

DAVID Y. IGE
GOVERNOR



JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

IN REPLY REFER TO:

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

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

HAWAII

ISSUANCE OF MONTH-TO-MONTH PERMIT TO WINTERS RANCH, INC.,
SITUATED AT KAWAIHAE HARBOR, HAWAII, TAX MAP KEY
NO. (3) 6-1-003:034 (P), GOVERNOR'S EXECUTIVE ORDER NO. 1759

LEGAL REFERENCE:

Sections 171-6, 171-13, 171-17, 171-55, and 171-59 Hawaii Revised Statutes (HRS), as amended.

APPLICANT:

Winters Ranch, Inc. (Applicant) is a domestic profit corporation, whose business registration address and mailing address is P.O. Box 2272, Kamuela, Hawaii 96743.

CHARACTER OF USE:

To store chassis and cargo containers discharged from maritime vessels or loaded onto maritime vessels for staging or drayage or cargo in an area outside the secured/regulated premises of Kawaihae Harbor. Area shall not be used as a base yard.

LOCATION:

Portion of governmental lands adjacent to the commercial harbor access road, Kawaihae Harbor, Hawaii, Tax Map Key No. (3) 6-1-003:034 (P), Governor's Executive Order No. 1759, as shown on the attached maps labeled Exhibits A and B.

AREA: See attached Exhibits A and B

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE	RENTAL	SECURITY DEPOSIT
1	Storage of chassis and cargo containers	Open storage on unpaved land	4,800	\$ 0.06	\$ 288.00	\$ 576.00

CONSIDERATION:

Determined by appraisal as of March 20, 2019, for month-to-month permits in Kawaihae Harbor.

ZONING:

State Land Use Commission:	Urban
County of Hawaii:	MG-1a (General Industrial District)

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Subsection 5(b) of Hawaii Admissions Act (Ceded Lands).

CURRENT USE STATUS:

The Applicant currently occupies the premises to store chassis and cargo containers discharged from maritime vessels or loaded onto maritime vessels for staging of drayage of cargo in an area outside the secured/regulated premises of Kawaihae Harbor. Area shall not be used as a base yard.

LAND TITLE STATUS:

Acquired by the Department of Transportation, Harbors Division (DOT Harbors), through eminent domain proceedings; issuance of Governor's Executive Order No. 1759.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This use is exempt from Office of Environmental Quality Control (OEQC) requirements pursuant to Chapter 11-200.1, Hawaii Administrative Rules, "Exemption Class 1: 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." [Reference: Comprehensive Exemption List for the State of Hawaii, Department of Transportation, amended, November 15, 2000.]

Anticipated OEQC Declaration of Exemption publication date of October 8, 2019.

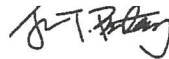
REMARKS:

The DOT Harbors has been reviewing all month-to-month permits to ensure compliance with and applicability of Section 171-55, HRS. To do so, the DOT Harbors is currently in the process of issuing all current month-to-month permits to accurately describe current land usage, designated permit locations as well as updating monthly rental charges to appraised market value.

RECOMMENDATION:

That the Board authorize the DOT Harbors to issue the Applicant a month-to-month permit for the above-stated purpose, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member
Board of Land and Natural Resources

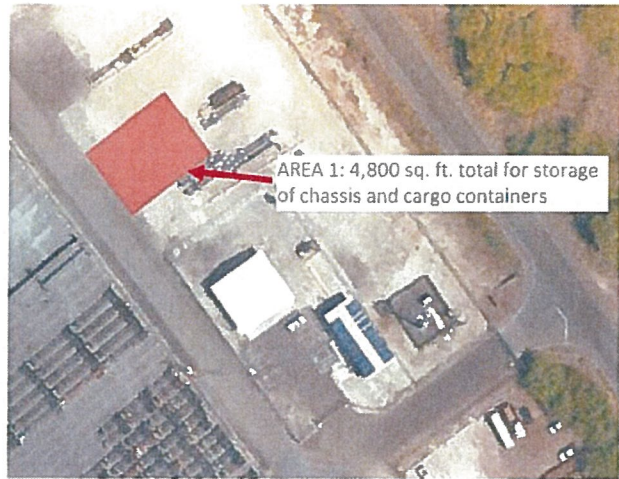
Attachments: Exhibits A and B

Winters Ranch, Inc.
Kawaihae Harbor



EXHIBIT A

Winters Ranch, Inc.
Kawaihae Harbor



AREA	DESCRIPTION	TYPE	DIMENSIONS (ft.)		SQ. FT.
1	Storage of chassis and cargo containers	Open storage on unpaved land	80	60	4,800

