

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'ŌKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
ROBIN K. SHISHIDO

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

January 10, 2024

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 approval to proceed with acquiring lands for Honolulu Harbor, island of Oahu, State of Hawaii, Department of Transportation (HDOT), for public purpose; and delegate to the Chairperson of the Board of Land and Natural Resources (BLNR) the authority to initiate work to acquire the lands for final Board approval.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 171-6, 171-10, 171-11, 171-17, 171-30, 171-31, 171-55, and 171-95, as amended.

APPLICANT:

State of Hawaii, Department of Land and Natural Resources (DLNR), for the HDOT, whose mailing address is 869 Punchbowl Street, Honolulu, Hawaii 96813.

CHARACTER OF USE:

For the movement of commercial cargo, piers and facilities, support services for the loading, off-loading, handling of overseas and inter-island cargo, and related maintenance of cargo equipment within the HDOT commercial harbors located at Honolulu Harbor.

LOCATION:

Honolulu Harbor, island of Oahu. Lands located makai of North Nimitz Highway. Specifically, the 1.97-acre property located at 855 North Nimitz Highway, Honolulu, Hawaii 96817, identified as Tax Map Key No. (1) 1-5-035:006 and currently owned by Hawaiian Electric Company, Inc. (HECO), as shown on the enclosed map labeled Exhibit A.

ITEM M-10

Ms. Dawn N. S. Chang, Chairperson
January 10, 2024
Page 2

ZONING:

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

CONSIDERATION:

To be determined by appraisal pursuant to HRS, Section 171-30, or price pursuant to HRS, Chapter 101.

LAND TITLE STATUS:

To be acquired by the BLNR through the DLNR and eminent domain proceedings with transfer of the management of the lands to the HDOT by Governor's Executive Order.

TRUST LAND STATUS:

Private property (to be acquired by the State of Hawaii), non-ceded lands.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Upon approval by the BLNR that the acquisition serves a public purpose, the HDOT will initiate and conduct an environmental assessment for the use of public funds regarding the proposed acquisition of the 1.97-acre property to ensure compliance with HRS Chapter 343.

REMARKS:

The BLNR has the exclusive responsibility to acquire land, if required by the State for public purposes as provided within HRS, Section 171-30. The DLNR, on behalf of HDOT, is requesting the BLNR to approve the DLNR and the HDOT to proceed with acquiring the subject property for public purposes as stated herein; and to delegate to the Chairperson of the BLNR the authority to initiate work to acquire the lands for final Board approval.

The acquisition provides for the HDOT to consolidate harbor lands to support cargo operations, accommodate temporary tenant relocations as the HDOT re-builds its harbors to address sea level rise, and other harbor improvements to its aged facilities. As presented in the Honolulu Harbor 2050 Master Plan (November 2022), Piers 31-33 is planned as a Multi-Purpose Cargo Terminal and is valuable as a deep-water pier. The HECO property is at the corner of Nimitz Highway and the entrance to Piers 31-33. The acquisition would improve circulation of cargo movements entering the piers and support Harbors continued interest in purchasing lands from the Airports. The Airport lands would provide cargo moving westward access to the traffic signal located at the Nimitz Highway and Alakawa intersection and exit from the Piers 31-33 cargo yard for west-bound cargo (See BLNR Ref. No. 180D-133, January 11, 2019). The sale of the 1.97-acre HECO property presents a rare opportunity to consolidate Piers 31-33 cargo yard and eventually alleviate traffic associated with cargo entering and departing the Piers 31-33 area.

Currently, Piers 31-33 can service vessels with vessel drafts of about 35 feet. By expanding the cargo yard, the HDOT can better service higher capacity vessels.

Ms. Dawn N. S. Chang, Chairperson
January 10, 2024
Page 3

With 85 percent of the cargo imported into the State and 95 percent of all imported consumer goods being shipped to Hawaii through the commercial harbors, the acquisition of the property will provide the HDOT with the ability to expand cargo capacities and improve cargo movement into and out of the terminals.

Upon receiving the BLNR approval and approval from the Governor, the Director of Transportation will proceed with the acquisition, the HDOT will prepare its allotment request to obtain Governor's approval through the Department of Budget and Finance to finance the acquisition as needed. Following the guidance of the DLNR, the HDOT will conduct the due diligence to include and not limited to an Environmental Assessment, environmental surveys such as a Phase I Environmental Site Assessment and other hazardous material surveys, as applicable; and pay for: (1) the real property appraisal pursuant to HRS, Section 171-30; (2) survey maps and descriptions according to the Department of Accounting and General Services standards; (3) obtain a title report; removing encumbrances or deed provisions subject to the Department of Attorney General's review and approval; (4) obtain any title insurance if required, subject to the review and approval by the DLNR; (5) obtain prior to the acquisition all necessary entitlements (e.g., land use, county zoning, etc.) as may be required; (7) conveyance taxes, if applicable, or insure that the seller is appropriately charged, and provide conveyance tax certifications necessary to record the conveyance documents; (8) and, all fees provide closing instructions to an escrow agent, if used, and provide the BLNR with the final settlement statements.

RECOMMENDATION:

Based on this submittal, testimony, and facts presented, the DLNR on behalf of the HDOT recommends that the Board approve the DLNR and the HDOT to proceed with acquiring lands as it serves a public purpose and supports cargo movements at Honolulu Harbor and delegate to the Chairperson of the BLNR the authority to initiate work to acquire the lands for final Board approval, under the terms and conditions cited above and other terms and conditions, as may be prescribed by the Director of Transportation, will serve the best interest of the State.

