

DAVID T. 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. 5 TO CONCESSION AGREEMENT NO. DOT-A-10-0008
TO ADD STORAGE SPACE TO THE RETAIL CONCESSION AT
TIARE ENTERPRISES, INC.
HILO INTERNATIONAL AIRPORT AND
KONA INTERNATIONAL AIRPORT AT KEAHOLE
TAX MAP KEY: (3) 2-1-12 (PORTION)

HAWAII

PURPOSE:

To amend the existing Retail Concession Agreement at Hilo International Airport and Kona International Airport at Keahole to add storage space at Hilo International Airport.

APPLICANT:

Tiare Enterprises, Inc., whose business address is P.O. Box 29638, Honolulu, Hawaii 96820.

LEGAL REFERENCE:

Chapter 102, Hawaii Revised Statutes, as amended.

LOCATION AND TAX MAP KEY:

Hilo International Airport, Island of Hawaii
Tax Map Key: 3rd District, 2-1-12 (Portion)

ZONING:

State Land Use District: Urban
County of Hawaii: Airport

ITEM M-9

LAND TITLE STATUS:

Section 5(b) lands of the Hawaii Admissions Act: Ceded
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: Yes ___ No X

TERM:

To run for the balance of the term of the existing Concession Agreement that expires August 31, 2025. Board approved an extension for ten (10) years at its December 12, 2014 meeting under Item M-11.

ADDITIONAL PREMISES:

Building 307, Space No. 138A, containing an area of approximately 46 square feet as shown on the attached Exhibit H dated December 2014.

ANNUAL FEE:

Applicant to pay for the additional space, the annual sum of SIX HUNDRED NINETY AND 00/ DOLLARS (\$690.00) based on the rental rate specified in the Agreement, Article VI.A.2.(2)b.(Initial Allocation), at \$15.00 per square foot per annum.

IMPROVEMENT:

Applicant to cover all costs of improvements to Building 307, Space No. 138A.

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	_____

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 11-200-8(a), Hawaii Administrative Rules, this disposition is exempt from requirements regarding preparation of an environmental assessment, negative declaration, or 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, amended November 15, 2000, as approved by the Environmental Quality Council (Docket 92-EX-01). 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.

REMARKS:

The DOT and the applicant entered into that certain Concession Agreement No. DOT-A-10- 0008) dated August 2, 2010 for Retail Concession at Hilo International Airport and Kona International Airport at Keahole. The additional space will allow the applicant to better serve the traveling public at the Hilo International Airport.

RECOMMENDATION:


The Board authorize 1) the Department of Transportation to amend Article III. Premises of the subject Agreement as 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 by the Department of the Attorney General.

