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

AMENDMENT NO. 2 TO HELIPORT LEASE NO. DOT-A-15-0007
REQUEST TWO ADDITIONAL HELIPAD SPACES
FOR COMMERCIAL HELICOPTER OPERATIONS
MAUNA LOA HELICOPTER TOURS LLC
LIHUE AIRPORT
TAX MAP KEY: (4) 3-5-01: 136 (PORTION)

REQUEST:

Mauna Loa Helicopter Tours LLC (MLH) was issued a lease for the development, construction, operation, use and maintenance of a fixed-base facility containing two helipads for commercial helicopter operations, Heliport Lease No. DOT-A-15-0007 (Lease), at Lihue Airport (Airport). MLH is requesting to amend the Lease to include two additional helipad spaces.

APPLICANT:

MLH, a Hawaii limited liability company, authorized to do business in the State of Hawaii, whose business and post office address is 73-310 U‘u Street, Kailua-Kona, Hawaii 96740.

LEGAL REFERENCE:

Section 171-59 (b), Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of the Airport, Lihue, Island of Kauai, State of Hawaii, identified by Tax Map Key: 4th Division, 3-5-01: 136 (Portion).
AREA:

Additional Premises:

Area/Space No. 011-102E, containing an area of approximately 700 square feet;
Area/Space No. 011-102F, containing an area of approximately 700 square feet;
Area/Space No. 011-102H, containing an area of approximately 8,439 square feet;
Area/Space No. 011-102K, containing an area of approximately 1,600 square feet;
Area/Space No. 011-104E, containing an area of approximately 700 square feet;
Area/Space No. 011-104F, containing an area of approximately 700 square feet;
Area/Space No. 011-104H, containing an area of approximately 8,439 square feet;
Area/Space No. 011-104K, containing an area of approximately 1,600 square feet; as
shown and delineated on the attached map labeled Exhibit “A”.

ZONING:

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

LAND TITLE STATUS:

Section 5(a), Hawaii Admissions Act: Non-Ceded
DHHL, 30% entitlement lands Yes ___ No X ___

CURRENT USE STATUS:

Airport and Aeronautical Purposes.

CHARACTER OF USE:

Development, construction, operation, use and maintenance of a fixed-base facility for
commercial helicopter operations.

TERM OF LEASE:

Fifteen (15) years (10/17-2015 – 10/16/2030).

COMMENCEMENT DATE:

Upon execution of Amendment No. 2 to the Lease.
LEASE RENTAL:

Current Lease Rental:

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<th>Lease years</th>
<th>Amount</th>
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Amended Lease Rental:

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<td>11-15</td>
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DCCA VERIFICATION:

<table>
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<tr>
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</tr>
<tr>
<td>Registered business name confirmed</td>
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<tr>
<td>Good standing confirmed</td>
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</table>

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

The subject land areas are covered by the Environmental Assessment for Lihue Airport Ahukini Road Realignment and General Aviation Subdivision dated March 6, 1997. This Environmental Assessment evaluated the environmental effects of the recommended Airport Plan to realign Ahukini Road and the development of a General Aviation Subdivision. The assessment was prepared by the State of Hawaii, Department of Transportation, Airports Division.

REMARKS:

The Department of Transportation (DOT), and MLH entered into the Lease, dated November 3, 2015, together with all amendments, modifications, assignments, consents, and extension subsequent thereto, for the development, construction, operation, use and maintenance of a fixed-base facility for Commercial Helicopter Operations. MLH is now requesting to amend the Lease to include two additional helipad spaces. The DOT has no objections to the request and will amend the Lease to include the two additional helipads.
RECOMMENDATION:

That the Board approves Amendment No. 2 to the Lease to include the two additional helipads, 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