Sincerely,



EDWIN H. SNIFFEN
Director of Transportation

APPROVED FOR SUBMITTAL:



DAWN N. S. CHANG, Chairperson

Enclosures

Waikiki

Central Business District

Chinatown

Honolulu Harbor

Dole Cannery

855
N. Nimitz Hwy



855
N. Nimitz Hwy
Honolulu, Hawaii 96817

**FEE SIMPLE
PROPERTY FOR SALE**

CONTACT US

William Froelich (B), JD, SIOR, CCIM*

Industrial Services Division

Lic# RB-21658

808 523 9711

william.froelich@colliers.com

*FFFM, LLC. Exclusively contracted to Colliers International HI, LLC

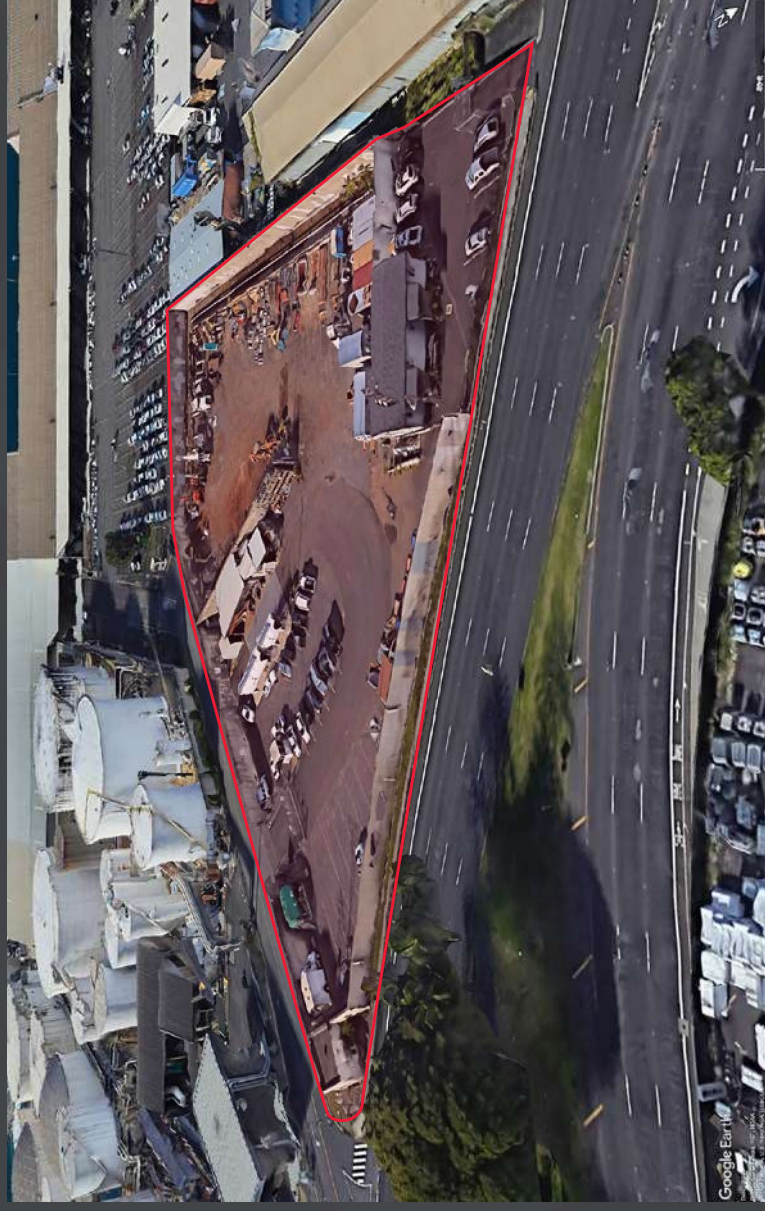


Fee Simple Industrial Parcel on N. Nimitz Highway

Generational opportunity to purchase 1.97 acres of fee simple I-3 zoned land fronting Nimitz Highway in Iwilei, Hawaii. This level and secure raw land parcel is located directly across the street from Lowes and near some of Costco and Home Depot's busiest locations in North America.

