

Part 150: Records of Approval

Kahului Airport, Kahului, Maui, Hawaii

Approved on 8/30/96

INTRODUCTION

The Kahului Airport (OGG) Noise Compatibility Program (NCP) describes the current and future noncompatible land uses based upon the parameters as established in FAR Part 150, Airport Noise Compatibility Planning. The program recommends two (2) noise abatement measures, three (3) noise mitigation measures, and three (3) program management measures. These measures are summarized in Volume II, pages 8-5 through 8-18 of the NCP.

The approvals listed herein includes actions that the airport recommends be taken by the Federal Aviation Administration (FAA). It should be noted that these approvals indicate only that the actions would, if implemented, be consistent with the purposes of FAR Part 150. The approvals do not constitute decisions to implement the actions. Later decisions concerning possible implementation of these actions may be subject to applicable environmental or other procedures or requirements.

The measures are identified below by program elements and referenced to the NCP by page and section number. Each element summarizes as closely as possible the airport operator's recommendations as found in the NCP. The statements contained within the Description of element and before the FAA approval, disapproval, or other determination, does not represent the opinions or decisions of the FAA.

NOISE COMPATIBILITY PROGRAM MEASURES:

1 - NOISE ABATEMENT ELEMENTS:

1.1 Nighttime prohibition on Stage 2 aircraft. (Volume II, NCP: Chapter 7, Sec. 7.2.7.5., pages 7-26 thru 7-28; Chapter 8 Summary of Recommended Noise Compatibility Program; pages 8-3 through 8-6, Sec. 8.1.2.; page 8-5, Sec. 8.2.1.1; Appendix G, responses to comments)

Description of element: The State of Hawaii Department of Transportation (DOT) has proposed amending Hawaii Administrative Rules, Chapter 19-28, by adding a new section, §19-28-3.1. The revised rule would read as follows:

No aircraft shall take off or land at Kahului Airport between the hours of 10:00 p.m. and 6:00 a.m. as of December 31, 1995 unless it is a

Stage 3 airplane.

The Kahului NCP recommends that the State DOT continue to evaluate the implications of implementing such a restriction by the end of 1998, rather than 1995. The NCP does not recommend the immediate imposition of a restriction on the nighttime operation of Stage 2 aircraft. The NCP recognizes that the State must comply with Federal Aviation Regulations (FAR) Part 161 in order to adopt a restriction and indicates that the outcome of the Part 161 process will ultimately determine whether a nighttime restriction is imposed. The NCP expresses support for the continuation of the process to evaluate such a restriction.

APPROVED FOR STUDY ONLY. As recognized in the NCP, the proposed nighttime curfew on Stage 2 aircraft constitutes an airport noise and access restriction that could only be adopted after full compliance with the former Airport Noise and Capacity Act of 1990 (ANCA), 49 USC 47524(b), and 14 CFR Part 161,

Subpart C. Approval to conduct an analysis of a proposed mandatory restriction in accordance with 14 CFR Part 161 requirements may not be construed as approval of any action to implement a recommendation contained in that analysis. Neither is approval to conduct the analysis required by 14 CFR Part 161 a commitment by the FAA to grant approval of any recommendation nor to otherwise concur in any recommendation.

The FAA notes that based upon incomplete cost-benefit information in the NCP, the proposed restriction would appear to produce small noise benefits and high costs, raising the issue of undue burden on interstate and foreign commerce. This issue, among others under applicable Federal law, must be addressed as part of the State's further evaluation.

1.2. Clarification of informal runway use program. (Volume II, Pages 7-3 and 7-11 (background discussion), page 7-16, Sec. 7.2.6.2, page 8-6, Sec. 8.2.1.2; page 8-14, Sec. 8.3.2.1)

Description of element: An informal runway use program is currently in effect. It was instituted in response to noise complaints from area residents and has helped address some of their concerns. However, the wording of the existing informal Runway Use Program for Kahului Airport should be clarified.

The complaints about overflights from West Spreckelsville relate primarily to smaller aircraft that lift off after a short takeoff run and turn left immediately rather than making their left turn closer to the extended centerline of Runway 2-20. The informal runway use plan that is in effect at the airport already calls for aircraft to avoid overflights of West Spreckelsville. This can best be accomplished by following the recommended procedures. In addition, East Spreckelsville residents have complained about noise and overflights from aircraft using straight out departures from Runway 5 and from aircraft executing quick right turns following lift-off from Runway 2. The existing informal runway use program attempts to address this overflight problem, but the text could be improved.

The state would also publish the final program in its Airport Directory and Flying Safety Manual and request inclusion in the Area Notices of the Pacific Chart Supplement. The published information would include an area map of the airport which shows the noise sensitive areas surrounding the airport (page 8-8).

APPROVED AS VOLUNTARY.

2 - NOISE MITIGATION ELEMENTS:

2.1. Negotiate with private landowners in West Spreckelsville to purchase the private properties enclosed by the 75 DNL contour. (Volume II, Page 8-10, Sec. 8.3.1.2; page 8-15, Sec. 8.3.2.2)

Description of element: The State of Hawaii, Department of Transportation, Airports Division (DOTA) will negotiate with private landowners in West Spreckelsville to purchase the privately-owned residences and residentially zoned land within the 75 DNL contour shown on Figure 8-1. Properties acquired would be retained within the airport boundaries and kept vacant or developed for purposes that are not noise-sensitive. Owners who prefer to retain their properties would be allowed to do so. Homes not being purchased would be included in the sound attenuation program (2.2., below). Noise and avigation easements would be obtained by the State DOT in exchange for the sound attenuation improvements. The State DOT would also attempt to obtain the first right of refusal to purchase or lease all lots within the 75 DNL contour in order to obtain future control over those affected properties.

