

DAVID Y. 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
I

IN REPLY REFER TO:

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

AMENDMENT NO. 2 TO STATE LEASE NO. DOT-A-06-0014
REQUEST TO EXTEND LEASE TERM TO JUNE 30, 2018
U.S. DEPARTMENT OF AGRICULTURE, ANIMAL, PLANT AND
HEALTH INSPECTION SERVICES, PLANT PROTECTION AND QUARANTINE
KAHULUI AIRPORT MAUI
TAX MAP KEY: (2) 3-8-01: PORTION OF 19

LESSEE:

U.S. Department of Agriculture, Animal Plant and Health Inspection Services, Plant
Protection and Quarantine (USDA).

LEGAL REFERENCE:

Chapter 171-40, Hawai'i Revised Statutes ("HRS")

PURPOSE:

Federal government offices

LOCATION:

Kahului Airport, Tax Map Key 2-3-8-01: Portion of 19

AREA:

Building 109, Space No. 102, containing an area of approximately 2,090 square feet, and
Space No. 005-115C, containing an area of approximately 6,864 square feet of
unpaved/improved land as shown on Exhibit B.

ZONING:

State Land Use District: Urban
County of Maui: Airport

ITEM M-6

BLNR-AMENDMENT NO. 2 TO STATE LEASE NO. DOT-A-06-0014, REQUEST
TO EXTEND LEASE TERM TO JUNE 30, 2018, U.S. DEPARTMENT OF
AGRICULTURE, ANIMAL, PLANT AND HEALTH INSPECTION SERVICES
KAHULUI AIRPORT

Page 2

LAND TITLE STATUS:

Section 5(a) of the Hawai'i Admissions act – Non-ceded
DHHL 30% entitlement lands pursuant to the Hawai'i State Constitution: YES__ NO X

CURRENT USE STATUS:

Airport purposes

CHARACTER OF USE:

Offices for U. S. Department of Agriculture, Animal, Plant and Health Inspection
Services, Plant Protection and Quarantine.

COMMENCEMENT DATE:

January 1, 2007

TERM OF LEASE:

For a period not to exceed ten (10) years; Lease expired on December 31, 2016

RENTAL:

None

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

This project will have a minimal or no significant effect on the environment and is therefore, exempt from the preparation of an environmental assessment under the authority of Chapter 343, HRS, and Section 11-200 HAR. The declaration of exemption is based on exemption of Class #2 on the exemption list for Department of Transportation dated May 22, 2001, that states:

“Replacement or reconstruction of existing structures and facilities where the new structure will be located, generally on the same site, and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced.”

BLNR-AMENDMENT NO. 2 TO STATE LEASE NO. DOT-A-06-0014, REQUEST TO EXTEND LEASE TERM TO JUNE 30, 2018, U.S. DEPARTMENT OF AGRICULTURE, ANIMAL, PLANT AND HEALTH INSPECTION SERVICES KAHULUI AIRPORT

Page 3

REMARKS:

At its meeting held on November 17, 2006, under Item M-4, the Board approved the issuance of State Lease No. DOT-A-06-0014 ("the Lease") to the USDA. The Lease expired on December 31, 2016. By its letter dated February 16, 2016, the DOT notified the USDA of this termination date and USDA's obligation to surrender the premises to the DOT. Upon receiving DOT's notice, the USDA communicated its desire to remain in the premises for another ten years. The DOT had no objections to the USDA's request; however, needed more time to negotiate a new lease. A new lease required offering rental rates at fair market values based on the performance of an independent appraisal. At that time, the DOT planned for an establishment date of its 2017 rental rates and charges to be effective April 1, 2017. The DOT now expects to establish its 2017 rental rates and charges on October 1, 2017.

At its meeting held on August 12, 2016, under Item M-9, the Board allowed the continuance of the Lease for a period not to exceed June 30, 2017. This was to provide the DOT ample time to negotiate a new lease with the USDA; however, on May 16, 2017, the USDA asked for an additional one (1) year to execute a new lease because it needs the time to secure authorization of appropriated Federal funds to be expended for the new lease. Based on these circumstances, the DOT has no objections to USDA's request to extend the Lease for a period not to exceed June 30, 2018.

