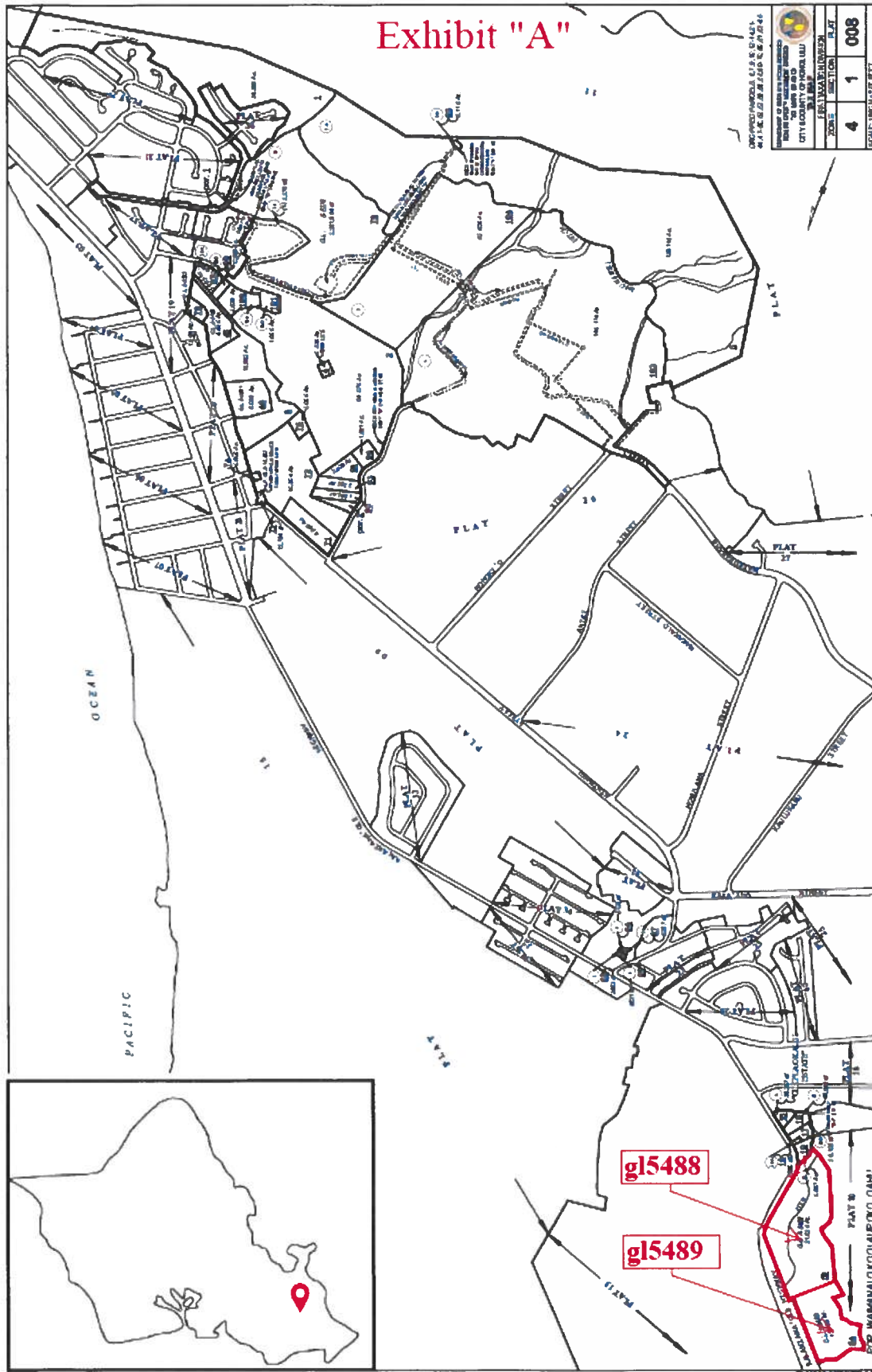
BRIAN KAU, P.E.
Administrator and Chief Engineer
Agricultural Resource Management Division