APPROVED: Acquisition of land within the DNL 75dB contour would reduce the amount of non-compatible land use around the airport and improve approach protection. This recommendation would remove 16 homes and approximately 56 people that are within the DNL 75dB 1998 with mitigation NEM (Figure 8-1) (also, see page 8-10).

2.2. Initiate a sound attenuation program for remaining residences in West and East Spreckelsville. (Volume II, Page 8-13, Section 8.3.1.2. and page 8-16, Sec. 8.3.2.3)

Description of element: The DOTA will initiate a sound attenuation program for remaining residences in East and West Spreckelsville within the 60 DNL contour of the 1998 Without Mitigation NEM (Figure 6-1) to reduce interior sound levels to less than 45 DNL. As part of this program, an initial engineering survey would be conducted of all residential structures within the 60 DNL contour to determine the feasibility and cost of sound attenuation. For those situations where it is not feasible to achieve the interior goal of 45 DNL, options for partial treatment would be identified and evaluated. These findings and treatment recommendations would be communicated to the homeowners to assist them in deciding on the available options of relocation or sound attenuation treatment. The State DOT would obtain a first right of refusal to purchase all homes that cannot be practically treated to achieve a 45 DNL interior noise level. In return, residents would provide the State DOT with noise and avigation easements.

APPROVED: This measure would affect approximately 35 homes within the DNL 65dB contour and an additional 46 homes within the DNL 60dB contour. (Tables 6-6, 6-7)

2.3. Offer to purchase private properties that are between the 60 and 75 DNL contours whose owners do not wish to participate in the Sound Attenuation Program. (Volume II, Page 8-13, Sec. 8.3.1.2, and page 8-16, Sec. 8.3.2.3).

Description of element: The DOTA will offer to purchase privately owned residences and lands within the 1998 Unmitigated (Figure 6-1) 60 to 75 DNL contours from owners not wishing to participate in the sound attenuation program, provided the properties have existing noise-sensitive use or are vacant but zoned for noise-sensitive uses. The ultimate purpose is two-fold. First, to assist in relocating those residents who prefer to relocate rather than remain and participate in the sound attenuation program. Second, to afford owners of vacant properties that are zoned for noise-sensitive uses to sell the properties rather than develop compatible uses and/or structures. Homes that are purchased would be sound-attenuated to provide interior noise levels of 45 DNL or less and resold with a noise easement. Vacant properties would be resold with a noise easement incorporated in the deed. The State will acquire noise and avigation easements or a first-right-of-refusal to purchase noise-sensitive properties whose owners chose not to participate in the sound attenuation program.

APPROVED: The FAA believes that the prevention of additional residential land uses within the DNL contour is highly preferred over allowing such uses even with easements. The airport operator and local land use jurisdictions are urged to pursue all possible avenues to discourage new residential development within these levels of noise exposure.

3 - PROGRAM MANAGEMENT ELEMENTS:

3.1. Continue monitoring of development proposals in Kahului Airport environs, disclosing airport Noise Exposure Maps to the community. (Volume II, Page 8-13, Sec. 8.3.1.2., page 8-17, Sec. 8.3.2.4)

Description of element: The State DOT will continue to monitor development proposals that may be impacted by airport noise and/or frequent fly-overs by aircraft from Kahului Airport. State DOT would review all applications for land use changes and provide written testimony for all applications identified. In addition, the DOTA will provide the airport Noise Exposure Maps to the Maui County Planning Department, the Maui County Building Department, and the State Real Estate Commission. These noise exposure maps should be drawn on tax maps so that they can be readily used for airport noise map disclosures as required by Section 467-31, Hawaii Revised Statutes.

APPROVED: The airport operator and local land use jurisdictions are urged to pursue all possible avenues to discourage new residential development within these levels of noise exposure.

3.2 Design, install, and operate a Noise Monitoring System at Kahului Airport. (Volume II, Page 8-14, Sec. 8.3.1.2., page 8-17, Sec. 8.3.2.5)

Description of element: The DOTA will initiate an engineering design effort to install a permanent noise monitoring system. The system would be used to document aircraft noise levels and help identify aircraft causing single-event noise in noise-sensitive areas surrounding the airport. The monitoring system would provide information useful for the recommended public information program (Element 3.3., below).

APPROVED.

3.3 Annually monitor aircraft noise levels and operations at Kahului Airport and conduct public informational meetings on the progress of the Part 150 Program. (Volume II, Page 8-14, Sec. 8.3.1.2, page 8-18, Sec. 8.3.2.6)

Description of element: The DOTA will annually monitor aircraft noise levels and activity at the airport to determine if significant and unexpected changes have occurred and if the Part 150 program is being successful. The results would be provided at annual public information meetings to discuss the progress of the Part 150 program and to educate and inform airport users and the affected communities. Discussions with military and civilian users regarding community complaints would be included in these annual reviews. Recommendations for updating the NEMs and NCP would also be provided if unexpected changes in airport operations occur before 1998 that significantly affect land use compatibility and/or cost assumptions used in the current plan. Annual monitoring of the noise levels (particularly nighttime jet cargo and passenger flights) should be undertaken so that appropriate actions can be taken in a timely fashion to prevent future expansion of the airport noise contour in noise-sensitive areas.

APPROVED: This measure proposes to track the progress of the NCP and make the information public.