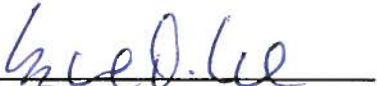
RECOMMENDATION:

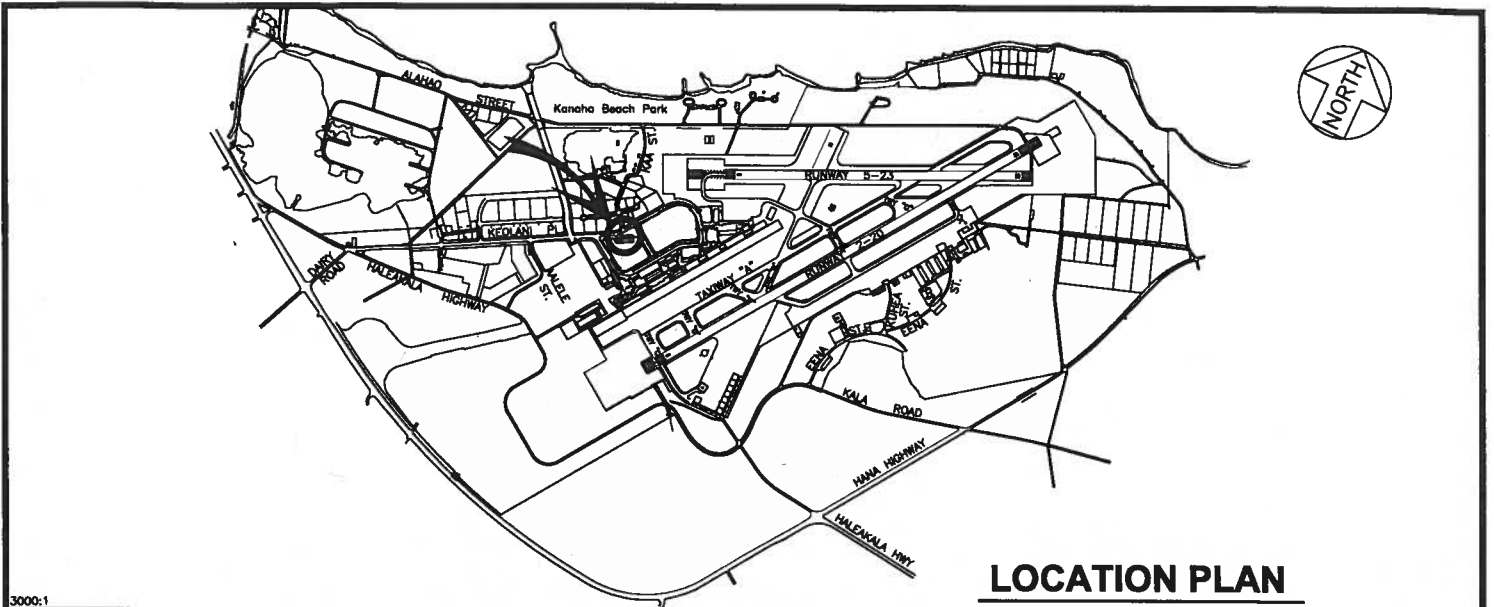
That the Board approves the continuance of the Lease to June 30, 2018, subject to:
(1) terms and conditions herein outlined, which are by reference incorporated herein; and
(2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,

