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KE KIA'ĀINA



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**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:

December 5, 2023

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

Dear Ms. Chang:

MOLOKAI

Authorize the issuance of three month-to-month Revocable Permits (RP) to Marine Spill Response Corporation, for vessel storage and storage space for emergency oil spill response equipment, situated at Kaunakakai Harbor, island of Molokai, Tax Map Key (TMK) No. (2) 5-3-001:011 (P), Governor's Executive Order No. 1673.

LEGAL REFERENCE:

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

APPLICANT:

Marine Spill Response Corporation (Applicant) is a foreign, non-profit corporation whose mailing address is 220 Spring Street, Suite 500, Herndon, Virginia, 20170.

CHARACTER OF USE:

Use of areas for vessel storage and storage space for emergency oil spill response equipment for training exercises and actual spill occurrences.

LOCATION:

Portion of Governmental lands at Kaunakakai Harbor, island of Molokai, TMK No. (2) 5-3-001:011 (P), Governor's Executive Order No. 1673, as shown on the enclosed map labeled Exhibit A.

**ITEM M-8**

AREA:

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Storage area for oil spill response equipment	Improved Land-paved	1,230	\$ 0.23	\$ 282.90	\$ 565.80
2	Boat Trailer storage	Improved Land-paved	336	\$ 0.23	\$ 77.28	\$ 154.56
3	Stationary storage container for emergency oil spill response equipment	Improved Land-paved	160	\$ 0.23	\$ 36.80	\$ 73.60
					<b>\$ 396.98</b>	<b>\$ 793.96</b>
					<b>Total Monthly Rental</b>	<b>Total Security Deposit</b>

CONSIDERATION:

Determined by appraisal as of June 1, 2022, for RPs in Kaunakakai Harbor.

ZONING:

State Land Use Commission: Urban  
 County of Maui: (Draft) Interim

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Subsection 5(b) of the Hawaiian Admission Act (ceded lands).

CURRENT USE STATUS:

The areas are currently occupied by the Applicant.

LAND TITLE STATUS:

Under the control and management of the Hawaii Department of Transportation (HDOT), through issuance of Governor’s Executive Order No. 1673.

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, 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.”

“Exemption Type 8: Continuing administrative activities”

The HDOT deems the action as de minimis and exempts it from the preparation of an exemption notice in accordance with HAR, Section 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. B.2. “Temporary storage and staging of equipment and materials on State land as necessary to support exempted and planned repair or maintenance activities.”

Exemption Type 8, Part 1:

- No. 8.g. “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 the largest oil spill removal organization in the United States (U.S.) and has been working in the Hawaiian Islands since 1993. They provide a full range of oil spill response services including oil spill response, training support, spill prevention and mitigation, and disaster recovery emergency services. The Applicant has dedicated personnel and contractor resources across the U.S. which gives them the capability to handle everything from small spills to major incidents.

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RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends that the Board finds that the issuance of three month-to-month RPs to the Applicant, including its conditions and rent, 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:



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DAWN N. S. CHANG, Chairperson

Enclosures



Area 1: Storage area for oil spill response equipment

Area 2: Boat Trailer storage

Area 3: Stationary storage container for emergency oil spill response equipment

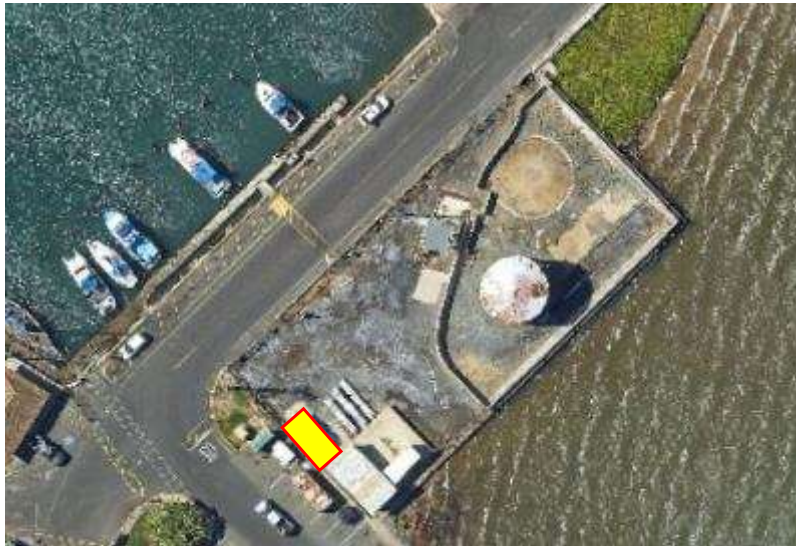
**Area 1: Storage area for oil spill response equipment**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
1	Storage area for oil spill response equipment	Improved Land-paved	41'	30'	1,230



**Area 2: Boat Trailer storage**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
2	Boat Trailer storage	Improved Land-paved	28'	12'	336



**Area 3: Stationary storage container for emergency oil spill response equipment**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
3	Stationary storage container for emergency oil spill response equipment	Improved Land-paved	20'	8'	160

