

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

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IN REPLY REFER TO:

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

ISSUANCE OF A DIRECT LAND LEASE TO REPLACE EXISTING
STATE LEASE NO. DOT-A-98-0019 FOR AN AIR TRAFFIC
CONTROL TOWER AND STORAGE/RECEIVER FACILITY SITE
U. S. FEDERAL AVIATION ADMINISTRATION
LĪHU'E AIRPORT
TAX MAP KEY: (4) 3-5-01: PORTION OF 8

KAUA'I

REQUEST:

Issuance of a direct land lease to the U. S. Federal Aviation Administration to replace the existing State Lease No. DOT-A-98-0019 ("the Lease") that expired on September 30, 2018 for an Air Traffic Control Tower and Storage/Receiver Facility Site ("ATCT") at Līhu'e Airport (LIH).

APPLICANT:

U. S. FEDERAL AVIATION ADMINISTRATION ("FAA").

LEGAL REFERENCE:

Subsection 171-95, Hawai'i Revised Statutes.

LOCATION AND TAX MAP KEY:

Portion of Līhu'e Airport, Līhu'e, Island of Kaua'i, identified by
Tax Map Key: 4th Division, 3-5-01: Portion of 8.

AREA:

Area/Space No. 001-110, containing an area of approximately 37,725 square feet of improved, unpaved land, as shown and delineated on the attached map labeled Exhibit "A".

ITEM M-5

BLNR – ISSUANCE OF A DIRECT LAND LEASE TO REPLACE EXISTING STATE LEASE NO. DOTA-98-0018 FOR AN AIR TRAFFIC CONTROL TOWER AND STORAGE/RECEIVER FACILITY SITE, U. S. FEDERAL AVIATION ADMINISTRATION, LĪHU‘E AIRPORT
Page 2

ZONING:

State Land Use:	Urban
County:	Industrial (IG-STP)

LAND TITLE STATUS:

Section 5(a), Hawai‘i Admissions Act:	<u>Non-Ceded</u>
DHHL, 30% entitlement lands	Yes _____ No <u>X</u>

CURRENT USE STATUS:

Aeronautical

CHARACTER OF USE:

Air Traffic Control Tower and Storage/Receiver Facility Site.

TERM OF LEASE:

October 1, 2018 thru September 30, 2038 (twenty years).

LEASE COMMENCEMENT DATE:

October 1, 2018

ANNUAL LAND RENTALS:

Gratis for the lease in accordance with the terms of Grant Assurance No. 28 for Airport Sponsors.

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 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 Transportation dated November 15, 2000. In this case, the FAA concurred on the appropriateness.

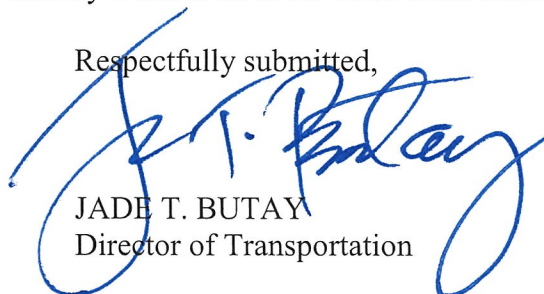
REMARKS:

The FAA is requesting a new lease to replace its existing Lease for its ATCT at LIH. The DOT is obligated under Grant Assurance No. 28 to provide the FAA with land for air traffic control, air navigational activities, weather reporting, communication activities and facilities related to air traffic control at no cost. DOT in the public interest has no objection to FAA's request.

RECOMMENDATION:

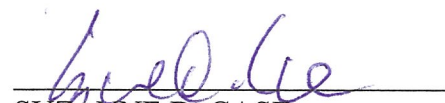
That the Board authorize the Department of Transportation to issue a direct land lease to the FAA subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and, (3) review and approval of the Department of the Attorney General as to the lease form and content.

