



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

MAUI

ISSUANCE OF A MONTH-TO-MONTH REVOCABLE PERMIT TO PAR HAWAII REFINING, LLC, FOR A NON-EXCLUSIVE SUBSURFACE EASEMENT FOR THE DISTRIBUTION OF PETROLEUM FUEL, SITUATED AT PIER 1, KAHULUI HARBOR, MAUI, TAX MAP KEY NO. (2) 3-7-010:028 (P), GOVERNOR'S EXECUTIVE ORDER NO. 2986

LEGAL REFERENCE:

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

APPLICANT:

Par Hawaii Refining, LLC (Applicant), is a domestic limited liability company whose mailing address is 825 Town & Country Lane Suite 1500, Houston, Texas 77024.

CHARACTER OF USE:

Use of non-exclusive subsurface easement for the distribution of petroleum fuel.

LOCATION:

Portion of governmental lands at Pier 1, Kahului Harbor, Maui, Tax Map Key No. (2) 3-7-010:028 (P), Governor's Executive Order No. 2986, as shown on the attached map labeled Exhibit A.

AREA: See attached Exhibit A

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Non-exclusive subsurface pipeline easement for the distribution of petroleum fuel	Improved land-paved	200	\$ 0.34	\$ 68.00	\$ 136.00

\$ 68.00	\$ 136.00
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:

Subsection 5(a) of the Hawaii Admission Act (non-ceded lands).

CURRENT USE STATUS:

The Applicant is currently using the non-exclusive subsurface pipeline kerosene easement. 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 permit with current appraised rates and updated permit terms (as applicable).

LAND TITLE STATUS:

Acquired by the DOT Harbors, through eminent domain proceedings by issuance of Governor's Executive Order No. 2986.

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 1: Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving minor expansion or minor 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 is a limited liability company with headquarters on the island of Oahu and has over 100 retail locations on the islands of Oahu, Maui, and Hawaii. In addition to consumer sales of gasoline and diesel fuel, the Applicant also provides jet fuel and marine fuel to the aviation and maritime industries.

Currently, the Applicant has an existing month-to-month permit. The 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 existing month-to-month permit was issued on February 1, 1985 and the rent is currently \$18.00 per month. This submittal will update and renew the month-to-month permit which is compliant with Chapter 171, HRS.

RECOMMENDATION:

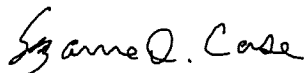
That the Board authorize the DOT Harbors to issue the Applicant a month-to-month revocable permit for the above-stated purposes, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation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

