

STATE OF HAWAII
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 Land Division
 Honolulu, Hawaii 96813

November 8, 2013

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

PSF No.: 13OD-166

OAHU

Approval to Enter into License Agreement with Federal Aviation Administration on behalf of the Department of Accounting and General Services, Information and Communication Services Division for Telecommunication Facility Purposes, Maunaloa, Honolulu, Oahu, Tax Map Key: (1) 3-9-009:portion of 001.

APPLICANT:

Department of Accounting and General Services ("DAGS"), Information and Communication Services Division ("ICSD").

LICENSOR:

Federal Aviation Administration ("FAA").

LEGAL REFERENCE:

Section 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of private lands situated at Maunaloa, Honolulu, Oahu, identified as Tax Map Key: (1) 3-9-009:portion of 001, as shown on the attached map labeled **Exhibit A**.

AREA:

To be determined.

ZONING:

State Land Use District: Conservation
 City and County of Honolulu LUO: P-1

CHARACTER OF USE:

Telecommunication facility purposes

LICENSE TERM:

Twenty (20) years renewable term with a minimum of six (6) months notice of cancellation. [Note: Final term is subject to negotiation between FAA and DAGS as described below.]

ANNUAL RENT:

Gratis

DCCA VERIFICATION:

Not applicable. Government agency.

REMARKS:

Under a long term lease with Kamehameha Schools Bishop Estate (“KSBE”), the fee owner of the subject property, FAA manages a telecommunication facility at the subject location, the Waimanalo Ridge. Various federal and State agencies have their own facilities and equipment for telecommunication purposes.

When DAGS was negotiating in 2012 with FAA regarding possibly occupying a portion of the facility to increase ICSD’s first responder communication system covering the area, the US Navy announced its intention of leaving the site and disposing of its building and tower as surplus facilities [Buildings 133 and 133A].

Pursuant to subsequent discussions among all of the stakeholders, it was proposed that FAA and DAGS would enter into a revocable license agreement for twenty (20) years, subject to a six (6) months notice of cancellation. The proposed license agreement has obtained agreement from KSBE. Upon approval of today’s request, DAGS will start negotiations with FAA on the terms and conditions of the license.

In addition, DAGS will pursue the acquisition of Buildings 133 and 133A with the US General Services Administration separately. DAGS anticipates “no monetary consideration” for this acquisition subject to the condition allowing other federal agencies to continue to occupy the facility for at least three years.

There are no other pertinent issues or concerns, and staff has no objection to the request.

RECOMMENDATION:

That the Board approve entering into a license agreement with Federal Aviation Administration on behalf of Department of Accounting and General Services, Information and Communication Services Division covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:


1. Review and approval by the Department of the Attorney General; and
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

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Waimanalo Ridge