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DEPARTMENT OF TRANSPORTATION
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IN REPLY REFER TO:

HAR-PM.0002098.23

October 6, 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 Healy Tibbitts Builders, Inc., for a storage yard for marine construction equipment, materials, supplies, trade fixtures, and other items accessory to a marine construction business, situated at Pier 9, Kalaeloa Barbers Point Harbor (KBPH), island of Oahu, Tax Map Key Nos. (1) 9-1-014:024 (P) and (1) 9-1-014:037 (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:

Healy Tibbitts Builders, Inc. (Applicant) is a foreign profit corporation whose mailing address is 1550 Mike Fahey Street, Omaha, Nebraska 68102.

CHARACTER OF USE:

For use as a storage yard for marine construction equipment, materials, supplies, trade fixtures and other items accessory to a marine construction business.

LOCATION:

Portion of Government lands at Pier 9, KBPH, island of Oahu, Tax Map Key Nos. (1) 9-1-014:024 (P) and (1) 9-1-014:037 (P), as shown on enclosed Exhibit A.

ITEM M-4

ZONING:

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

AREA: See enclosed Exhibit A

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE	RENTAL	SECURITY DEPOSIT
1	Storage yard for marine construction equipment, materials, supplies, trade fixtures and other items accessory to a marine construction business.	Unpaved-Unimproved Land	118,000	\$ 0.20	\$ 23,600.00	\$ 47,200.00

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Total Monthly Rental	Total Security Deposit

CONSIDERATION:

Month-to-month rent determined by appraisal as of January 1, 2021, for RPs in KBPH.

LAND TITLE STATUS:

Governor's Executive Order No. 3383 for piers and shoreside facilities purposes, 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.

CURRENT USE STATUS:

The Applicant currently occupies portions of Pier 9 of KBPH, island of Oahu, for use as storage yard for marine construction equipment materials, supplies, trade fixtures and other items accessory to a marine construction business. 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. B1. “Repair or maintain vehicles, trucks, vessels, machinery, maintenance and construction equipment, and other similar equipment necessary to support operations.”
- 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 a leader in marine construction, pile-driving and deep-shoring systems in Hawaii since 1963. The Applicant’s areas of expertise include the construction of piers, wharves and offshore structures and the installation of submarine pipelines and cables. The Applicant specializes in dredging, transportation, marine heavy lifts, and bulk stevedoring.

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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:



DAWN N. S. CHANG, Chairperson

Enclosures

Area 1 – Storage Yard



DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
Storage yard for marine construction equipment, materials, supplies, trade fixtures and other items accessory to a marine construction business	Unpaved, Unimproved Land			118,000