

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



EDWIN H. SNIFFEN  
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KA LUNA HO'OKELE

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:

June 14, 2024

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

Dear Ms. Chang:

MAUI

Authorize the issuance of 27 month-to-month Revocable Permits (RP) to Young Brothers, LLC, for various areas to support its interisland barge operations situated at Piers 2 and 3, Kahului Harbor, island of Maui, Tax Map Key (TMK) Nos. (2) 3-7-010:999 (Portion), (2) 3-7-010:001 (Portion), (2) 3-7-010:002 (Portion), (2) 3-7-010:003 (Portion), and (2) 3-7-008:002 (Portion), Governor's Executive Order Nos. 2635 and 3318, Highway (HWY) 2372 Memo dated September 15, 2017 (Memo), Transfer to the Hawaii Department of Transportation (HDOT) and pending set aside by Governor's Executive Order.

LEGAL REFERENCE:

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

APPLICANT:

Young Brothers, LLC (Applicant), is a limited liability company whose mailing address is 1331 North Nimitz Highway, Honolulu, Hawaii 96817.

CHARACTER OF USE:

Provide guard stations, office space, break area for employees, storage space for equipment, reefer easements and plugs, non-exclusive subsurface power easement, bike racks, portable restrooms for employees, and coning stations to support their interisland barge operations at Kahului Harbor.

**ITEM M-HAR-2**

**LOCATION:**

Portion of governmental lands at Kahului Harbor, island of Maui, TMK Nos. (2) 3-7-010:999 (Portion), (2) 3-7-010:001 (Portion), (2) 3-7-010:002 (Portion), (2) 3-7-010:003 (Portion), and (2) 3-7-008:002 (Portion), Governor’s Executive Order Nos. 2635 and 3318, as shown on the enclosed map labeled Exhibits A, B, and C.

**AREA:** See enclosed Exhibits A, B, and C.

<b>AREA</b>	<b>DESCRIPTION</b>	<b>TYPE</b>	<b>SQ. FT.</b>	<b>RATE PER SQ. FT.</b>	<b>MONTHLY RENTAL CHARGE</b>	<b>SECURITY DEPOSIT</b>
1	Guard Station	Improved-Paved land	296	\$0.56	\$165.76	\$ 331.52
2	Container Station	Improved-Paved land	275	\$0.56	\$154.00	\$ 308.00
3	Outgoing Freight Office (OFO)	Improved-Paved land	1,196	\$0.56	\$ 669.76	\$ 1,339.52
4	Fueling Station	Improved-Paved land	320	\$0.56	\$ 179.20	\$ 358.40
5	Refrigerated Cargo Clerk Office and Scale	Improved-Paved land	204	\$0.56	\$ 114.24	\$228.48
6	Break Area	Improved-Paved land	1,215	\$0.56	\$ 680.40	\$1,360.80
7	Tire Storage	Improved-Paved land	825	\$0.56	\$ 462.00	\$ 924.00
8	Customer Service and Supervisor Office	Improved-Paved land	2,074	\$0.56	\$1,161.44	\$ 2,322.88
9	YB Assist Tug Equipment	Improved-Paved land	272	\$0.56	\$ 152.32	\$ 304.64
10	Reefer Plugs and Transformer	Improved-Paved land	442	\$0.56	\$247.52	\$495.04
11	Upside down Flat Rack for LCL	Improved-Paved land	320	\$0.56	\$ 179.20	\$ 358.40
12	Trash Dumpsters (2)	Improved-Paved land	76	\$0.56	\$ 42.56	\$ 85.12
13	Pier 3 Transformer and Electrical Equipment	Improved-Paved land	64	\$0.56	\$ 35.84	\$ 71.68
14	Pier 3 Reefer Plugs	Improved-Paved land	396	\$0.56	\$ 221.76	\$ 443.52
15	Reefer Easement	Improved-Paved land	117	\$0.42	\$ 49.14	\$98.28
16	Container Station Easement	Improved-Paved land	90	\$0.42	\$ 37.80	\$75.60
17	Gate 8 Container Station	Improved-Paved land	392	\$0.56	\$ 219.52	\$ 439.04
18	Stevedore Lanai Break Area	Improved-Paved land	640	\$0.56	\$ 358.40	\$ 716.80
19	Guard Station 2	Improved-Paved land	176	\$0.56	\$ 98.56	\$ 197.12