Attachment – Exhibit “A”

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture



B21

Photos





B23

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII

May 28, 2024

Board of Agriculture
Honolulu, Hawaii

Subject: REQUEST FOR APPROVAL TO CONSENT TO ASSIGNMENT OF GENERAL LEASE NO. S-4459; PAUL JEROME BALBERDE AND CERILA BALBERDE, LESSEE/ASSIGNOR; SL KUWAHARA PARTNERS, LLC., ASSIGNEE; TMK: 3rd DIV/2-2-056:18, LOT 21, PANAEWA HOUSE LOTS, 2ND SERIES, WAIAKEA, SOUTH HILO, HAWAII

Authority: Section 166E-3, Hawaii Revised Statutes, (HRS), and Section 4-158-19(a)(4)(B), Hawaii Administrative Rules (HAR)

Lessee/Assignor: Paul Jerome Balberde and Cerila Balberde

Assignee: SL Kuwahara Partners, LLC

Land Area: 2.615 acres

Tax Map Key: 3rdDiv/2-2-056:018 (Exhibit "A")

Lease Term: 55-years, September 4, 1975 through September 3, 2030

Land Status: Encumbered by Governor's Executive Order No. 4703, dated January 31, 2024, to the Department of Agriculture for Agricultural Purposes

Annual Base: \$2,520.00 per year

Character of: Diversified Ag-residence

Consideration: \$100,000.00

BACKGROUND:

On October 29, 1975, the Board of Land and Natural Resources (BLNR) awarded General Lease S-4459 to Lani A. Ignacio. By mesne Assignment, General Lease S-4459 was assigned to Paul Jerome Balberde and Cerila Balberde in August, 1997. General Lease S-4459 was transferred to the Department of Agriculture via Executive Order 4703, dated January 31, 2024 for agriculture purposes.

Due to limited financial resources, Mr. and Mrs. Balberde were never able to fully utilize the property for agricultural purposes. Therefore, in accordance with Section 4-158-19(a)(4)(B), HAR, and the terms of the subject lease, Mr. and Mrs. Balberde are requesting to assign General Lease No. S-4459 to SL Kuwahara Partners, LLC. The assignment will include a farm dwelling and packing shed.

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Sandy Kuwahara has been the owner and operator of SL Kuwahara Partners, LLC since December 26, 2006. She has over 30 years of experience in the commercial farming industry. Sandy is the current lessee of General Lease S-5538, where she grows a wide range of landscaping plants. This property is in close proximity to the subject parcel. SL Kuwahara Partners wishes to expand its production area and will utilize the subject property for the growing of assorted landscaping plants, including ground covers, shrubs, and trees. The addition of this property will provide an increased growing area to meet the demands of the landscaping industry.

SL Kuwahara Partners, LLC qualifies as an agricultural company with more than 75 percent of its members qualifying as a Bona fide farmer. Sandy Kuwahara, the sole owner of SL Kuwahara Partners, LLC., qualifies as a Bona fide farmer with more than two (2) years of full-time farming experience and satisfies the eligibility requirements pursuant to Sections 4-158-1 and 27, HAR.

There is a consideration of \$100,000 for General Lease S-4459. This lease does not include a participation clause.

RECOMMENDATION:

That the Board of Agriculture approve the assignment of General Lease S-4459 from Paul Jerome Balberde and Cerila Balberde, Lessee/Assignor, to SL Kuwahara Partners, LLC., Assignee, and the consideration of \$100,000.00. All related documents are subject to the review and approval as to form by the Department of the Attorney General, and such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully submitted,



BRIAN KAU, P.E.
Administrator and Chief Engineer,
Agricultural Resource Management Division

Attachments - Exhibit "A"

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture

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Photos
General Lease S-4459





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STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII