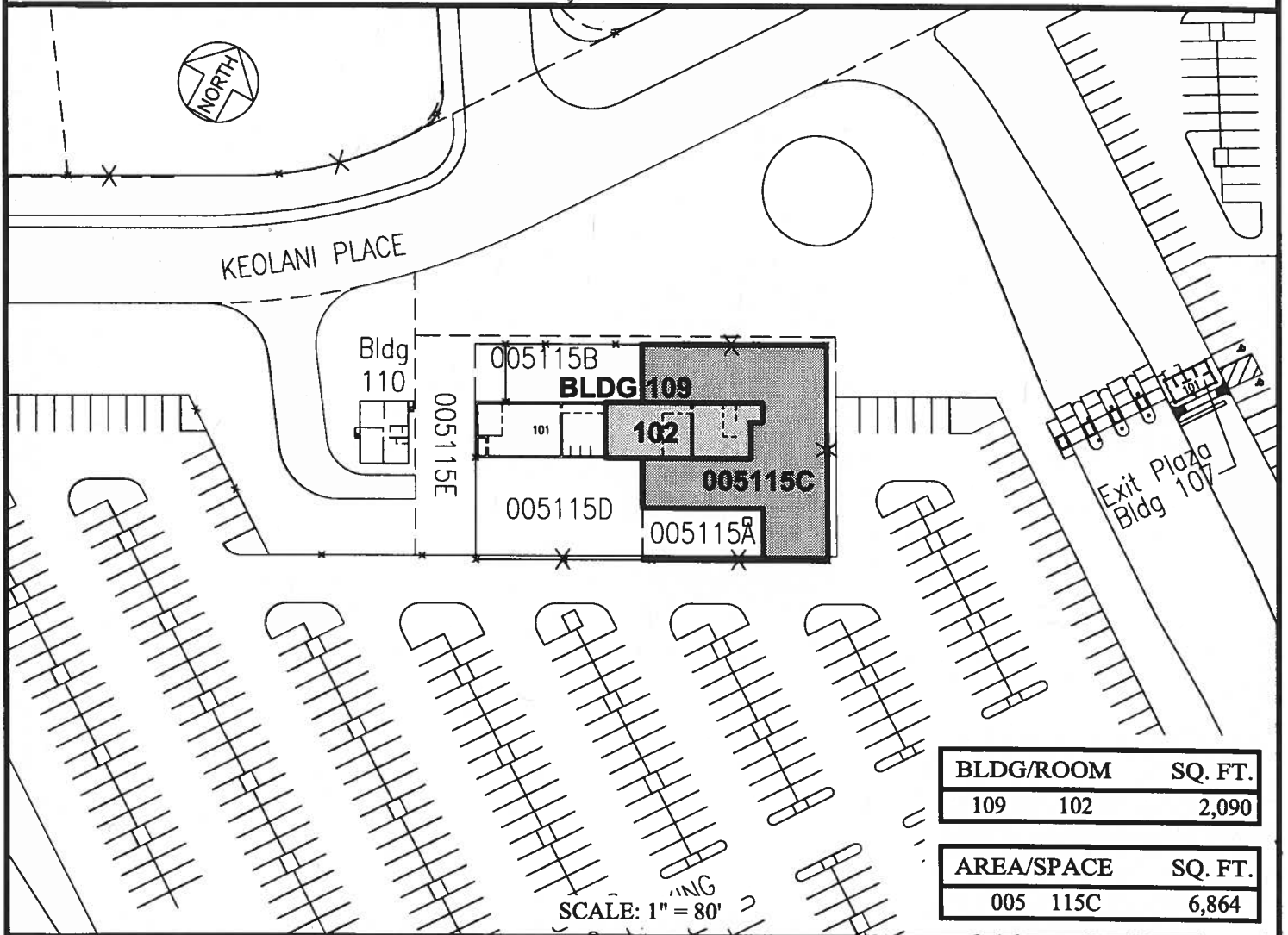

FORD N. FUCHIGAMI
Director of Transportation

APPROVED FOR SUBMITTAL:


SUZANNE D. CASE
Chairperson and Member



LOCATION PLAN



| BLDG/ROOM | SQ. FT. |
|-----------|---------|
| 109 102 | 2,090 |

| AREA/SPACE | SQ. FT. |
|------------|---------|
| 005 115C | 6,864 |

SCALE: 1" = 80'

DATE : MARCH 2017

EXHIBIT: **B**



Airports Division

USDA - APHIS, PPQ

BUILDING 109

109102
005115C

PLAT D1, 35

KAHULUI AIRPORT

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DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097
AUG 12 2016

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

REQUEST TO AMEND STATE LEASE NO. DOT-A-06-0014
TO EXTEND TERM OF THE LEASE TO JUNE 30, 2017
U.S. DEPARTMENT OF AGRICULTURE, ANIMAL, PLANT AND
HEALTH INSPECTION SERVICES, PLANT PROTECTION AND QUARANTINE
KAHULUI AIRPORT MAUI
TAX MAP KEY: (2) 3-8-01: PORTION OF 19

LESSEE:

U.S. Department of Agriculture, Animal Plant and Health Inspection Services, Plant
Protection and Quarantine (USDA).

