

NEIL ABERCROMBIE  
GOVERNOR



FORD N. FUCHIGAMI  
INTERIM DIRECTOR

Deputy Directors  
RANDY GRUNE  
AUDREY HIDANO  
JADINE URASAKI

IN REPLY REFER TO:

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

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

OAHU

ISSUANCE OF A REVOCABLE PERMIT TO ATLANTIS SUBMARINES HAWAII, LLC, FOR JOINT DEVELOPMENT OF LOT 6 (FAST LAND OF 44,054 SQUARE FEET) AND LOT 17 (SUBMERGED LAND OF 26,868 SQUARE FEET), PIER 28, HONOLULU HARBOR, TAX MAP KEY NO. 1st/1-5-38: (PORTION OF) 1, 11, 17, 23, 57, 68, 72, 73, and 74.

APPLICANT:

Atlantis Submarines Hawaii, LLC, a Hawaii Limited Liability Corporation, whose business address is 1600 Kapiolani Boulevard, Suite 1630, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Section 171-36, Hawaii Revised Statutes, as amended.

LOCATION:

Portions of Government fast and submerged lands of Honolulu Harbor, Oahu, identified by Tax Map Key No. 1<sup>st</sup>/1-5-38: (portion of) 1, 11, 17, 23, 57, 68, 72, 73, and 74, as shown on the attached map as Exhibit "A."

AREA:

44,054 square feet of fast land.  
26,868 square feet of submerged land.

ZONING:

State Land Use District: Urban District  
City and County of Honolulu: I-3 Waterfront Industrial

**ITEM M-1**

TRUST LAND STATUS:

Subsection 5 (a) of the Hawaii Admission Act (non-ceded).

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 2903, issued to the Harbors Division, Department of Transportation.

CHARACTER OF USE:

Operation of a tourist submarine business and its maintenance facility.

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

MONTHLY RENTAL FOR REVOCABLE PERMIT:

\$28,744.00 per month (50 cents per sf for fast land plus 25 cents per sf for submerged land).

SECURITY DEPOSIT:

Twice the monthly rental or \$57,488.00.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Atlantis Submarines Hawaii, LLC has complied with Chapter 343, HRS, with the submittal of the "*Atlantis Adventures Maintenance Facility at Pier 27 Final Environmental Assessment FONSI*" to the Office of Environment and Quality Control which was published in *The Environmental Notice* on March 23, 2014.

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

REMARKS:

Atlantis Submarines Hawaii, LLC will relocate from Pier 40 to Pier 28 in preparation for the New Day Kapalama Development expansion at Pier 40.

This Revocable Permit is a short-term interim step which will allow Atlantis Submarines Hawaii, LLC to proceed with actual steps for the physical relocation. This Revocable Permit is to transition into the standard Department of Transportation, Harbors Division 35-year lease with rental reopenings every ten years. The lease rent will be established by appraisal. The intent is for the 35-year lease to be issued by January 1, 2015

RECOMMENDATION:

That the Board authorize the issuance of a revocable permit to Atlantis Submarines Hawaii, LLC, covering the area for construction, maintenance and operation of a tourist submarine business and its maintenance facility under the terms and conditions cited above, and other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State.

Respectfully submitted,



FORD M. FUCHIGAMI  
Interim Director of Transportation

Attachment

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.  
Chairperson and Member  
Board of Land and Natural Resources

**PRELIMINARY  
LAND COURT**

STATE OF FLORIDA

**LAND COURT CONSOLIDATION #2**

**SECTION "B"**

CONSOLIDATION OF LOTS 13-A AND 13-B

AS SHOWN ON MAP B.

