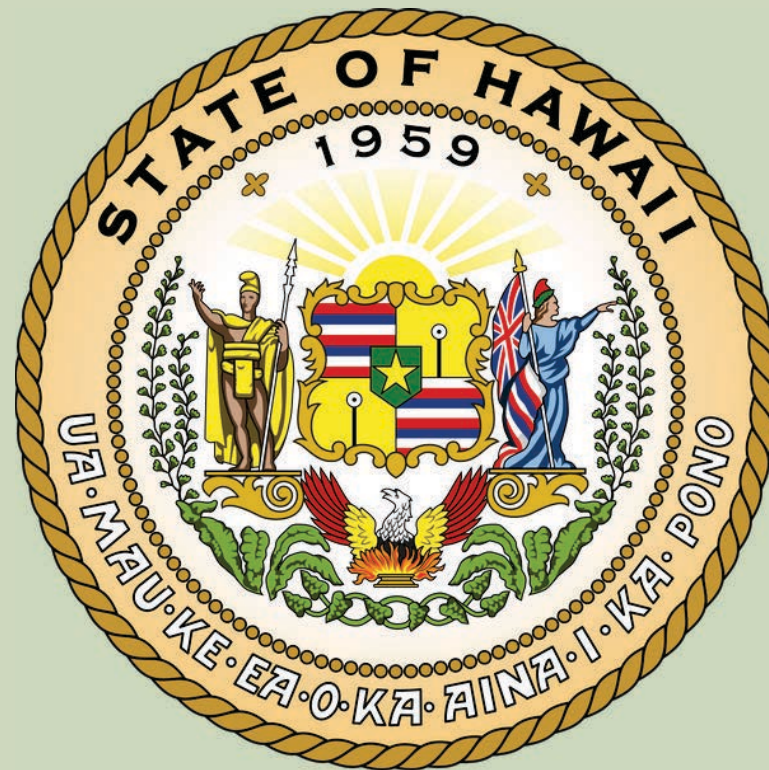


State Agribusiness Development Corporation

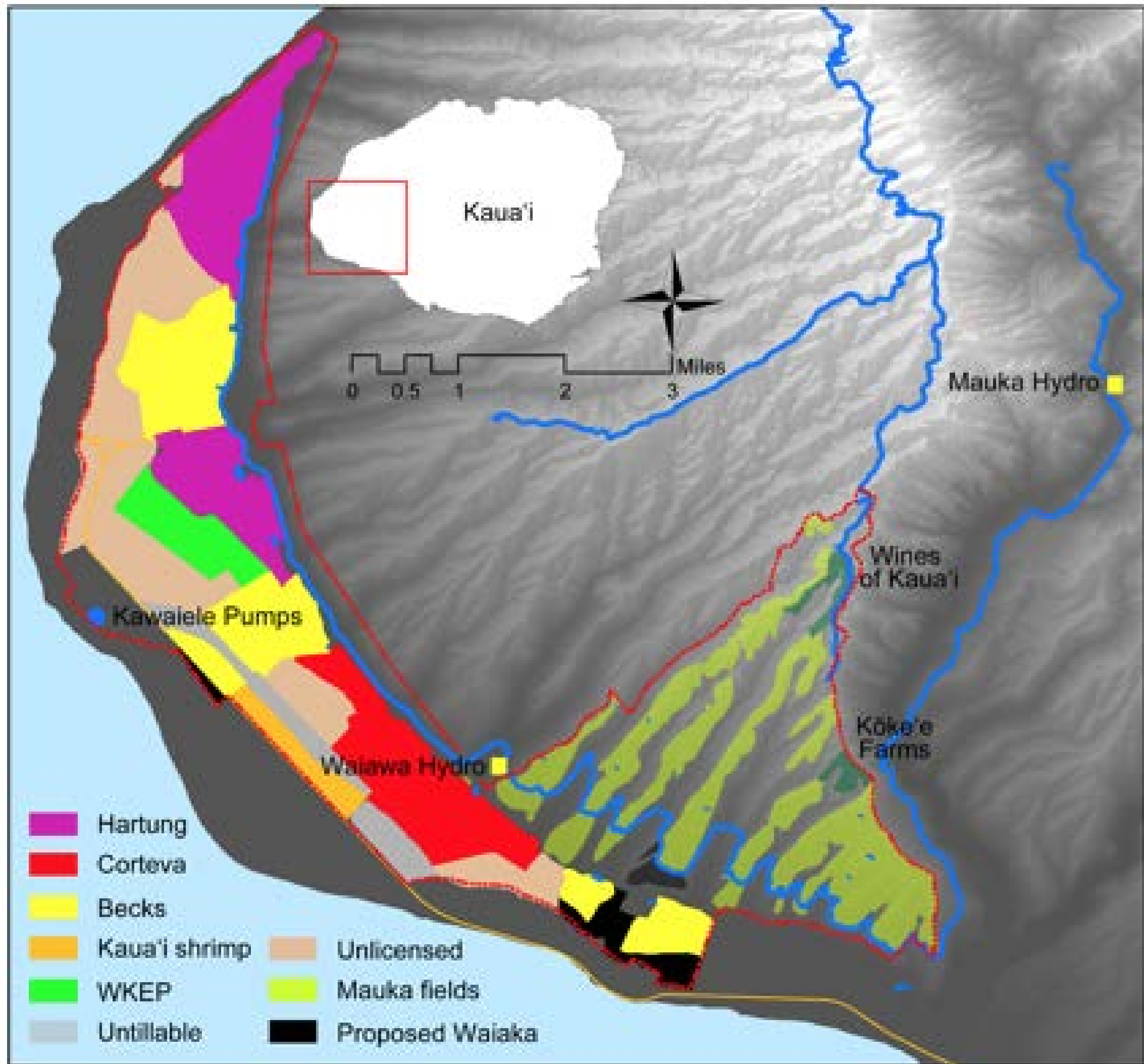


House Investigative Committee
October 21, 2021

Aerial View Of Kekaha



ADC Lands and Licenses



Kekaha Organizations

Current Licensees

Company/Status and Acreage in parenthesis

- **Corteva (Formerly Pioneer, 1,040 acres)**
- **Hartung (Formerly Syngenta, 1313 acres)**
- **Becks (1,312 acres)**
- **Sunrise Shrimp (415 acres)**
- **Wines of Kaua'i (127 acres)**
- **Umi's Farm (18 acres)**
- **Funing Farm (62 acres)**
- **Kekaha Farms (5 acres)**
- **Kokee Farms (62 acres)**
- **Global Ag (63 acres)**

Kekaha Agriculture Association (KAA)

- **Farmer's cooperative made up of the existing ADC land tenants since 2003**
- **KAA has an agreement with ADC to maintain and manage the common areas and infrastructure of the Kekaha Agricultural Lands**

Importance of Kekaha agricultural lands to the local community

The farming tenants, who are also KAA members, provide much needed jobs for the community (most recent estimate 400 full time jobs, not including part-time and contractor jobs).



Importance of Kekaha agricultural lands to the local community

The Kekaha Agricultural Lands electrical system, including two hydropower plants, powers pump stations that manage water levels in streams and ditches and prevents Kekaha as well as the Navy's Pacific Missile Range Facility from flooding during major storm events.



Kawaiele Pumps 1, 2 and 3



Operations

- **Irrigation**
 - **Waimea Watershed Agreement**
 - **Minimal water for mauka fields**
- **Drainage**
 - **Clean Water Act Settlement Agreement**
 - **Nohili de-activated**
 - **BMP's inspections**
 -
- **Roads and Bridges**
 - **\$600k Engineering underway for bridge replacement and paving**
- **Power Generation and Distribution**
 - **Decrease in production due to IIFS's**
 - **Re-powering Waiawa**



