



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. 1 TO CONCESSION AGREEMENT NO. DOT-A-15-0019
FOR THE ADDITION OF MASSAGE CHAIRS AT HILO INTERNATIONAL
AIRPORT, KAHULUI AIRPORT AND LĪHU'E AIRPORT
TAX MAP KEY: (3) 2-1-12: PORTION OF 9
TAX MAP KEY: (2) 3-8-01: PORTION OF 19
TAX MAP KEY: (4) 3-5-01: PORTION OF 8

HAWAI'I
MAUI
KAUA'I

PURPOSE:

To amend the existing Statewide Vended Massage Chairs Concession Agreement
No. DOT-A-15-0019 for the addition of massage chairs at Hilo International Airport,
Kahului Airport, and Līhu'e Airport.

LEGAL REFERENCE:

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

APPLICANT:

Smarte Carte, Inc., whose business address is 4455 White Bear Parkway,
St. Paul, Minnesota 55110-7641.

LOCATION AND TAX MAP KEY:

Hilo International Airport	3 rd Division – 2-1-12: Portion of 9
Kahului Airport	2 nd Division – 3-8-01: Portion of 19
Līhu'e Airport	4 th Division – 3-5-01: Portion of 8

ZONING:

Hilo International Airport	Land Use: Urban/County: Industrial (ML20)
Kahului Airport	Land Use: Urban/County: Airport
Līhu'e Airport	Land Use: Urban/County: Industrial (IG-STP)

BLNR – AMENDMENT NO. 1 TO CONCESSION LEASE NO. DOT-A-15-0019 FOR THE ADDITION OF MASSAGE CHAIRS AT HILO INTERNATIONAL AIRPORT, KAHULUI AIRPORT AND LĪHU‘E AIRPORT, SMARTE CARTE, INC.

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LAND STATUS:

Hilo	-	Section 5(b) Ceded, Hawai‘i Admissions Act DHHL 30% entitlement lands Yes__ No <u>X</u>
Kahului	-	Section 5(a) Non-Ceded, Hawai‘i Admissions Act DHHL 30% entitlement lands Yes__ No <u>X</u>
Līhu‘e	-	Section 5(a) Non-Ceded, Hawai‘i Admissions Act DHHL 30% entitlement lands Yes__ No <u>X</u>

TERM:

The term of the existing Concession Agreement expires on October 31, 2020.

RENTAL:

All gross receipts generated for the additional massage chairs will be included with the gross receipts of the Concession. Currently, Smarte Carte’s concession fee is the greater of the minimum annual guaranteed fee of \$24,000.00 or 17.5% of its gross receipts.

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 ____

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.

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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.

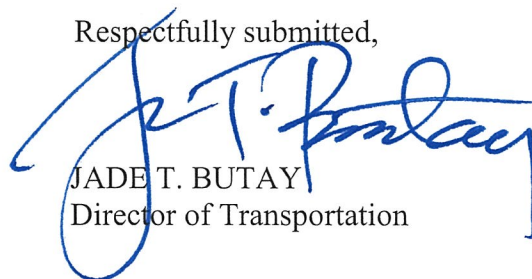
REMARKS:

The massage chairs are located at various locations at the airports passenger terminal buildings. Massage chairs are increasingly in demand for its circulation, flexibility and relaxation benefits. Significantly, the additional massage chairs are integral to Smarte Carte's revenue stream.

RECOMMENDATION:

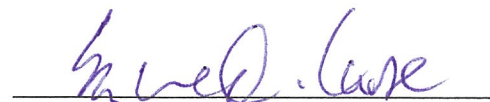
That the Board approve the Department of Transportation to amend the existing Concession Agreement No. DOT-A-15-0019, subject to: 1) terms and conditions herein outlined, which are by reference incorporated herein; 2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and 3) review and approval by the Department of the Attorney General.

