



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

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

AMENDMENT NO. 4 TO CONCESSION AGREEMENT NO. DOT-A-11-0005
FOR THE PURPOSE OF ADDITIONAL SPACE FOR STORAGE USE
DFS GROUP L.P. RETAIL CONCESSION
KAHULUI AIRPORT
TAX MAP KEY: (2) 3-8-01-24

MAUI

The State of Hawai'i, Department of Transportation, Airports (DOTA) is seeking the Board's approval to allow the existing Retail Concession Agreement No. DOT-A-11-0005 additional space for storage use.

APPLICANT:

DFS GROUP, L.P. whose business and post office address is 330 Royal Hawaiian Avenue, Honolulu, Hawai'i 96815.

LEGAL REFERENCE:

Chapters 102 and Section 261-7, Hawai'i Revised Statutes, as amended.

LESSEE/SUBLESSOR:

DFS Group L.P. (DFS)

LOCATION AND TAX MAP KEY:

Portion of Kahului Airport, Terminal Complex, Island of Maui, Hawai'i
Tax Map Key: 2nd Division, 3-8-01-24

ZONING:

State: Urban
County: Airport

LAND TITLE STATUS:

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

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO ____
Registered business name confirmed:	YES <u>X</u>	NO ____
Good standing confirmed:	YES <u>X</u>	NO ____

CONCESSION AGREEMENT TERM:

DFS Concession Agreement No. DOT-A-11-0005, commenced on September 1, 2011
and continues through August 31, 2026.

ADDITIONAL SPACE:

Area/Space No. 342-102B, containing an area of approximately 767 square feet as
delineated on the attached map labeled Exhibit I dated July 2017.

IMPROVEMENTS:

Applicant at its own cost and expense shall be responsible for any construction,
renovation, upgrade, remodeling and improvements to the additional space.

CONCESSION FEE:

In exchange of building the additional space for storage use, Applicant shall not pay for
rent but will pay for utilities.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 11-200-8 (a), Environmental Impact Statement Rules of the
Department of Health, State of Hawaii, this disposition is exempt from requirements
regarding preparation of an environmental assessment, negative declaration, or
environmental impact statement as required by Chapter 343, Hawaii 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 Hawaii,
Department of Transportation Amended November 15, 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.

BLNR – AMENDMENT NO. 4 TO CONCESSION AGREEMENT NO. DOT-A-11-0005
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The DOTA consulted with the U.S. Federal Aviation Administration as to the appropriateness of the citation of the Environmental Exemption Class from the Comprehensive list for the Department of Transportation dated November 15, 2000. The FAA concurred on the appropriateness.

REMARKS:

The DOTA reviewed and determined that the additional space for storage use is integral to the Applicant concession operation to better serve the travelling public at Kahului Airport.


RECOMMENDATION:

That the Board approve and authorize the additional space as hereinabove outlined, subject to: (1) terms and conditions hereinabove outlines, which are by reference incorporated herein; (2) such terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and (3) review and approval of the Department of the Attorney General as to the Consent to Sublease form and content.