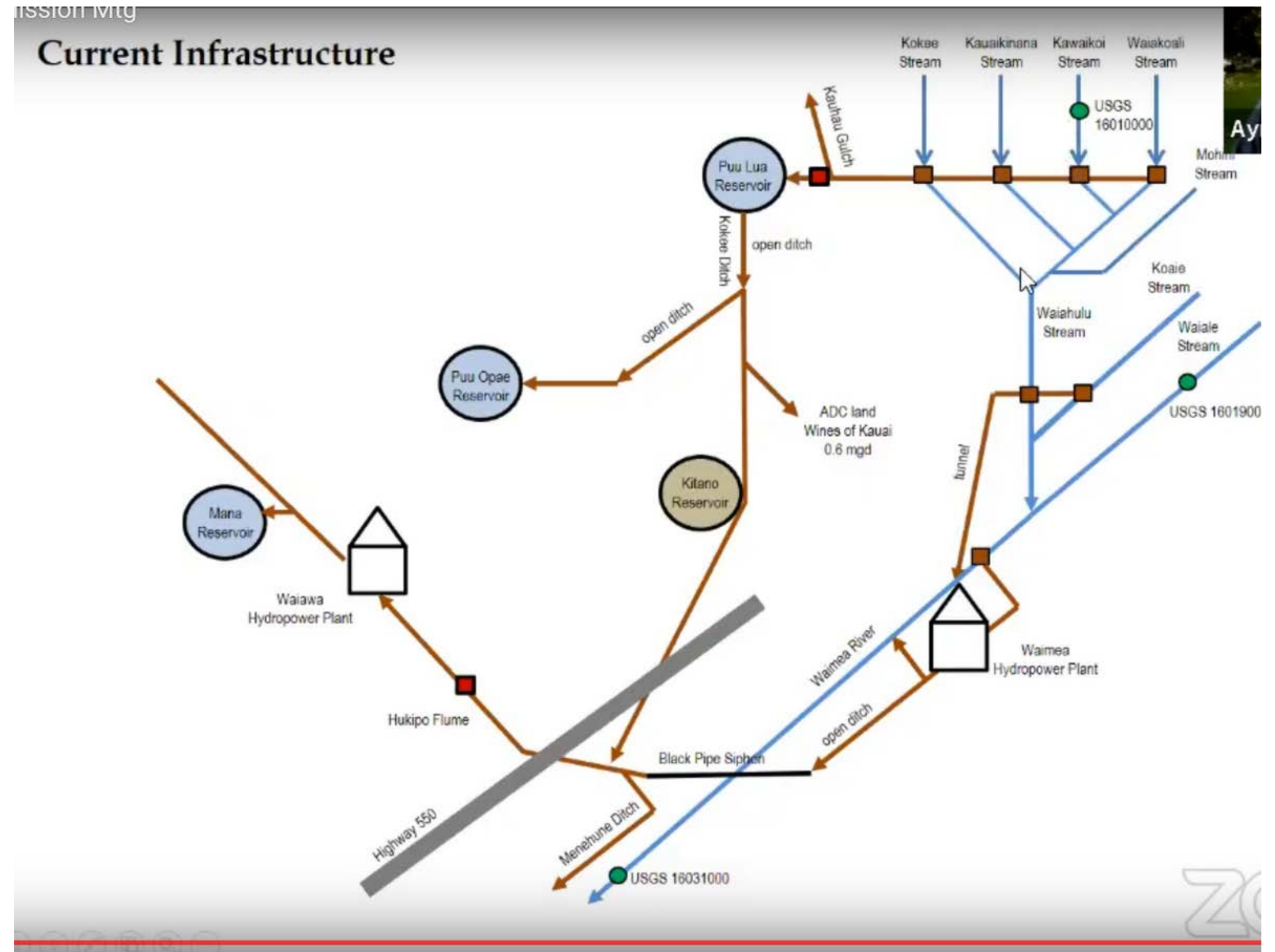
West Kauai Energy Project

The Proposed Action would utilize the existing Kokee Ditch Irrigation System and the Puu Lua, Puu Opae, and Mana Reservoirs, and includes both rehabilitation of existing State infrastructure as well as new construction of irrigation infrastructure and solar and hydroelectric facilities.



Waimea Watershed Agreement

- Establish Instream Flow Standard for the Waimea River and its tributaries
- Enjoin waste



