

Date: November 01, 2013

TO: APPLICANTS FOR DIRECTLY NEGOTIATED LEASES (vs. PUBLIC AUCTIONED LEASES) OF REAL PROPERTY ISSUED BY THE STATE DOTA

FROM: ETHAN TOMOKIYO, PROPERTY MANAGER V, STATE DOTA



SUBJECT: PROCESS AND TIMING TO OBTAIN A DOTA LEASE

1. Make an appointment with the Airports District Manager (ADM) to seek support and approval of your project/development (P/D). Be able to address the following:
 - Who, what, when, where, and why?
 - How does this P/D benefit the DOTA, how does it serve the best interests of the State of Hawaii, and how does it encourage competition?
2. Follow-up with item no. 1. Write a letter to the ADM and reiterate the answers to the questions above.
3. AIR-PM sends a letter to applicant stating the DOTA'S qualifications and asking for information (i.e. POOQ, Stamped Tax Clearance Certificates from the State of Hawaii, and all 4 counties)
4. (@ 4 weeks) AIR-PM reviews, vets and approves applicant's information as described in item no. 3 and seeks approvals from AIR-EP, and AIR-AF. The (@ 3 weeks) presumes HEPA & NEPA approvals are not required by AIR-EP, and the P/D is aligned with the current Airport's Master & Layout Plans. A longer approval time frame is triggered by AIR-EP if these conditions are not met (i.e. if an EA is required. I have experienced a delay of more than one year)
5. (@ 3 weeks) AIR-PM drafts and approves lease for review and approval by State DOAG, LEG-Trans Division
6. (@ 3 weeks) AIR-PM submits and seeks approval of draft of lease as to legal form by LEG-Trans
7. (@ 3 weeks) AIR-PM submits a request to the State Land Board (LB) to approve the disposition by the issuance of a directly negotiated lease [NB:

The State Land Board meets on the 2nd and 4th Fridays in the months of January thru October. For the months of November & December, the LB meets on the 2nd Friday. Land Board submittals are due into the LB Secretary on the Monday, two weeks prior to the date of the LB meeting.)

8. (@ 2 weeks) AIR-PM finalizes the lease and mails it to the applicant, CMRRR, with a 14 days' return date
9. (@ 3 weeks) AIR-PM distributes lease to signatories of the State (DIR, LEG and DLNR)
10. (@ 1 week) AIR-PM sends fully executed lease to lessee, County Tax Office & ADM)

(@ weeks = 19=95 work days=approx. 4.75 months)

References:

- Section 171, Hawaii Revised Statutes
- Section 103-5, DCAB, Hawaii Revised Statutes
- Department of Transportation Staff Manual (DSM)
- Airport Division Procedures (ADP) 7.2 Construction Plans
- ADP 7.6 Development Standards
- ADP 7.7 Commercial Activities
- AIR-E, Tenant Improvement Guidelines (TIG), Vols. I & II (dated 2002)