Respectfully submitted,

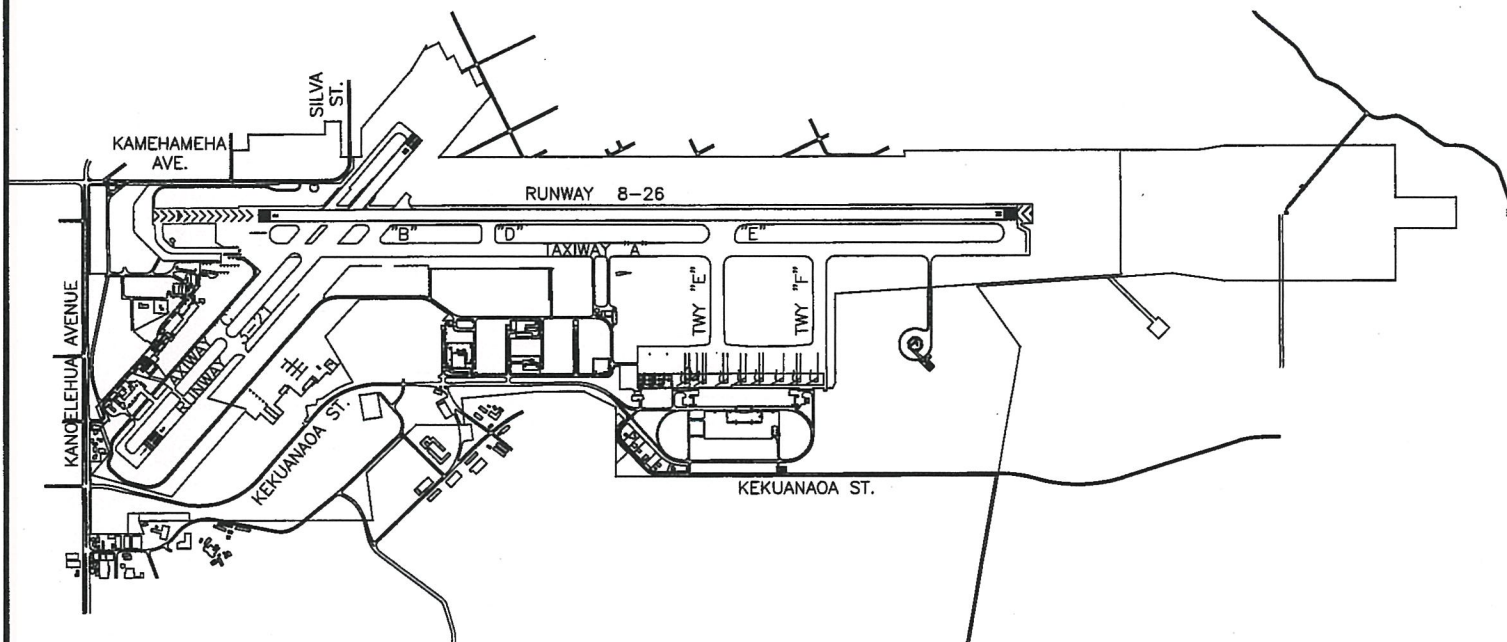


JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



SCALE: 1" = 2500'

DATE : OCTOBER 2015

EXHIBIT: **A-2**



Airports Division

"AIRPORT"

PLAT 01

HILO INTERNATIONAL AIRPORT

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Pacific Ocean

Kanaha Beach Park

AMALA PLACE

KEOLANI PL.

MALELE ST.

HALEAKALA HIGHWAY

DAIRY ROAD

HANA HIGHWAY

RUNWAY 5-23

RUNWAY 2-20

TAXIWAY

EENA ST.

KULEA ST.

EENA ST.

