



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

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

AMENDMENT TO PRIOR BOARD ACTION OF FEBRUARY 8, 2013,
ITEM M-6, ISSUANCE OF A DIRECT LEASE TO HAWAIIAN SEALIFE, INC.
3239 UALENA STREET, HONOLULU INTERNATIONAL AIRPORT
TMK: (1) 1-1-04-:21 (portion) OAHU

On February 8, 2013, under agenda Item M-6, and pursuant to Section 261-7 and 171-59, Hawaii Revised Statutes, relating to Disposition by Negotiation, the Land Board authorized the Department of Transportation (DOT) to issue a lease to Hawaiian Sealife, Inc., for the operation and maintenance of an import/export business of marine ornamentals located at Ualena Street, Honolulu International Airport on the Island of Oahu.

The DOT requests certain changes to the end date of the lease to Hawaiian Sealife, Inc. previously approved by the Land Board. The changes are listed below:

TERM:

The lease will be for five (5) years commencing upon execution of the lease document.

ANNUAL LEASE RENTAL:

Property Lease Rental – Annual property lease rental in the sum of \$107,207.76 per annum, payable in monthly installments of \$8,933.98.

PERFORMANCE BOND:

Sum equal to three times the monthly rental in effect.

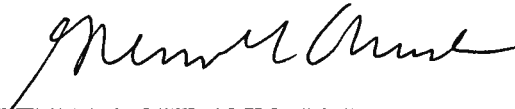
REMARKS:

All other terms of the lease will remain unchanged.

RECOMMENDATION:

That the Board amends its prior action of February 8, 2013, under agenda Item M-6, by approving the change in the term of the lease, as herein outlined, which are by reference incorporated herein and subject to such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



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

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson and Member

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097
February 8, 2013

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE T. BUTAY
FORD N. FUCHIGAMI
RANDY GRUNE
JADINE URASAKI

IN REPLY REFER TO:

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

ISSUANCE OF A DIRECT LEASE TO HAWAIIAN SEALIFE, INC.
HONOLULU INTERNATIONAL AIRPORT
TMK: (1) 1-1-14:21 (portion)

OAHU

REQUEST:

Issuance of a direct lease to Hawaiian Sealife, Inc. for the operation and maintenance of an import/export business of marine ornamentals.

LEGAL REFERENCE:

Section 261-7 and 171-59, Hawaii Revised Statutes.

APPLICANT / LESSEE:

Hawaiian Sealife, Inc. a Hawaii corporation, authorized to do business in the State of Hawaii, whose business address is 3239 Ualena Street, Honolulu, Hawaii 96819.

LOCATION AND TAX MAP KEY:

Portion of Honolulu International Airport, Island of Oahu, State of Hawaii, identified by Tax Map Key: 1st Division, 1-1-14:21 (portion).

AREA:

EXHIBIT A:

Building Space No. 184-101A, consisting of approximately 2,268 square feet,
Building Space No. 184-101B, consisting of approximately 422 square feet,
Building Space No. 184-102, consisting of approximately 5,062 square feet,
Building Space No. 185-102, consisting of approximately 6,919 square feet,
Area/Space No. 005-102B, consisting of approximately 1,357 square feet,
Area/Space No. 619-103A, consisting of approximately 150 square feet,
Area/Space No. 619-103B, consisting of approximately 150 square feet, and
Area/Space No. 619-103C, consisting of approximately 150 square feet.

ITFM M-6

BLNR – HAWAIIAN SEALIFE, INC.

Issuance of a Direct Lease

Page 2

ZONING:

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

LAND TITLE STATUS:

Non-ceded - Direct purchase from private land owner.
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order No. 3894, setting aside a portion of Honolulu International Airport under the control and management of the Department of Transportation, Airports Division, State of Hawaii, for Airport purposes.

The Department of Transportation, Airports Division acquired the subject property together with most of the remaining properties (except one) along the ocean (makai) side of Ualena Street, between Lagoon Drive and Paiea Street, in the mid 1990's from Loyalty Enterprises, Ltd.

CHARACTER OF USE:

Operation and maintenance of an import/export business of marine ornamentals.


TERM OF LEASE:

Approximately five (5) years, commencing on the date of lease execution and ending on December 31, 2017.

ANNUAL LEASE RENTAL:

Property Lease Rental – Annual property lease rental in the sum of \$107,207.89 per annum, payable in monthly installments of \$8,933.99, based upon a property lease rental rate of \$7.09 per square foot per annum.

