

DAVID Y. IGE
GOVERNOR



FORD N. FUCHIGAMI
DIRECTOR

Deputy Director
ROSS M. HIGASHI

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

AMENDMENT NO. 1 TO STATE LEASE NO. DOT-A-07-0004
FOR THE PURPOSE OF INSTALLING PHOTOVOLTAIC SOLAR PANELS
SCHUMAN AVIATION COMPANY, LTD.
HONOLULU INTERNATIONAL AIRPORT
TAX MAP KEY. NO. (1) 1-1-72: PORTION OF 33

OAHU

PURPOSE:

To amend State Lease No. DOT-A-07-0004 (Lease), to allow the Lessee to install Photovoltaic Solar Panels to its Hangar Facility. Article XXXVIII. (Approach Protection) of the Lease is being amended to add language to allow the LESSEE's Leasehold Improvements.

LESSEE:

Schuman Aviation Company, LTD., a Hawaii corporation, whose mailing address is 130 Iolana Place, Honolulu, Hawaii 96819.

LEGAL REFERENCE:

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

LOCATION AND TAX MAP KEY:

Portion of Honolulu International Airport, Island of Oahu, identified by Tax Map Key: 1st Division, 1-1-72: Portion of 33.

AREA:

Area/Space No. 009-158A, containing a land area of approximately 21,236 square feet, and Area/Space No. 009-158B, containing a land area of approximately 3,960 square feet, as shown and delineated on the attached map labeled Exhibit A.

ITEM M-2

ZONING:

State Land Use District: Urban
City and County of Honolulu: I-2 (Industrial)

LAND TITLE STATUS:

Section 5(a) - lands of the Hawaii Admission Act (Non-Ceded)
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES__ NO X

CHARACTER OF USE:

Commercial Hangar Facility

LEASE TERM:

Thirty (30) years, January 1, 2008 through December 31, 2037

LEASEHOLD IMPROVEMENTS:

The Lessee is requesting to install Photovoltaic Solar Panels to its Hangar Facility.

APPROACH PROTECTION:

Article XXXVIII. (Approach Protection) of the Lease will be amended to include the following verbiage:

“Should LESSEE be notified by STATE that LESSEE’s improvements pose a hazard to the navigation of operating aircraft at the Airport, then LESSEE shall make changes to the improvements to remove the hazard. Failure by LESSEE to make said changes to the improvements will be a violation of this Article XXXVIII. (Approach Protection), and give STATE the right to assess a charge and/or terminate this Lease pursuant to Article V.E. (Additional Charges) and Article XX. (Termination by STATE), respectively, hereof.”

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 11-200-8(a), Environmental Impact Statement Rules of the Department of Health, State of Hawaii, this disposition is exempt from requirements regarding preparation of an environmental assessment, negative declaration, or environment impact statement as required by Chapter 343, Hawaii 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 Hawaii,

Department of Transportation dated November 1, 2000, as approved by the environmental Quality Council. Exemption class #1 covers operation, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previous existing.

REMARKS:

The Department of Transportation (DOT) and Schuman Aviation Company, LTD., entered into State Lease No. DOT-A-07-0004, dated December 31, 2007, for the purpose of developing, constructing, operating, using and maintaining a hangar facility to conduct commercial activities. The Lessee has submitted plans to install Photovoltaic Solar Panels to its Hangar Facility. The DOT, in the public interest, has no objection to the Lessee's request.

RECOMMENDATION:

That the Board authorize the DOT to amend Article XXXVIII. (Approach Protection) of the Lease as herein outlined, 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 amendment of lease form and content.

Respectfully submitted,

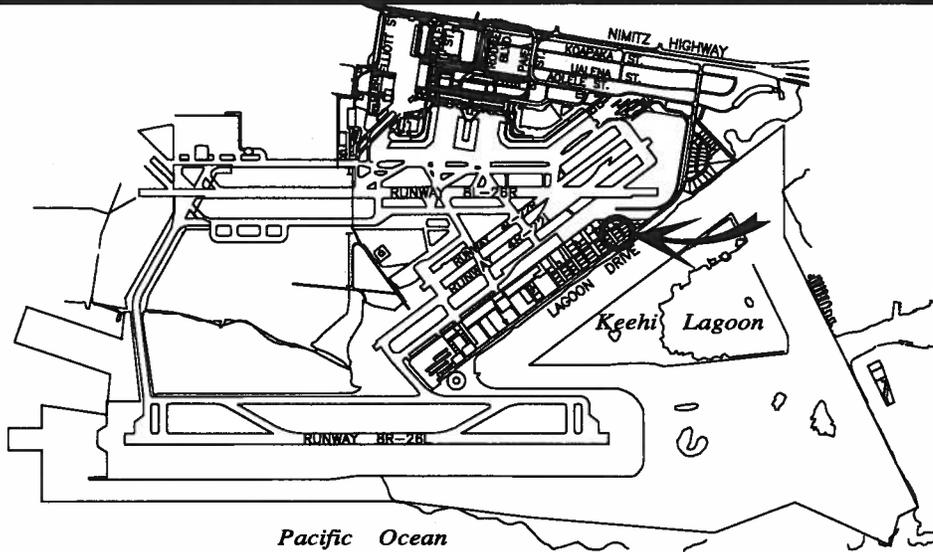


FORD N. FUCHIGAMI
Director of Transportation

APPROVED FOR SUBMITTAL:

