

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

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
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IN REPLY REFER TO:

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)

KAUAI

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: 4<sup>st</sup> 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:

|                    |                       |
|--------------------|-----------------------|
| Lease years 1 - 5: | \$36,121.60 per annum |
| Lease years 6-10:  | \$41,539.84 per annum |
| Lease years 11-15: | \$47,770.82 per annum |

Amended Lease Rental:

|                                |                        |
|--------------------------------|------------------------|
| Remainder of Lease years 1 -5: | \$ 77,529.32 per annum |
| Lease years 6-10:              | \$ 89,158.72 per annum |
| Lease years 11-15:             | \$102,532.53 per annum |

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:

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:

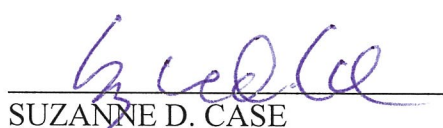
That the Board approves Amendment No. 2 to the Lease to include the two additional helipads, subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and (3) review and approval of the Department of the Attorney General as to the lease form and content.

Respectfully submitted,



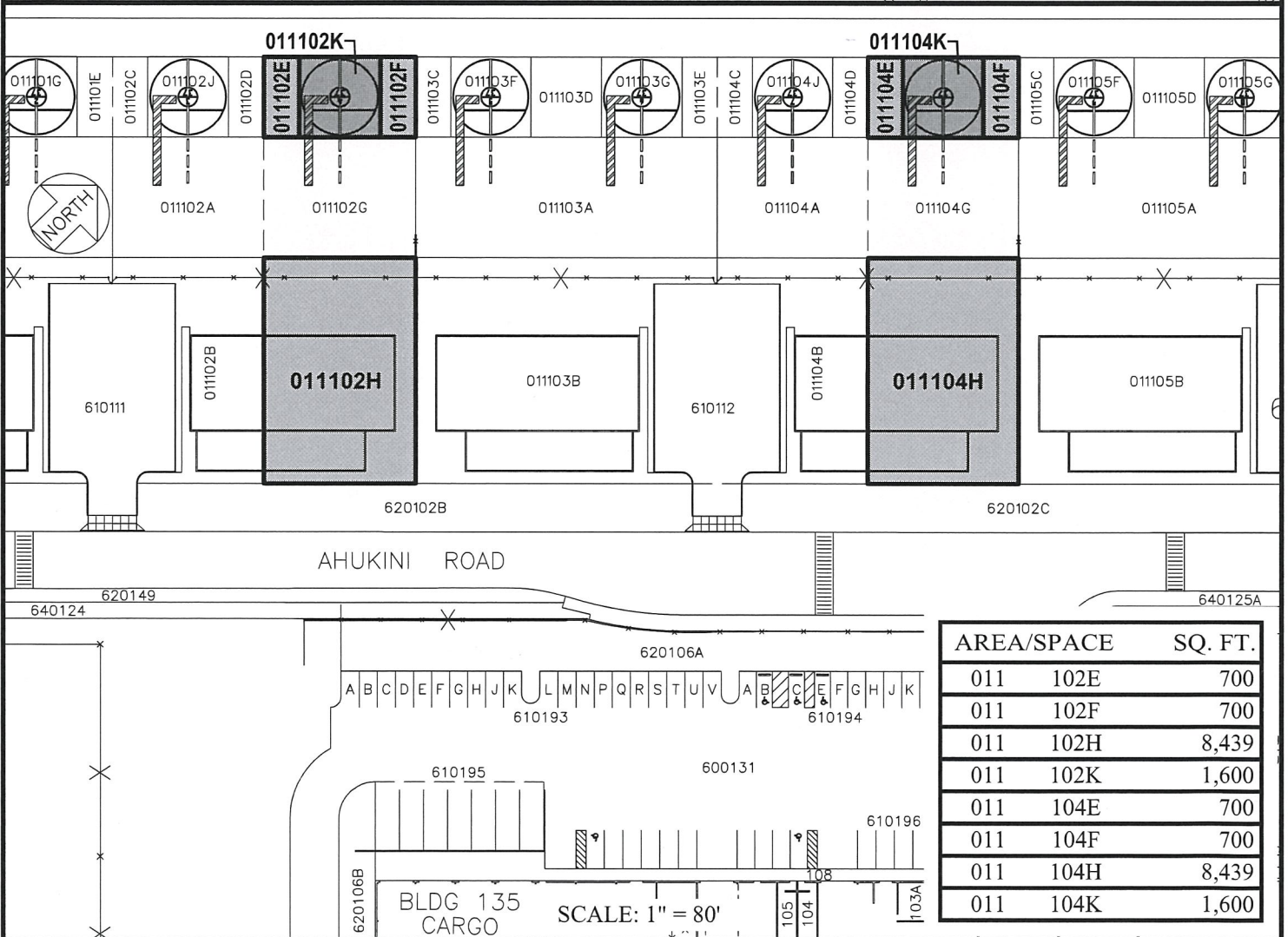
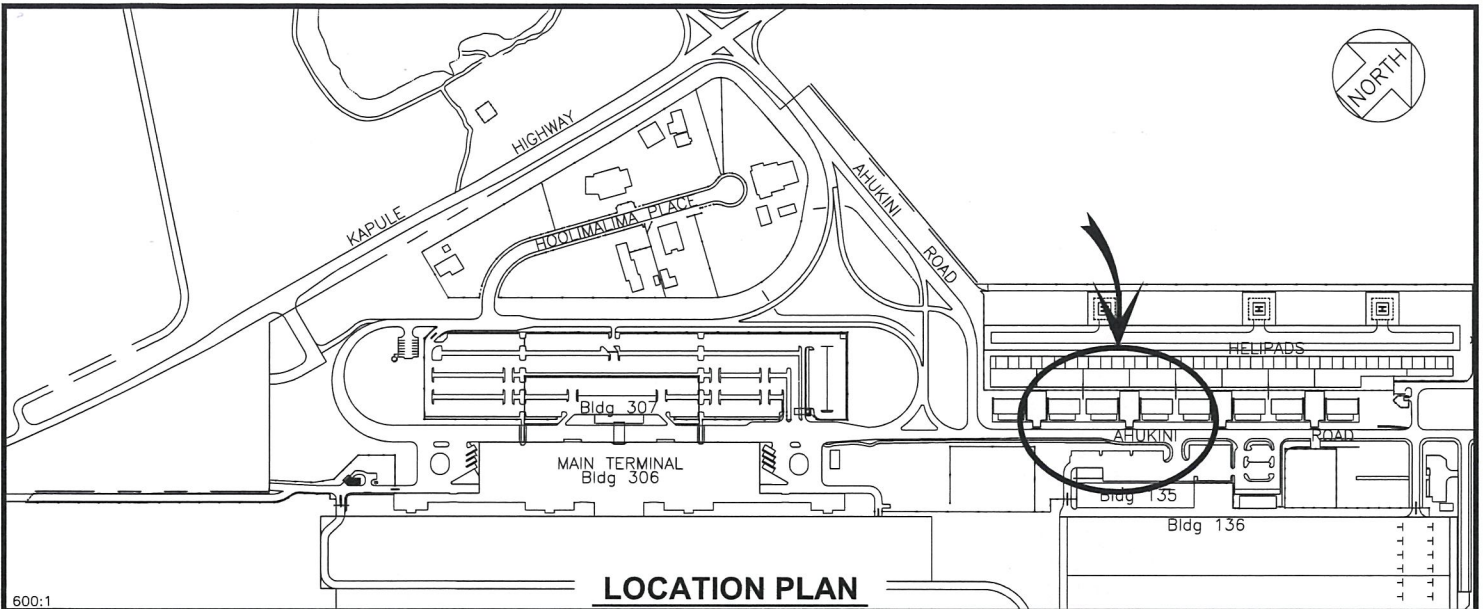
JADE T. BUTAY  
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE  
Chairperson and Member





DATE : NOVEMBER 2019 EXHIBIT: **A**

|   |                   |                                    |                                  |  |
|---|-------------------|------------------------------------|----------------------------------|--|
| <p>Department of Transportation<br/>State of Hawaii</p> | Airports Division | MAUNA LOA<br>HELICOPTER TOURS, LLC | HELIPORT<br>LOTS<br>GROUND LEVEL | 011102 E-F<br>011102 H, K<br>011104 E-F<br>011104 H, K<br>PLATS A1, 35 |
|---|-------------------|------------------------------------|----------------------------------|--|