

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

October 9, 2009

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

PSF No.: 09HD-097

Hawaii

Issuance of Direct Lease to United State of America, Department of Transportation, Federal Aviation Administration for Air Surveillance Radar Facility Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: 3rd/2-1-13: portion of 02.

APPLICANT:

United State of America, Department of Transportation, Federal Aviation Administration, Western-Pacific region, whose business and mailing address is P.O. Box 50109, Honolulu, Hawaii, 96850.

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Waiakea, situated at Waiakea, South Hilo, Hawaii identified by Tax Map Key: 3rd/2-1-13: portion of 02, as shown on the attached map labeled Exhibit A.

AREA:

1.858 acres, more or less for the radar facility.
143.809 acres, more or less for a clear zone easement.

ZONING:

State Land Use District: Agriculture
County of Hawaii CZO: Agriculture (A-5a)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by General Lease No. S-4619.

CHARACTER OF USE:

Operation of an Air Surveillance Radar Facility purposes.

LEASE TERM:

Sixty-five (65) years

COMMENCEMENT DATE:

January 1, 2010.

ANNUAL RENT:

Gratis

PROPERTY CHARACTERISTICS:

Utilities - Electricity, water

Slope - Moderate

Elevation – 100 feet

Rainfall - In excess of 100” annually

SCS Soil Series – Almost bare Pahoehoe

Land Study Bureau – University of Hawaii Study

Legal access to property – Staff has verified that there is access to the property off of Airport Access Road.

Subdivision – Staff has verified that the subject property is a legally subdivided lot.
(*C.S.F. No. 18,823* DAGS Survey Division)

Encumbrances – Staff has verified that the following encumbrances exist on the property:
Encumbered by GL S-4619, United State of America, Department of
Transportation, Federal Aviation Administration

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "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:

Not applicable, applicant is a government agency.

REMARKS:

The area requested for this new lease is currently encumbered under General Lease No. S-4619 to the United State of America, Department of Transportation, Federal Aviation Administration, Western-Pacific region (applicant) for radar surveillance. The request is merely for the renewal of the current lease without any change in its use.

At its meeting of July 27, 1979 under agenda item F-6, the Board authorized the issuance of a direct lease to the applicant covering the subject radar facility and clear zone easement. GL S-4619 was issued as a direct lease to the FAA on January 1, 1980 for a period of 30 years. The purpose of the radar tower is to aid in the navigation of aircraft flying into and out of the General Lyman Field (Hilo International Airport).

At its meeting of September 28, 1979, under agenda item F-3, the Board granted the FAA a construction right-of-entry to the 1.85 acres of land pending the finding of no significant impact (FONSI) from the Environmental Assessment to be published in the OEQC.

The applicant qualifies for direct lease pursuant to the Hawaii Revised Statutes §171-95; Disposition to governments, governmental agencies, and public utilities. (a) Notwithstanding any limitations to the contrary, the Board of Land and Natural Resources may, without public auction:

- (2) Lease to governments, governments agencies, and public utilities, public lands for terms up to, but not in excess of, sixty-five years at such rental and on such other terms and conditions as the Board may determine.

Requests for comments were sent to various government agencies with no objection or negative comments with regards to this request. Staff is therefore recommending that the Board consent to the authorization of a Direct Lease to United State of America, Department of Transportation, Federal Aviation Administration for Air Surveillance Radar Facility Purposes

RECOMMENDATION: That the Board:

1. Find that the public interest demands the issuance of this direct lease to United State of America, Department of Transportation, Federal Aviation Administration, for the operation of an air surveillance radar facility.
2. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a direct lease to United State of America, Department of Transportation, Federal Aviation Administration covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current direct lease document form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Gordon C. Heit
Land Agent



APPROVED FOR SUBMITTAL:

