

BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

THE STATE OF HAWAII, DEPARTMENT OF
TRANSPORTATION – AIRPORTS

To obtain a Special Management Area Use
Permit for the construction of a new south TSA
checkpoint building and improvements to the
existing TSA checkpoint building at Kahului
Airport, located at 1 Kahului Airport Rd 9,
Kahului, Hawai'i, TMK (2) 3-8-001:236 & 173

DOCKET NO. SM1 2024-00006

KYA, INC. on behalf of THE STATE OF
HAWAII, DEPARTMENT OF
TRANSPORTATION – AIRPORTS

(C. Thackerson)

MAUI COUNTY PLANNING DEPARTMENT REPORT AND RECOMMENDATION

TO THE MAUI PLANNING COMMISSION

February 11, 2025 MEETING

DEPARTMENT OF PLANNING
COUNTY OF MAUI
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HI 96793

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DESCRIPTION OF THE PROJECT

The State of Hawai'i, Department of Transportation, Airports Division (Applicant), is requesting a Special Management Area use Permit for the proposed construction of a new Security Screening Checkpoint (SSCP) South building for use by the Transportation Security Administration (TSA), and improvements to the existing TSA checkpoint building at the Kahului Airport (OGG and Airport). The Airport has faced capacity issues for passenger screening during peak hours. This project is intended to address the capacity shortfalls and increase capacity for future airport growth.

The proposed South TSA checkpoint overall building will be located in the existing surface parking area for group baggage bus tour drop-off, and the dimensions will be approximately 99' w x 325' l x 42' h. The floor area of the ground level, including the covered exterior canopy area is approximately 29,000 sq. ft. The second-floor area, including the exterior landing is approximately 22,500 sq. ft. By building a second checkpoint at this proposed location, the project will meet the distance requirement to prevent a complete airport shutdown in the event of evacuation at the existing TSA checkpoint. Therefore, if one checkpoint needs to close for security purposes, the secondary checkpoint will allow the airport to still be operational.

The existing TSA checkpoint improvements will include air conditioning and storefront installation at the perimeter of the existing space at the top of the landing of the escalators on the concourse level. Enclosure work will also include cement plaster wall infills and windows. Total floor area of the existing checkpoint enclosure will be approximately 11,500 sq. ft. The proposed actions will provide improved safety and enhancement to the passenger experience.

The total estimated valuation of the project is \$42,800,000 and the project area is owned by the State of Hawai'i. Construction of the project is expected to commence upon receipt of applicable

permitting approvals. See **Exhibit 1** Location Map/Site Plan, **Exhibit 2** Photographs, **Exhibit 3** Elevations and Colored Renderings, **Exhibit 4** Construction Plans, and **Exhibit 5** Landscape and Irrigation Plans.

DESCRIPTION OF THE PROPERTY

The Kahului Airport comprises 1,391 acres and is the primary airport on the island of Maui. It serves interisland destinations and is the only airport on the island serving direct flights between mainland North America and Maui. The Airport has two runways, Runway 2-20 and Runway 5-23, with Runway 2-20 being the primary and longer runway (6,995 ft. or 1.3 miles; HNL runway is 12,300 ft. or 2.3 miles).

OGG is in close proximity to the island of Maui's shipping center and business commerce district. Because of this, the region has emerged as the focal point for heavy industrial, light industrial and commercial activities and services such as warehousing, baseyard operations, automotive sales and maintenance, and retailing for equipment and materials suppliers. Kahului is also considered to be Central Maui's commercial retailing center with the Queen Ka'ahumanu Center, the Maui Mall, the Kahului Shopping Center, the Maui Marketplace, the Pu'unēnē Shopping Center, and a variety of other commercial establishments and restaurants located within the proximity of the project site. Visitor accommodations in Kahului include the Maui Beach Hotel, Maui Seaside Hotel, and the Marriott Courtyard Hotel.

The Kahului Airport is the second busiest airport in the State. The Airport served approximately 6.7 million passengers in 2016 (HDOT-A, 2016). OGG is classified as a medium-hub commercial service airport in the Federal Aviation Administration (FAA) National Plan of Integrated Airport Systems (NPIAS). Hub classification is based on the number of passengers enplaned at an airport, and a "medium hub" classification means that the airport accommodates between 0.25 percent and 1.00 percent of total U.S. passengers (FAA, 2016).

