



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

IN REPLY REFER TO:

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

ISSUANCE OF A MASTER LEASE
STATE LEASE NO. DOT-A-11-0008
FAA AGREEMENT NO. DTFAWN-12-L-00048
U.S. FEDERAL AVIATION ADMINISTRATION
LIHUE AIRPORT

KAUAI

APPLICANT:

U.S. Federal Aviation Administration (FAA)

LEGAL REFERENCE:

Chapter 171-95, Hawaii Revised Statutes

PURPOSE:

To issue a long-term Master Lease for various FAA facilities at Lihue Airport (LIH).
This Master Lease will replace the current individual leases for each existing facility and include future FAA facilities at LIH.

LOCATION AND AREA:

Premises as described on the attached List of Facilities

All facilities situated at LIH, County of Kauai, Island of Kauai, identified by
Tax Map Key: 4th Division-3-5-01: Portion of 8

ZONING:

State Land Use District: Urban
County of Kauai: IG/ST-P (Industrial General and Special Treatment Public Use)

LAND TITLE STATUS:

Governor’s Executive Order No. 1451
DHHL 30% entitlement lands pursuant to the Hawaii Revised Constitution: No

CURRENT USE STATUS:

Aeronautical

CHARACTER OF USE:

Navigational Aid Facilities

LEASE COMMENCEMENT DATE:

October 1, 2011

TERM OF LEASE:

Twenty (20) years

RENTAL:

Gratis for the lease in accordance with the terms of the Grant Assurances from the FAA

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

The amalgamation of individual leases into a Master Lease will have no significant or minimum effect on the environment and is, therefore, exempt from the preparation of an environmental assessment under the authority of Chapter 343, HRS, and Section 11-200 HAR. The declaration of exemption is based on Exemption Class 1 on the Exemption List of the Department of Transportation dated May 22, 2001, which states:

“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.”

REMARKS:

The FAA is requesting the issuance of a Master Lease, FAA Agreement No. DTFAWN-12-L-00048 providing for the construction, operation and maintenance of FAA navigation, communication and weather aid systems to support air traffic operations at LIH. The FAA can terminate the Agreement in whole or in part at anytime by giving at least sixty (60) days notice in writing via certified or registered mail.

The State of Hawaii, Department of Transportation (HDOT) is obligated under the Grant Assurances to furnish, without cost to the FAA, sites for use in connection with air traffic control or air navigational activities, or weather-reporting and communication activities related to air traffic control. HDOT, in the public interest, has no objection in issuing the FAA this lease.

RECOMMENDATION:

That the Board authorizes the Department of Transportation to issue a new lease as hereinabove outlined subject to: 1) review and approval by the Department of the Attorney General; and 2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State.

Respectfully submitted,



GLENN M. OKIMOTO, Ph.D.
Director of Transportation

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson and Member

Effective October 1, 2011

List of Facilities

MASTER LEASE
FAA No. DTFAWN-12-L-00048
State of Hawaii No. DOT-A-

LIHUE AIRPORT

<u>Number</u>	<u>Facility</u>	<u>R/W Number</u>	<u>GSA Control Number</u>	<u>Comments</u>
1	Airport Surveillance Radar – 8 (ASR-8) easements for portions of the access road, utility lines; and restricted area airspace	N/A	15403	Also see "Exhibits A and B" for Easements 2, 4, 5, 6, 8, and 9 and "Exhibits C and D" for Easement 3 (revised). [former State Lease No. DOTA-94-0002, with Amend. No. 1 or FAA No. DTFA08-94-L-14310, with Amend. No. 1]
2	Instrument Landing System (ILS): Localizer (LOC) and Glide Slope (GS) sites, along with easements for electric lines and use of State of Hawaii owned underground electrical duct system and pull boxes, and restricted area airspaces for each facility	35	15417	Also see "Exhibit A", for descriptions of the ILS LOC and GS Plots, Electrical and Restricted Area Easements, undated. "Exhibit B, Lihue Kauai, Hawaii Land Requirements Instrument Landing Systems, FAA Dwg. WP-D-210-41113-35-1A, dated 11/5/82". "Exhibit B-1, State Dwg. 005109, 005110, 005111, Plat 36, 56, 66, 76, dated June 2003". (Note: Middle Marker has been removed.) [former State Lease No. DOT-A-03-0013 or FAA No. DTFA08-03-L-22181]
3	Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR) site and Moving Target Indicator (MTI) for ASR-8, along with easements for electric lines and certain air rights over the site	35	15412	Also see "Exhibit A, Description of MALSR Plot, Easement 4 for MALSR Plot, Electrical and Air Rights Easements". "Exhibit B, Lihue, Kauai, Hawaii Land Requirements MALSR/RAIL, FAA Dwg. WP-D-302-41113-35-1A, dated 11/3/82". "Exhibit B-1, Lihue, Kauai, Hawaii Lihue Airport MALSR Shelter Plot Plan & Details Rwy 35 MALSR, FAA Dwg. WP-D-302-41113-35-2A, dated 9/6/82". "Exhibit B-2, State Dwg. 005112, Plat 66, 76, dated June 2003". [former State Lease No. DOT-A-03-0014 or FAA No. DTFA08-03-L-22180]
4	Remote Transmitter Receiver (RTR) site, along with easements for access road and utilities	N/A	15401	Also see "Exhibit A, Descriptions for Easement G-1 for RTR Site, Easement G-2 for Access Purposes, and Easements G-3 through G-6 for Utility Purposes". "Exhibit B, Plan Showing Designation of Easements G-1 and G-2 and Centerline Easements G-3 to G-6, Inclusive Affecting Lihue Airport, undated". "Exhibit B-1, State Dwg. 005115-120, Plat 35, 36, 45, 46, dated December 2003". [former State Lease No. DOT-A-98-0020 or FAA No. DTFA08-96-L-16453]

5	Stand Alone Weather Sensor (SAWS) system site, along with an easement for electrical lines	N/A	15408	Also see "Exhibit A, Map Showing Easements U-1 and U-2 Lihue Airport; Lihue, Kauai, Hawaii, dated 4/1/03". "Exhibit B, State Dwg. 010-101, Plat 36, dated February 2005". (Note: F-420 Wind Instrument was removed.) [former State Lease No. DOT-A-03-0018 or FAA No. DTFA08-03-L-22154]
6	Visual Approach Slope Indicator (VASI) and Runway End Indicator Lights (REIL) sites, along with easements for electrical lines, control cables, and access road	3-21	15405	Also see "Exhibit A, Property Description VASI/REIL Facilities; Lihue Airport, Kauai, dated August 1992". "Exhibit B, Revised Land Requirements VASI-4 and REIL, Sheets 1 and 2, dated 4/13/92". "Exhibit B-1, State Dwg. 005104-108 600120, Plat 36, dated June 2003". [former State Lease No. DOT-A-03-0015 or FAA No. DTFA08-03-L-22179]
7	Very High Frequency Omnidirectional Range Tactical Air Navigation (VORTAC) site, along with easements for an access road and utility lines	N/A	15410	Also see "Exhibit A-1, Property Description VORTAC Facility; Lihue Airport, Lihue, Kauai, undated". "Exhibit B-1, Land Requirement Lihue VORTAC, FAA Dwg. unnumbered and undated". [former State Lease No. DOT-A-00-0007 or FAA No. DTFA08-00-L-20249]