LEGAL REFERENCE:

Chapter 171-40, Hawai`i Revised Statutes ("HRS")

PURPOSE:

Offices

LOCATION:

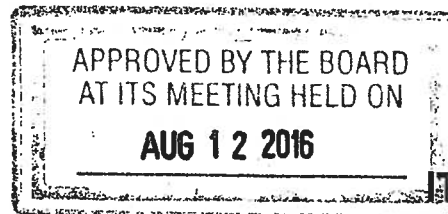
Kahului Airport, Tax Map Key: 2nd Division, 3-8-01: Portion of 19

AREA:

Building 109, Space No. 102, containing an area of approximately 2,090 square feet, and
Space No. 005-115C, containing an area of approximately 6,914 square feet of
unpaved/improved land as shown on Exhibit B.

ZONING:

State Land Use District: Urban
County of Maui: Airport



ITEM M-9

BLNR – REQUEST TO AMEND STATE LEASE NO. DOT-A-06-0014 TO EXTEND TERM OF THE LEASE TO JUNE 30, 2017, U.S. DEPARTMENT OF AGRICULTURE, ANIMAL, PLANT AND HEALTH INSPECTION SERVICES, PLANT PROTECTION AND QUARANTINE

Page 2

LAND TITLE STATUS:

Section 5(a) of the Hawai'i Admissions act – Non-ceded

DHHL 30% entitlement lands pursuant to the Hawai'i State Constitution: YES___ NO X

CURRENT USE STATUS:

Airport purposes

CHARACTER OF USE:

Offices for Agriculture, Animal, Plant and Health Inspection Services, Plant Protection and Quarantine.

TERM OF LEASE:

For a period of January 1, 2007 through December 31, 2016

RENTAL:

None

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

This project will have a minimal or no significant effect on the environment and is therefore, exempt from the preparation of an environmental assessment under the authority of Chapter 343, HRS, and Section 11-200 HAR. The declaration of exemption is based on exemption of Class #2 on the exemption list for Department of Transportation dated May 22, 2001, that states:

“Replacement or reconstruction of existing structures and facilities where the new structure will be located, generally on the same site, and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced.”

REMARKS:

At its meeting held on November 17, 2006, under Item M-4, the Board approved the issuance of State Lease No. DOT-A-06-0014 (“the Lease”) to the USDA. The Lease expires on December 31, 2016. By its letter dated February 16, 2016, the DOT notified the USDA of this termination date and USDA’s obligation to surrender the premises to the DOT. Upon receiving DOT’s notice, the USDA communicated its desire to remain in the premises for another ten years. The Lease was issued at no charge, as the federal agencies paid to rehabilitate and upgrade the building to meeting current requirements. A new lease

BLNR – REQUEST TO AMEND STATE LEASE NO. DOT-A-06-0014 TO EXTEND TERM OF THE LEASE TO JUNE 30, 2017, U.S. DEPARTMENT OF AGRICULTURE, ANIMAL, PLANT AND HEALTH INSPECTION SERVICES, PLANT PROTECTION AND QUARANTINE

Page 3

will require the payment of rent. The rent to be applied will be established in the DOT's new rates and charges schedule that will take effect at the beginning of 2017.

The DOT requests the Board approve a holdover of the lease on the existing terms and conditions for a period of six months, ending on June 30, 2017, to allow for negotiation and implementation of a new lease to run for a term of 10 years.

RECOMMENDATION:

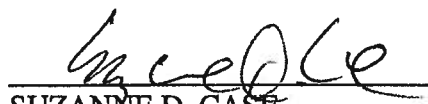
That the Board approves the continuance of the Lease to USDA subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; and (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,