20	Coning Station 1	Improved-Paved land	464	\$0.56	\$ 259.84	\$ 519.68
21	Coning Station 2	Improved-Paved land	160	\$0.56	\$ 89.60	\$ 179.20
22	Bike Rack	Improved-Paved land	98	\$0.56	\$ 54.88	\$ 109.76
23	Storage G-van, portable restroom and wash station	Improved-Paved land	75	\$0.56	\$ 42.00	\$ 84.00
24	Large Dumpster	Improved-Paved land	342	\$0.56	\$ 191.52	\$ 383.04
25	Single Dumpster	Improved-Paved land	42	\$0.56	\$ 23.52	\$ 47.04
26	Second Single Dumpster	Improved-Paved land	42	\$0.56	\$ 23.52	\$ 47.04
27	Portable Restroom – car lot	Improved-Paved land	16	\$0.56	\$ 8.96	\$ 17.92

<b>\$ 5,923.26</b>	<b>\$ 11,846.52</b>
<b>Total Monthly Rental</b>	<b>Total Security Deposit</b>

CONSIDERATION:

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

ZONING:

State Land Use Commission: Urban  
 County of Maui: M-2 (Heavy Industrial)

COMMENCEMENT DATE:

To be determined by the Director of Transportation

TRUST LAND STATUS:

The Public Land Trust Information System lists TMK No. (2) 3-7-010:003 (Portion) as undetermined trust land status, TMK No. (2) 3-7-010:999 (Portion) as having no information, and the remaining TMK areas in this submittal were acquired after statehood (non-ceded).

CURRENT USE STATUS:

The area is currently occupied by the Applicant.

LAND TITLE STATUS:

TMK Nos. (2) 3-7-008:002 (Portion) and (2) 3-7-010:001 (Portion) were acquired via State acquisition and pending set aside by Governor's Executive Order to the HDOT. TMK No. (2) 3-7-010:999 (Portion) was transferred to Harbors via HWY 2372 Memo. The remaining TMK areas described in this submittal were acquired by the HDOT, through eminent domain proceedings by issuance of Governor's Executive Order Nos. 2635 and 3318.

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 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 1, Part 1:

- No. A.1. “Repair or maintain buildings, office space, sheds, parking structures, warehouses, utility systems, aircraft aprons and hardstands, hangars, tunnels and other similar structures or facilities necessary for the continued function and use, and to meet current local, state and federal standards and regulations. Actions include, but not limited to the following:
  - a. General: repaint, reroof, repair/replace windows and doors, interior modifications: furnishings, space configuration, flooring and flooring cover, framework, roof sheathing, and other similar actions.
  - b. Utility systems: electrical, interior lighting, plumbing, wastewater, information technology/communication and security systems, heating/ventilation/air conditioning units and other systems.”

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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 has been providing shipping services to both individuals and businesses in Hawaii for over 100 years. The Applicant is the only regularly scheduled common carrier that transports a variety of cargo, including equipment, perishable goods, household products, building materials, cars, and livestock throughout the islands. They are committed to investing in new vessels and shoreside technologies to lessen the impact to the environment and increase safety. The Applicant gives back to the local community by providing community support via reduced or free shipping, equipment donations, and grant support through an initiative from its parent company.

RECOMMENDATION:

Based on this submittal, testimony, and facts presented, the HDOT recommends that the Board finds that the issuance of 27 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 to best serve the interest of the State.

Sincerely,



EDWIN H. SNIFFEN  
Director of Transportation

APPROVED FOR SUBMITTAL:



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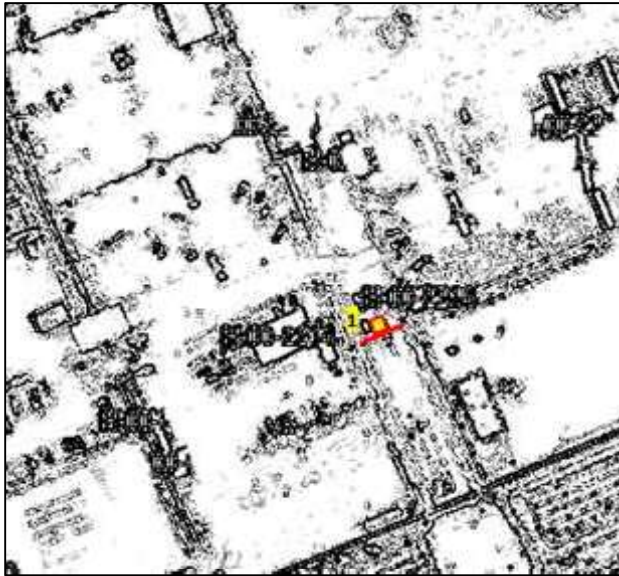
DAWN N. S. CHANG, Chairperson