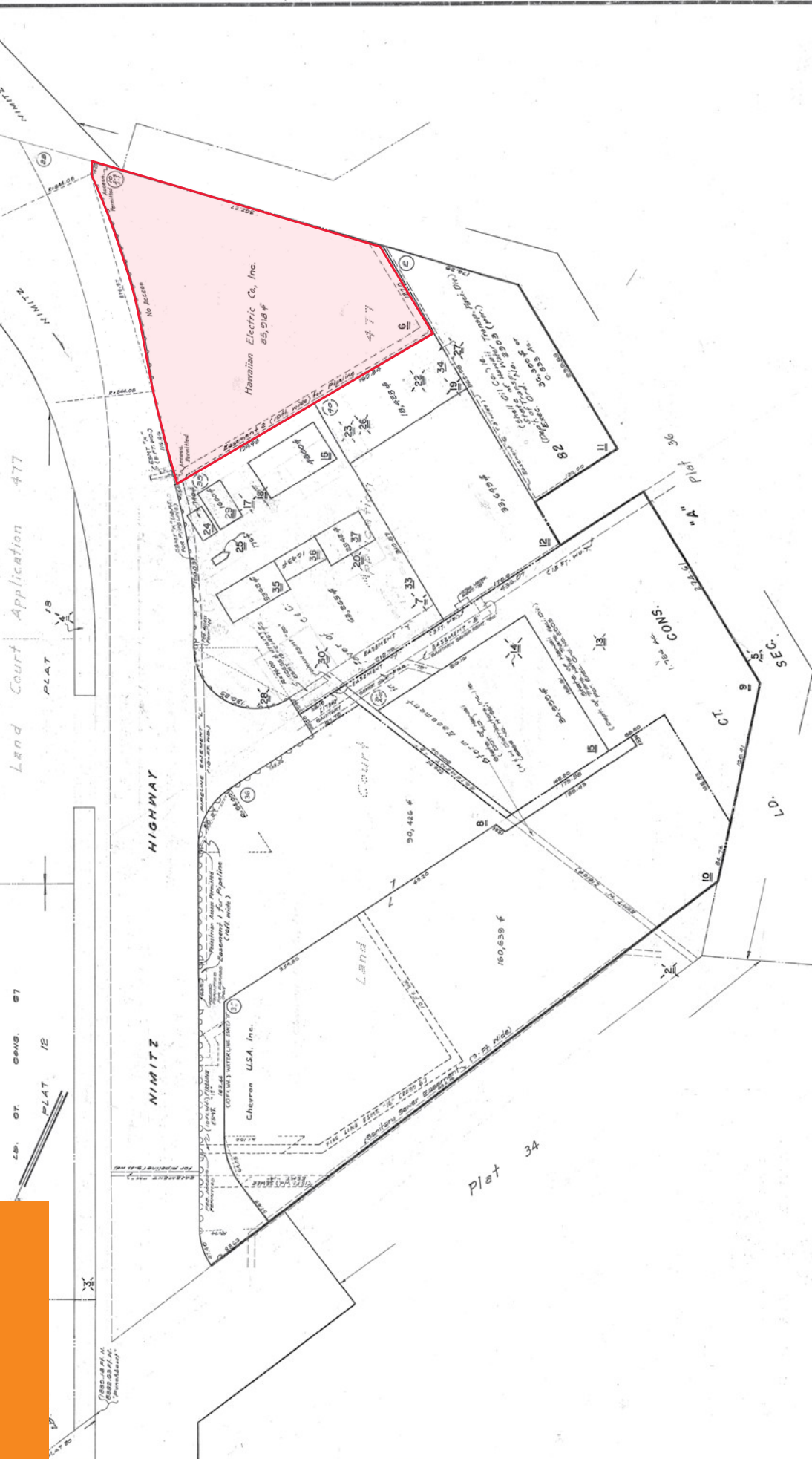
Property Information

Area	Iwilei
TMK Number	1-1-5-35-6
Purchase Price	Submit Offer
Tenure	Fee Simple
Land Size	1.97 Acres
Zoning	I-3



1 5 35

PARCEL MAP



DROPPED PARCELS: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

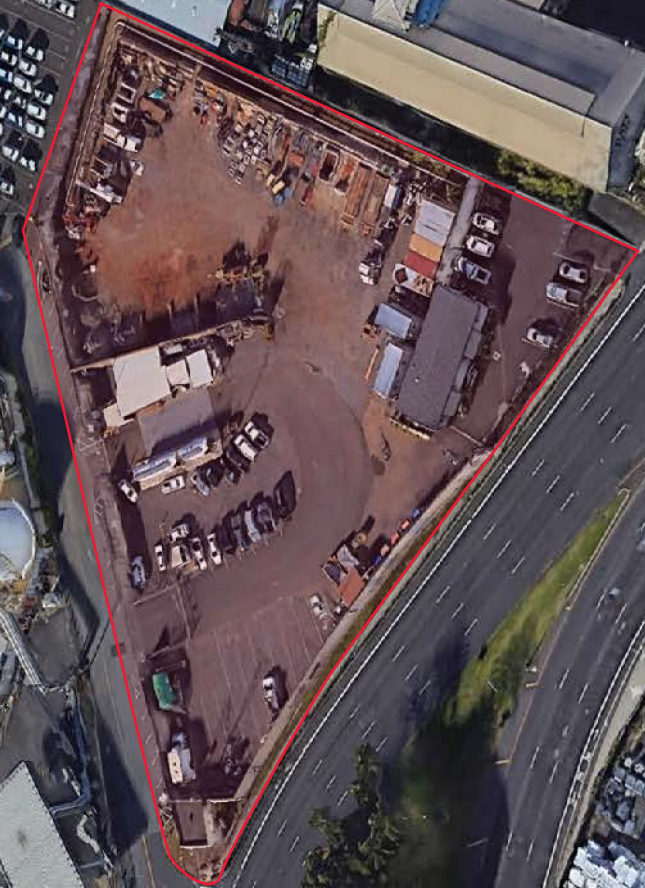
FIRST DIVISION	1	5	35
CONTAINING PARCELS	1	5	35
Scale: 1 in. = 60 ft.			

ADVANCE SHEET
SUBJECT TO CHANGE

REPLATED

Dwg. No. 288
 By: T.A.E. KEC, A.S.C.E.
 Source: Public Works, 2/22/99-011
 Appr. by: _____
 Revised by: _____
 Appr. by: _____