Waimea Watershed Agreement

KOAIE STREAM

**Koaie Stream, below the
Koaie diversion to Kekaha
ditch**

**Interim Instream Flow
Standard = 2.0 mgd**

**K o a i e
August 12, 2021**

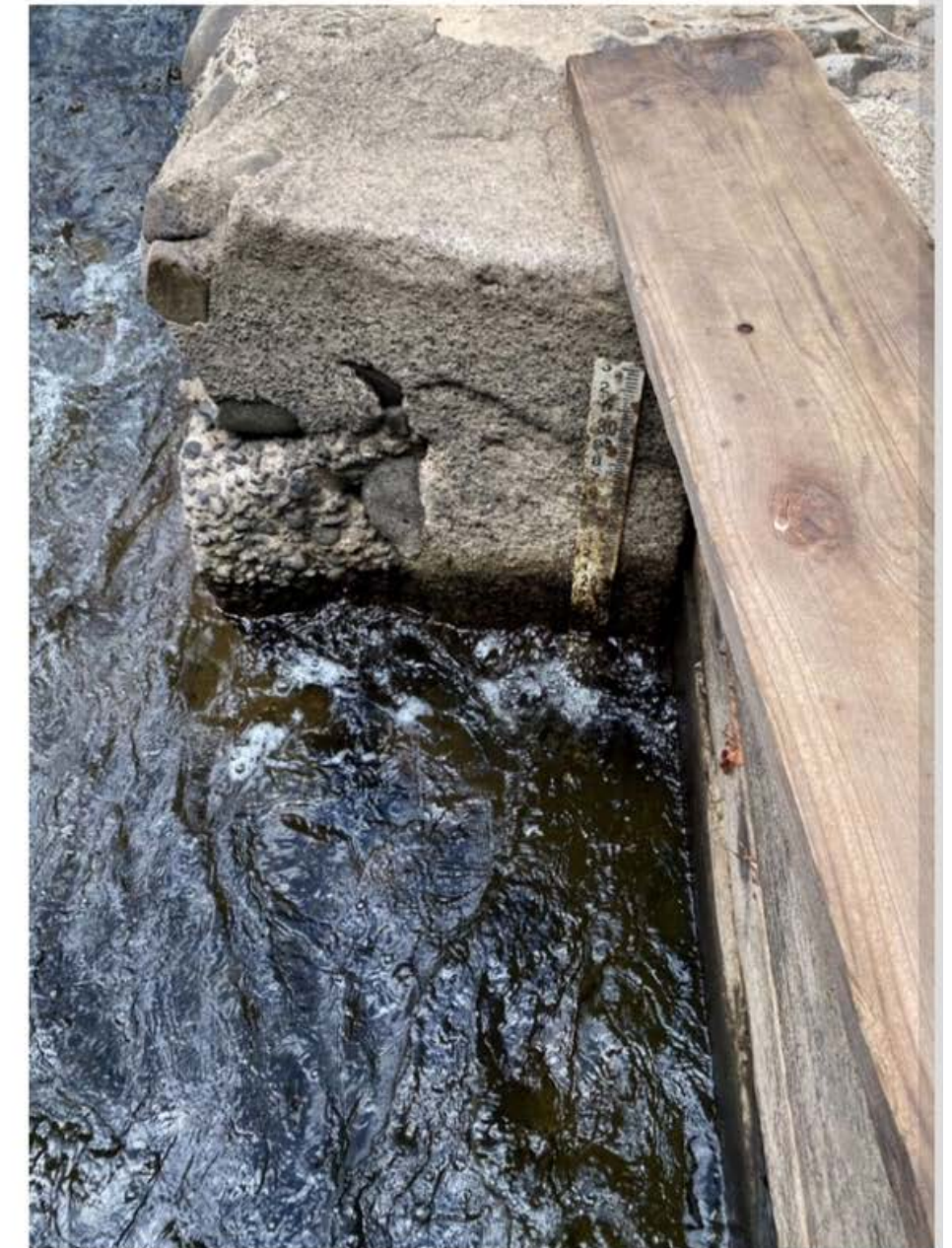


Waimaea Watershed Agreement

WAIAHULU STREAM

**Waiahulu Stream, below
the Waiahulu diversion
to Kekaha ditch
Interim Instream Flow
Standard = 8.0 mgd**

Waiahulu



Waimea Watershed Agreement

WAIMEA RIVER

**Waimea River at USGS
gaging station 16031000
Interim Instream Flow
Standard =25.0 mgd
and minimum flow at all
times through the Kekaha
ditch of 6.0 mgd measured
at the Hukipo flume, even
if Waimea River flows
below 25.0 mgd**



