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GOVERNOR



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

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IN REPLY REFER TO:

HAR-PM.0001989.23

September 1, 2023

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

Dear Ms. Chang:

OAHU

Request for Authorization to issue a month-to-month Revocable Permit (RP) to Pacific Environmental Corporation, for container storage of spill response gear for emergency pollution response and environmental remediation, situated at Pier 4, Kalaeloa Barbers Point Harbor, island of Oahu, Tax Map Key (TMK) No. (1) 9-1-014:024 (P), Governor's Executive Order No. 3383

LEGAL REFERENCE:

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

APPLICANT:

Pacific Environmental Corporation (Applicant) is a domestic profit corporation whose mailing address is 65 North Nimitz Highway, Pier 14, Honolulu, Hawaii 96817.

CHARACTER OF USE:

For container storage of spill response gear for emergency pollution response and environmental remediation for both public and private sectors.

LOCATION:

Portion of Government lands at Pier 4, Kalaeloa Barbers Point Harbor, island of Oahu, TMK No. (1) 9-1-014:024 (P), as shown on enclosed Exhibit A.

**ITEM M-12**

ZONING:

State Land Use Commission: Urban  
City and County of Honolulu: I-3 (Waterfront Industrial District)  
P-2 (General Preservation District)

AREA: See enclosed Exhibit A

AREA	TAX MAP KEY NO.	DESCRIPTION	TYPE	SQ. FT.	RATE	RENTAL	SECURITY DEPOSIT
1	(1) 9-1-014:024 (P)	Container storage of spill response gear.	Improved Land - unpaved	320	\$ 0.30	\$ 96.00	\$ 192.00
						<b>\$ 96.00</b>	<b>\$ 192.00</b>
						<b>Total Monthly Rental</b>	<b>Total Security Deposit</b>

CONSIDERATION:

Month-to-month rent determined by appraisal as of January 1, 2021, for RPs in Kalaeloa Barbers Point Harbor, island of Oahu.

LAND TITLE STATUS:

Governor's Executive Order No. 3383 for piers and shoreside facilities purpose, to be under the control and management of the State of Hawaii, Department of Transportation (HDOT).

TRUST LAND STATUS:

Public Land Trust Information System lists status as multiple for TMK No. (1) 9-1-014:024 (P).

CURRENT USE STATUS:

The Applicant currently occupies portions of Pier 4 of Kalaeloa Barber Point Harbor, island of Oahu, for container storage of spill response gear to support the Applicant's emergency spill response and environmental remediation operation. The HDOT has been reviewing all month-to-month RPs to ensure compliance with and applicability to HRS, Sections 171-17 and 171-55. The HDOT is updating the Applicant's permit with current appraised rates and updated permit terms as applicable.

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), Subchapter 11-200.1, which 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 HDOT deems the action as de minimis and exempts it from the preparation of an exemption notice in accordance with HAR, Subchapter 11-200.1-16 (b). The exemption declaration for the action described above, based on the Exemption List for the HDOT, reviewed and concurred to by the Environmental Advisory Council on February 1, 2022, is as follows:

Exemption Type 1, Part 1:

- 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, revocable permits or easements involving negligible or minor expansion or change of use beyond that previously existing.”

REMARKS:

The Applicant is an emergency response clean-up contractor specializing in oil spill response, preventative booming, subsurface oil recovery, hazardous materials response and tank cleaning, inspection and repair. The Applicant was the Pacific’s first commercial operator dedicated to oil spill clean-up and has been a participant in almost every major spill clean-up in the Pacific since 1985. The Applicant acts as a source for environmental response and remediation, providing equipment supplies and staff expertise from the Hawaii Headquarters Office and performs and manages response activities from marine oil spills to “Level A” chemical spill response clean-ups.

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RECOMMENDATION:

Based on this submittal, testimony, and facts presented, the HDOT recommends that the Board finds that approving the issuance of a 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 – Oil Spill Response Gear Storage**



Area 1 – 320 square feet of improved unpaved land.

DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
Container storage of spill response equipment	Improved - Unpaved Land	8'	40'	320



Area 1 – Container storage of spill response equipment.