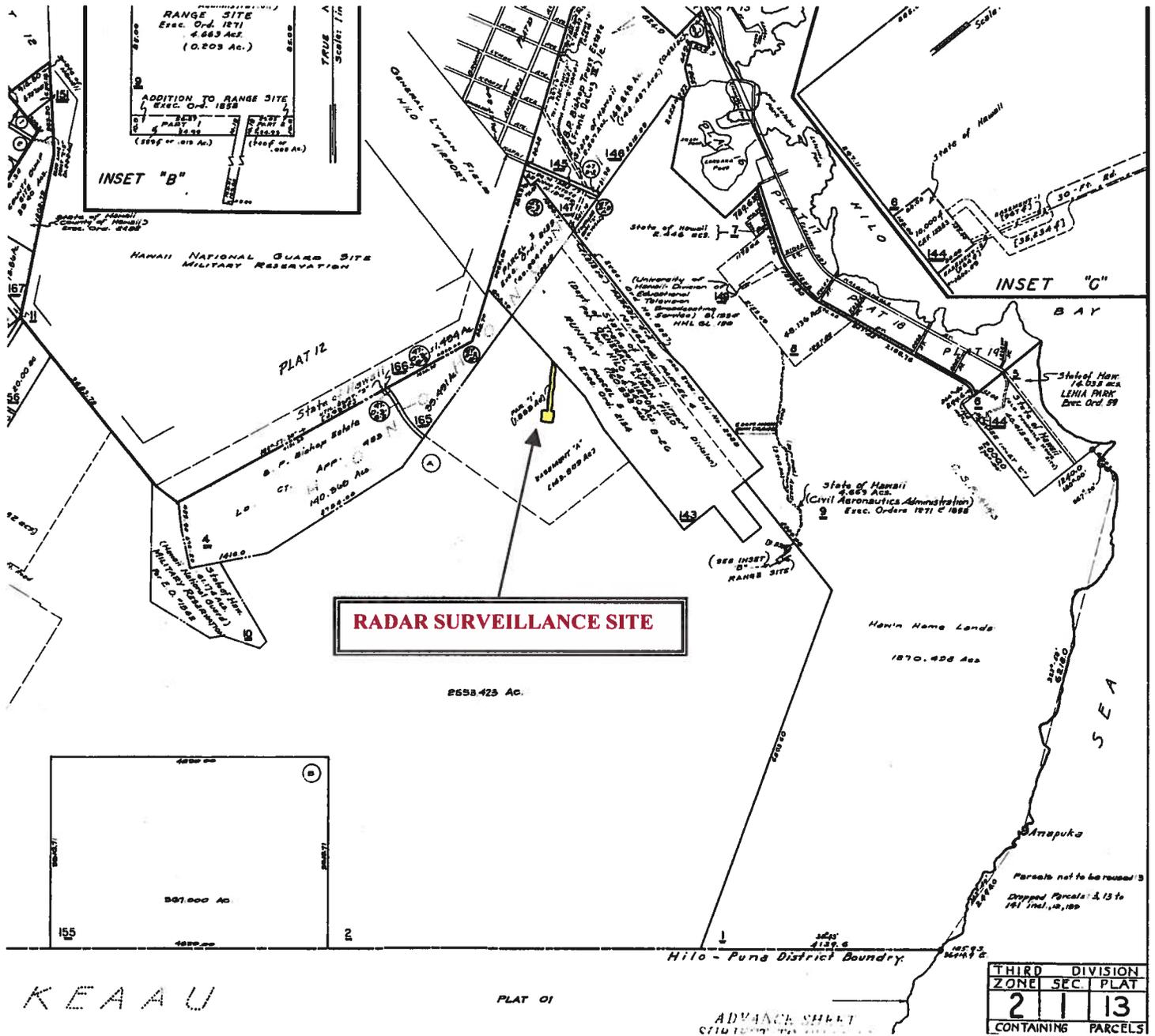


Laura H. Thielen, Chairperson



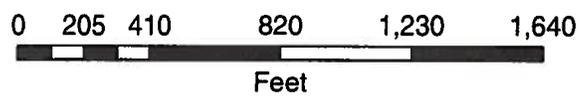