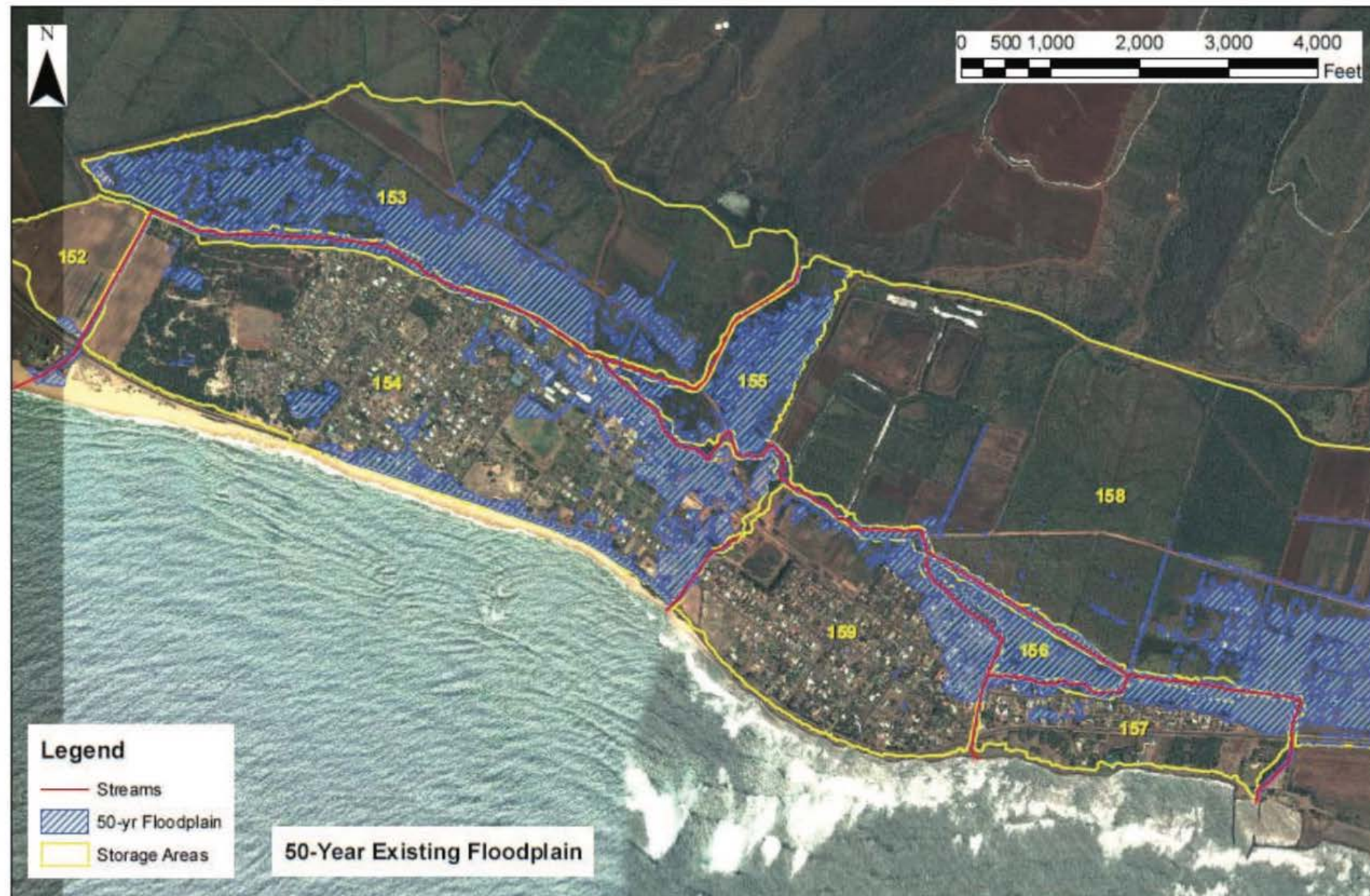
Waimaea Watershed Agreement



Clean Water Act

- **Requires ADC to secure a National Pollutant Discharge Elimination System (“NPDES”) permit in order to discharge waters into the ocean, or alternatively, reduce, control, and mitigate its non-point source pollution and comply with state water quality standards.**
- **ADC applied for an NPDES permit on June 5, 2020, approval pending.**

Clean Water Act



Appendix B: Flood Study for Kekaha Town

During the pendency of the permit approval, ADC follows its Storm Procedures. These procedures were developed in part based upon the Flood Study for Kekaha Town, Island of Kauai by the US Army Corp. of Engineers (2011)

Clean Water Act

Maintain monthly discharge monitoring reports

Facility Location	Diversified Agriculture Facility			Monitoring Period						<input type="checkbox"/> No Discharge
	8315 Kekeha Road Kekaha, HI 96752			Month	Day	Year	Month	Day	Year	
				9	1	2021	9	31	2021	

Parameter	Sample Measurement / Permit Requirement	Quantity			Concentration			Units	No. Ex.	Freq. Of Analysis	Sample Type
		Quantity 1	Quantity 2	Units	Conc. 1	Conc. 2	Conc. 3				
Flow	Sample Measurement	6.0	6.7	MGD	***	***	***	***	0	***	***
	Permit Requirement	Daily Average Monitor Only	Maximum Daily 100		***	***	***				
Total Suspended Solids	Sample Measurement	228	254	Kg/day	***	***	***	***	0	2	Comp
	Permit Requirement	Daily Average, Report Only	Maximum Daily 9070		***	***	***				
Settleable Solids	Sample Measurement	***	***	***	< 0.1	***	< 0.1	ml/L	0	2	Comp
	Permit Requirement	***	***		***	1.0 Maximum Daily Average	2.0 Daily Maximum				
pH	Sample Measurement	***	***	***	7.36	***	7.52	S.U.	0	2	Comp
	Permit Requirement	***	***		7 Minimum	***	8.6 Maximum				
Temperature	Sample Measurement	***	***	***	27.3	***	26.6	Celsius	0	2	Comp
	Permit Requirement	***	***		***	Daily Average Report Only	Daily Maximum Report Only				
	Sample Measurement										
	Permit Requirement										
	Sample Measurement										
	Permit Requirement										
Principal Executive Officer Name/Title		I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.						Telephone		Date	
Mr. James Nakatani, Executive Director								Signature of Principal Executive Officer or Authorized Agent		(808) 586-0188	
Typed or Printed				Area Code & Number		Mo	Day	Year			