KALA ROAD

HANA HIGHWAY

HALEAKALA HWY

SCALE: 1" = 2000'

DATE : OCTOBER 2015

EXHIBIT: A-3



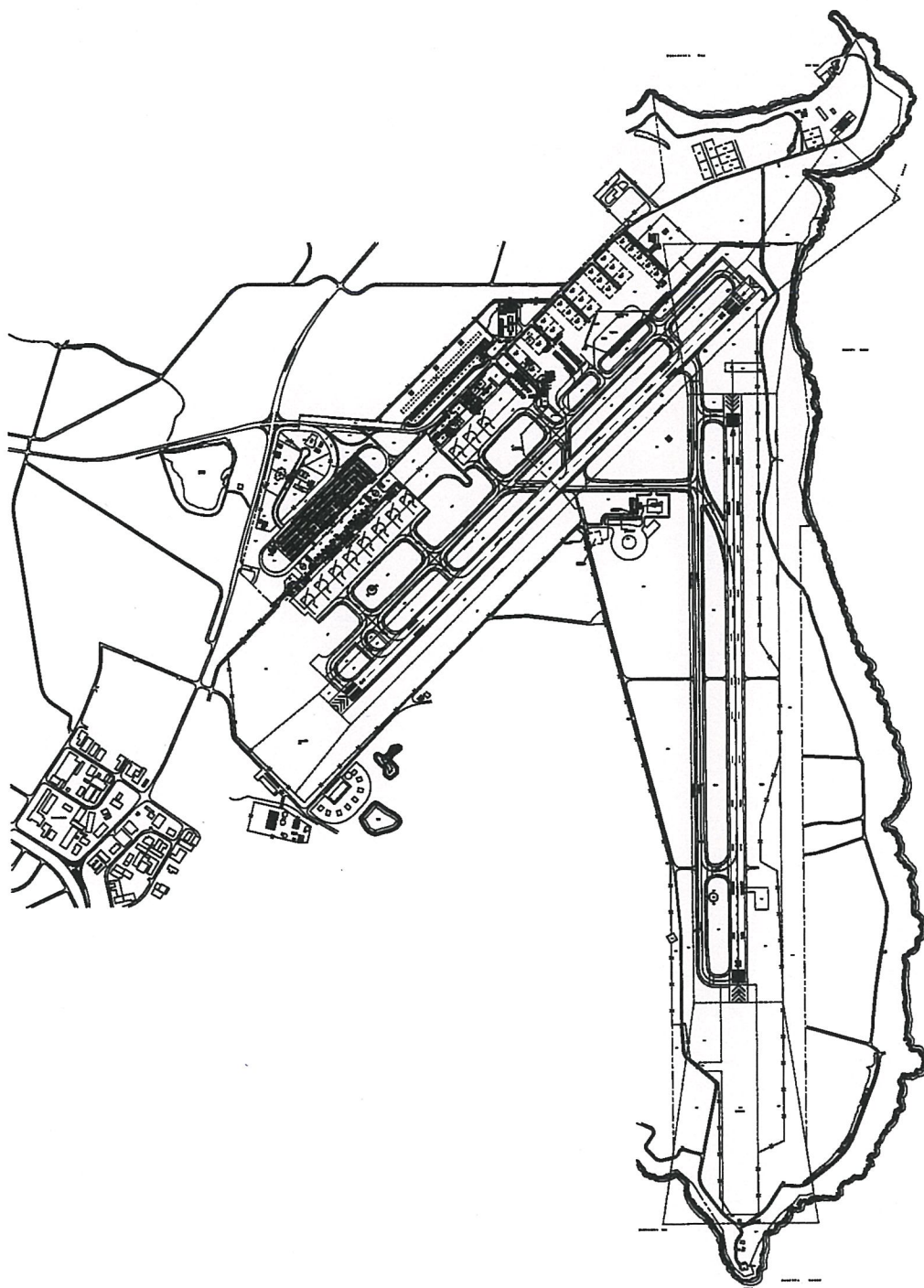
Airports Division

"AIRPORT"

PLAT 01

KAHULUI AIRPORT

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SCALE: 1" = 2000'

DATE : OCTOBER 2015

EXHIBIT: **A-4**



Airports Division

"AIRPORT"

PLAT 01

LIHUE AIRPORT

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