EXHIBIT A

FAA RADAR SURVEILLANCE SITE AT GENERAL LYMAN FIELD



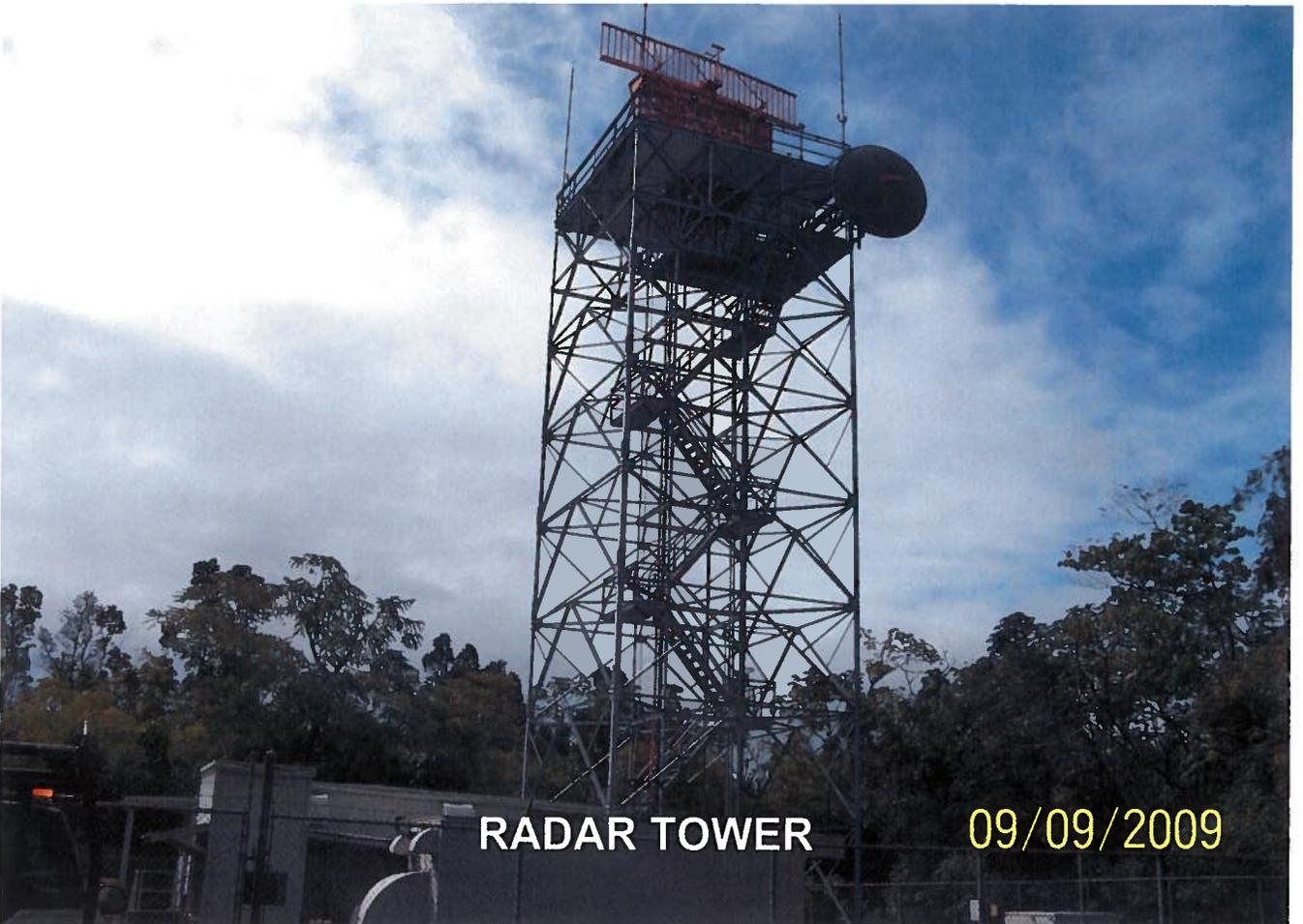