May 28, 2024

Board of Agriculture
Honolulu, Hawaii

Subject: REQUEST FOR APPROVAL TO SUBLEASE BETWEEN THE HAMAKUA AGRICULTURAL COOPERATIVE, LESSEE/SUBLESSOR; AND ROBERT ROSTAU AND LYNN ROSTAU, SUBLESSEE; GENERAL LEASE NO. S-7012, TMK: 3RD DIV/4-3-005:019 (POR), LOT NO 8A, HAMAKUA AGRICULTURAL PARK, PHASE II, POHAKUHAKU AND KEMAU 1ST, HAMAKUA DISTRICT, ISLAND OF HAWAII

Authority: Section 166-6 Hawaii Revised Statutes, (HRS), and Section 4-153-33(a)(7), Hawaii Administrative Rules (HAR)

Lessee/Sublessor: Hamakua Agricultural Cooperative

Sublessee: Robert Rostau and Lynn Rostau

Land Area: 2.000 acres

Tax Map Key: 3rdDiv/4-3-005:019 (por) (Exhibit "A")

Land Status: The Hamakua Agricultural Park lands were acquired in fee by the Department of Agriculture under foreclosure and Bankruptcy Settlement Agreement with Hamakua Sugar Company, Inc.

Lease Term: 35-years, June 30, 1998 through June 29, 2033

Sub-Lease Term: April 15, 2024 through June 29, 2033

Sublease Base Annual Rent: \$217.00/year

Character of Use: Diversified Agriculture or aquaculture purposes

BACKGROUND:

Robert and Lynn Rostau are requesting to sublease Lot 8A, under General Lease S-7012, consisting of approximately 2.000 acres. The subject property currently contains a variety of food crops and trees, such as but not limited to ulu, lychee, banana, and mango. Mr. and Mrs. Rostau would like to continue the cultivation of these food crops. In addition, they plan to grow Hawaiian Chili Peppers.

Mr. and Mrs. Rostau are the owners of Hawaiian Hotties, LLC, a Hawaii based company focused on products created with and inspired by Hawaiian Chili Peppers. These peppers are used to create a

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B30

myriad of value-added products, including but not limited to, flavored popcorn, seasonings, and coffee additives. The subject property will support the increase of their pepper production.

For the last 3 years, Mr. and Mrs. Rostau have been farm workers for Donna Mitts, who is the current sub-lessee of lot 8A. Through her mentorship and guidance, the Rostau's gained knowledge in growing food crops, which have led to the creation of Hawaiian Hotties, LLC.

Robert and Lynn Rostau qualify as bona fide farmers with more than two years of full-time farming experience and meet the application and eligibility requirements in accordance with sections 4-153-1 and 13, HAR.

RECOMMENDATION:

That the Board of Agriculture approve the Sublease between the Hamakua Agricultural Cooperative, Lessee/Sublessor, and Robert Rostau and Lynn Rostau, Sublessee, for Lot No. 8A, in the Hamakua Agricultural Park, under General Lease S-7012, through the expiration date of June 29, 2033, and further subject to the review and approval as to form of the consent document by the Department of the Attorney General, and such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

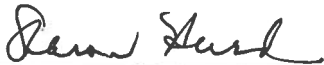
Respectfully submitted,



BRIAN KAU, P.E.
Administrator and Chief Engineer,
Agricultural Resource Management Division

