



Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMADA

ORIGINAL

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
AIRPORTS DIVISION
400 Rodgers Boulevard, Suite 700
Honolulu, Hawaii 96819-1880

IN REPLY REFER TO:

AIR-EP
09.0067

September 28, 2009

TO: MR. ORLANDO DAVIDSON, EXECUTIVE OFFICER
LAND USE COMMISSION

FROM: 
BRIAN H. SEKIGUCHI
DEPUTY DIRECTOR-AIRPORTS DIVISION

SUBJECT: DOCKET NO. A90-659
ANNUAL REPORT PROJECT STATUS

2009 OCT -6 A 7 05
LAND USE COMMISSION
STATE OF HAWAII

Pursuant to the Land Use Commission's Order in Docket No. A90-659, transmitted are one (1) original and one (1) copy of the 2009 annual report on the status of the Lanai Airport and our progress in complying with the conditions imposed by the commission. A .pdf version of the annual report will be emailed to the Department of Business, Economic Development, and Tourism (DBEDT).

Project Status

The reclassification of 509.285 acres to Urban District was approved by Maui County on July 9, 1993. The consolidation of the property was approved by the Land Court of the State of Hawaii on May 25, 1994. The Declaration of Conditions has been filed and the Dedication Deed for the property has been obtained. The Deed was recorded on November 3, 1997 and a copy was attached to the 1998 Annual Report. Construction of the new terminal was completed on June 1, 1994.

We request at this time that the Department of Transportation, Airports Division (DOTA) be relieved of submitting Annual Reports to the Land Use Commission, which has also been supported by the Maui Planning Department, as shown in the attached letter. Annual Reports have been filed with the Land Use Commission since 1995 with no significant change since then, and it is anticipated that it will remain that way for sometime in the future. Please advise us of any requirements to relieve DOTA from filing the Annual Report.

Please have your staff contact Lynn Becones, Planner, at (808)838-8817 to clarify any questions you may have.

Enclosures: Annual Report
Letter from Planning Department dated 10/6/08

c: Office of Planning
Maui County Planning Department

2009 ANNUAL REPORT

LAND USE COMMISSION
STATE OF HAWAII

Land Use Conditions

2009 OCT -6 A 7:05

The following is a progress report on conditions imposed by the Land Use Commission for the Lanai Airport improvements.

Condition No. 1: Petitioner shall obtain unconditional fee title for airport and ancillary airport purposes to the land for expansion at no cost to the State of Hawaii from Dole Foods, Inc., formerly known as Castle & Cooke, Inc.

Status: The petitioner has obtained fee title as explained above at no cost to the State of Hawaii.

Condition No. 2: There shall be no residential construction on any portion of the property subject to noise levels greater than 60 Ldn.

Status: There are no plans for any residential construction on any portion of the subject property.

Condition No. 3: Petitioner shall insure that the necessary water source, storage and transmission facilities are available to adequately serve the proposed project.

Status: All necessary water transmission and storage facilities necessary to service the new terminal are complete.

Condition No. 4: Petitioner shall monitor the traffic attributable to the development proposed in the Property at on-site and off-site locations, and shall undertake subsequent mitigative measures that may be required.

Status: Petitioner has completed roadway intersection improvements to mitigate any additional traffic.

Condition No. 5: Petitioner shall provide the necessary wastewater treatment and disposal facilities as may be required by the State Department of Health to adequately service the proposed project.

Status: A new wastewater treatment facility has been completed as part of the new terminal.

Condition No. 6: Petitioner shall immediately stop work on the impacted area and contact the State's Historic Preservation Division should any archaeological resources, such as artifacts, shell, bones, or charcoal deposits, human burial, or rock or coral alignments, paving or walls of historic or prehistoric significance be encountered during the development in the Property.

Status: No archaeological sites were discovered during construction.

Condition No. 7: Petitioner shall implement effective soil erosion and dust control measures during all phases of the development.

Status: Effective soil and dust control measures were used during construction. Development is now complete.

Condition No. 8: Petitioner shall develop the Property in substantial compliance with representations made to the Land Use Commission in obtaining the reclassification of the Property.

Status: The Petitioner has developed the Property in substantial compliance with representations made to the Land Use Commission in obtaining the reclassification of the Property.

Condition No. 9: Petitioner shall provide annual reports to the Land Use Commission, the Office of Planning, and the Maui County Planning Department in connection with the status of the project and Petitioner's progress in complying with the conditions imposed.

Status: The petitioner will provide annual reports as required in connection with the status of the project and petitioner's progress in complying with the conditions imposed. This is the eleventh such report.

Condition No. 10: Petitioner shall give notice to the Land Use Commission of any intent to sell, lease, assign, place in trust, or otherwise voluntarily alter the ownership interest or development interest in the Property covered by the approved Petition prior to visible commencement of construction on the Property.

Status: The Petitioner will be leasing approximately 0.7 acres to Castle & Cooke within the next year for the use of hangars. An Environmental Assessment is currently being completed.

Condition No. 11: A Lanai Community Plan Amendment and Change in Zoning shall be obtained from the County of Maui.

Status: The Community Plan Amendment and Change in Zoning from the County of Maui were obtained by the State on July 9, 1993.

Condition No. 12: Night operations for passenger flights shall be limited to the extent practicable.

Status: Night operations for passenger flights are being limited to the extent practicable.

Condition No. 13: Flight patterns over Lanai City shall be avoided to the extent practicable.

Status: Flight patterns over Lanai City are being avoided to the extent practicable.

Condition No. 14: Petitioner shall comply with the August 20, 1990 letter from the Department of Public Works, County of Maui, containing seven (7) comments regarding development improvements.

Status: The petitioner has complied with these comments.

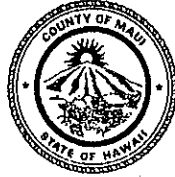
Condition No. 15: Unless prior consultation occurs between the County of Maui and the Petitioner, no runway expansion at Lanai Airport shall be allowed.

Status: No runway expansion at Lanai Airport is presently planned at this time.

MAINE TAVARES
Mayor

JEFFREY S. HUNT
Director

KATHLEEN ROSS AOKI
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

October 6, 2008

Mr. Orlando Davidson, Executive Officer
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Davidson:

SUBJECT: 2008 ANNUAL REPORT FOR LUC DOCKET NO. A90-659, STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, LANAI AIRPORT AT TMK: 4-9-002:001 - (REVISED LETTER)

This letter supercedes the September 9, 2008 letter sent to your Commission.

The Department of Planning (Department) has reviewed the above-referenced Annual Report that your Commission copied to us on August 22, 2008. We have no comments to make on this report. Again, since the project is complete and conditions have been complied with, the applicant should be released from the requirement of filing yearly reports to our Department.

If additional clarification is required, please contact Staff Planner Joseph Prutch at joseph.prutch@mauicounty.gov or 270-7512.

Sincerely,

A handwritten signature in black ink, appearing to read "Clayton I. Yoshida".

CLAYTON I. YOSHIDA, AICP
Planning Program Administrator

For JEFFREY S. HUNT, AICP
Planning Director

xc: Department of Transportation
Joseph M. Prutch, Staff Planner
Office of Planning
Project File
General File

JSH:CIY:JMP:bv

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