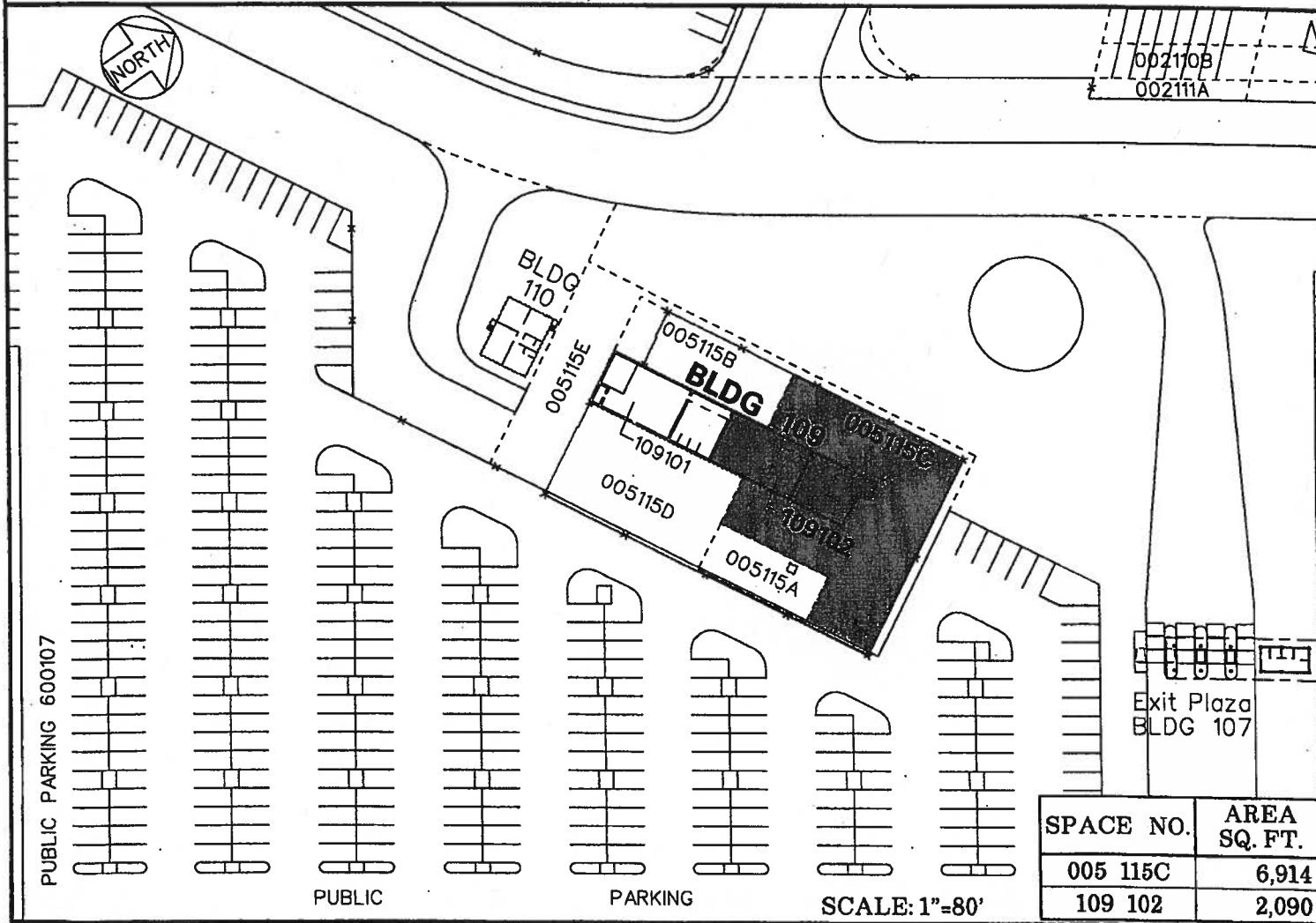
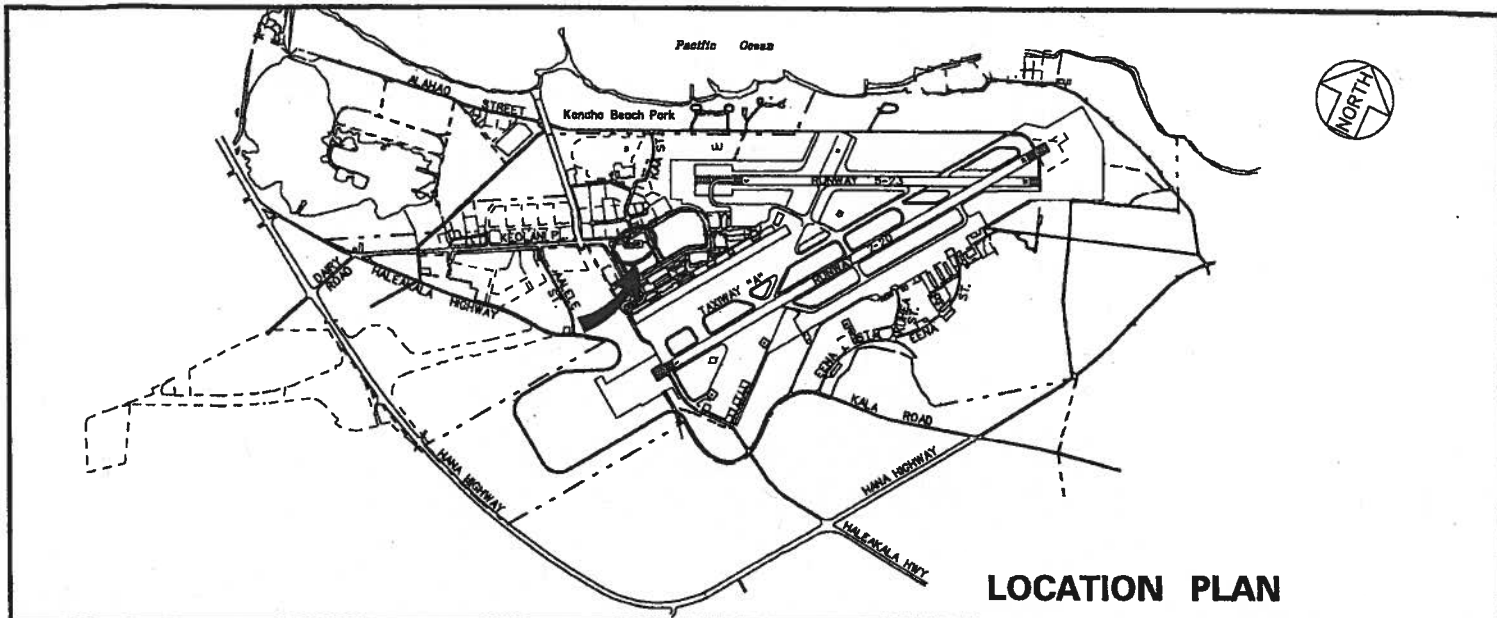