Respectfully submitted,

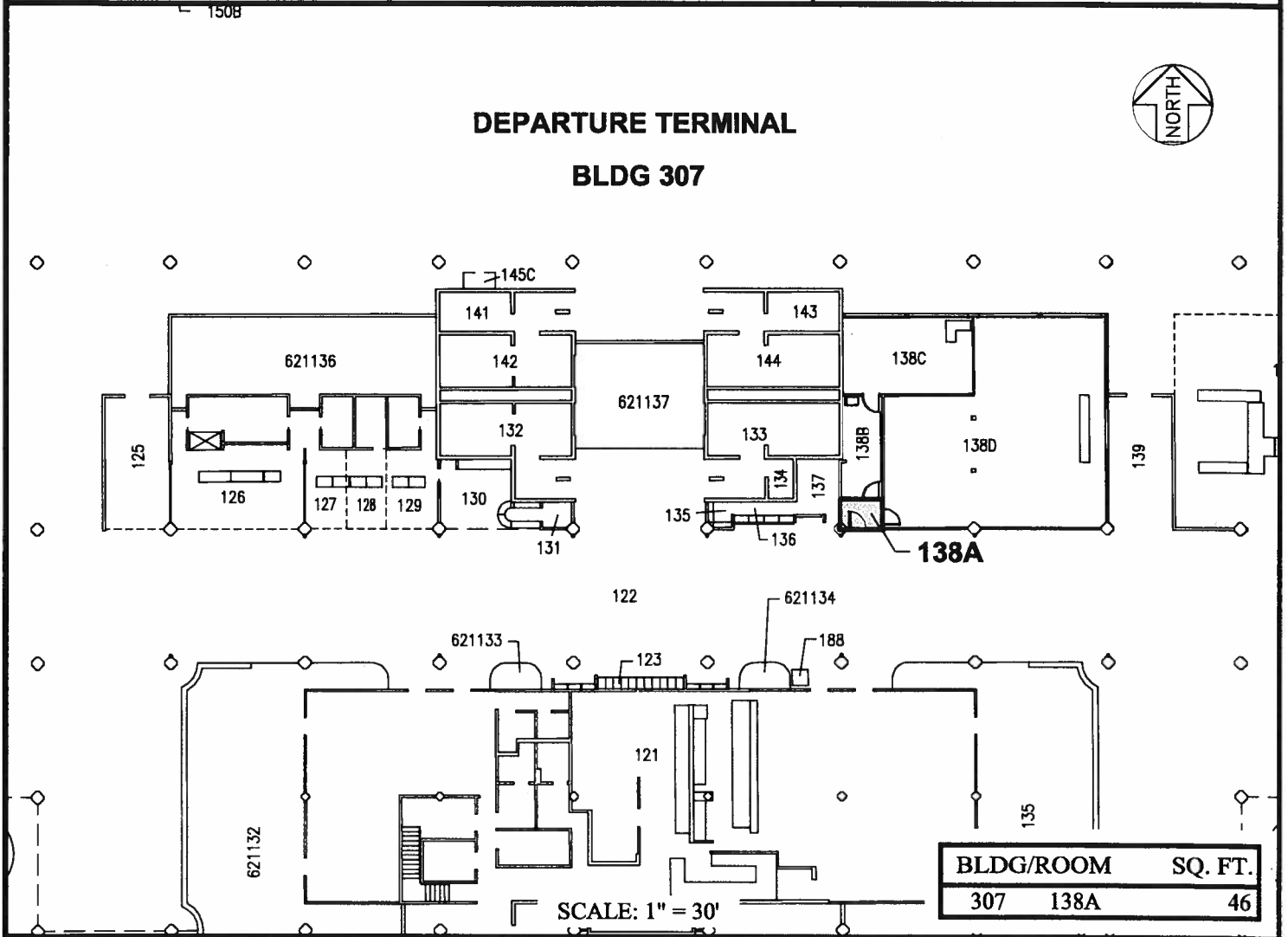
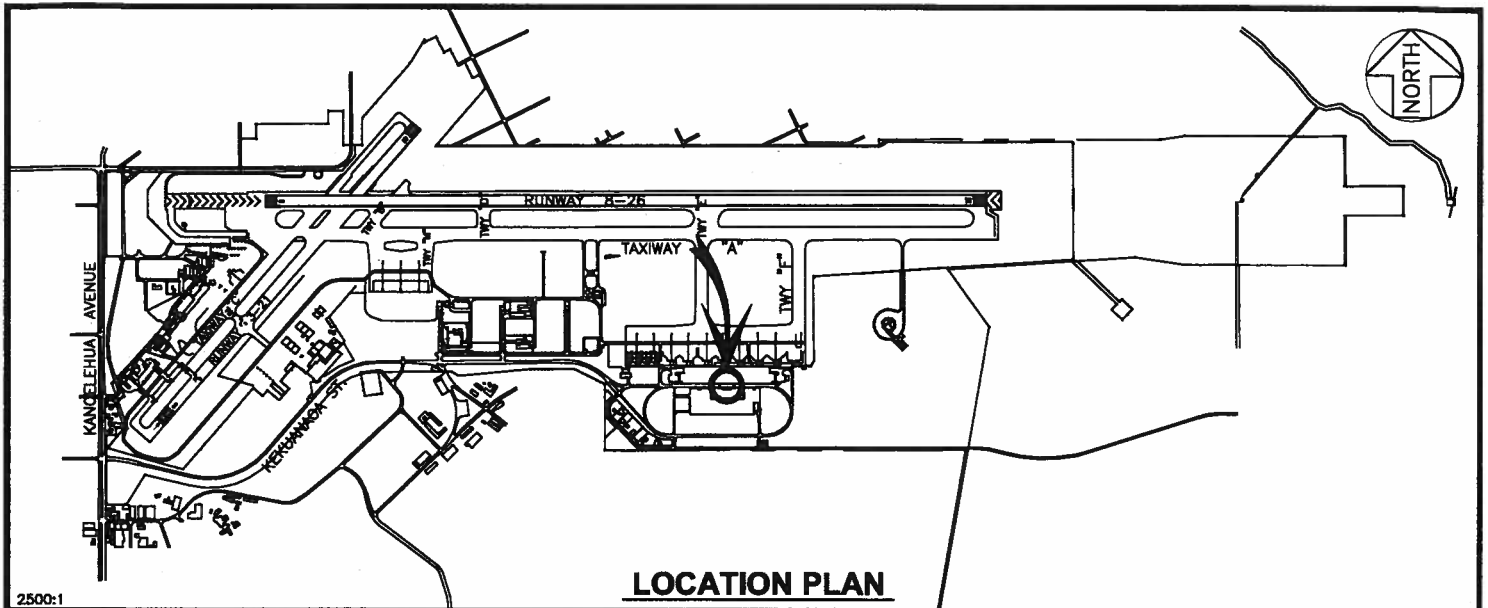


FORD N. FUCHIGAMI
Director of Transportation

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.
Chairperson and Member



DOT-A-10-008 Amendment No. 5

DATE : DECEMBER 2014

EXHIBIT: **H**



Airports Division

TIARE ENTERPRISES, INC.

**BUILDING 307
DEPARTURE TERMINAL
GROUND LEVEL**

**307138A
PLATS C1, 42**

HILO INTERNATIONAL AIRPORT