PERFORMANCE BOND:

 Sum equal to the annual building and land rentals in effect.

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

BLNR – HAWAIIAN SEALIFE, INC.

Issuance of a Direct Lease

Page 3

environmental 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 15, 2000, as approved by the Environmental Quality Council. Exemption Class #1 covers 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.

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 ___


REMARKS:

In accordance with Section 171-59(b), HRS, relating generally to Management and Disposition of Public Lands and relating specifically to Disposition by negotiation, the Department of Transportation (DOT) proposes to issue a direct lease to Hawaiian Sealife, Inc., for the operation and maintenance of an import/export business of marine ornamentals. The DOT has determined that the issuance of a direct lease to Hawaiian Sealife, Inc. will encourage competition within the airport-related industries at Honolulu International Airport.

RECOMMENDATION:

That the Board authorize the Department of Transportation to issue a direct lease to Hawaiian Sealife, Inc., 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,

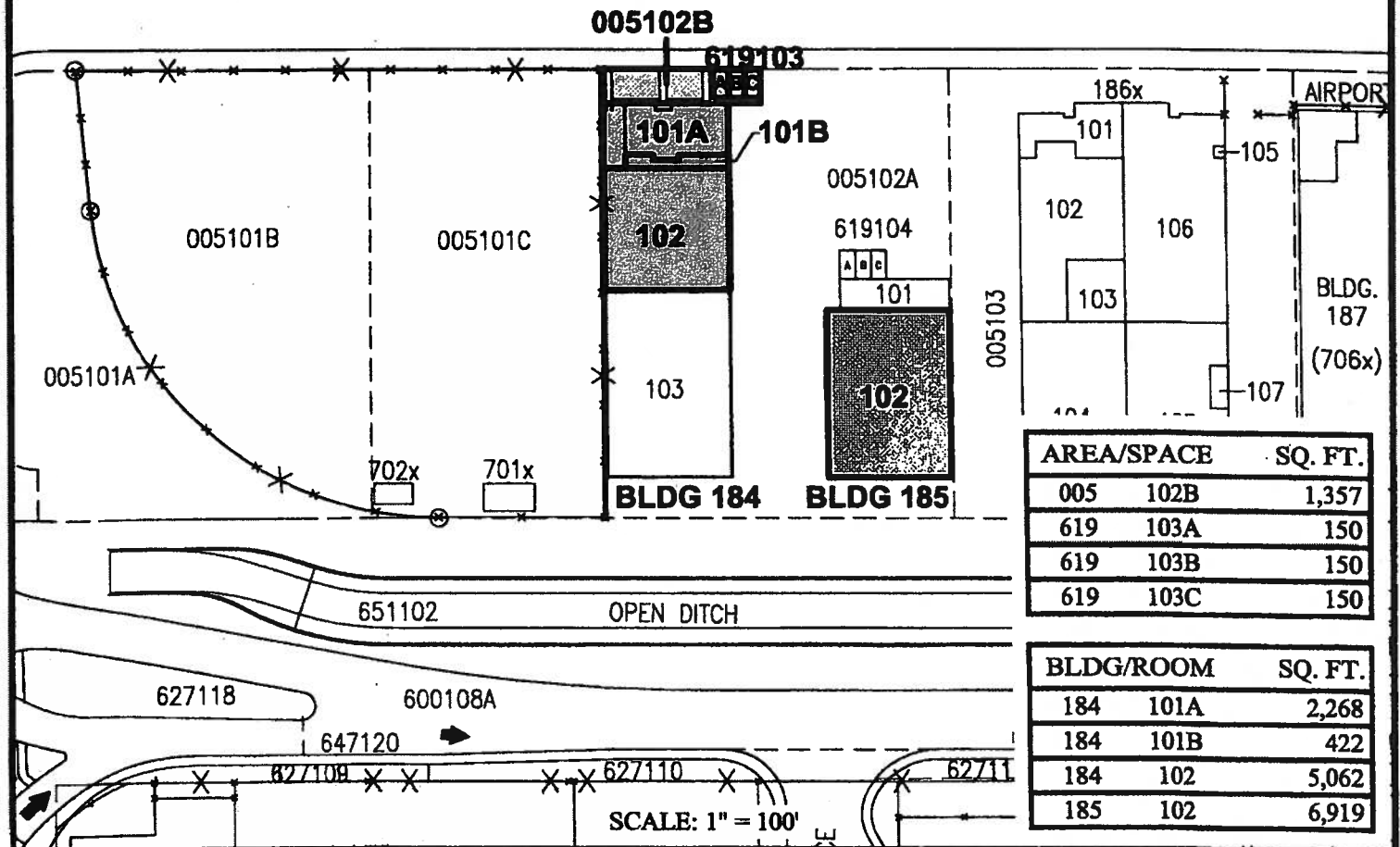
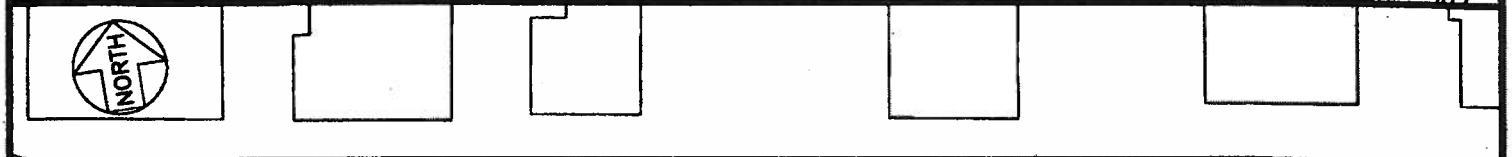
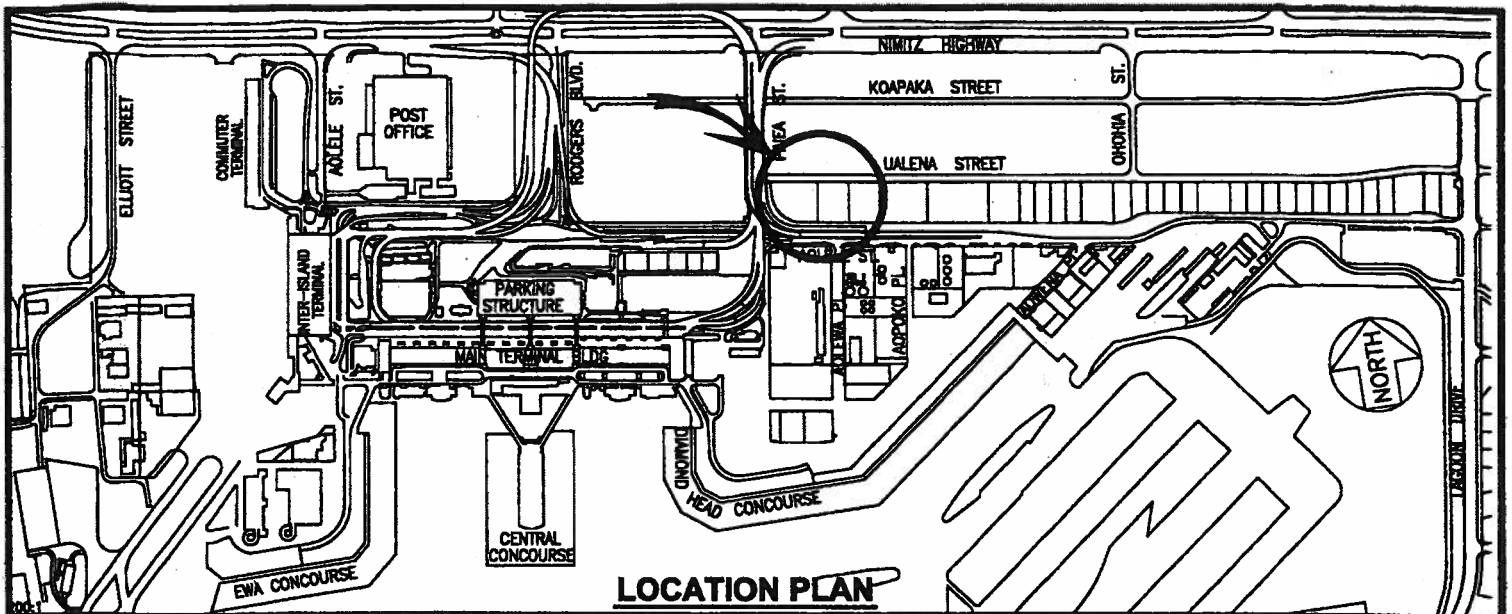


GLENN M. OKIMOTO, Ph.D.
Director of Transportation

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson and Member



DATE : DECEMBER 2012

EXHIBIT: **A**



Airports Division

HAWAIIAN SEALIFE, INC.

3239 UALENA STREET
UALENA STREET

005102B
184101A-02
185102
PLAT 16