AERIAL



Central Business District
1.7 Miles
8 Min Drive

Honolulu Harbor
0.5 Miles
4 Min Drive

CONTACT US

William Froelich (B), JD, SIOR, CCIM*

Lic# RB-21658

808 523 9711

william.froelich@colliers.com

*FFFM, LLC, Exclusively contracted to Colliers International HI, LLC

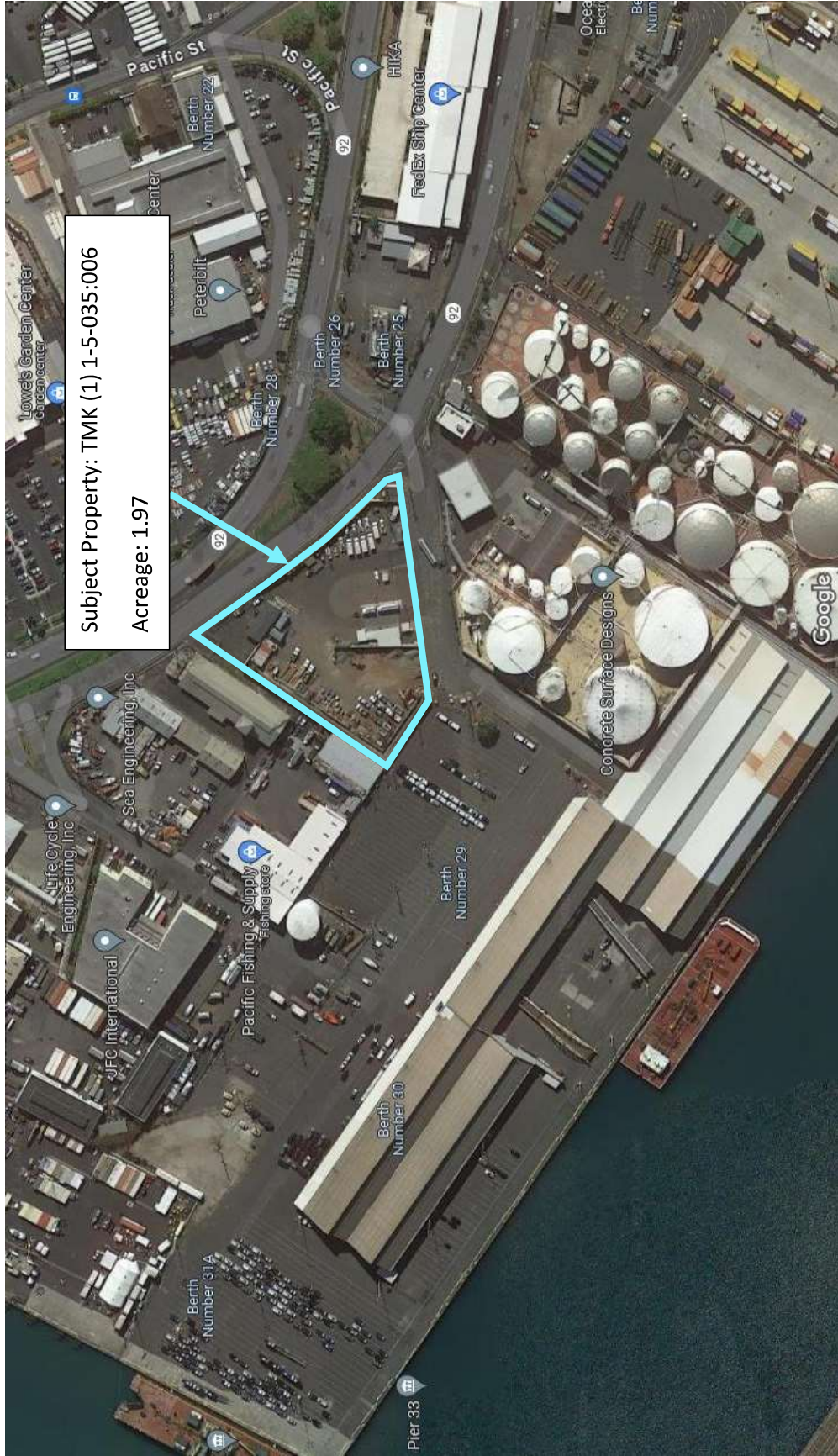


220 S. King Street, Suite 1800
Honolulu, Hawaii 96813
808 524 2666
colliers.com

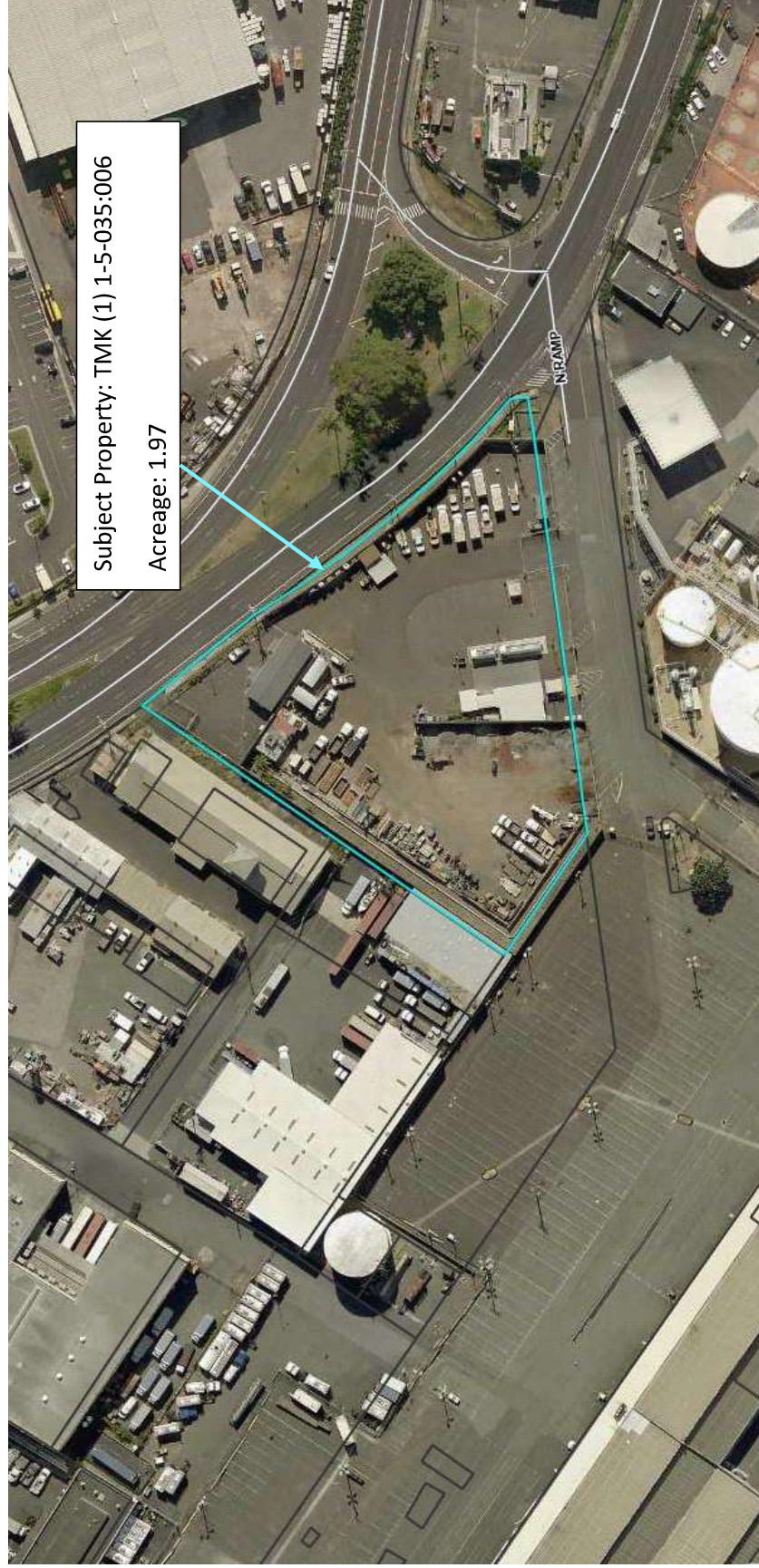
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**Hawaiian Electric Company, Inc.
Pier 30, Honolulu Harbor**