Respectfully submitted,

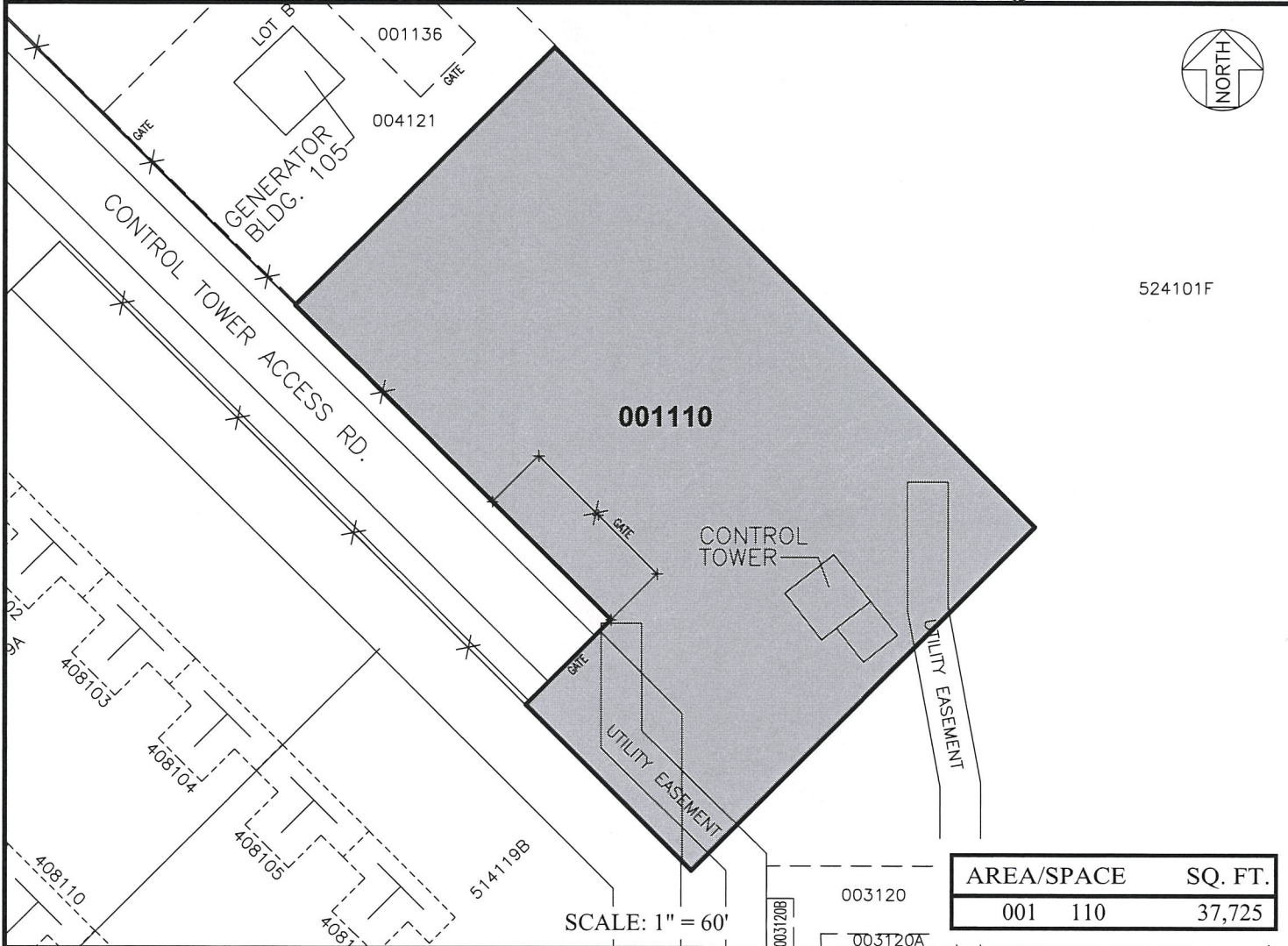
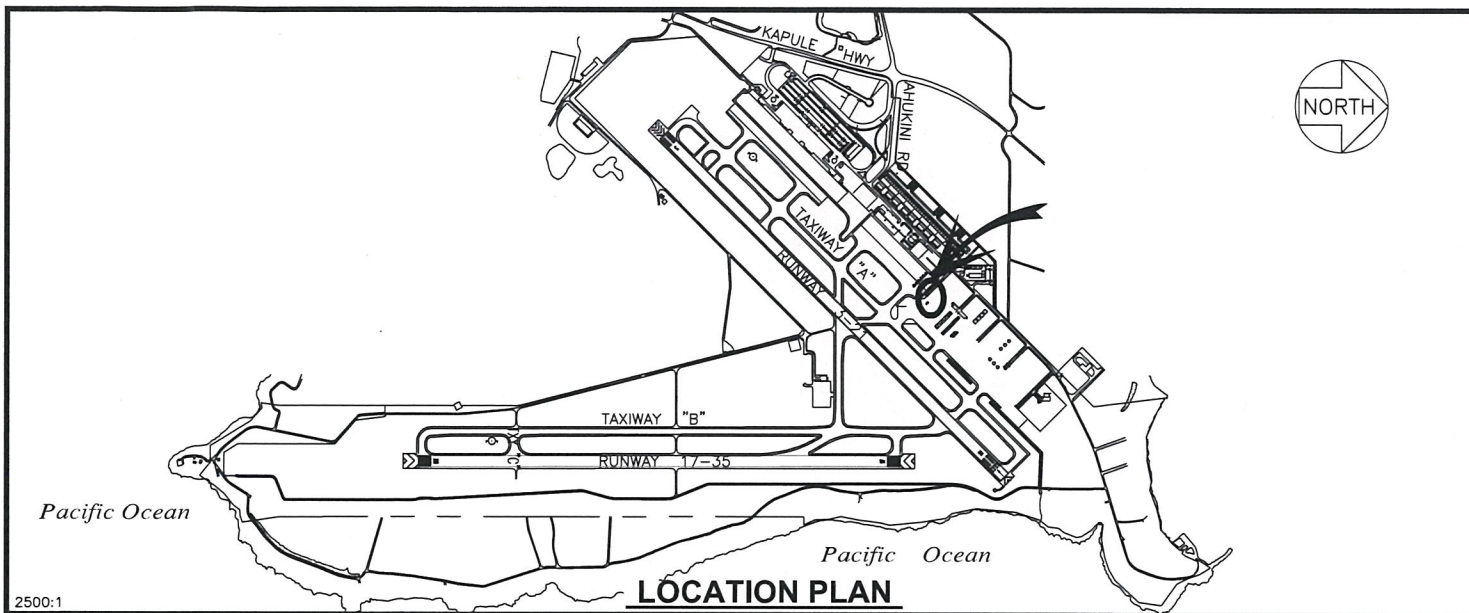


JADE T. BUTAY
Director of Transportation


APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



AREA/SPACE	SQ. FT.
001 110	37,725

DATE : JULY 2019		EXHIBIT: A	
 DEPARTMENT OF TRANSPORTATION STATE OF HAWAII	Airports Division U.S. FEDERAL AVIATION ADMINISTRATION	LOT	001110
			PLATS B1, E1, 35

LIHUE AIRPORT