



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

HAWAII

ISSUANCE OF MONTH-TO-MONTH REVOCABLE PERMITS TO
IES DOWNSTREAM, LLC, FOR ANCILLARY AND NON-EXCLUSIVE PIPELINE
EASEMENTS FOR FOUR (4) SUBSURFACE PETROLEUM PIPELINES FOR FUEL
BARGES AT HILO HARBOR, ISLAND OF HAWAII, TAX MAP KEY
NO. (3) 2-1-009: 007(P), GOVERNOR'S EXECUTIVE ORDER NO. 3962

LEGAL REFERENCE:

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

APPLICANT:

IES Downstream, LLC ("Applicant"), is a foreign limited liability company, whose
business registration address and mailing address is 91-480 Malakole Street, Kapolei,
Hawaii 96707.

CHARACTER OF USE:

For ancillary to existing underground petroleum pipeline easement and for non-exclusive
pipeline easement for four (4) subsurface pipelines for distribution of petroleum products
to and from fuel barges in Hilo Harbor.

LOCATION:

Portions of government lands, situated at Hilo Harbor, Island of Hawaii, Tax Map Key
No: (3) 2-1-009: 007(P), as shown in the attached Exhibit A.

AREA: See attached Exhibit A.

AREA	DESCRIPTION	TYPE	SQ FT	RATE	TOTAL	SECURITY DEPOSIT
1	Ancillary to existing underground petroleum pipeline easement	Improved land-paved	1,050	\$0.20	\$ 210.00	\$420.00
2	Non-exclusive pipeline easement for four (4) subsurface pipelines for distribution of petroleum products to and from fuel barges in Hilo Harbor	Improved land-paved	6,945	\$0.15	\$ 1,041.75	\$2,083.50

\$ 1,251.75	\$ 2,503.50
TOTAL RENTAL	TOTAL SECURITY DEPOSIT

CONSIDERATION:

Determined by appraisal as of January 1, 2021, for revocable permits in Hilo Harbor, Island of Hawaii.

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 the Hawaii Admission Act (ceded lands).

CURRENT USE STATUS:

The Applicant currently has existing month-to-month permits that occupy portions of Piers 3 and 4, Hilo Harbor, Hawaii, for ancillary to existing underground petroleum pipeline easement and for non-exclusive pipeline easement for four (4) subsurface pipelines for distribution of petroleum products to and from fuel barges in Hilo Harbor. 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. DOT Harbors is updating the Applicant's permit with current appraised rates and updated permit terms (as applicable).

LAND TITLE STATUS:

Governor's Executive Order No. 3962 for Commercial Maritime, Marine, and Associated Purposes, to be under the control and management of DOT Harbors.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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

Currently, the Applicant has an existing month-to-month permit for ancillary to existing underground petroleum pipeline easement and for non-exclusive pipeline easement for four (4) subsurface pipelines for distribution of petroleum products to and from fuel barges in Hilo Harbor. DOT Harbors is in the process of renewing all current revocable permits to accurately describe land usage, designated permit locations, as well as updating monthly rental charges to appraised market value.

This submittal will update and renew the month-to-month permit which is compliant with Chapter 171, HRS.

RECOMMENDATION:

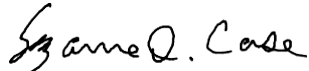
That the Board authorizes the DOT Harbors to issue the Applicant month-to-month revocable permits for the above-stated purposes, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation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

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



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

Att.: Exhibit A