FAA Hilo Airport Radar Site

EXHIBIT A

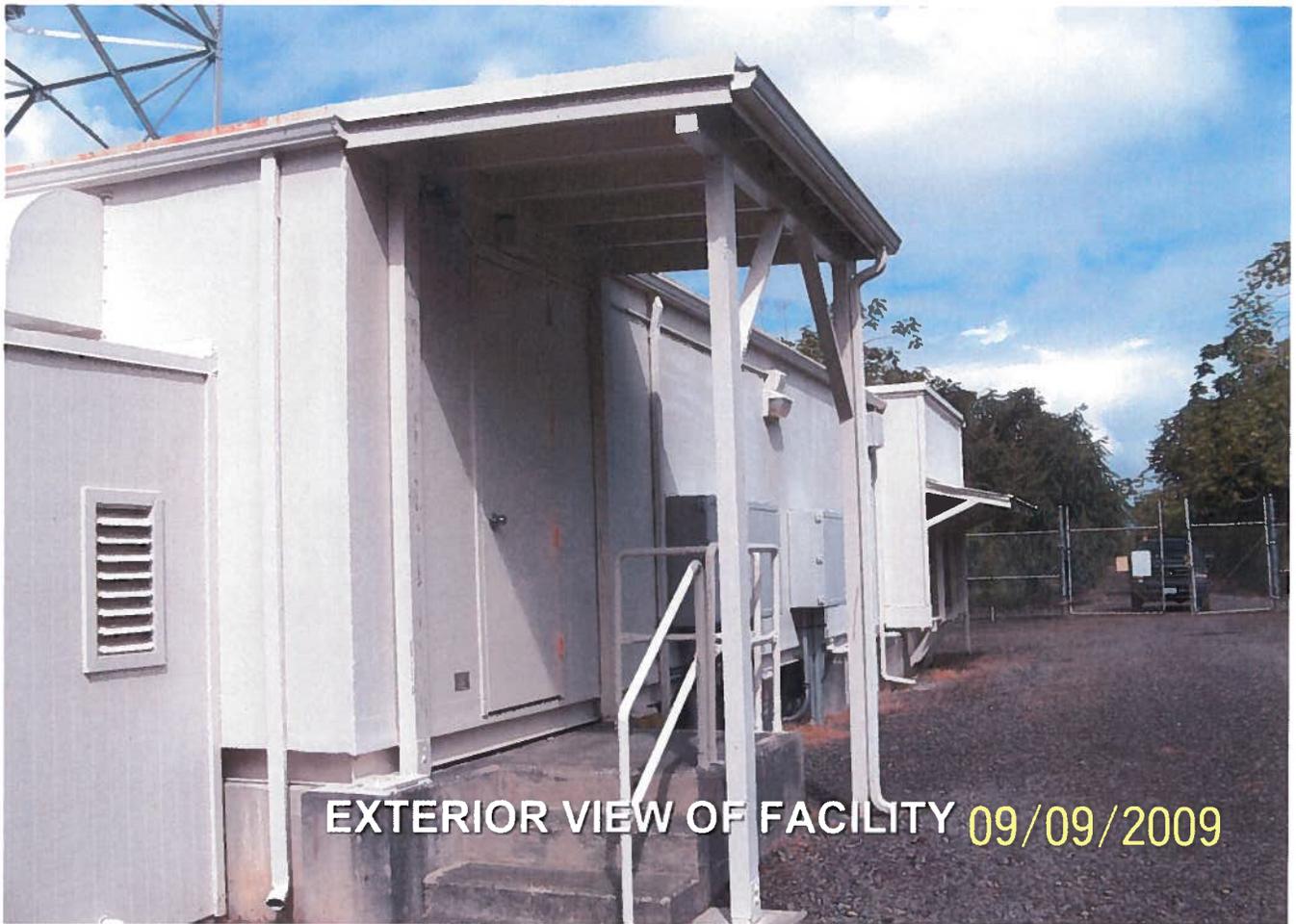




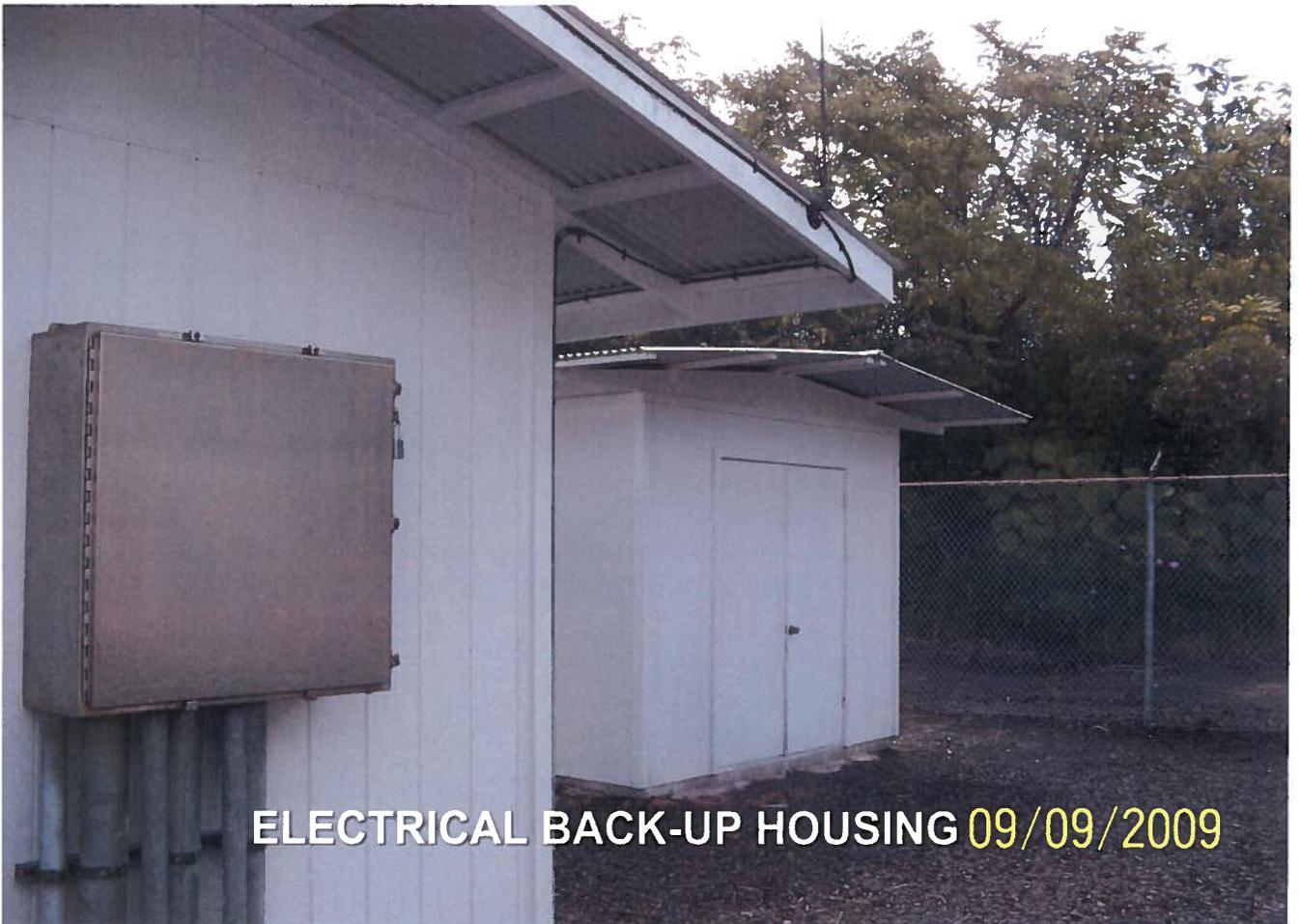