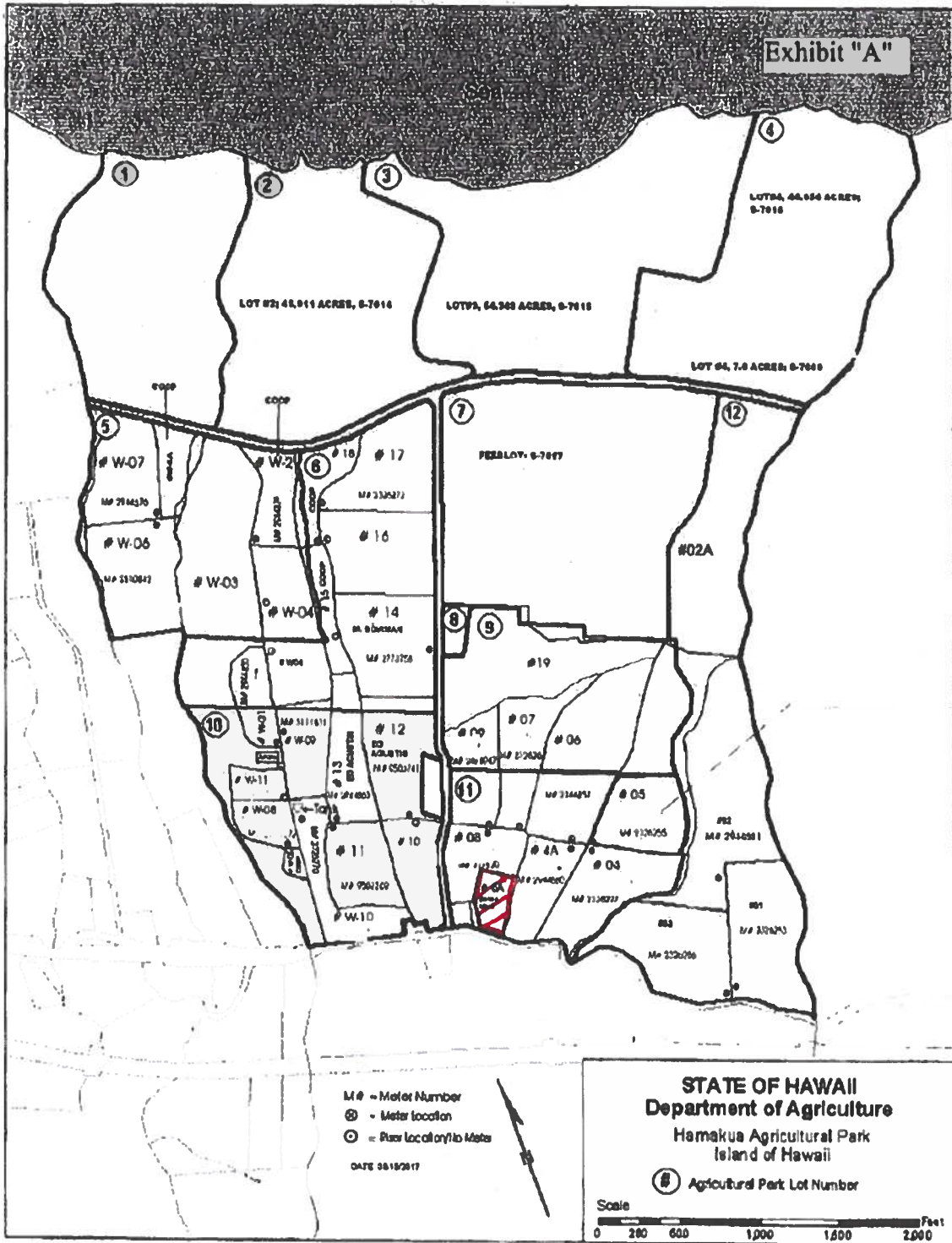
Attachment - Exhibit "A"

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture

EXHIBIT "A"



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PHOTOS OF S-7012, LOT 8A





B33

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESOURCE MANAGEMENT DIVISION
HONOLULU, HAWAII

May 28, 2024

Board of Agriculture
Honolulu, Hawaii

Subject: CERTIFICATION OF ACREAGE ASSESSMENTS FOR
THE HONOKAA-PAAUILO, KAHUKU, MOLOKAI,
WAIMANALO, AND WAIMEA IRRIGATION SYSTEMS,
2025 FISCAL YEAR

BACKGROUND:

Section 167-19(a), Hawaii Revised Statutes, states, “The board shall determine and certify on or before June 30 of each year the amount of acreage assessments necessary in that fiscal year for the acquisition, construction, operation, and maintenance of irrigation facilities for each project, and the acreage of agricultural and pastureland of each land occupier within the project.” For the 2025 fiscal year, the Agricultural Resource Management Division has determined that acreage assessments for the following irrigation systems are:

Irrigation System	Acreage Assessment
Honokaa-Paauilo	\$94,476.00
Kahuku	\$30,420.00
Molokai	\$94,476.00
Waimanalo	\$94,476.00
Waimea	\$94,476.00

The acreage of agricultural and livestock lands of each land occupier within the Irrigation Systems are as follows:

Irrigation System	Agricultural Acreage	Livestock Acreage	Land Occupier Exhibit
Honokaa-Paauilo	721	6,582	A
Kahuku	168	None	B
Molokai	3,416	None	C
Waimanalo	976	None	D
Waimea	696	None	E

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RECOMMENDATION:

1. That the Board determine and certify that the amount of acreage assessments necessary for annual maintenance of the listed five (5) irrigation systems for fiscal year 2025 are as listed.
2. That the Board determine and certify that the acreage of agricultural and livestock lands of each land occupier within the listed irrigation system is as set forth in attachments A through E.
3. That the Board determine and certify that agricultural lands shall bear 100% of the annual acreage assessments, for the Kahuku, Molokai, Waimanalo, and Waimea Irrigation Systems; and
4. That the Board determine and certify that agricultural and pastoral lands shall bear 70% and 30%, respectively, of the annual acreage assessments for the Honokaa-Paauilo Irrigation System.

Respectfully submitted,



BRIAN KAU, P.E.
Administrator
Agricultural Resource Management
Division

Attachments

APPROVED FOR SUBMISSION:



SHARON HURD
Chairperson, Board of Agriculture

Exhibit A – Honokaa-Paauilo, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
6801	7	6904	4	68430	4	7012	3
6803	10	6905	14	68600	5	7013	34
6804	7	6907	9	68680	4	7016	57
6810	2	6908	5	68690	5	7017	27
6812	2	6910	6	68790	3	7018	260
6813	5	6911	22	68910	15	7020	163
6822	11	6914	39	68930	16	7036	677
6823	20	6916	2	68990	3	7037	125
6824	5	6917	5	69311	3	7038	3
6830	14	6919	8	69331	10	7040	3
6832	6	6921	17	69341	5	7042	311
6833	5	6935	1	69360	4	7043	351
6835	3	6940	4	69371	7	7044	32
6837	4	6953	11	69380	2	7045	716
6841	3	6954	13	69410	2	7047	682
6845	7	6955	16	69581	11	7048	47
6851	5	6956	8	69640	13	7049	32
6853	5	6960	12	69650	8	7050	13
6855	5	6962	21	69661	10	7051	2
6857	5	6967	8	69760	10	7052	4
6859	5	6969	7	69830	8	7053	10
6861	2	6970	4	6821	14	7054	142
6862	4	6972	3	6818	9	7055	140
6863	5	6975	12	6819	9	7056	4
6864	5	6987	2	6909	9	7057	6
6865	5	6990	5	68091	5	7058	594
6867	5	6991	4	68381	6	7059	15
6868	3	6993	6	68461	12	7060	29
6870	5	6995	6	68981	6	7061	1
6871	4	6996	2	7000	15	7062	2
6873	5	6997	5	7001	141	7063	446
6874	5	6998	14	7002	625	7064	17

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Board of Agriculture
May 28, 2024
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Exhibit A – Honokaa-Paauilo, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
6875	5	6999	5	7005	60	7066	163
6876	5	68011	13	7006	21	7069	68
6880	3	68060	13	7007	4	7073	100
6892	5	68250	3	7008	8	7077	26
6894	12	68260	4	7009	10	7078	22
6897	10	68341	5	7010	192	7080	100
6901	5	68402	6	7011	9	Total	7303

Exhibit B – Kahuku, Acreage by Account FY2025

ACCT	ACRES
3501	15
3502	7
3503	7
3504	11
3505	4
3506	4
3507	9
3508	7
3509	9
3510	4
3511	4
3512	4
3513	6
3514	5
3515	2
3516	6
3517	8
3518	7
3519	8
3520	9
3521	6
3522	8
3523	8
3524	10
Total	168