Comments and explanation of any violations (reference all attachments here)

Clean Water Act

The following photos illustrate some of the most common BMPs utilized on cultivated lands, specifically land used for the production of seed corn. This is not a comprehensive inventory of practices in place, rather an illustrative example of how these practices are being used on Leased Lands to reduce soil erosion and runoff to receiving waters.



Figure 16. Fields are established to cover crop or naturally occurring vegetative cover between crop cycles.



Figure 17. Roadside ditches can facilitate capture and reduction of runoff.

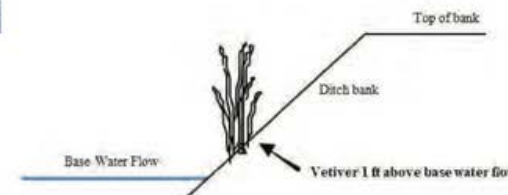


Figure 18. Vegetative barrier installed on Leased Lands in the Mānā Plain.

- Vegetative barriers are recommended for high priority areas where ditch flow is of higher velocity (at intersections or bends), specifically recommending the establishment of lines of vetiver grass (*Chrysopogon zizanioides*) one (1) foot above base flow level. The establishment of vetiver at this level will serve two purposes: roots will hold soil to prevent bank sloughing at the water line, and roots and stems will aid in protecting the bank in high flow events. The following photo and diagram illustrate the placement of vetiver along the slope.



Figure 19. Vetiver planted 1 foot above base water level helps stabilize stream banks. (photo source: Vetiver Network International)



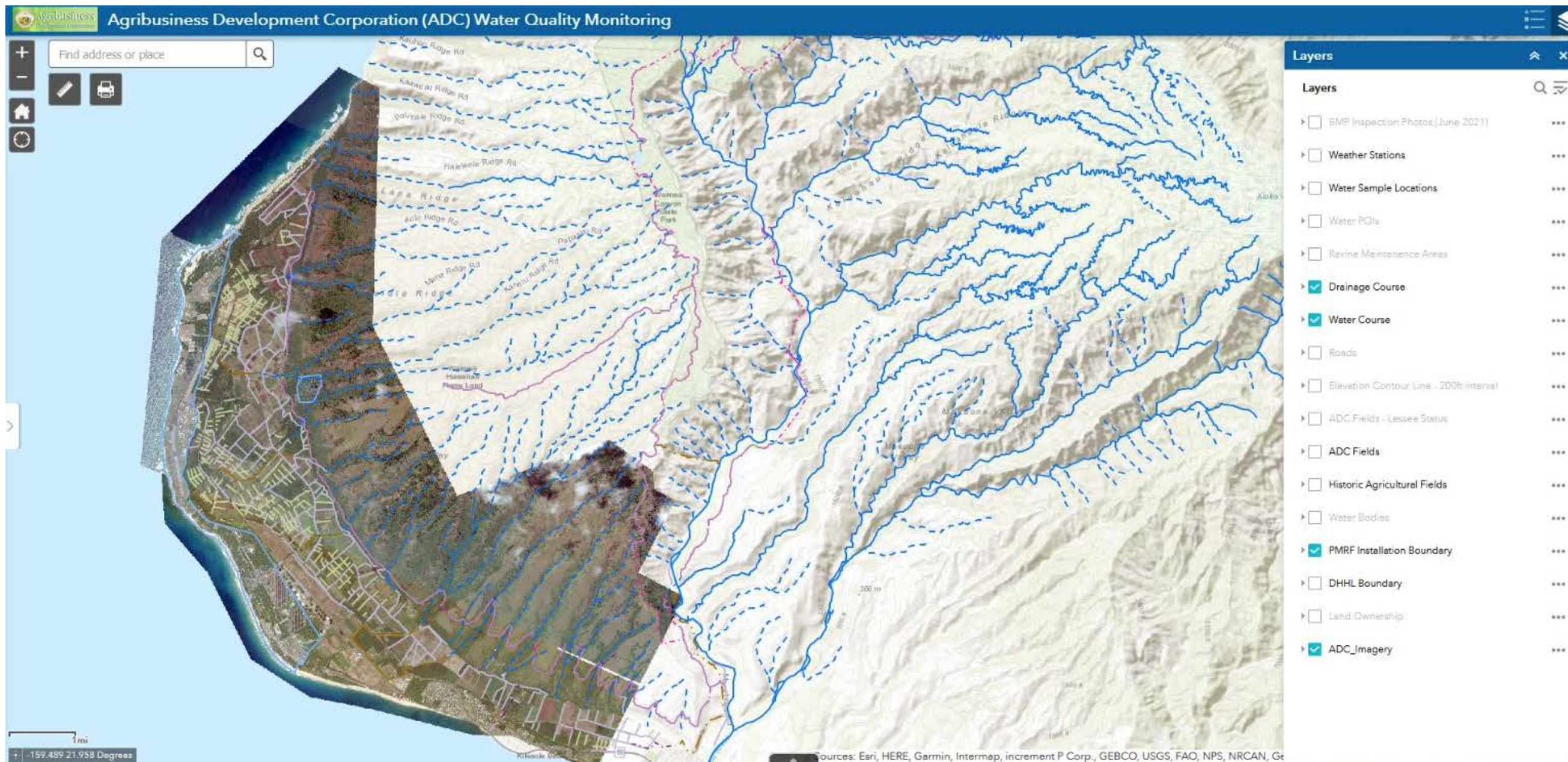
Note: It will be critical to monitor growth and effectiveness of vetiver used as a vegetative barrier on the ditch banks. Large volumes of runoff from mauka areas that result in high flow velocities may exceed the ability of vetiver to stay in place (i.e. extremely high flows may wash the plants away). If this is a repeated problem, it may be necessary to evaluate structural alternatives, including modifying the channel design.

