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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:

May 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

Issuance of a Month-to-Month Revocable Permit (RP) to the State of Hawaii, Department of Agriculture (HDOA), for warehouse space for container storage situated at Pier 23, Honolulu Harbor, island of Oahu, Tax Map Key (TMK) No. (1) 1-5-039:022 (P), Governor's Executive Order No. 2903.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 171-6, 171-7, 171-11, 171-13, 171-17, and 171-95 as amended.

APPLICANTS:

The State of Hawaii, Department of Agriculture (Applicant), is a governmental agency of the State of Hawaii, whose mailing address is 1428 South King Street, Honolulu, Hawaii, 96814.

CHARACTER OF USE:

Storage of containers

LOCATION:

Portion of governmental lands at Honolulu Harbor, Pier 23, Oahu, Tax Map Key No. (1) 1-5-039:022 (P), Governor's Executive Order No. 2903, as shown on the enclosed map labeled Exhibit A.

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AREA: See enclosed Exhibit A

<b>AREA</b>	<b>DESCRIPTION</b>	<b>TYPE</b>	<b>SQ. FT.</b>
1	Warehouse Space for Container Storage	Industrial Warehouse	50,100

CONSIDERATION:

Consideration to be gratis – pursuant to HRS, Section 171-95.

ZONING:

State Land Use Commission: Urban  
City and County of Honolulu: I-3, Waterfront Industrial Precinct

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Land acquired after Statehood (non-ceded).

CURRENT USE STATUS:

Land encumbered under Governor’s Executive Order No. 2903, dated April 29, 1978, setting aside land for maritime and maritime related uses to be under the control of the State of Hawaii, Department of Transportation (HDOT).

LAND TITLE STATUS:

Acquired by the HDOT, through eminent domain proceedings; issuance of Governor’s Executive Order No. 2903.

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 3, Part 1: Modification of existing facilities or installation of new equipment.”

“Exemption Type 8, Part 1: Continuing administrative activities.”

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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, is 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 3, Part 1:

- No. 22. "Installation of temporary parking and temporary storage of construction equipment and materials on HDOT property."

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:

To support other state agencies, such as the HDOA, the HDOT has identified a currently vacant parcel that can be utilized for the storage of containers in preparation of the 13<sup>th</sup> Festival of Pacific Arts and Culture (FestPAC), which will be held in Hawaii in the month of June. FestPAC celebrates the culture and heritage of indigenous Pacific Islanders through the participation of delegations from more than 20 nations.

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 for the above stated purposes, subject to terms and conditions outlined above and incorporated herein by reference, and such 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

