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GOVERNOR



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DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
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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

MAUI

ISSUANCE OF TWO (2) MONTH-TO-MONTH PERMITS TO THE GAS COMPANY Y, LLC, SITUATED ADJACENT TO PIER 2, KAHULUI HARBOR, MAUI, TAX MAP KEY NO. (2) 3-7-010:003 (P), GOVERNOR'S EXECUTIVE ORDER NO. 2635

LEGAL REFERENCE:

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

APPLICANT:

The Gas Company, LLC (Applicant) is a domestic limited liability company whose mailing address is 745 Fort Street, 18th Floor, Honolulu, Hawaii 96813.

CHARACTER OF USE:

Use of non-exclusive subsurface electrical easement for the transmission of electricity and use of non-exclusive subsurface easement for distribution of propane off-loading from barges servicing the Applicant.

LOCATION:

Portion of governmental lands at Pier 2, Kahului Harbor, Maui, Tax Map Key No. (2) 3-7-010:003 (P), Governor's Executive Order No. 2635, as shown on the attached map labeled Exhibit A.

ITEM M-5

AREA: See attached Exhibit A

AREA	DESCRIPTION	TYPE	SQ.FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
I	Electrical Easement	Improved land-paved	999	\$ 0.34	\$ 339.66	\$ 679.32
2	Propane Easemeht	Improved land-paved	1,285	\$ 0.34	\$ 436.90	\$ 873.80
					\$ 776.56	\$1,553.12
					Total Monthly Rental	Total Security Deposit

CONSIDERATION:

Determined by appraisal as of March 20, 2019, for Revocable Permits in Kahului Harbor.

ZONING:

State Land Use Commission: Urban
 County of Maui: M-2, Heavy Industrial

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Public Land Trust Information System (PLTIS) states trust land status as undetermined.

CURRENT USE STATUS:

The Applicant currently uses both non-exclusive subsurface easements. The Department of Transportation, Harbors Division (DOT Harbors), has been reviewing all month-to-month permits to ensure compliance with and applicability to Sections 171-17 and 171-55, HRS. The DOT Harbors is updating the Applicant's permits with cmTent appraised rates and updated permit terms (as applicable).

LAI'D TITLE STATUS:

Acquired by the DOT Harbors, through eminent domain proceedings by issuance of Governor's Executive Order No. 2635.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action is exempt from Office of Environmental Quality Control (OEQC) requirements pursuant to Sub-Chapter 11-200.1, Hawaii Administrative Rules, that exempts the following:

"Exemption Class I: 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."

The DOT Harbors will submit its publication request of this Exemption Notice to the OEQC for publication on the 8th of each month.

REMARKS:

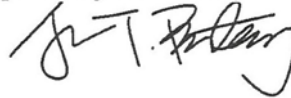
The Applicant has been providing gas for consumers and businesses throughout the State of Hawaii since 1904. The Applicant's primary products are natural synthetic gas and propane which provide clean energy and are cost effective. The Applicant also incorporates the use of liquified natural gas and renewable natural gas which are clean and renewable fuel sources for the State of Hawaii.

Currently, the Applicant has two (2) existing month-to-month permits. The existing month-to-month permits were both issued on February 1, 2008. This submittal will update and renew the month-to-month permits which is compliant with Chapter 171. HRS.

RECOMMENDATION:

That the Board authorize the DOT Harbors to issue the Applicant two (2) month-to-month revocable permits for the above-stated purposes, 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

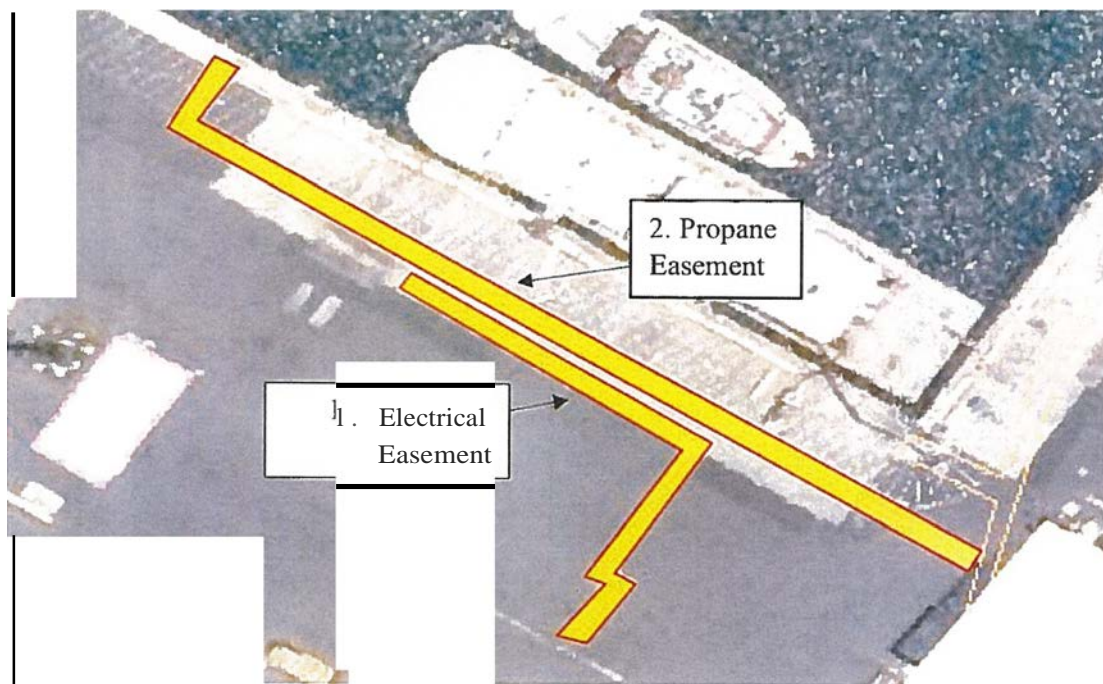
APPROVED FOR SUBMITTAL:

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SU E D. CASE
Chairperson and Member
Board of Land and Natural Resources

Attachment: Exhibit A

Electrical Easement and Propane Easement



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ.FT.
1	Electrical Easement	Improved land-paved	9'	111'	999
2	Propane Easement	Improved land-paved	5'	257'	1,285