Management Measures

Table 7 lists NRCS conservation practices (aka BMPs) and maintenance strategies that have potential to reduce contributions from the drainage ditch system. Additional practices, along with details regarding location and quantity of all BMPs, may be identified in a detailed drainage system maintenance plan yet to be developed.

Implement and enforce BMPs agreed upon between ADC and the Department of Health, Clean Water Branch (“DOH”) BMPs, developed in 2018, in large part in accordance with the US Department of Agriculture, Natural Resources Conservation Service (“NRCS”) Field Office Technical Guide which contain technical information about the conservation of soil, water, air, and related plant and animal resources.

Clean Water Act



Develop a Drainage System Operation and Maintenance (“DSOM”) plan to identify drainage infrastructure and provide guidance for its operation and maintenance. ADC consultants have been granted an extension to December, 2021 to submit a plan to ADC.

Aerial View Of Kalepa



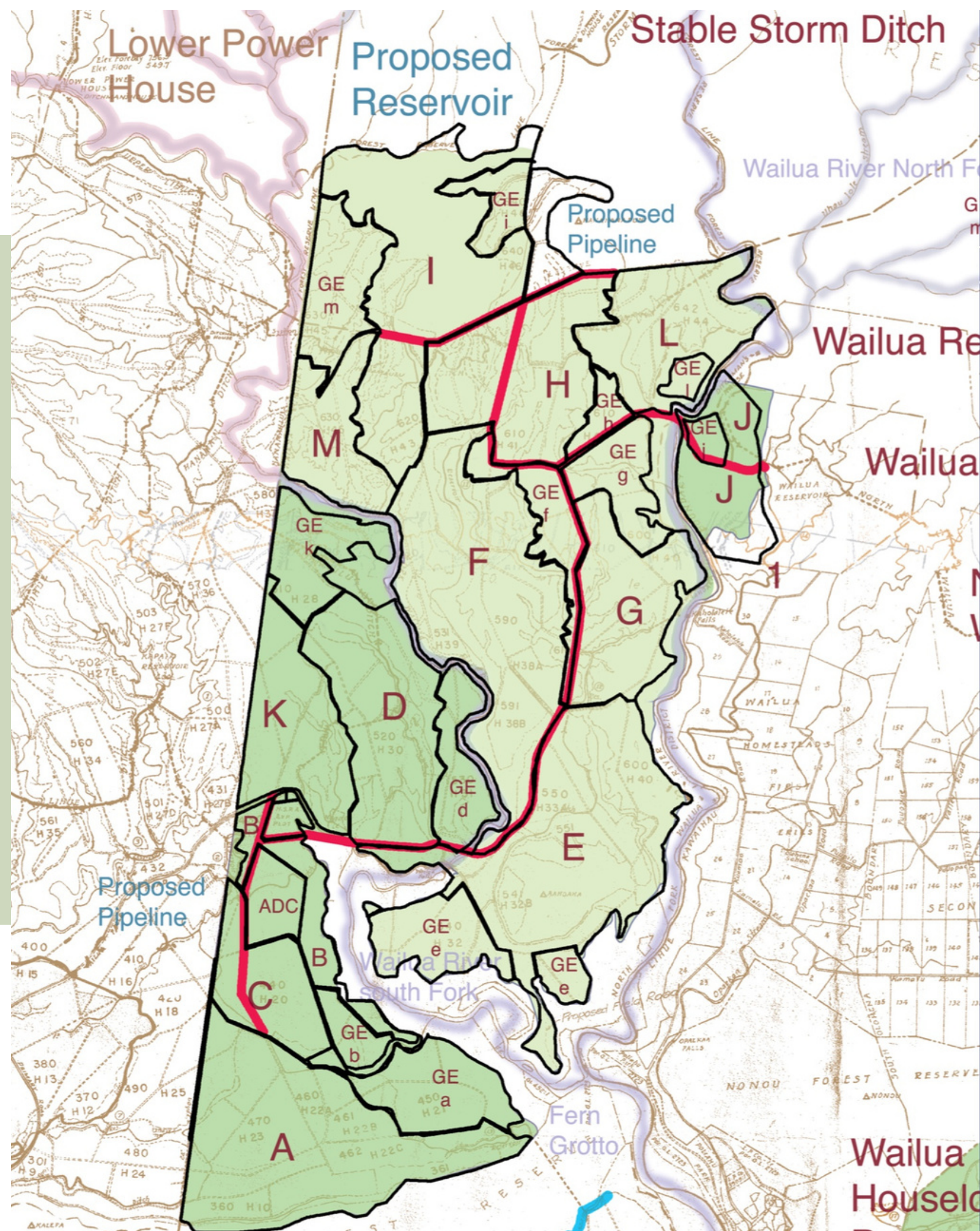
Kalepa Acreage

Tillable (usable) acres: 4,306 acres including:

- Tree farm: 1,621 acres
- Crop farm: 375 acres
- Pasture: 2,050 acres
- Uncultivated land: 260 acres
- Another 1,564 acres are gullies, rivers, streams, banks, roads, reservoirs, dams, ditches, etc.



Kalepa ADC Lands And Licenses



Kalepa Organizations

Current Licensees

Company/Acreage in parenthesis

- **William Sanchez (473 Acres)**
- **Taiwan Gu (268 Acres)**
- **Green Energy (1,123 Acres)**
- **Sakda Meephol (60 Acres)**
- **Arnold Bunao (173 Acres)**
