

JOSH GREEN, M.D.  
GOVERNOR



EDWIN H. SNIFFEN  
DIRECTOR

Deputy Directors  
DREANALEE K. KALILI  
TAMMY L. LEE  
ROBIN K. SHISHIDO

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

IN REPLY REFER TO:

HAR-PM.0001557.23

May 12, 2023

Ms. Dawn N. S. Chang, Chairperson  
Board of Land and Natural Resources  
Kalanimoku Building  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

Dear Ms. Chang:

MAUI

Request for authorization to issue two month-to-month Revocable Permits (RP) to Hawaii Stevedores, Inc., for two office trailers with customer area and area for a storage container, situated at Kahului Harbor, island of Maui, Tax Map Key (TMK) Nos. (2) 3-7-010:006 (P) and (2) 3-7-008:002 (P), Governor's Executive Order No. 2986.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 171-6, 171-11, 171-13, 171-17, 171-55, and 171-59.

APPLICANT:

Hawaii Stevedores, Inc. (Applicant), is a domestic profit corporation whose mailing address is 1601 Sand Island Parkway, Honolulu, Hawaii, 96819.

CHARACTER OF USE:

Applicant's use of space is for two office trailers with customer area and area for a storage container at Kahului Harbor, island of Maui.

LOCATION:

Portion of Governmental lands at Kahului Harbor, island of Maui, TMK Nos. (2) 3-7-010:006 (P) and (2) 3-7-008:002 (P), Governor's Executive Order No. 2986, as shown on the enclosed maps labeled Exhibit A1 and A2.

ITEM M-9

AREA: See enclosed Exhibit A1 and A2

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Office Trailer with customer area and storage container	Warehouse	3,250	\$1.57	\$5,102.50	\$10,205.00
2	Office Trailer	Improved Land-paved	494	\$0.57	\$281.58	\$563.16
					<b>\$5,384.08</b>	<b>\$10,768.16</b>
					<b>Total Monthly Rental</b>	<b>Total Security Deposit</b>

CONSIDERATION:

Month-to-month rent determined by appraisal as of June 1, 2022, for RP 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 states Trust Land status for TMK No. (2) 3-7-010:006 (P), is Subsection 5 (a) of the Hawaii Admission Act (non-ceded) and TMK No. (2) 3-7-008:002 (P), is acquired after Statehood (non-ceded).

CURRENT USE STATUS:

The area is currently occupied by the Applicant.

LAND TITLE STATUS:

TMK No. (2) 3-7-008:002 (P) was acquired via State acquisition and pending set aside by Governor's Executive order to the Department of Transportation, Harbors (DOTH), and TMK No. (2) 3-7-010:006 (P) was acquired by DOTH, through eminent domain proceedings by issuance of Governor's Executive Order No. 2986.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This use is exempt from the Office of Planning and Sustainable Development, and Environmental Review Program requirements pursuant to Hawaii Administrative Rules (HAR), Sub-Chapter 11-200.1, that exempts the following: “Exemption Type 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 DOTD deems the action as de minimis and exempts it from the preparation of an exemption notice in accordance with HAR, Sub-Chapter 11-200.1-16 (b). The exemption declaration for the action described above, is based on the Exemption List for the DOTD, reviewed and concurred to by the Environmental Advisory Council on February 1, 2022, is as follows:

Exemption Type 1, Part 1:

- No. A1. “Repair or maintain office buildings, office space, sheds, parking structures, warehouses, utility systems, aircraft aprons and hardstands, hangars, tunnels and other similar structures or facilities necessary for the continued function and use, and to meet current Local, State and Federal standards and regulations.”
- No. B2. “Temporary storage and staging of equipment and materials on State lands as necessary to support exempted and planned repair or maintenance activities.”

Exemption Type 8, Part 1:

- No. 8g. “Creation or extension of Leases, RP or Easements involving negligible or minor expansion or change of use beyond that previously existing.”

REMARKS:

The Applicant provides stevedoring and Marine terminal services at many commercial Harbors in Hawaii. The Applicant has been doing business in the Islands under its current name since 1984 and has been operating in Hawaii for over a century.

Currently, the Applicant has an existing month-to-month RP for two office trailers to support its stevedoring and Marine terminal business. The DOTD has been reviewing all month-to-month RP to ensure compliance with and applicability to HRS, Sections 171-17 and 171-55.

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RECOMMENDATION:

Based on this submittal, testimony and facts presented, the Department of Transportation recommends that the Board finds that approving the issuance of two month-to-month RP to the Applicant, including its conditions and rent, will serve the best interest of the State.

Sincerely,



EDWIN H. SNIFFEN  
Director of Transportation

APPROVED FOR SUBMITTAL:



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DAWN N. S. CHANG, Chairperson

Enclosures

**Area 1 – Office Trailer with customer area and storage container**



AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
1	Office Trailer with customer area and storage container	Warehouse		3,250





Area 2 – Office Trailer



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
2	Office Trailer	Improved Land-paved	19'	26'	494