Enclosures



- |  |   |
|--|---|
| 1 – Guard Station                                | 15 – Reefer Easement  |
| 2 – Container Station                            | 16 – Container Station Easement                               |
| 3 – Outgoing Freight Office (OFO)                | 17 – Gate 8 Container Station                                 |
| 4 – Fueling Station                              | 18 – Stevedore Lanai Break Area                               |
| 5 – Refrigerated Cargo Clerk Office and Scale    | 19 – Guard Station 2  |
| 6 – Break Area                                   | 20 – Coning Station 1   |
| 7 – Tire Storage                                 | 21 – Coning Station 2   |
| 8 – Customer Service and Supervisor Office       | 22 – Bike Rack  |
| 9 – YB Assist Tug Equipment                      | 23 – Storage G-van, portable restroom and wash station        |
| 10 – Reefer Plugs and Transformer                | 24 – Large Dumpster   |
| 11 – Upside down Flat Rack for LCL               | 25 – Single Dumpster  |
| 12 – Trash Dumpsters (2)                         | 26 – Second Single Dumpster                                   |
| 13 – Pier 3 Transformer and Electrical Equipment | 27 – Portable Restroom – car lot (see Exhibit B for location) |
| 14 – Pier 3 Reefer Plugs                         |   |

**Area 1 – Guard Station**



AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
1	Guard Station	Improved-Paved land	Security Arm (5' x 35' = 175) Guard Station (11' x 11' = 121)	296



**Area 2 – Container Station**

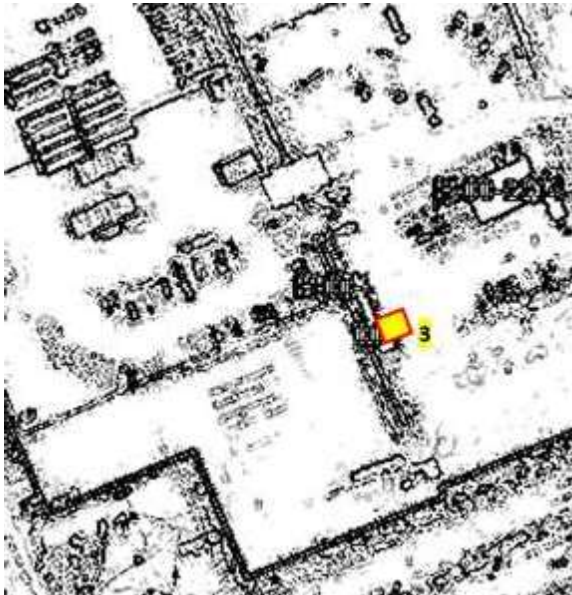


AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
2	Container Station	Improved-Paved land	11'	25'	275





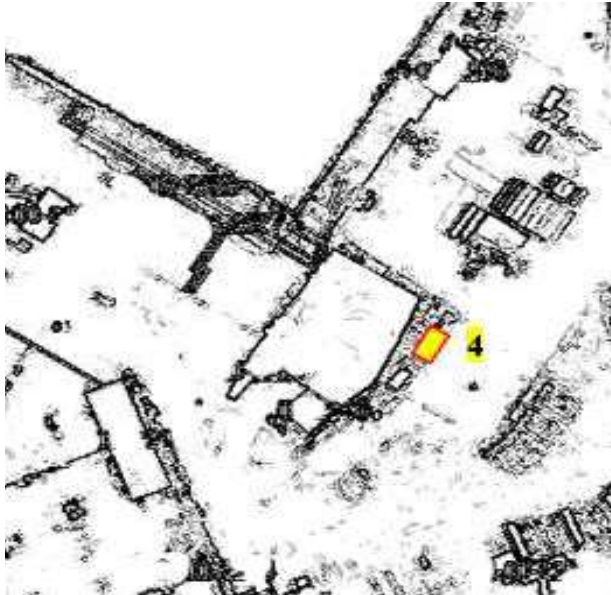
**Area 3 – Outgoing Freight Office (OFO)**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
3	Outgoing Freight Office (OFO)	Improved-Paved land	26'	46'	1,196