EXHIBIT B



Subject Property: TMK (1) 1-5-035:006
Acreage: 1.97



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

January 11, 2019

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

Ref No. 18OD-133

Oahu

Cancellation of Governor's Executive Order No. 3953 issued to the Department of Transportation and Re-set Aside to Department of Transportation Harbors Division for Harbors Related Purposes; Iwilei, Honolulu, Oahu, Tax Map Key: (1) 1-5-035:010.

APPLICANT:

Department of Transportation, Harbors Division ("DOT-Harbors").

LEGAL REFERENCE:

Sections 171-11 and -55, Hawaii Revised Statutes ("HRS"), as amended.

LOCATION:

Government lands of Iwilei, Honolulu, Oahu, Tax Map Key: (1) 1-5-035:010 (**Exhibit 1A and 1B**).

AREA:

160,639 square feet, more or less.

ZONING:

State Land Use District: Urban

City and County of Honolulu LUO: I-3 Waterfront Industrial District

TRUST LAND STATUS:

Section 5 (b) lands of the Hawaii Admission Act.

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Governor's Executive Order No. 3953, setting aside 160,639 sq. ft. to the Department of Transportation, Airports Division ("DOT-Airports") for airport related purposes.

PURPOSES OF SET-ASIDE:

Harbors Related Purposes.

CHAPTER 343- ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Item No. 43 that states "transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order". See **Exhibit 2**.

REMARKS:

On April 21, 1993, by Quitclaim Deed filed in the Bureau of Conveyances, as Document No. 2024227, Chevron U.S.A. Inc., conveyed to the State of Hawaii, Lot 35, with an area of 160,639 square feet. The area was subsequently set aside to DOT-Airports Division by Executive Order No. 3953 (EO 3953), issued on October 29, 2002 for airport related purposes.

On April 27, 2018, under agenda Item M-4, the Board authorized the issuance of a revocable permit for space for freight forwarding, warehousing and trucking operation to Honolulu Freight Service for a period of six (6) months. The Board also asked DOT to return in three (3) months for a report on the following issues. DOT's responses¹ are shown below in italics following the questions.

Q. Progress of request for authorization to go to public auction or report back, for these reasons DOT does not think public auction is the way to go for this property

At the April 27, 2018 BLNR meeting, the Harbors Administrator learned that an Airports Division's tenant, Honolulu Freight Trucking, Inc. (also Honolulu Freight Service- Trade Name) located at Pier 33, did not have a lease. Honolulu Freight Trucking, Inc.'s land disposition was a month to month permit (Revocable Permit). Without a long-term lease or entitlements to the property and Honolulu Freight having only a Revocable Permit, the circumstances provided the Harbors Division with an

¹ DOT provided its responses through an email dated December 4, 2018.

*opportunity to purchase the property from the Airports Division. The Harbors Division needs an improved access to Nimitz Hwy for westward cargo as provided in its response to DLNR's request for comments regarding the proposed transfer of lands from Airports to Highways, see **Exhibit 3A** (by memo dated August 22, 2018, i.e. access, expansion of cargo yards etc.). Therefore, having a public auction would be detrimental to the Harbors Division's expansion and future plans.*

Q. Answer the questions how long the tenant has been using the building.

As far as the Airports Division can determine, Honolulu Freight has been using the Building (the building in question (Building 185) since 2015. In reviewing three Revocable Permits, the tenants [Sherman Enterprises, Inc, DBA City Wide Transportation Co., Revocable Permit 5758 (July 28, 1999), [Sherman Enterprises, Inc, DBA City Wide Transportation Co., Revocable Permit 5804 (October 11, 2000), and Honolulu Freight Service, Revocable Permit 6593 (January 11, 2007), there is no record of either Sherman Enterprises, Inc. or Honolulu Freight Service, having agreed to rent Building 185.

During 2015, Airports Division observed Honolulu Freight Service using the Building 185. Upon their findings, the Airports Division revised the rental amount to reflect a building rate for and therefore should pay for Building 185 (later renumbered and identified as Building 298). There was no other evidence of prior use.

Q. DOT proposal to collect back rent for that time period the tenant has been using the building.

As answered above, the Airports Division observed the tenant using the space during 2015 inspection of the Honolulu Freight property. Since 2015, the Airports Division addressed the issue with Honolulu Freight Service and the tenant is paying for the building 185. From January 1, 2015 – September 30, 2017, the Airports Division increased the monthly rent to include Building 185 from \$49,063.89/per month to \$75,019.24/per month. Effective October 1, 2017, the rental rates were revised again to \$89,856.53/per month.