FORD N. FUCHIGAMI
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



| SPACE NO. | AREA SQ. FT. |
|-----------|--------------|
| 005 115C | 6,914 |
| 109 102 | 2,090 |

DATE: AUGUST 2006 EXHIBIT: **B**

| | | | |
|---------------------------------|---------------------------------------|------------------------|---------------------------------|
| <p>Airports Division</p> | <p>USDA - PLANT QUARANTINE</p> | <p>BLDG 109</p> | <p>005-115C, 109-102</p> |
| | <p>PLATS D1, 35</p> | | |

KAHULUI AIRPORT

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LINDA LINGLE
GOVERNOR



RODNEY K. HARAGA
DIRECTOR

Deputy Directors
FRANCIS PAUL KEENO
BARRY FUKUNAGA
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

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

November 17, 2006

Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii

ISSUANCE OF A LONG-TERM LEASE
U.S. DEPARTMENT OF AGRICULTURE, ANIMAL, PLANT AND
HEALTH INSPECTION SERVICES, PLANT PROTECTION AND QUARANTINE
FOR OFFICE AT KAHULUI AIRPORT MAUI

APPLICANT:

U.S. Department of Agriculture, Animal Plant and Health Inspection Services, Plant
Protection and Quarantine

LEGAL REFERENCE:

Chapter 171, Hawaii Revised Statutes, as amended

PURPOSE:

Offices

LOCATION:

Kahului Airport, Tax Map Key 2-3-8-01:Portion of 19

AREA:

Building 109, Space No. 102, containing an area of approximately 2,090 square feet and
Space No. 005-115C, containing an area of approximately 6,914 square feet of
unpaved/improved land as shown on Exhibit B

Approved by the Board
at its meeting held on
11-17-06 Item M-4

BLNR-Issuance of Long-Term Lease -2-
U.S. Department of Agriculture,
APHIS, PPQ

ZONING:

State Land Use District: Urban
County of Maui: Airport

LAND TITLE STATUS:

Section 5(a) of the Hawaii Admissions act – Non-ceded
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES ___ NO X

CURRENT USE STATUS:

Airport purposes

CHARACTER OF USE:

Offices for Agriculture, Animal, Plant and Health Inspection Services, Plant Protection and Quarantine

COMMENCEMENT DATE:

Upon execution of document

TERM OF LEASE:

For a period not to exceed ten (10) years

RENTAL:

None

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

This project will have a minimal or no significant effect on the environment and is therefore, exempt from the preparation of an environmental assessment under the authority of Chapter 343, HRS, and Section 11-200 HAR. The declaration of exemption is based on exemption of Class #2 on the exemption list for Department of Transportation dated May 22, 2001, that states:

“Replacement or reconstruction of existing structures and facilities where the new structure will be located, generally on the same site, and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced.”

