ISSUANCE OF A REVOCABLE PERMIT FOR THE INSTALLATION AND OPERATION OF TWO AUTOMATED TELLER MACHINES TO LAVA LAVA ATMS LLC ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEĀHOLE TAX MAP KEY: (3) 7-3-43: PORTION OF 40

LEGAL REFERENCE:

Section 171-55, Hawaiʻi Revised Statutes.

APPLICANT:

Lava Lava ATMs LLC (Lava Lava) whose business address is 73-4411 Kakahiaka Street, Apt. 1712, Kailua-Kona, Hawaiʻi 96740.

LOCATION AND TAX MAP KEY:

Portion of Ellison Onizuka Kona International Airport at Keāhole (KOA), Kailua-Kona, Island of Hawaiʻi, identified by Tax Map Key: 3rd Division, 7-3-43: portion of 40.

AREA:

Area/Space Nos 640-119B and 640-120B, main terminal, each containing an area of approximately nine square feet, as delineated on the attached map labeled Exhibit A.

ZONING:

State Land Use District: Urban & Conservation
County of Hawaiʻi: Industrial (MG-1a) and Open
BLNR – ISSUANCE OF A REVOCABLE PERMIT FOR THE INSTALLATION AND OPERATION OF TWO AUTOMATED TELLER MACHINES TO LAVA LAVA ATMS LLC, ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEÄHOLE

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LAND TITLE STATUS:

Section 5(a) lands of the Hawai‘i Admissions Act: Ceded
DHHL 30% entitlement lands pursuant to the Hawai‘i Admission Act: No

CURRENT USE STATUS:

Airport terminal use.

CHARACTER OF USE:

Lava Lava will install and maintain two automated teller machines.

COMMENCEMENT DATE:

Upon execution of the revocable permit.

MONTHLY RENTAL:

$1.00 per transaction or $100 per month, whichever is greater.

SECURITY DEPOSIT:

$1,200.00, or three times the monthly rental in effect.

HOLDOVER TENANCY:

$6.67

DCCA VERIFICATION:

Place of business registration confirmed: YES X NO ___
Registered business name confirmed: YES X NO ___
Good standing confirmed: YES X NO ___

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 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.

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 the Transportation dated November 15, 2000. The FAA concurred on the appropriateness.

REMARKS:

The Department of Transportation has no objections to Lava Lava’s request to install two automated teller machines which will provide convenience to the travelling public and employees at the Airport.

RECOMMENDATION:

That the Board approve and authorize the Department of Transportation to issue a month-to-month revocable permit to Lava Lava subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; and (2) such additional terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,

JADE T. BUTAY
Director of Transportation

APPROVAL FOR SUBMITTAL:

SUZANNE D. CASE
Chairperson and Member