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

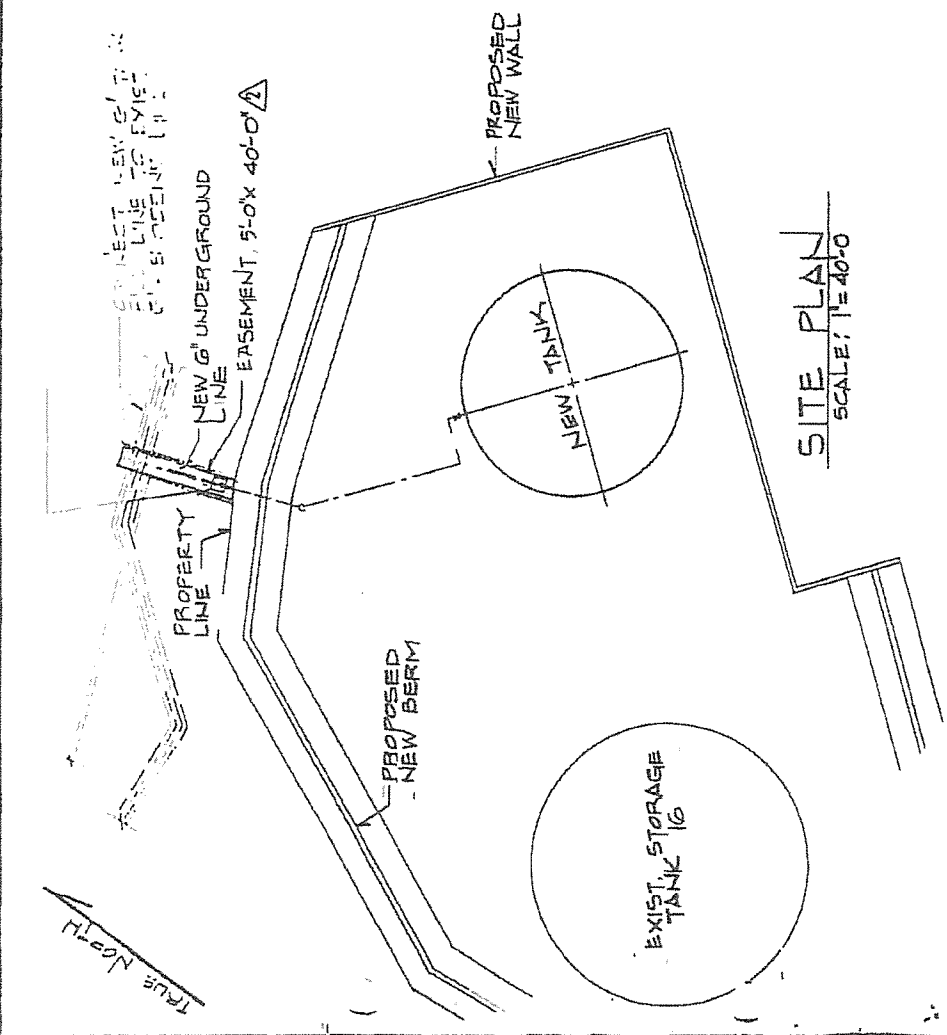
APPROVED FOR SUBMITTAL:



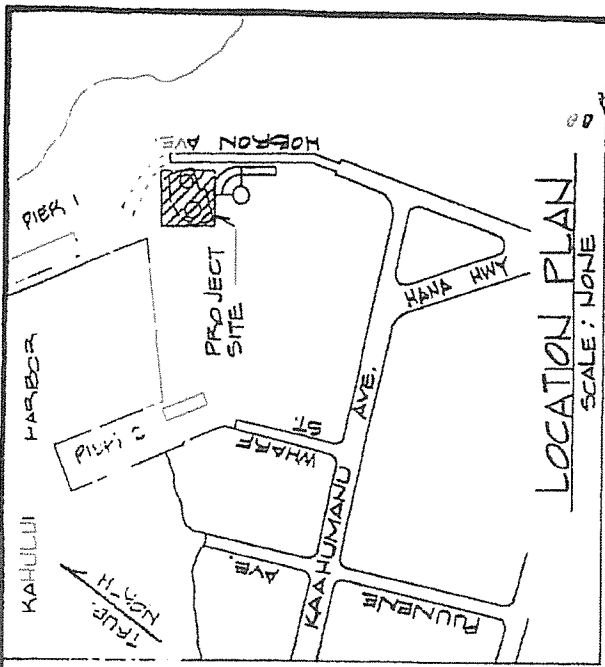
SUZANNE D. CASE
Chairperson and Member
Board of Land and Natural Resources

Attachment: Exhibit A

01000




SITE PLAN
SCALE: 1"=40'-0"



LOCATION PLAN
SCALE: NONE

EXHIBIT 88 A

△ EASEMENT SHOWN


HAWAIIAN INDEPENDENT REFINERY INC.
 a PACIFIC REFINER, INC. COMPANY
 81-200 KOKOPUANA STREET / EVA BEACH / HAWAII 96705
 TELEPHONE (808) 857-4300

MAUI TERMINAL
PROPOSED TIE-IN AND VALVE BOX
FOR HARBORS 6" KEROSENE LINE
LOCATION AND SITE PLAN

DESIGN ENGINEER	SCALE	PROJECT NO.
DATE 10-27-84	NOTED	1044975
DESIGNED BY	EXAMINED BY	REV.
APPROVED	55-C-10	1