Exhibit C – Molokai, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
5000	3	5070	26	5148	16	5218	2
5001	3	5072	3	5150	2	5219	2
5002	9	5073	2	5151	3	5220	2
5003	5	5074	2	5152	25	5221	2
5004	4	5075	3	5153	30	5222	35
5005	2	5076	2	5155	2	5223	98
5006	110	5077	2	5156	2	5225	2
5007	92	5078	2	5157	2	5226	25
5010	4	5079	2	5159	2	5227	3
5011	2	5080	2	5161	5	5228	2
5012	35	5081	3	5162	2	5229	2
5013	3	5082	2	5163	2	5230	2
5014	2	5083	30	5164	4	5231	2
5015	2	5084	2	5165	28	5232	2
5016	2	5085	2	5166	3	5233	2
5017	2	5086	5	5167	2	5234	2
5018	2	5087	8	5168	2	5235	2
5020	2	5088	2	5169	35	5236	2
5021	2	5089	2	5170	10	5239	2
5022	5	5090	5	5171	31	5240	2
5023	2	5091	2	5172	3	5241	2
5024	26	5092	2	5174	45	5242	2
5025	2	5093	2	5175	2	5243	2
5026	2	5094	2	5177	3	5244	2
5027	2	5095	2	5178	148	5246	2
5028	3	5096	2	5179	2	5247	2
5029	2	5097	2	5180	4	5248	2
5030	2	5099	20	5181	5	5249	2
5031	2	5100	2	5182	2	5250	2
5032	4	5101	2	5183	3	5251	2
5033	2	5103	10	5184	2	5252	2
5034	2	5105	19	5185	2	5253	12

Exhibit C – Molokai, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
5035	7	5107	2	5186	8	5254	2
5036	2	5108	20	5187	7	5255	2
5038	10	5109	2	5188	30	5256	2
5039	2	5110	2	5189	50	5257	2
5040	5	5111	2	5190	90	5258	2
5041	15	5112	2	5192	314	5259	2
5043	3	5113	6	5193	2	5260	2
5044	30	5115	5	5194	2	5261	2
5045	11	5117	25	5195	2	5262	2
5047	2	5118	2	5196	2	5267	2
5048	3	5119	2	5197	2	5271	2
5049	95	5120	2	5198	3	5272	2
5050	46	5121	2	5199	2	5273	20
5051	30	5122	6	5200	2	5274	5
5052	2	5124	21	5201	2	5276	5
5053	2	5126	2	5202	2	5280	5
5055	3	5127	2	5203	377	5281	322
5056	2	5128	30	5204	2	5282	27
5057	23	5129	2	5205	2	5283	16
5058	2	5130	2	5206	2	5284	9
5059	29	5131	150	5207	2	5285	25
5060	39	5132	2	5208	2	5286	5
5061	30	5133	3	5209	2	5288	16
5062	30	5134	2	5210	2	51360	2
5063	2	5135	2	5211	25	51770	2
5064	5	5138	3	5212	2	52240	30
5065	2	5139	2	5213	2	Total	3416
5066	3	5140	2	5214	2		
5067	2	5141	12	5215	2		
5068	3	5142	2	5216	2		
5069	22	5143	2	5217	2		