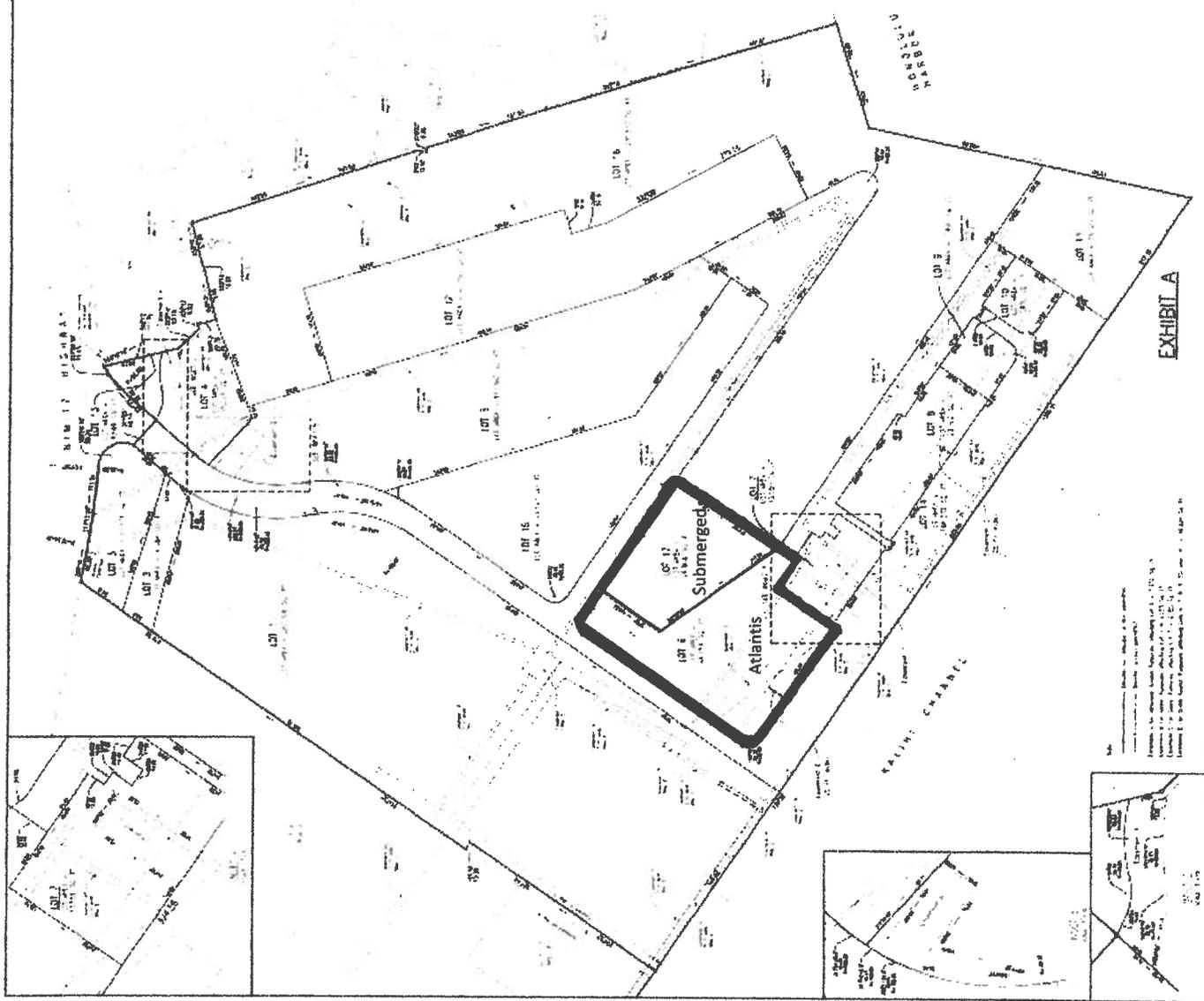
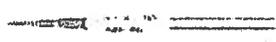
RESUBDIVISION OF SAID CONSOLIDATION

INTO LOTS 1 TO 17, INCLUSIVE.

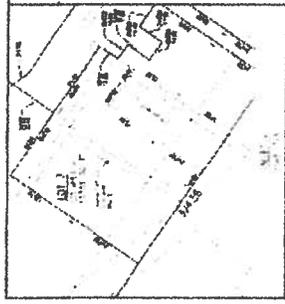
AND DESIGNATION OF EASEMENTS A TO D, INCLUSIVE.

APPROVED FOR RECORD BY THE CLERK OF THE LAND COURT, STATE OF FLORIDA, ON 04/11/2011.

BY: [Signature]  
[Title]  
[Address]



**EXHIBIT A**



Map B  
Map C  
Map D  
Map E  
Map F  
Map G  
Map H  
Map I  
Map J  
Map K  
Map L  
Map M  
Map N  
Map O  
Map P  
Map Q  
Map R  
Map S  
Map T  
Map U  
Map V  
Map W  
Map X  
Map Y  
Map Z