The property is situated within the County's designated Special Management Area (SMA). A portion of the property does abut the shoreline, however the proposed project area is over 3,000 feet away from the shoreline and is therefore not subject to the Shoreline Setback Rules for the Maui Planning Commission. The project site is entirely within Flood Zone X (**Exhibit 6**, Flood Hazard Map). The Zone X designation refers to inundation areas of low- to-moderate risk that are outside the 0.2 percent annual chance (or 500-year) floods.

The project site is located just outside of the tsunami evacuation zone (**Exhibit 7** Tsunami Evacuation Zone) and outside of the 3.2 feet of sea level rise exposure area (SLRXA) as depicted on the Hawaii Sea Level Rise Viewer (**Exhibit 8** SLRXA map).

The Land Use Designations (LUD) of the Property are summarized below and the LUD Form is included as **Exhibit 9**:

State Land Use:	Urban District
Maui Island Plan:	Urban, Outside Protected Areas
Community Plan:	Airport

County Zoning:
Other:

Airport District
Special Management Area

Surrounding Uses

North:
South:
East:
West:

Ocean, vacant lands
Kahului town center, Kīhei
Heliport facilities, Sprecklesville, Pā'ia
Costco, Kanahā Pond, Maui Oil

APPLICABLE REGULATIONS

Special Management Area

Standards for reviewing a Special Management Area (SMA) application are found under 205A-26 Hawaii Revised Statutes (HRS) Special management area guidelines, and §12-202-12 Assessment and determination procedures of Chapter 202, Special Management Area Rules of the Maui Planning Commission.

In evaluating an action, the following factors, but not limited to same, may constitute a significant adverse effect on the environment:

- (A) *Involves an irrevocable commitment to loss or destruction of any natural or cultural resources;*
- (B) *Significantly curtails the range of beneficial uses of the environment;*
- (C) *Conflicts with the County's or the State's long-term environmental policies or goals;*
- (D) *Substantially affects the economic or social welfare and activities of the community, County or State;*
- (E) *Involves substantial secondary impacts, such as population changes and increased effects on public facilities, streets, drainage, sewage, and water systems, and pedestrian walkways;*
- (F) *In itself has no significant adverse effect but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;*
- (G) *Substantially affects a rare, threatened, or endangered species of animal or plant, or its habitat;*
- (H) *Is contrary to the state plan, county's general plan, appropriate community plans, zoning and subdivision ordinances;*
- (I) *Detrimentially affects air or water quality or ambient noise levels;*
- (J) *Affects an environmentally sensitive area, such as flood plain, shoreline, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh waters or coastal waters;*
- (K) *Substantially alters natural land forms and existing public views to and along the shoreline; or*
- (L) *Is contrary to the objectives and policies of Chapter 205A, HRS.*

The following guidelines from section 205A-26 HRS, Coastal Zone Management, Special Management Area Guidelines, shall be used by the Authority (MPC) in reviewing developments within the Special Management Area:

§205A-26 HRS Special management area guidelines:

- (1) *All development in the special management area shall be subject to reasonable terms and conditions set forth by the authority to ensure:*
 - (A) *Adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas, and natural reserves is provided to the extent consistent with sound conservation principles;*
 - (B) *Adequate and properly located public recreation areas and wildlife preserves are reserved;*
 - (C) *Provisions are made for solid and liquid waste treatment, disposition, and management that will minimize adverse effects upon special management area resources; and,*
 - (D) *Alterations to existing land forms and vegetation, except crops, and construction of structures shall cause minimum adverse effect to water resources, beaches, coastal dunes, and scenic and recreational amenities and minimize impacts from floods, wind damage, storm surge, landslides, erosion, sea level rise, siltation, or failure in the event of earthquake.*

- (2) *No development shall be approved unless the Authority has first found that:*
 - (A) *The development will not have any significant adverse environmental or ecological effect, except as any adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Those adverse effects shall include, but not be limited to, the potential cumulative impact of individual developments, each of which taken by itself might not have a significant adverse effect, and the elimination of planning options;*
 - (B) *The development is consistent with the objectives, policies, and special management area guidelines of this chapter and any guidelines enacted by the legislature; and*
 - (C) *That the development is consistent with the county general plan, community plan, and zoning; provided that a finding of consistency shall not preclude concurrent processing when a general plan, community plan, or zoning amendment may also be required.*

- (3) *The Authority shall seek to minimize, where reasonable:*
 - (A) *Dredging, filling or otherwise altering any bay, estuary, salt marsh, river mouth, slough, or lagoon;*
 - (B) *Any development that would reduce the size of any beach or other area usable for public recreation;*