None of the Revocable Permits have the tenants, past and current, agreeing to rent Building 185. There is no evidence of prior use nor can the Airports Division determine use of Building 185 prior to 2015. As stated above, the Airports Division addressed the issue with Honolulu Freight that they should pay for the use of Building 185; and increased the monthly rent to include the Building 185 from \$49,063.89/per month to \$75,019.24/per month. Effective October 1, 2017, the rental rates were revised again to \$89,856.53/per month.

By its request dated October 17, 2018 (**Exhibit 3A**), the Department of Transportation requested the cancellation of EO 3953 and reset aside of the same parcel to DOT-Harbors. The proposed transfer to DOT-Harbors will facilitate a more efficient access to and from the Honolulu Harbor, which is constantly undergoing expansion.

DOT-Airports is under the oversight of the Federal Aviation Administration (FAA) Airport Compliance Program (Order 5190.6B, 2009) which stipulates property not used to directly support aviation operations may be sold at fair market value, subject to FAA approval. As such, the Airports Division has agreed to work with the Harbors Division on the release conditions, subject to receiving appropriate FAA and other Government agency approval.

DOT-Harbors has provided an expanded response for comments as **Exhibit 3B**. The area to be re-set aside to Harbors Division will provide for future expansion of the cargo yard to support vessel operations at Piers 31-33. The area will also be developed to provide an access route to Nimitz Highway for West-bound cargo traffic to utilize the intersection of Nimitz Highway and Alakawa Street.

In addition, Board of Water Supply has no objection to the request and concurs to the proposed environmental assessment exemption declaration. Department of Planning and Permitting and Office of Hawaiian Affairs have not responded as of the suspense date.

Staff understands DOT-Harbors is negotiating with DOT-Highways in securing the access over the adjoining State parcel further identified as TMK (1) 1-5-034:026, which is not part of the subject request.

DOT-Harbors requests issuance of a management right-of-entry pending issuance of the requested executive order.

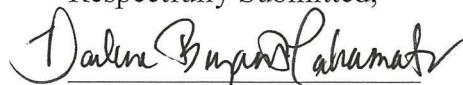
There are no pertinent issues or concerns, and staff does not have any objection to the request.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore, exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor issuance of an executive order canceling Governor's Executive Order No. 3953 and subject to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;


- C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject State land to the Department of Transportation, Harbors Division, under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
- A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
4. Authorize the issuance of a management right-of-entry permit to the Department of Transportation, Harbors Division covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
- A. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time; and
 - B. Such other terms and conditions as may be described by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