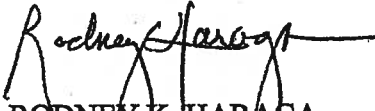
REMARKS:

The present facilities which USDA uses in the Main Terminal Building of the Airport have become too small for their operations. They are asking the DOT to occupy a larger space and the DOT having available space agrees to their request.

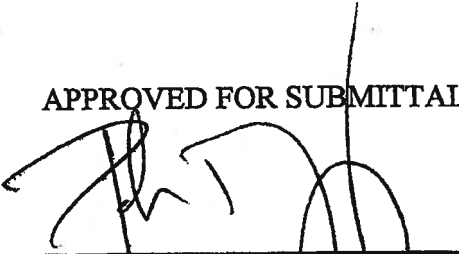
RECOMMENDATION:

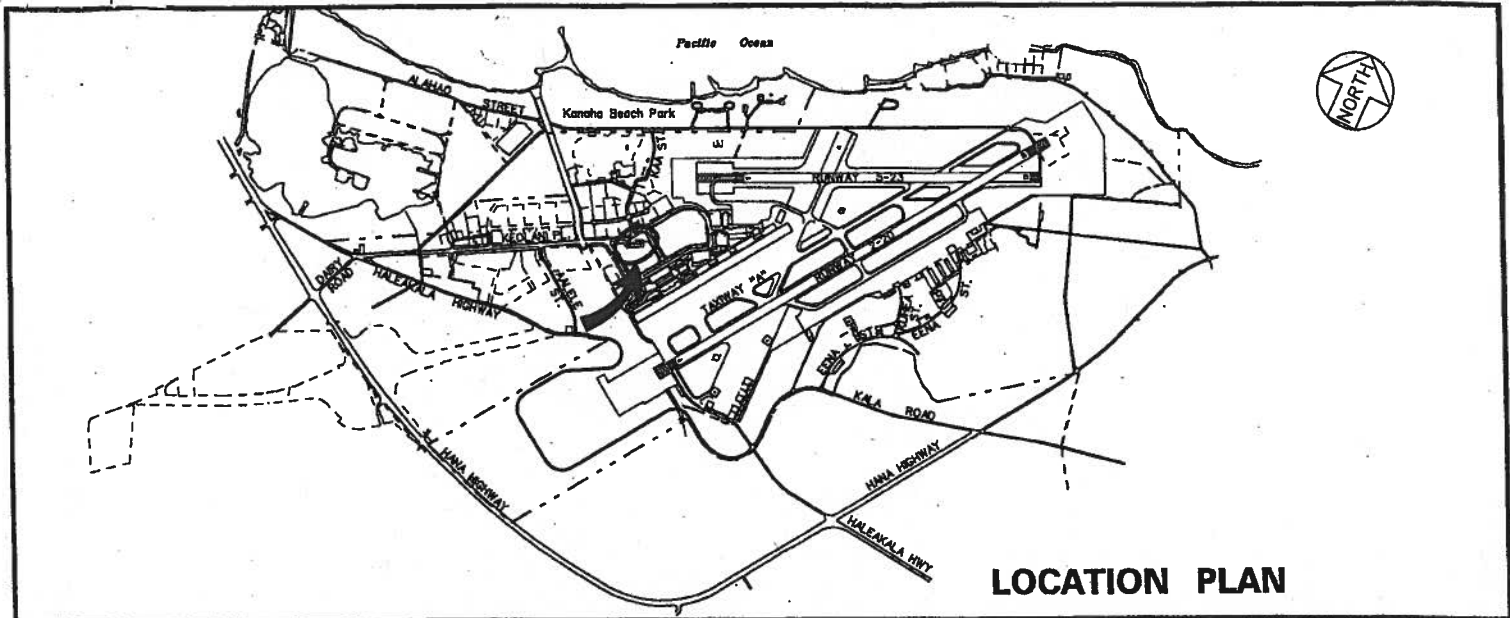
That the Board approves the issuance of a lease subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; and (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,