- (C) *Any development that would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the special management areas and the mean high tide line where there is no beach;*
- (D) *Any development that would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast; and*
- (E) *Any development that would adversely affect water quality, existing areas of open water free of visible structures, existing and potential fisheries and fishing grounds, wildlife habitats, or potential or existing agricultural uses of land.*

PROCEDURAL MATTERS

1. On September 12, 2024, the Applicant published a Notice of Application and location map in the Maui News notifying the public of the Applicant's intent to file the application with the County of Maui. A copy of the Notice of Application and Affidavit of Publication is on file in the Maui County Planning Department.
2. On December 30, 2024, the Planning Department e-mailed a notice to the Applicant and appropriate state and county agencies notifying them of the scheduled public hearing.
3. On January 10, 2025, the Applicant mailed a letter of notification and location map to all owners and recorded lessees within 500 ft. of the subject property describing the application and notifying them of the scheduled hearing date, time and place by either certified or registered mail receipt. Copies of the letter, location map, list of owners and recorded lessees, certified and registered mail receipts and return receipts are on file in the Planning Department.
4. On January 10, 2025, a Notice of Hearing on the application was published in the Star Advertiser by the Planning Department.
5. The application does involve an action that triggers compliance to Chapter 343, Hawaii Revised Statutes (HRS), relating to Environmental Impact Statements. In a letter dated, February 9, 2023, the State of Hawaii Department of Transportation issued a Declaration of Exemption (**Exhibit 10** HRS Chapter 343 Exempt) for the project.

REVIEWING AGENCIES

County	Comment	Exhibit
Department of Water Supply	yes	11
Applicant response		11a
Department of Public Works	yes	12
State		
Department of Land and Natural Resources (DLNR) – State	yes	13

The project was also reviewed by the Urban Design Review Board (UDRB) at its regular meetings on September 3, 2024. The UDRB voted to recommend approval of the project design to the Maui Planning Commission (**Exhibit 14**, UDRB Comments).

ANALYSIS

LAND USE

In the State of Hawai'i, there are a variety of state and county land use plans, policies, and controls that govern land use activities. These land use plans, policies, and controls are intended to provide governing standards and appropriate guidelines for sound community and island development. Consonance with each plan will provide the optimum opportunity to safely accommodate future growth and development, while minimizing potential impacts to the existing communities and to natural resources in the vicinity.

- 1. With regard to the **State Land Use Districts**, the subject property is in the State Urban District. Chapter 205 HRS states:

“(b) Urban districts shall include activities or uses as provided by ordinance or regulations of the county within which the urban district is situated.”

The proposed action is a permitted use within the Urban District.

- 2. The proposed project is consistent with the following applicable sections of the **Hawai'i State Plan**.

§226-11 Objectives and policies for the physical environment--land-based, shoreline, and marine resources.

- (a) Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the following objectives:
 - (1) Prudent use of Hawaii's land-based, shoreline, and marine resources.
 - (b) To achieve the /and-based, shoreline, and marine resources objectives, it shall be the policy of this State to:
 - (3) Take into account the physical attributes of areas when planning and designing activities and facilities.
 - (8) Pursue compatible relationships among activities, facilities, and natural resources.

§226-13 Objectives and policies for the physical environment--land, air, and water quality.

- (a) Planning for the State's physical environment with regard to land, air, and water

quality shall be directed towards achievement of the following objectives:

- (1) Maintenance and pursuit of improved quality in Hawaii's land, air, and water resources.
- (b) To achieve the land, air, and water quality objectives, it shall be the policy of this State to:
 - (5) Reduce the threat to life and property from erosion, flooding, tsunamis, hurricanes, earthquakes, volcanic eruptions, and other natural or man-induced hazards and disasters.
 - (7) Encourage urban developments in close proximity to existing services and facilities.

Analysis: The proposed project represents a prudent use of land that is within a developed industrial area and existing airport.

3. The County of Maui 2030 General Plan **Countywide Policy Plan**, adopted by the Maui County Council on March 19, 2010, is the first component of the decennial General Plan update. The Countywide Policy Plan replaces the General Plan as adopted in 1990 and amended in 2002. The Countywide Policy Plan acts as an over-arching values statement and umbrella policy document for the Maui Island Plan and the nine Community Plans that provides broad goals, objectives, policies, and implementing actions that portray the desired direction of the County's future.