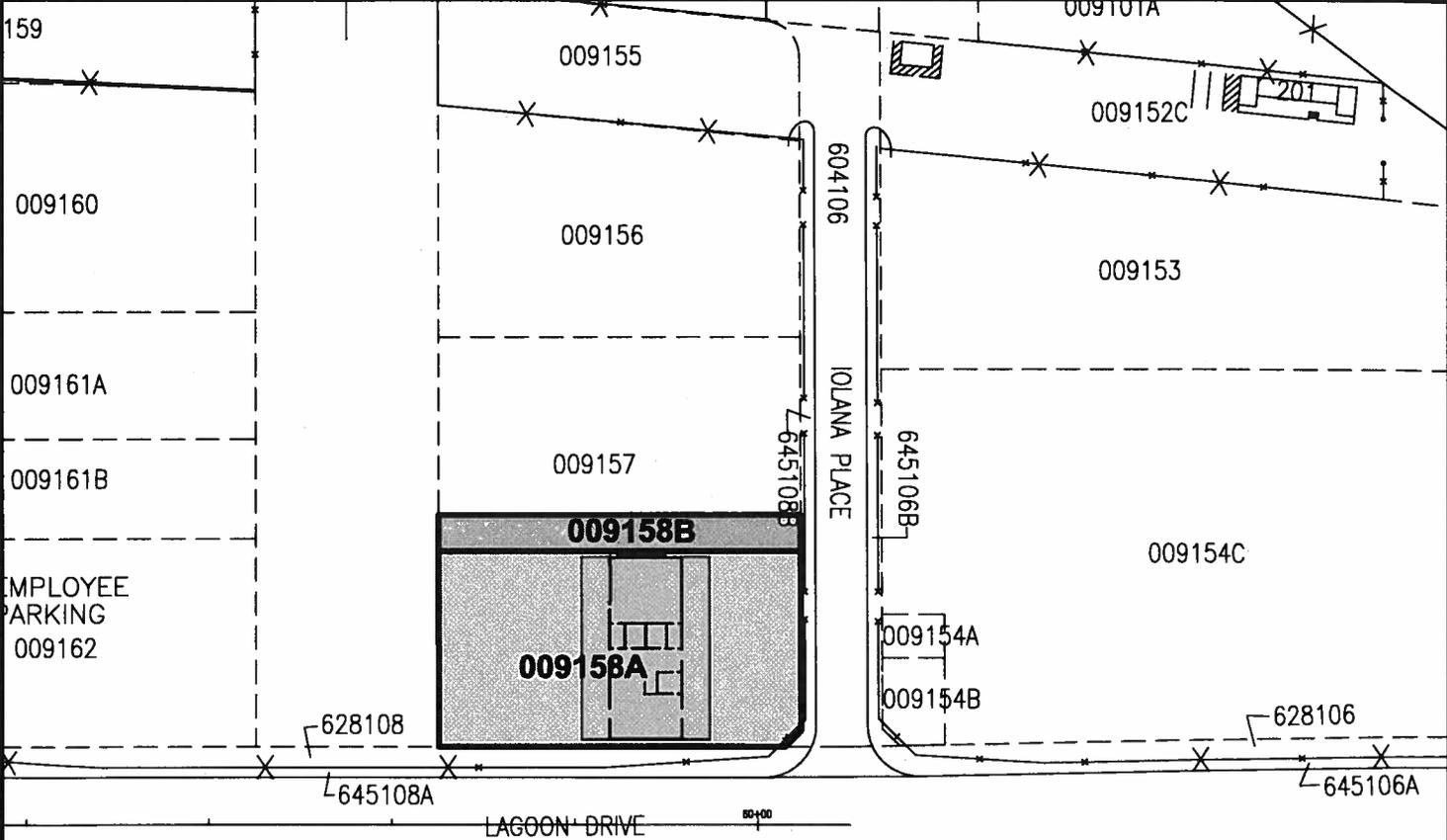


WILLIAM J. AILA, JR.
Chairperson and Member



LOCATION PLAN

5000:1



SCALE: 1" = 100'

AREA/SPACE	SQ. FT.
009 158A	21,236
009 158B	3,960

DOT-A-07-0004

DATE : SEPTEMBER 2014

EXHIBIT: **A**



SCHUMAN AVIATION COMPANY, LTD.

LOTS SOUTH RAMP

**009158A
009158B
PLAT 36**