**Area 4 – Fueling Station**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
4	Fueling Station	Improved-Paved land	8'	40'	320



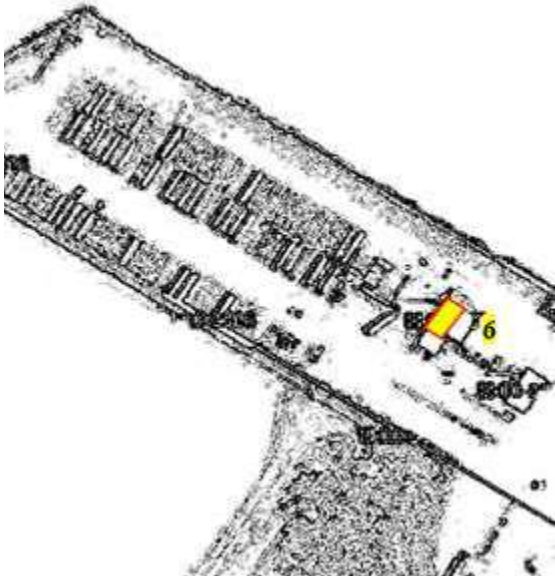
**Area 5 – Refrigerated Cargo Clerk Office and Scale**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
5	Refrigerated Cargo Clerk Office and Scale	Improved-Paved land	12'	17'	204



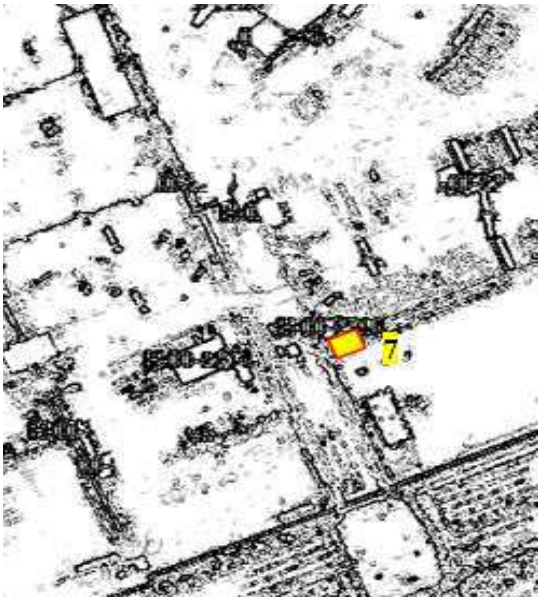
**Area 6 – Break Area**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
6	Break Area	Improved-Paved land	27'	45'	1,215



**Area 7 - Tire Storage**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
7	Tire Storage	Improved-Paved land	25'	33'	825



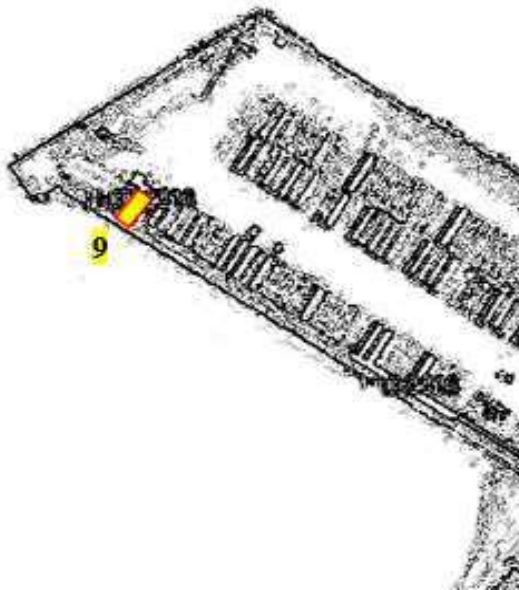
**Area 8 – Customer Service and Supervisor Office**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
8	Customer Service and Supervisor Office	Improved-Paved land	34'	61'	2,074