The following Goals, Objectives and Policies of the Countywide Policy Plan are applicable to the proposed project.

IMPROVE PHYSICAL INFRASTRUCTURE

Goal: Maui County's physical infrastructure will be maintained in optimum condition and will provide for and effectively serve the needs of the County through clean and sustainable technologies.

Objective:

- (4) *Direct growth in a way that makes efficient use of existing infrastructure and to areas where there is available infrastructure capacity.*

Policies:

- (c) *Utilize appropriate infrastructure technologies in the appropriate locations.*
- (d) *Promote land use patterns that can be provided with infrastructure and public facilities in a cost-effective manner.*

PROMOTE SUSTAINABLE LAND USE AND GROWTH MANAGEMENT

Goal: Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.

Objective:

- (1) *Improve land use management and implement a directed-growth strategy.*

Policies:

- b. *Direct urban and rural growth to designated areas.*

- e. *Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farmland and open-space resources.*

Analysis: The proposed project is located within the existing Kahului airport complex area and is consistent with the Countywide Policy Plan.

- 3. The **Maui Island Plan** (MIP) provides direction for future growth, the economy, and social and environmental decisions on Maui Island through 2030. The following Goals, Objectives and Policies of the Maui Island Plan are applicable to the proposed project.

TOURISM

Goal:

A healthy visitor industry that provides economic well-being with stable and diverse employment opportunities.

Objective: Increase the economic contribution of the visitor industry to the island's environmental well-being for the island's residents' quality of life.

Policies:

Provide a rich visitor experience, while protecting the island's natural beauty, culture, lifestyles, and aloha spirit.

Recognize the important economic contributions that the visitor industry makes and support a healthy and vibrant visitor industry.

Harbors and Airport

Goal:

Maui will have harbors and airports that will efficiently, dependably, and safely facilitate the movement of passengers and cargo.

Objective:

Upgraded airport facilities and navigation aids to serve the needs of passengers, freight movements, and general aviation.

Support State efforts to improve Kahului Airport operations to better serve passenger and cargo needs.

Analysis: The proposed project will upgrade the existing TSA checkpoint and create a new TSA checkpoint building that will enhance the user experience and overall safety at the Kahului Airport. The proposed project is consistent with the MIP.

5. The **Wailuku-Kahului Community Plan** is one of nine community plans developed to address the unique aspects of each region of Maui County. The regional community plans establish planning goals, objectives, policies, and implementation considerations to guide decision-making in the region and sets forth desired land use patterns. The project is consistent with the following applicable goals, objectives, and policies in the Wailuku-Kahului Community Plan.

LAND USE

Goal:

An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

Maintain the existing Kahului Airport district boundaries, as defined in the Community Plan Land Use Map and continue to evaluate the air transportation needs of the County to determine future air transportation facility requirements. Create a direct control overlay district in and around Kahului Airport due to the public investment and the economic importance of the facility. The boundaries of this district shall be generally defined by the 60 Ldn isoline (60 decibels, day-night average) of the FAA approved noise contour map for the airport. The intent of this district shall be establish specific guidelines for development within the area which would define uses compatible with the airport and appropriate design standards, particularly with respect to noise attenuation to reduce interior noise levels to the 45 Ldn level or less. Total closure of structures, as well as air-conditioning, are generally required for this purpose.

All zoning applications and/or proposed land uses and developments shall conform to the planned use designations, as specified in the adopted Community Plan Land Use Map, and be consistent with the Community Plan policies.

Analysis: The proposed action will be executed at the existing Kahului Airport, which is designated Airport in the Wailuku-Kahului Community Plan Land Use Map. The proposed action is necessary in order to provide a clean and safe environment for travelers. It is therefore consistent with the above listed land use Goals, Objectives, and Policies.

INFRASTRUCTURE

Goal:

Timely and environmentally sound planning, development and maintenance of

infrastructure systems which serve to protect and preserve the safety and health of the region's residents, commuters, and visitors through the provision of clean water, effective waste disposal and drainage systems, and efficient transportation systems which meet the needs of the community.

Analysis: The proposed action will upgrade and provide additional passenger amenities and aesthetic upgrades, thereby improving the safety and improving the overall flow of passenger movement within the facility. The proposed project is consistent with this goal in the MIP.

URBAN DESIGN

Goal:

An attractive and functionally integrated urban environment that enhances neighborhood character, promotes quality design, defines a unified landscape planting and beautification theme along major public roads and highways, watercourses and at major public facilities, and recognizes the historic importance and traditions of the region.