- **Tony Reis (257 Acres)**
- **Les Milnes (397 Acres)**
- **Godwin Esaki (374 Acres)**
- **Saiva Church (233 Acres)**
- **Mervin Rapozo (309 Acres)**
- **Derek Rapozo (163 Acres)**
- **Gerald Sanchez (110 Acres)**
- **Lester Calipjo (250 Acres)**
- **Ginger & Cholena Bray (99 Acres)**
- **Lin Tian Shen (17 Acres)**

Kalepa Coalition

- **Farmer's and rancher's cooperative made up of parties holding Licenses or Revocable Permits in Kalepa since 2011.**
- **KK has an agreement with ADC to maintain and manage the common roads, gates, and related facilities that serve the various licensed areas located on the Kalepa Lands.**

Operations

- **Roads**
 - **Maintain common element road**
- **Gates**
 - **Open and lock main gates along common element road**

Kalepa Common Roads



Kekaha Agriculture Association

Kalepa Coalition

Members	5 of 11 tenants (excluding revocable permittees)	14 of 15 tenants
Management	Employee manager + 3 workers	Volunteer members
Total Assets	\$833,471 (CYE 2020, *CW Associates Independent Auditor's Report, Kekaha Agriculture Association Financial Statements)	\$14,639 (Annual Report July 31, 2020, *DCCA, Business Registration Division)
Total Revenue	\$2,223,669 (CYE 2020, *CW Associates)	\$18,250 (Annual Report July 31, 2020, *DCCA)
Total Expenses	\$2,266,611 (Maintenance, storm damage, salaries and benefits, legal and accounting, security costs, etc.) (CYE 2020, *CW Associates)	Unspecified

Acknowledgements

- **Kekaha Agriculture Association**
- **Kalepa Coalition**
- **Kauai Island Utilities Corporation**
- **Commission on Water Resource Management**
- **Becker Communications**



Mahalo!