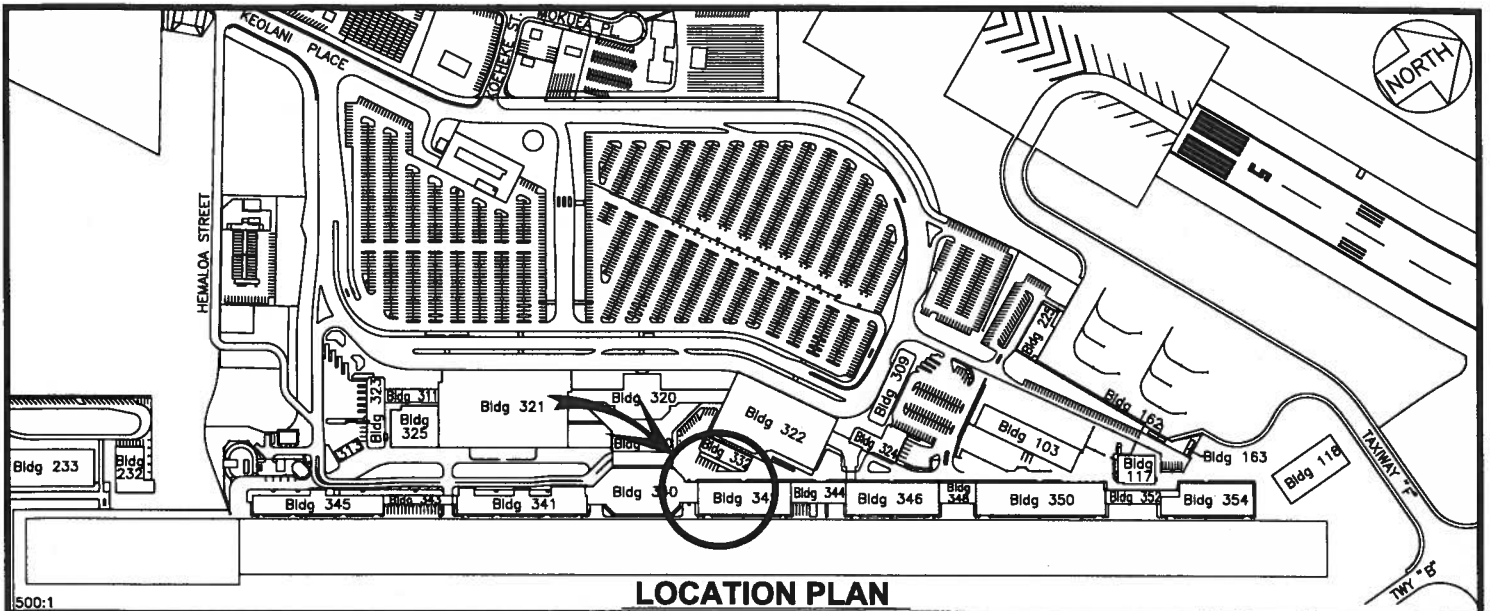
Respectfully submitted,


FORD N. FUCHIGAMI
Director of Transportation

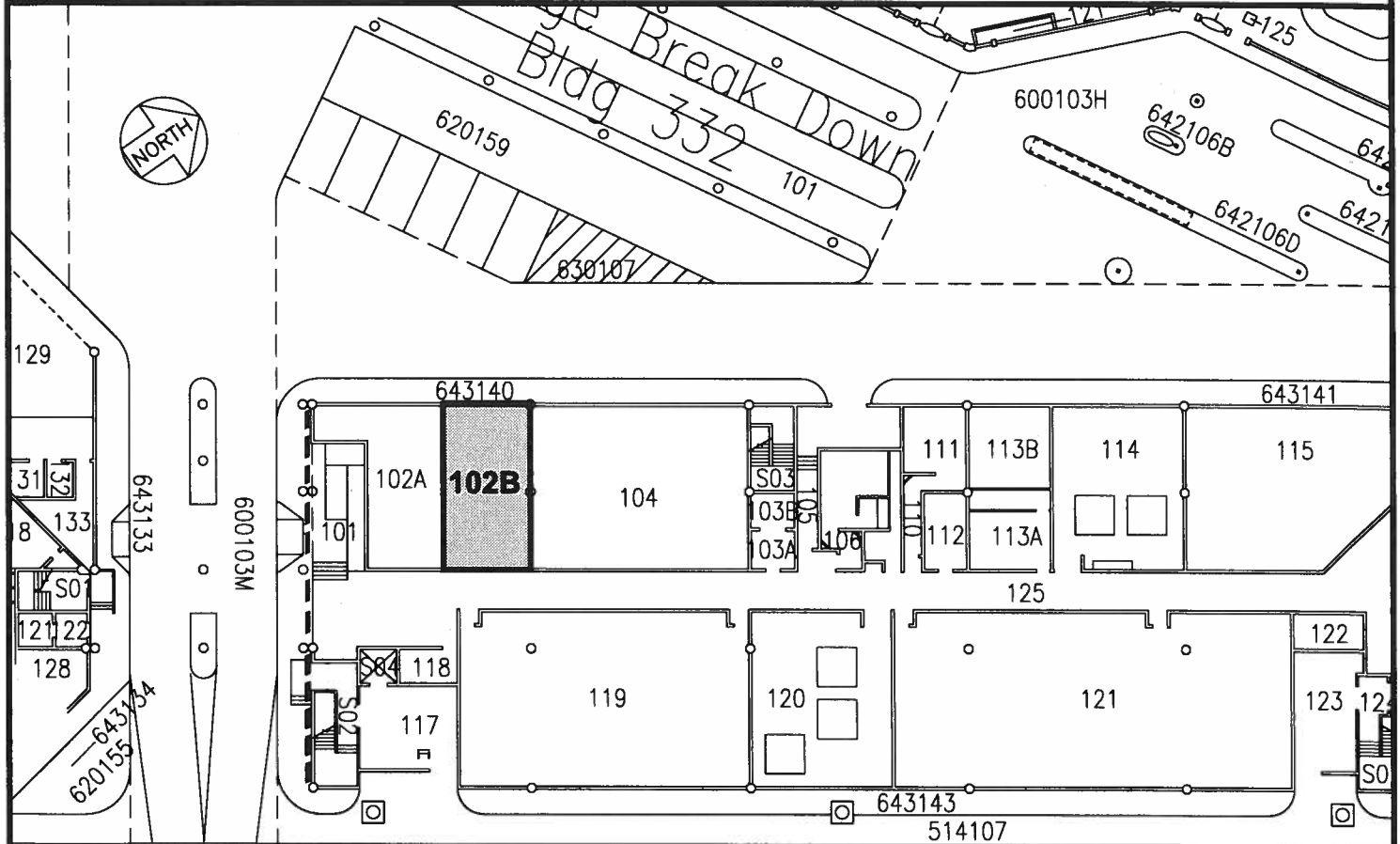
APPROVAL FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



LOCATION PLAN



**HOLDING ROOM C
BUILDING 342**

SCALE: 1" = 40'

BLDG/ROOM	SQ. FT.
342 102B	767

DOTA-11-0005

DATE : JULY 2017

EXHIBIT: |



Airports Division

DFS GROUP L.P.

**BUILDING 342
HOLDING ROOMS C
GROUND LEVEL**

**342102B
PLAT A2**