Maintain a design quality for commercial and public projects and large-scale master planned developments.

Analysis: OGG is a major public facility and in much need of an upgrade in several areas. The Consolidated Car Rental Facility (CONRAC) was recently completed and is a major upgrade enhancement to OGG, aesthetically and in terms of a well-organized and efficient car rental facility. The CONRAC is designed to keep pace with the growing demand of car rentals and is fast becoming a common element at medium to large airports across the country. The proposed terminal improvements are also necessary to keep up with the annual increasing number of travelers traversing through the terminal. In summary, the demand of air travel has outgrown the current airport facility and the proposed project is consistent with this goal in the MIP.

6. Title 19 of the Maui County Code establishes zoning districts, permitted uses, accessory uses, and development standards within zoning districts. The **Maui County Zoning Designation** for the Property is Airport District.

Analysis: The proposed project is on lands within the County's Airport zoning district and is listed as a permitted use.

SPECIAL MANAGEMENT AREA (SMA)

The subject property is located within the County of Maui designated Special Management Area (SMA). This section addresses the project's relationship to applicable coastal zone management considerations.

Chapter 205A, HRS details the State of Hawai'i Coastal Zone Management (CZM) Program and the related SMA Rules and Regulations guide development within the coastal zone and SMA. These laws and regulations are designed to assist the State and Counties in better managing coastal and estuarine environments. The CZM program outlines management objectives focused around ten areas: 1) Recreational Resources; 2) Historic Resources; 3) Scenic and Open Space Resources; 4) Coastal Ecosystems; 5) Economic Uses; 6) Coastal Hazards; 7) Managing Development; 8) Public Participation in Coastal Management; 9) Beach Protection; and 10) Marine Resources.

With any appropriate mitigations included in the recommended conditions of project approval the proposed development meets the goals and objectives of Chapter 205A, Hawai'i Revised Statutes (HRS) as follows:

(1) Recreational resources

A. Objectives.

(1) *Provide coastal recreational opportunities accessible to the public.*

B. Policies.

(1) *Improve coordination and funding of coastal recreational planning and management; and*

(2) *Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*

(a) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;

(b) Requiring replacement of coastal resources having significant recreational value including, but not limited to surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;

(c) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;

(d) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;

(e) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;

(f) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;

(g) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and

(h) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county

authorities; and crediting such dedication against the requirements of section 46-6;

Analysis: The project area does not take place within the shoreline setback, is located over 3,000 feet away from the shoreline, is outside of the Tsunami Evacuation Area, outside the 3.2 ft. Sea Level Rise Exposure Area and within the Flood Hazard Zone X. The proposed action will not affect nearby coastal recreational opportunities such as those found at the Kanahā Beach Park.

(2) Historic resources

A. Objectives.

(1) Protect, preserve and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

B. Policies.

(1) Identify and analyze significant archaeological resources;

(2) Maximize information retention through preservation of remains and artifacts or salvage operations; and

(3) Support State goals for protection, restoration, interpretation, and display of historic resources.

Analysis: By letter dated March 8, 2024, SHPD has deemed that “No historic properties will be affected” by the ground-alteration that is associated with this project (**Exhibit 13**).

(3) Scenic and open space resources

A. Objectives.

(1) Protect, preserve and, where desirable, restore or improve the quality of coastal scenic and open space resources.

B. Policies.

(1) Identify valued scenic resources in the coastal zone management area;

(2) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;

(3) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and

(4) Encourage those developments which are not coastal dependent to locate in inland areas.

Analysis: The Property is located in the central urban core of Kahului and within the existing industrial area. The project site is located inland of the coast and is not part of a scenic view corridor.

(4) Coastal ecosystems

- A. Objectives.
 - (1) *Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.*
- B. Policies.
 - (1) *Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;*
 - (2) *Improve the technical basis for natural resource management;*
 - (3) *Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;*
 - (4) *Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and*
 - (5) *Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.*

Analysis: The project is not anticipated to result in significant adverse impacts to coastal ecosystems. Applicable Best Management Practices (BMPs) and erosion-control measures will be implemented to mitigate runoff and minimize disruption of coastal water ecosystems during construction-related activities.

