



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

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

LANAI

ISSUANCE OF A MONTH-TO-MONTH REVOCABLE PERMIT TO MARINE SPILL RESPONSE CORPORATION, FOR STORAGE OF THEIR VESSEL AND EMERGENCY OIL SPILL RESPONSE EQUIPMENT, SITUATED AT KAUMALAPAU HARBOR, LANAI, TAX MAP KEY NO. (2) 4-9-002:001 (P)

LEGAL REFERENCE:

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

APPLICANT:

Marine Spill Response Corporation (Applicant), is a foreign nonprofit corporation whose mailing address is 220 Spring Street, Ste 500, Herndon, Virginia, 20170.

CHARACTER OF USE:

Use of vessel storage and storage area for emergency oil spill response equipment.

LOCATION:

A portion of governmental lands at Kaumalapau Harbor, Lanai, Tax Map Key No. (2) 4-9-002:001 (P), 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	Storage container of spill response equipment (area under roof)	Improved Land-unpaved	560	\$ 0.09	\$ 50.40	\$ 100.80
2	Storage container of spill response equipment (small white storage container)	Improved Land-unpaved	42	\$ 0.09	\$ 3.78	\$ 43.20

\$ 54.18	\$ 108.36
Total Monthly Rental	Total Security Deposit

CONSIDERATION:

Determined by appraisal as of March 20, 2019, for Revocable Permits in Kaunalapau 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:

Trust land status unavailable in Public Land Trust Information System (PLTIS).

CURRENT USE STATUS:

The Applicant assumed ownership of equipment from the previous permittee, Clean Island Council, and is currently occupying the premises. 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:

Pending set aside by Governor's Executive Order to the Department of Transportation, Harbors Division as approved by the Board of Land and Natural Resources at its meeting held on June 23, 2000, item K-3. Acquisition of Kaunalapau Harbor via Agreement re Condemnation of Kaunalapau Harbor, Island of Lanai, effective July 10, 2000, between the Director of Transportation ("State"), Castle & Cooke, Inc. and Lanai Company, Inc. ("Owners").

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 the largest oil spill removal organization in the United States. They provide emergency response to oil spills of all sizes and also have equipment available for oil spill prevention and mitigation if needed. The Applicant provides trained personnel, equipment, and other resources to respond to oil spills, and mitigate damage to the environment. The Applicant also provides ongoing training exercises which are tailored to their customers' specific needs.

RECOMMENDATION:

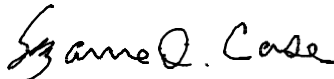
That the Board authorizes the DOT Harbors to issue the Applicant a month-to-month revocable permit for the above-stated purposes, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation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



DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
Storage container of spill response equipment (area under the roof)	Improved Land-unpaved	20'	28'	560
Storage container of spill response equipment (small white storage container)	Improved Land-unpaved	7'	6'	42