ROADWAY INTO PROPERTY 09/09/2009



RADAR TOWER 09/09/2009



EXTERIOR VIEW OF FACILITY 09/09/2009

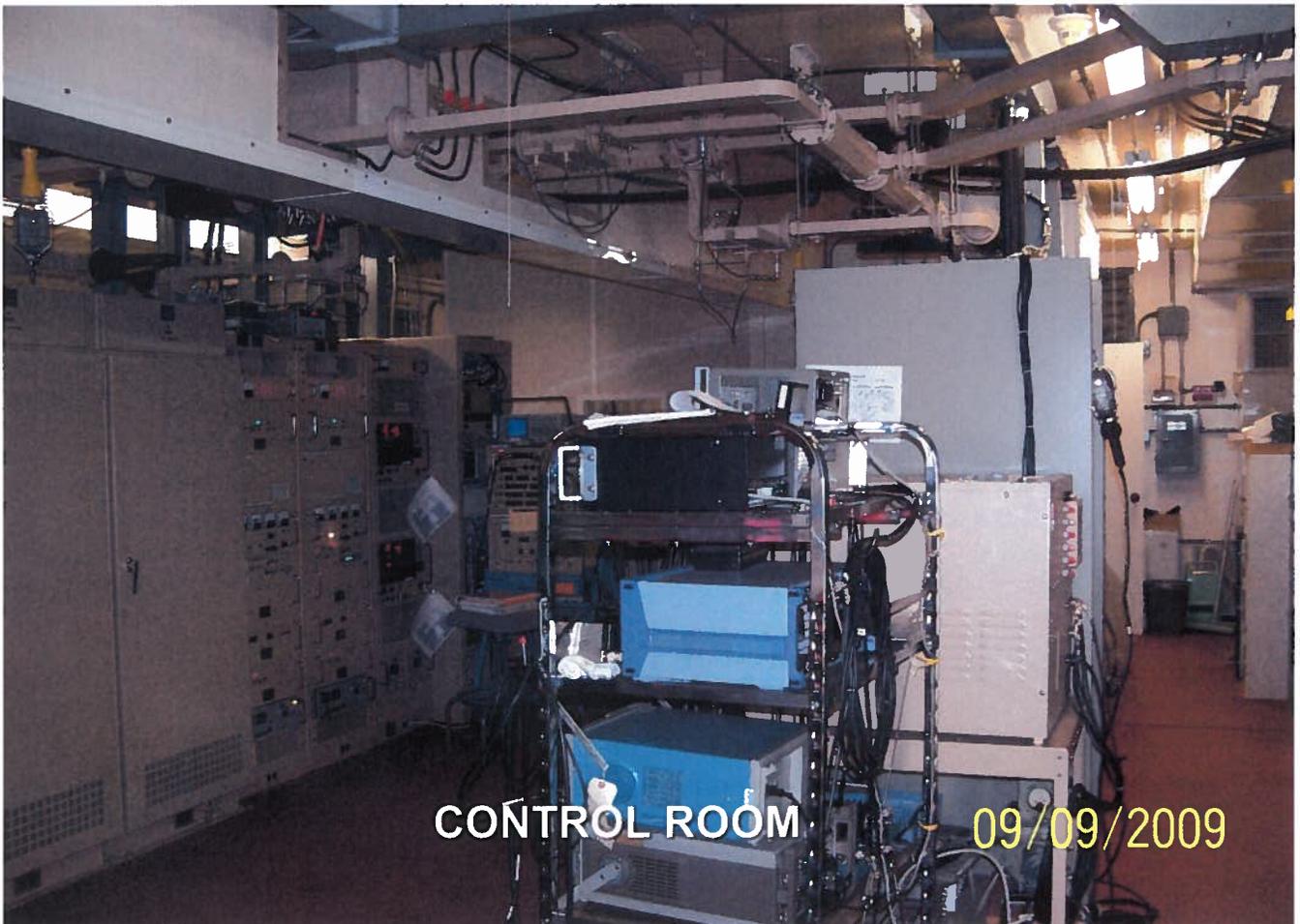


ELECTRICAL BACK-UP HOUSING 09/09/2009



SECURITY FENCE

09/09/2009



CONTROL ROOM

09/09/2009