(5) Economic uses

- A. Objectives.
 - (1) *Provide public or private facilities and improvements important to the State's economy in suitable locations.*
- B. Policies.
 - (1) *Concentrate coastal dependent development in appropriate areas;*
 - (2) *Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and*
 - (3) *Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:*
 - (a) *Use of presently designated locations is not feasible;*
 - (b) *Adverse environmental effects are minimized; and*
 - (c) *The development is important to the State's economy.*

Analysis: The proposed project will provide essential infrastructure improvements that will support the local economy, improve the guest experience and increase airport safety.

(6) Coastal hazards

- A. Objectives.
 - (1) Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.
- B. Policies.
 - (1) Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and non-point source pollution hazards;
 - (2) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and non-point source pollution hazards;
 - (3) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and
 - (4) Prevent coastal flooding from inland projects.

Analysis: The project area does not take place within the shoreline setback, is located outside of the Tsunami Evacuation Area, outside the 3.2 ft. Sea Level Rise Exposure Area and within the Flood Hazard Zone X.

The proposed project is not expected to increase the risk of landslides, erosion, or failure in the event of an earthquake. No impacts to environmentally sensitive areas are anticipated.

(7) Managing development

- A. Objectives.
 - (1) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- B. Policies.
 - (1) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
 - (2) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and
 - (3) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

Analysis: The development of the subject properties is being conducted in accordance with applicable State and County requirements. Opportunity for public review and consideration of the proposed action has been provided through the SMA Use Permit application review processes. Through these processes, public education and input objectives are being achieved.

(8) Public participation

- A. Objectives.

- (1) *Stimulate public awareness, education, and participation in coastal management.*
- B. *Policies.*
 - (1) *Promote public involvement in coastal zone management processes;*
 - (2) *Disseminate information on coastal management issues by means of educational materials, reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and*
 - (3) *Organize workshops, policy dialogues, and site- specific mediations to respond to coastal issues and conflicts.*

Analysis: The project planning process has been consistent with the public participation objectives and policies of Chapter 205A, HRS. Opportunity for public awareness, education, and participation pertaining to significant resource attributes of the coastal zone is provided through the SMA Use Permit application review processes. Noticing for the public hearing has been conducted in accordance with the Planning Commission's SMA rules.

(9) Beach protection

- A. *Objectives.*
 - (1) *Protect beaches and coastal dunes for:*
 - i. *Public use and recreation; and*
 - ii. *The benefit of coastal ecosystems.*
- B. *Policies.*
 - (1) *Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;*
 - (2) *Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the and do not interfere with existing recreational and waterline activities; and*
 - (3) *Minimize the construction of public erosion-protection structures seaward of the shoreline;*
 - (4) *Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and*
 - (5) *Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor.*

Analysis: Public access to beach areas will not be affected by the project, which is located away from beaches and the shoreline. The project does not involve the construction of erosion-protection structures seaward of the shoreline. Beaches and coastal dunes will not be impacted by the project.

(10) Marine resources

A. Objectives.

(1) *Promote the protection, use, and development of marine and coastal resources to assure their sustainability.*

B. Policies.

(1) *Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;*

(2) *Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;*

(3) *Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;*

(4) *Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and*

(5) *Encourage research and development of new, innovative technologies for exploring, using, protecting marine and coastal resources.*

Analysis: The project is located inland and does not involve the use or development of marine and coastal resources.

Section 12-202-12 of the SMA Rules for the Maui Planning Commission

Section 12-202-12(e)(2) of the Maui Planning Commission Special Area Management Rules (Chapter 202) sets forth 12 criteria (lettered A to L) to evaluate potential environmental and ecological effects of a proposed action within the SMA. The criteria are listed below along with discussion stating how the proposed project will not have significant adverse environmental and ecological effects. Assessment of the project in the context of the SMA Rules is provided as follows:

A. Does not involve an irrevocable commitment to loss or destruction of any natural or cultural resources.

The project is limited to work within developed areas of the Kahului Airport. As such, loss or destruction of natural or cultural resources is not anticipated. Nonetheless, should any historic site be inadvertently discovered during development of the proposed project, all work will cease within the vicinity of the find, and the State Historic Preservation Division will be contacted for guidance and implementation of appropriate protocols.

B. Does not significantly curtail the range of beneficial uses of the environment.

The proposed project will not curtail the range of beneficial uses of the environment. The proposed action will be carried out at the existing Kahului Airport. Applicable dust control, noise control, and drainage control measures will be implemented during construction to

minimize any temporary construction-related impacts.

C. Does not conflict with the county's or the state's long-term environmental policies or goals.

The project does not conflict with the State Environmental Policy and Guidelines set forth in Chapter 343, HRS. The proposed action is consistent with environmental goals, objectives and policies of the Countywide Policy Plan, the Maui Island Plan and the Wailuku-Kahului Community Plan.