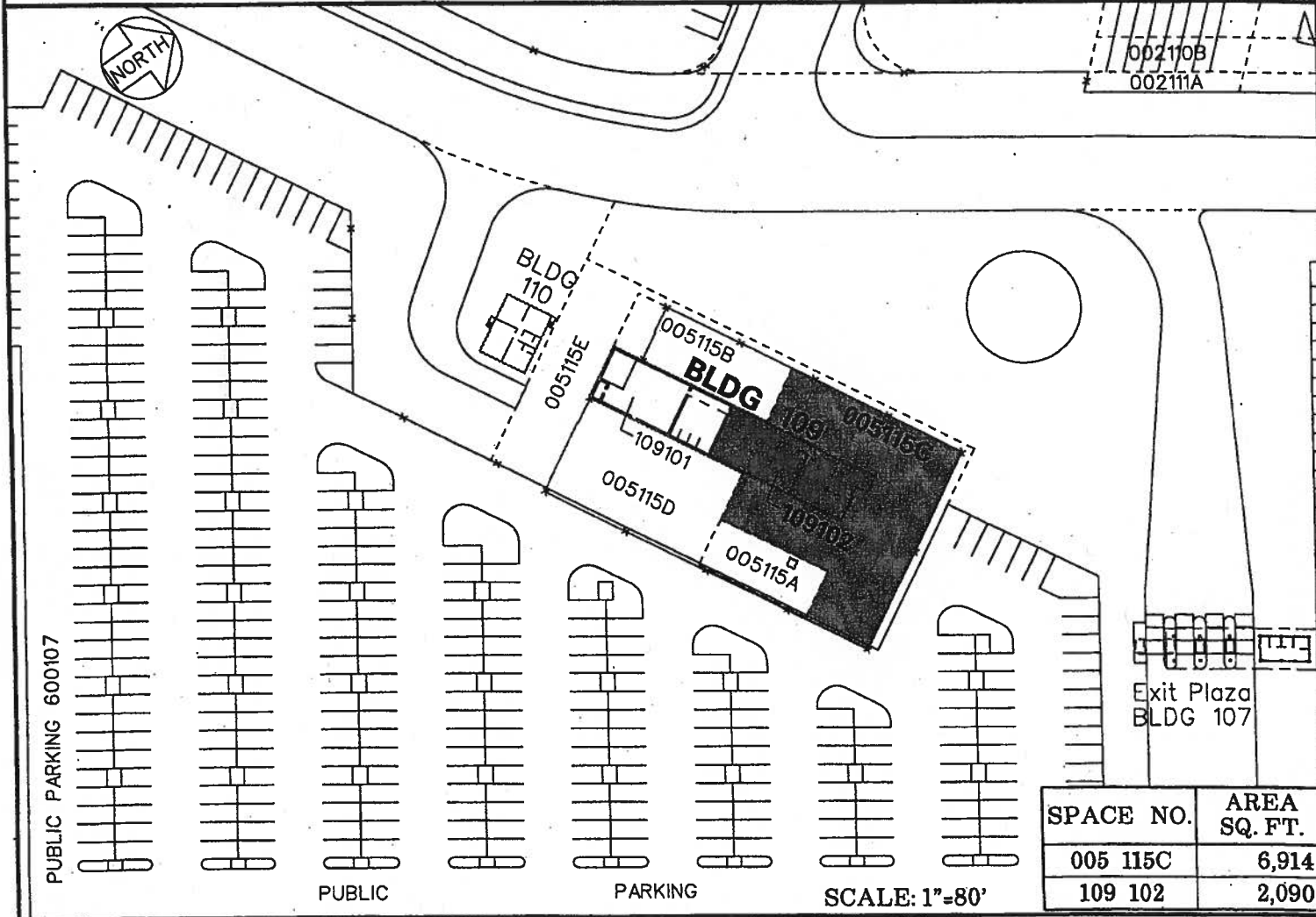

RODNEY K. HARAGA
Director of Transportation

APPROVED FOR SUBMITTAL:


PETER T. YOUNG
Chairperson and Member



LOCATION PLAN



PUBLIC PARKING 600107

PUBLIC

PARKING

SCALE: 1"=80'

Exit Plaza
BLDG 107

| SPACE NO. | AREA SQ. FT. |
|-----------|-----------------|
| 005 115C | 6,914 |
| 109 102 | 2,090 |

DATE: AUGUST 2006

EXHIBIT: **B**



Airports Division

USDA -
PLANT QUARANTINE

BLDG 109

005-115C,
109-102

PLATS D1, 35

KAHULUI AIRPORT

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