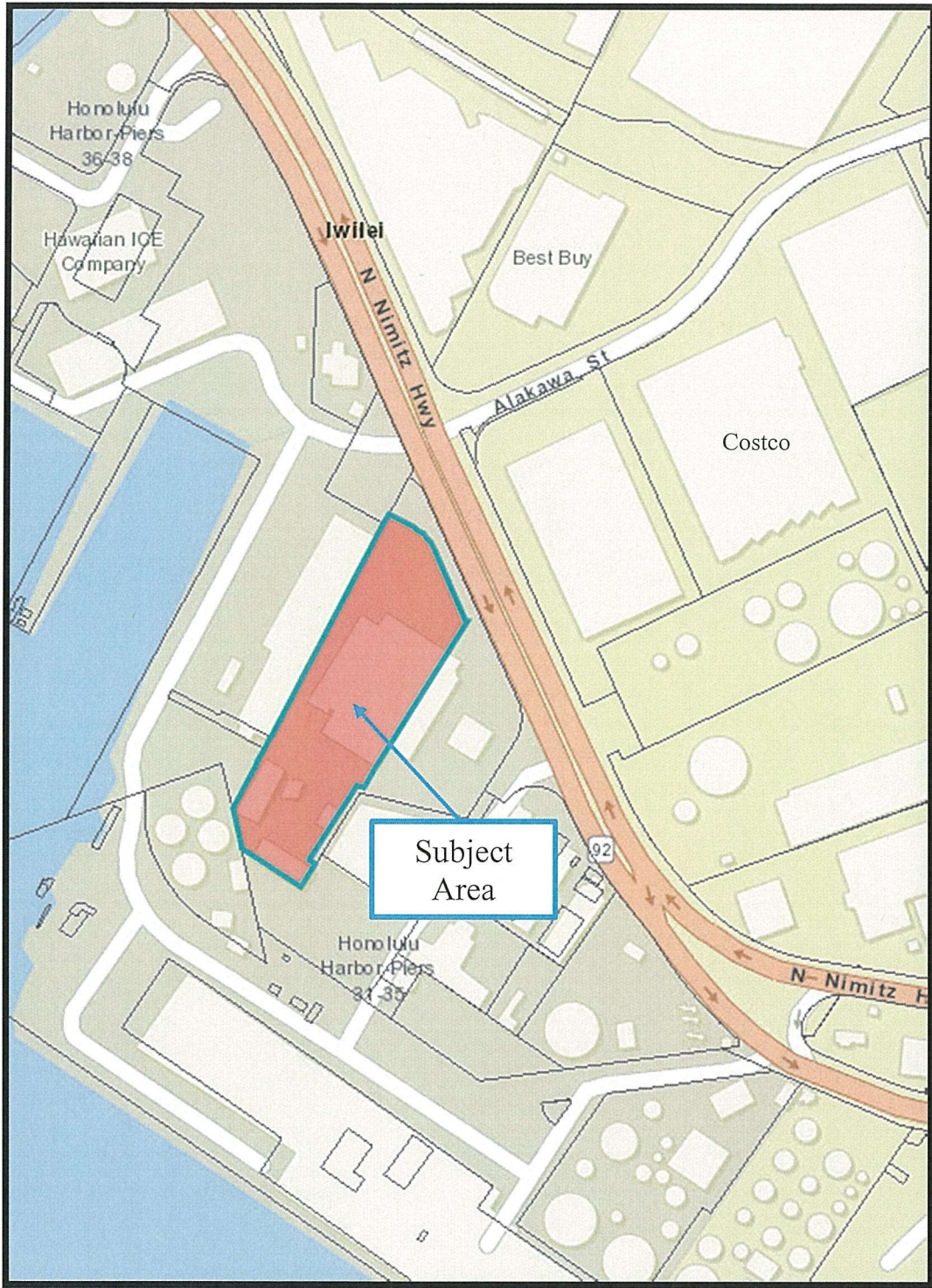


Darlene Bryant-Takamatsu
Land Agent

APPROVED FOR SUBMITTAL:

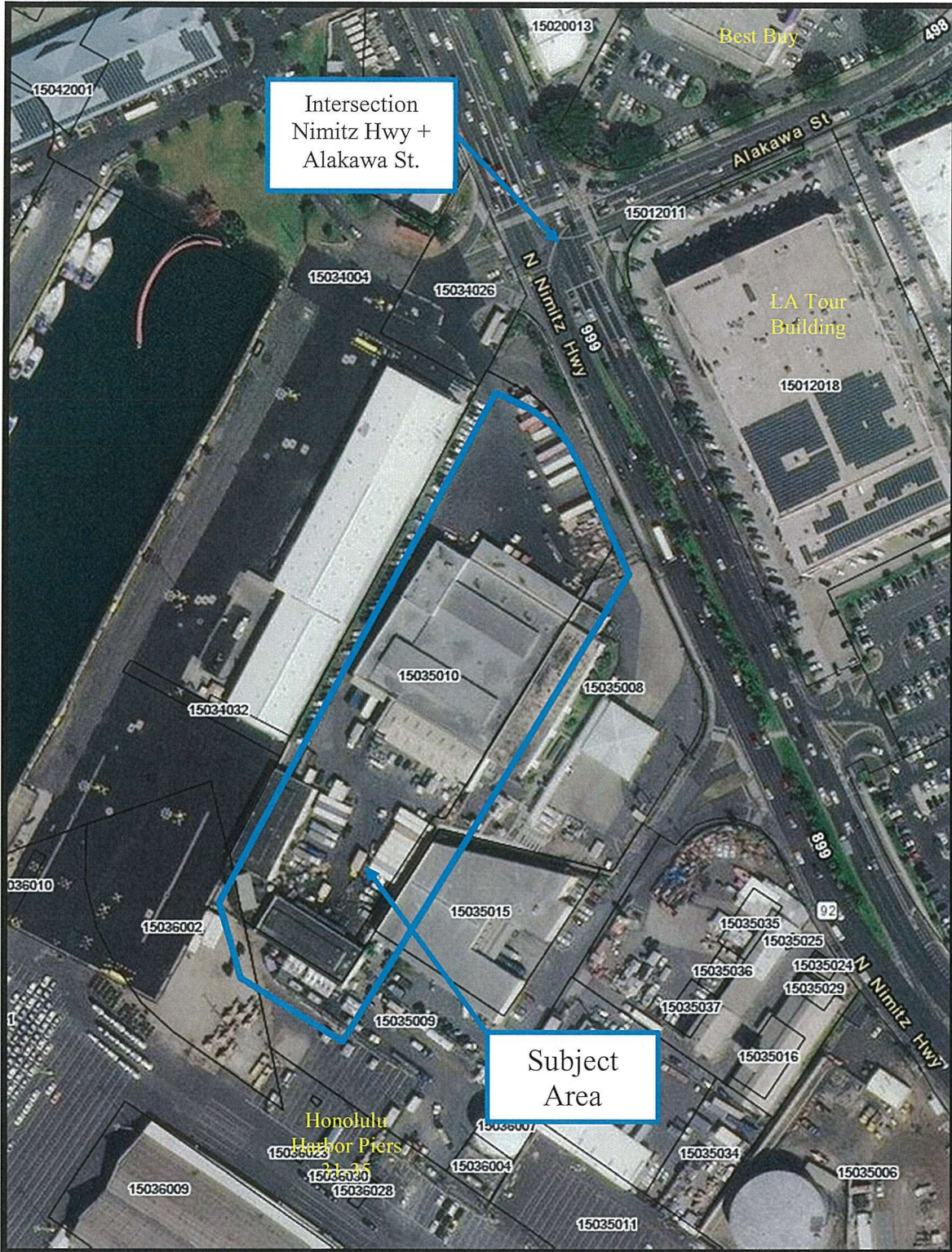


Suzanne D. Case, Chairperson



TMK: (1) 1-5-035:010

EXHIBIT 1A



TMK: (1) 1-5-035:010

EXHIBIT 1B

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Re-set aside of State land to the Department of Transportation Harbors Division.

Project / Reference No.: PSF 18OD-133

Project Location: Iwilei, Honolulu, Oahu, Tax Map Key: (1) 1-5-035:010

Project Description: To re-set aside land for Department of Transportation, Harbors Division, for Harbor related purposes.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Item No. 43 that states "transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order".

Cumulative Impact of Planned Successive Actions in Same Place Significant: No, being that this request is pertaining to a transfer of controlling and management authority from within the Department of Transportation. Staff believes that the request would involve negligible expansion or change in use of the subject area beyond previously existing.

Action May Have Significant Impact on Particularly Sensitive Environment: The requested area is in a heavily used Industrial area. Staff is not aware of any particularly sensitive environmental issues and use of the area would involve negligible change from what is existing.

Consulted Parties Agencies as noted in the submittal.