D. Does not substantially affect the economic or social welfare and activities of the community, county, or state.

Short-term construction employment and activities are expected to be created as a result of the project, which does not substantially or negatively affect the economic or social welfare of the community, county or State.

E. Does not involve substantial secondary impacts, such as population changes and increased effects on public facilities, streets, drainage, sewage, and water systems, and pedestrian walkways.

The Applicant provided the Utility Assessment Report used in the previous SMA approval for the Kahului Holdroom and Gate improvements to discuss potable Water, Wastewater and Drainage (**Exhibit 15**).

The elevation of the project site ranges from 39.50 to 34.70 feet above Mean Sea Level (MSL). Surface drainage at the site currently flows to the south, towards an existing storm drain catch basin. The storm drain catch basin drains to box culverts that discharge in Kalialinui Canal which flows to the Pacific Ocean.

The airport area has been developed since the 1950s. The existing drainage system consists of inlets, box or circular culverts, trench drains, and channels. Runoff is either transported to the ocean via Kalialinui Gulch or to undeveloped land north of Runway 5-23, where it percolates into the ground and/or evaporates. Runoff from the passenger terminals and associated parking areas are generally discharged into Kalialinui Gulch.

No significant increase in drainage is anticipated. The project will maintain the existing site drainage patterns. However, instead of all the runoff sheet flowing to the existing catch basin, runoff will be collected by roof drains, area drains, and trench drains then piped to the existing catch basin. Existing drain lines that conflict with the new building will be relocated around the building.

The Airport receives water from the County of Maui, Department of Water Supply's Central Maui Water System. The Central Maui Water System draws water from four aquifers: Kahakuloa, Waihe'e, Waikapū and 'Īao. Hydrant flow tests from adjacent fire hydrants and static pressure data was provided by the Airport and appeared to be high and adequate for

the project to meet fire protection requirements. Please see **Exhibit 11** and **Exhibit 11a** for the responses from the Department of Water Supply and the Applicant.

By letter dated January 12, 2023 and pursuant to Sections 16.26B.105.2(14), 16.18B.090(2)(b)(9), and 16.20C.101.2(2) of the Maui County Code, the Department of Public Works exempted the project from applicable from building, electrical, and plumbing permitting requirements (**Exhibit 12**).

The proposed action is not anticipated to have substantial detrimental secondary impacts and increased effect on public facilities.

F. Does not in itself have significant adverse effects nor does it cumulatively have considerable effect upon the environment or involve a commitment for larger actions.

The proposed action is not anticipated to create or contribute to any significant adverse cumulative or long-term environmental effects. The proposed project is not part of a larger action, nor would it occur within the context of such actions. There are no significant community growth impacts resulting from or occurring with the project. Therefore, there are no cumulatively considerable effects upon the environment.

G. Does not substantially affect a rare, threatened, or endangered species of animal or plant, or its habitat.

The project is limited to the existing developed area of the Kahului Airport. Significant adverse impacts to rare, threatened, or endangered species are not anticipated as a result of the proposed project.

H. Is not contrary to the state plan, county's general plan, appropriate community plans, zoning and subdivision ordinances.

The project is in compliance with underlying land use designations and is not considered to be contrary to the State Plan, the County's General Plan, the Wailuku-Kahului community plan, County Zoning, or subdivision ordinances.

I. Does not detrimentally affect air or water quality or ambient noise levels.

Short-term environmental impacts during construction will be mitigated through proper construction techniques and compliance with applicable permit requirements. The project represents a continuation of existing operations that do not negatively impact air and water quality.

J. Does not affect an environmentally sensitive area, such as flood plains, shoreline, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh waters, or coastal waters.

The proposed action is not anticipated to impact environmentally sensitive areas.

K. Does not substantially alter natural land forms and existing public views to and along the shoreline.

The project is away from the shoreline and within an existing developed area such that it is not expected to obstruct or diminish view planes or coastal views.

L. Is not contrary to the objectives and policies of chapter 205A, HRS.

A review of the objectives and policies of Chapter 205A, HRS, is provided in its entirety in the previous part of this section, which addresses the project's relationship to the CZM considerations. Based on the foregoing analysis, the project will appropriately and adequately mitigate impacts to SMA-relevant areas of interest. Accordingly, there are no anticipated significant adverse environmental and ecological impacts attributed to the proposed project. In summary, the proposed action is not anticipated to create any significant, long-term adverse environmental effects.

