

CERTIFIED MAIL

April 14, 1988

Mr. F. Newell Bohnett
dba Puuwaawaa Ranch
Box 1536
Kailua-Kona, HI 96745-1536

Dear Mr. Bohnett:

Special Permit Application (86-2)
TMK: 7-1-01:Portion of 1

The Planning Commission at its duly held public hearing on April 5, 1988, voted to approve your application, Special Permit No. 660, to legitimize the establishment of an airstrip and hangar facilities on approximately 4 acres of land situated within the State Land Use Agricultural District at Puuwaawaa, North Kona, Hawaii.

Approval of this request is based on the following:

The establishment of an airstrip and hangar to service and augment ranching activities will not be contrary to be objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii. While the area under consideration is classified as Agricultural by the State Land Use Commission, this district classification not only includes lands with a high capacity or potential for agricultural uses, but also lands which are surrounded by or contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The soils of this area have been rated poor for agricultural activities. The area surrounding the airstrip is currently in pasture. Thus, the use of the site has and will not detract from the primary use established through

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the State Land Use District. In fact, the airstrip has allowed small planes to spray and fertilize the Puuwaawaa Ranch lands, to determine the condition of fencing and waterlines, to survey the ranch for security purposes and to help detect and extinguish ranch fires. The sole use of the airstrip for ranching activities has been included as a condition of this permit.

The airstrip will not adversely affect surrounding properties. Since the area is largely uninhabited and the nearest residential area is approximately two miles away, it is felt that the granting of this permit would have little negative impacts on adjacent properties. Furthermore, the airstrip would be used two to three times a week in optimal weather conditions. Given the limited number of flights involved and the distance of the site from populated areas, any detrimental effects to air and noise levels would be relatively minor.

The airstrip and hangar facility would not interfere with airport traffic because the Keahole Airport and Waimea Airport are approximately 20 and 22 miles away. The State Department of Transportation-Airports Division has supported this application. The Federal Aviation Administration (FAA) also recognizes the airstrip by its inclusion on the FAA Hawaiian Islands Sectional Aeronautical Chart.

The airstrip would not burden public agencies to provide roads, sewers, water, drainage improvements and public service protection. It should be noted that responding agencies had no objections or concerns of the request.

The use will not substantially alter or change the essential character of the land. The four acre portion being used as an airstrip is surrounded primarily by pasture land. This represents less than one percent of the total total Puuwaawaa ranch lands. Since the airstrip has been in existence for 15 years, any changes to the character of the land will have been felt by now.

The request will not be contrary to the General Plan or Kona Regional Plan which both designate the area for agricultural uses.

It is therefore concluded that the subject request is an unusual and reasonable one and would implement the objectives of Chapter 205, Hawaii Revised Statutes.

Approval of this request is subject to the following conditions:

1. The petitioner, its successors or assigns shall be responsible for complying with all conditions of approval.

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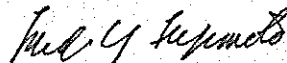
2. Comply with the terms stipulated in the lease agreement with the State Board of Land and Natural Resources.
3. The airstrip and hangar facility shall be used solely for the purpose of conducting the applicant's ranching activities. The facility shall not be used for any commercial purposes not directly related to animal husbandry, including, but not limited to, pilot training, commuting to other airport facilities, sightseeing, hunting, etc.
4. Any government agency shall be able to utilize this airstrip and support facilities, including the hanger, access roads, etc., during emergencies. The agency or agencies shall have priority use of the airstrip and support facilities as long as the emergency exists.
5. If the Department of Land and Natural Resources determines that flight routes or ranching activities conducted with aircraft disturb or damage the flora and fauna of the Puuwaawaa Wildlife (Alala) Sanctuary or proposed Puuwaawaa dry forest Natural Area Reserve System, this use of the airstrip shall cease immediately until an amicable solution can be worked out between the State and the lessee.
6. All other applicable laws, rules, regulations, and requirements shall be complied with.
7. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the number of flights per month, the purpose of the flights, any complaints received or problems arising from the project and their disposition. This condition shall remain in effect until the Planning Director acknowledges that further reports are not required.
8. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to

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exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Fred Y. Fujimoto, Chairman Pro-Tem
Planning Commission

xc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Planning Office - Kona
State Land Use Commission
DLNR (Honolulu)
Philip J. Leas

bxc: Plan Approval Section