Exhibit D – Waimanalo, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
2000	10	2049	10	2096	3	2158	8
2001	3	2050	9	2097	5	2159	2
2003	8	2053	6	2098	10	2160	2
2004	9	2054	9	2102	5	2161	2
2005	3	2055	4	2104	2	2162	2
2006	11	2057	3	2105	4	2163	3
2007	9	2058	6	2106	8	2164	5
2008	6	2060	5	2107	128	2165	3
2010	9	2061	2	2109	5	2167	2
2012	2	2062	2	2110	9	2172	2
2015	9	2064	9	2111	5	2173	3
2016	6	2065	5	2112	48	2180	9
2018	9	2068	9	2115	10	2182	8
2021	8	2069	2	2116	5	2183	9
2022	10	2070	4	2117	8	2184	4
2023	6	2072	2	2119	3	2186	6
2024	2	2073	3	2120	11	2187	2
2026	11	2074	8	2121	12	2188	3
2028	3	2075	9	2122	7	2189	7
2029	4	2076	6	2123	11	2190	10
2030	9	2079	9	2124	11	2192	3
2033	6	2081	5	2125	11	2193	2
2034	10	2082	14	2126	10	2196	2
2036	10	2083	4	2127	11	2198	2
2037	9	2084	4	2128	9	2199	2
2039	2	2085	11	2129	10	2200	10
2040	10	2088	6	2131	8	2201	2
2041	11	2089	7	2132	6	2203	2
2042	7	2090	8	2133	2	2204	3
2043	10	2091	9	2137	3	2205	5
2044	2	2092	9	2138	2	2207	2

Exhibit D – Waimanalo, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
2046	7	2093	5	2143	3	2208	3
2047	5	2094	2	2144	4	Total	976
2048	3	2095	4	2157	8		

Exhibit E – Waimea, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
1002	11	1042	4	1089	5	1130	6
1003	4	1043	2	1090	2	1131	6
1004	2	1049	5	1092	2	1132	6
1005	17	1050	5	1093	3	1133	6
1006	0	1052	2	1094	2	1134	2
1007	10	1053	3	1095	2	1135	2
1008	10	1054	6	1096	2	1136	5
1009	10	1056	4	1097	2	1137	5
1011	21	1057	2	1098	2	1138	5
1012	8	1058	2	1099	2	1139	2
1013	10	1059	2	1100	2	1140	2
1014	23	1060	2	1101	2	1141	5
1015	11	1061	2	1102	2	1142	6
1016	9	1062	3	1104	2	1143	6
1017	9	1064	2	1105	2	1144	2
1018	9	1066	3	1106	2	1145	5
1019	9	1068	2	1107	2	1146	2
1020	10	1069	2	1108	2	1150	3
1021	2	1070	2	1111	2	1151	2
1022	2	1071	2	1112	2	1153	21
1023	7	1072	7	1113	2	1154	9
1024	3	1073	2	1114	2	1155	4
1026	10	1074	4	1115	5	1156	5
1027	5	1075	2	1116	2	1157	3
1028	9	1076	4	1117	4	1158	5
1029	2	1077	3	1118	5	1159	5
1030	9	1078	2	1119	5	1160	2
1031	11	1079	10	1120	2	1161	9
1032	10	1080	2	1121	4	1162	5
1033	9	1082	4	1122	2	1163	5
1034	9	1083	6	1124	6	1166	4
1036	2	1085	2	1126	5	10250	7

Exhibit E – Waimea, Acreage by Account FY2025

ACCT	ACRES	ACCT	ACRES	ACCT	ACRES	ACCT	ACRES
1037	12	1086	2	1127	2	10460	7
1040	6	1087	4	1128	5	10470	6
1041	12	1088	2	1129	10	Total	696

24.05 FY25 Acreage Assessment Board Submittal

Final Audit Report

2024-05-16

Created:	2024-05-15 (Hawaii-Aleutian Standard Time)
By:	Janice Fujimoto (janice.fujimoto@hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQZkjD3F8vsJVKCWvMT1P2HCW-ntwFKgs
Number of Documents:	1
Document page count:	11
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"24.05 FY25 Acreage Assessment Board Submittal" History


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RECOMMENDATIONS: Approval of this loan is recommended based on the applicants proven farming record, strength of collateral, personal credit history and financial strength to support the loan.

Date

Recommended by:

4/29/24




Jillian C. Scheibe
Agricultural Loan Officer

Date

Reviewed and concurred by:

5/3/24




Dean Matsukawa
Agricultural Loan Division Administrator

Date

Approved for submission:

5/4/24



Sharon Hurd
Chairperson, Board of Agriculture