ENVIRONMENTAL IMPACTS

There will be short term noise and air quality impacts during the construction phases of the project. The proposed project is not anticipated to negatively impact public view corridors and is not anticipated to produce significant adverse impact upon the visual character of the site and its immediate environment.

OTHER GOVERNMENTAL APPROVALS

The proposed project will require the necessary Construction Permits as applicable.

TESTIMONY

As of February 3, 2025, the Department has not received any communication regarding this matter.

ALTERNATIVES

1. **Deferral.** The Commission may defer action to another meeting date in order to obtain additional information that will assist in their deliberation on the request.
2. **Approve With No Conditions.** The Commission may take action to approve the permit request without imposing any conditions.
3. **Approve With Conditions.** The Commission may take action to approve the permit request with conditions.
4. **Denial.** The Commission may take action to deny the permit request.

CONCLUSIONS OF LAW

The application meets the applicable standards for a Special Management Area Use Permit as found in HRS 205A-26 and Section 12-202-12 of the Special Management Area Rules for the Maui Planning Commission.

RECOMMENDATION

The Department recommends approval of the Special Management Area Use Permit subject to the following conditions:

STANDARD CONDITIONS:

1. That, to the satisfaction of the Department of Planning (Department), construction of the proposed project shall be initiated by February 28, 2030. Initiation of construction shall be determined as construction of onsite and/or offsite improvements, issuance of a foundation permit and initiation of construction of the foundation, or issuance of a building permit and initiation of building construction, whichever occurs first. Evidence of the initiation of construction shall be submitted to the Department prior to the date listed immediately above. Failure to comply by that date will automatically terminate this Special Management Area Use Permit unless a time-extension is requested, which should be submitted no later than ninety days prior to said date. A time-extension shall be processed in accordance with the provisions of Section 12-202-17 of the SMA Rules for the Maui Planning Commission.
2. That, to the satisfaction of the Department, the construction of the project shall be completed within five years after the date of its initiation. Evidence of the date of the completion of construction shall be submitted to the Department. Any request for a time-extension should be submitted no later than ninety days prior to the completion deadline. A time-extension shall be processed in accordance with the provisions of Section 12-202-17 of the SMA Rules. Failure to complete construction of this project within this time period will require unfinished portions of the project to obtain a new SMA Use Permit.
3. That, to the satisfaction of the Department, the Applicant shall develop the property in substantial compliance with the representations made to the Commission in obtaining the SMA Use Permit. Failure to so develop the property may result in the revocation of the permit and/or other enforcement.
4. That the Applicant shall submit to the Department a detailed report addressing its compliance with the conditions established with the subject Special Management Area Use Permit. One hard copy and one digital copy shall be submitted. A preliminary compliance report shall be reviewed and approved by the Department prior to issuance of the first grubbing, grading, foundation, or building permit. Plans regarding the location of any construction related structures such as, but not limited to trailers, sheds, equipment and storage areas and fencing to be used during the construction phase shall be submitted to the Department for review and approval prior to or along with the preliminary compliance report. The preliminary compliance report shall also include evidence that final

construction plans are in substantial compliance with plans submitted in the subject application and reviewed and approved by the Maui Planning Commission at its regular meeting of February 11, 2025. A final compliance report shall be submitted to the Department for review and approval prior to issuance of a final certificate of occupancy.

PROJECT SPECIFIC CONDITIONS:

5. That appropriate construction related BMPs be implemented during construction and evidence of such shall be submitted to the Department with the Preliminary Compliance Report.
6. That the Applicant shall submit a complete scope of work and building permits to SHPD, Architecture Branch for review and approval, pursuant to HRS §6E-8 and §6E-42 prior to issuance of a Certificate of Occupancy, and proof of such to be provided in the Final Compliance Report.
7. That full compliance with all applicable governmental requirements shall be rendered.

The conditions of this Special Management Area Use Permit shall be enforced pursuant to '12-202-23 and '12-202-25 of the Special Management Area Rules for the Maui Planning Commission.

In consideration of the foregoing, the Planning Department recommends the Maui Planning Commission adopt the Planning Department's Report and Recommendation prepared for the February 11, 2025, meeting as its Findings of Fact, Conclusions of Law, Decision and Order and authorize the Director of Planning to transmit said Decision and Order on behalf of the Planning Commission.

APPROVED:



KATE L.K. BLYSTONE
Planning Director