

DAVID I. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i

CONSENT TO ASSIGNMENT OF A SUBLEASE
FROM TIARE ENTERPRISES, INC. TO BKKM ENTERPRISE CORP.
RETAIL CONCESSION AGREEMENT NO. DOT-A-09-0002
DFS GROUP, L.P.
HONOLULU INTERNATIONAL AIRPORT

O'AHU

The Department of Transportation (DOT) requests approval to consent to an assignment of an existing sublease from Tiare Enterprises, Inc. (Tiare) to BKKM Enterprise Corp. The sublease is part of the Retail Concession (Agreement No. DOT-A-09-0002) at Honolulu International Airport held by DFS Group, L.P.

APPLICANT:

DFS GROUP, L.P. (DFS)

LEGAL REFERENCE:

Chapter 102, Hawai'i Revised Statutes, as amended.

LOCATION AND TAX MAP KEY:

Honolulu International Airport (HNL), Island of Oahu,
1st Division, 1-1-03: Portion of 1.

ZONING:

State Land Use District: Urban
City and County of Honolulu: I-2 (Industrial)

ITEM M-2

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LAND TITLE STATUS:

Section 5 (b) lands of the Hawai‘i Admission Act: Non-Ceded
DHHL 30% entitlement lands: Yes No

CONCESSION TERM:

The Retail Concession Agreement No. DOT-A-09-0002 began on April 1, 2009,
and continues through March 31, 2025.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT

Pursuant to Section 11-200-8(a), Environmental Impact Statement Rules of the Department of Health, State of Hawai‘i, this disposition is exempt from requirements regarding preparation of an environmental assessment, negative declaration, or environmental impact statement as required by Chapter 343, Hawai‘i Revised Statutes, as amended, relating to Environmental Impact Statements, because the proposed action falls within Exemption Class #1, Comprehensive Exemption List for the State of Hawai‘i, Department of Transportation dated November 14, 2000 as approved by the Environmental Quality Council. Exemption Class #1 covers operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing.

REMARKS:

DFS, currently the Retail Concessionaire at Honolulu International Airport, has two DBE sub-concessionaires, Tiare Enterprises, Inc. and Island Shoppers, Inc., independently operating portions of the Retail Concession at Honolulu International Airport. DFS is seeking to assign the DBE sublease from Tiare, to a new DBE operator, BKKM Enterprise Corp. All three of the DBE entities are local companies. Further, both DFS and Tiare confirmed that neither has paid or received any consideration relating to the assignment.

The DOT has no objection to the proposed changes as it will continue the level of DBE participation in the concession, which currently is in excess of the minimum level required in the concession agreement.

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RECOMMENDATION:


That the Board authorize the Department of Transportation to the consent to the assignment of the sublease to Concession Agreement No. DOT-A-09-0002 subject to:
1) terms and conditions herein outlined, which are by reference incorporated herein;
2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State; and 3) review and approval by the Department of the Attorney General.

Respectfully submitted,



FORD N. FUCHIGAMI
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member