EXHIBIT 2

Analysis: The analysis factors are the proposed transfer of controlling and management authority within the Department of Transportation and negligible expansion or change in use of the subject area beyond previously existing. Taking these two factors into consideration staff believes there would be no significant impact to sensitive environmental or ecological receptors.

Recommendation: That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

DAVID Y. IGE
GOVERNOR



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

October 17, 2018

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
AIR-PM
18.0767

TO: THE HONORABLE SUZANNE CASE, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

FROM: JADE T. BUTAY
DIRECTOR OF TRANSPORTATION

SUBJECT: TRANSFER OF TMK (1) 1-5-035:10, 3.53 ACRES,
FROM AIRPORTS DIVISION TO HARBORS DIVISION

RECEIVED
LAND DIVISION
2018 OCT 19 AM 10:30

The Airports Division and Harbors Division of the State of Hawai'i, Department of Transportation, have requested and received approval to transfer property near Pier 35 from the Airports Division to Harbors Division (see attached memo dated 8/22/18).

Also attached is a tentative schedule which has the following anticipated dates: (1) completion of appraisal by end of November 2018, (2) prepare and execution of a transfer agreement by end of 2019, (3) request to the Land Board for approval of cancellation of existing DOT-Airports' EO and re-set aside to DOT-Harbors, (4) DLNR to process issuance of the executive orders, (5) submit formal request to FAA for approval for the release of the parcel from the Airports' inventory, and (6) FAA approval is anticipated in September/October 2019.

In light of the above, the Airports Division requests the Board rescind the timetable approved for Item M-4 of the Friday, April 27, 2018 meeting to allow the transfer of the property and its subsequent use for maritime purposes.

Attachments

RECEIVED
2018 OCT 18 AM 10:31
DEPT. OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

EXHIBIT 3A

**State of Hawaii
Department of Transportation
MEMORANDUM**

Dep A 18.0151
DEP-H 7119.19

Date: August 22, 2018

TO: ROSS HIGASHI
DEPUTY DIRECTOR OF TRANSPORTATION
AIRPORTS DIVISION

THRU: JADE BUTAY
DIRECTOR OF TRANSPORTATION

FROM: DARRELL T. YOUNG
DEPUTY DIRECTOR OF TRANSPORTATION
HARBORS DIVISION

SUBJECT: REQUEST TO ACQUIRE TMK (1) 1-5-35:10, 3.53 ACRES, HONOLULU
FREIGHT SERVICE, 933 N. NIMITZ HWY, HONOLULU, HAWAII 96817

The Harbors Division is requesting your concurrence to acquire the above land located near Pier 35 and adjacent to Piers 31-33, Honolulu Harbor, Oahu, Hawaii. The Harbors Division understands that the land is currently under a month to month (revocable permit) and, without an aeronautical related purpose, the Board of Land and Natural Resources would require the Airports to auction the disposition of the land.

About five years ago, the Harbors Division sought an easement through the subject property to provide access to the traffic light at the intersection of Nimitz Highway and Alakawa Street. The acquisition of the subject property would benefit future expansion of the cargo yards to support vessel operations at Piers 31-33.

If you agree to the Harbors request for the acquisition, please acknowledge your concurrence in the space provided below.

() CONCUR () DO NOT CONCUR



ROSS HIGASHI
Deputy Director of Transportation
Airports Division

9/5/18
DATE

DAVID Y. IGE
GOVERNOR

RECEIVED
LAND DIVISION
OCTOBER 7 2018



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HARBORS DIVISION
79 S. Nimitz Hwy., Honolulu, Hawaii 96813-4898

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
RS 19.0154
HAR 3133.19

October 31, 2018

TO: DARLENE BRYANT-TAKAMATSU, LAND AGENT
DEPARTMENT OF LAND AND NATURAL RESOURCES

THRU: JADE T. BUTAY,
DIRECTOR OF TRANSPORTATION *Jade T. Butay*

DARRELL T. YOUNG
DEPUTY DIRECTOR, HARBORS DIVISION *Darrell T. Young*

FROM: DAVIS K. YOGI, HARBORS ADMINISTRATOR *Davis K. Yogi*

SUBJECT: REQUEST FOR CANCELLATION OF EO3953 AND RE-SET ASIDE

The Harbors Division has no objection to the Request for the cancellation of EO 3953 that set aside 160,639 square feet to the Department of Transportation, Airports Division (DOTA); and, re-set aside 160,639 square feet to the Department of Transportation, Harbors Division (DOTH).

The DOTH needs a roadway access from Piers 31-33 to Nimitz Highway for west-bound cargo. During April 2018, the DOTH attended a Board of Land and Natural Resources (BLNR) meeting and learned that the DOTA issues a month to month permit, also referred to as a Revocable Permit ("RP"). Because the tenant does not have a long term right at the property, the DOTH requested, and the DOTA agreed during August 2018, to transfer the property to the DOTH at appraised value.

Proposed Re-Set-aside to DOTH



Site at Piers 31-33



Currently, in-coming vehicles (new as cargo) are discharged from vessels and landed at open areas around Piers 31-33 (see above site picture.) Vehicles are picked up by the auto dealers through the only road access to Nimitz Highway shown below. Drivers are known to leave

EXHIBIT 3B

Pier 31 and make a u-turn at the intersection of Pacific Street and Nimitz Highway and travel West.

Piers 31-33 Entrance and Exit



The set aside of 160,639 square feet to the DOTH will provide cargo space for future cargo yard needs at Piers 31-33 and access to the traffic lights at Alakawa and Nimitz Highway for westward cargo. (See diagram below.)

Future Piers 31-33 Entrance and Exit
Alakawa and Nimitz Highway



Below is an illustration where the Re-set aside lands will provide space for the future expansion of the DOTH lands.

Future Piers 31-33 Cargo Yard Expansion with Re-Set aside