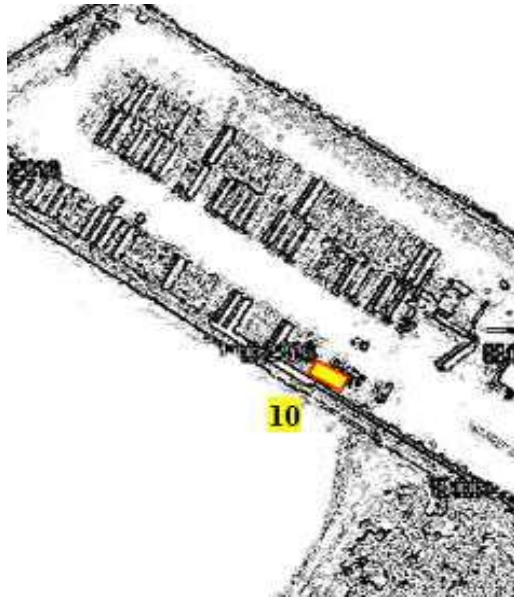
**Area 9 – YB Assist Tug Equipment**



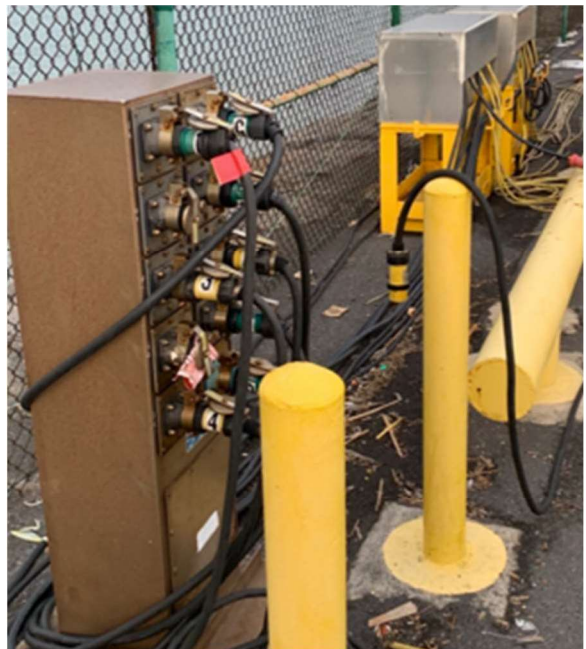
AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
9	YB Assist Tug Equipment	Improved-Paved land	8'	34'	272



**Area 10 – Reefer Plugs and Transformer**

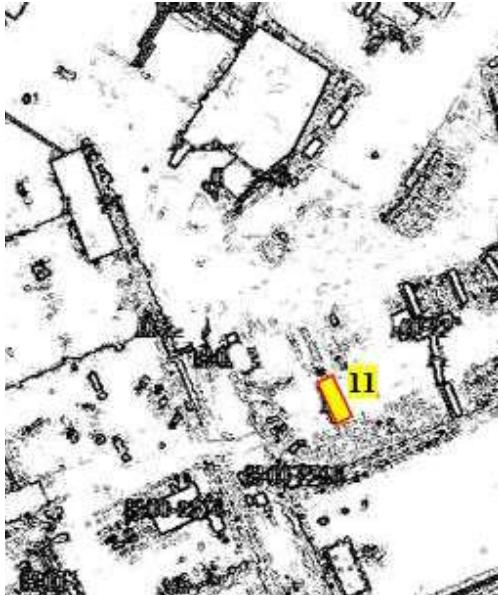


AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
10	Reefer Plugs and Transformer	Improved-Paved land	(5' x 10' = 50) (98' x 4' = 392)	442





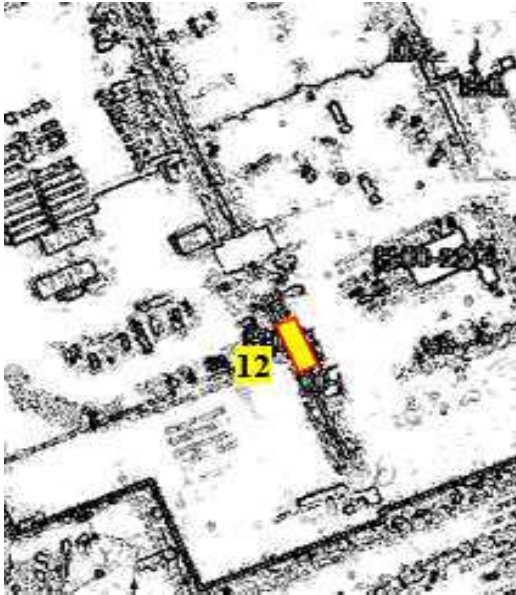
**Area 11 – Upside Down Flat Rack for LCL**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
11	Upside down Flat Rack for LCL	Improved-Paved land	8'	40'	320



**Area 12 – Trash Dumpsters (2)**



AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
12	Trash Dumpsters (2)	Improved-Paved land	(7' x 4' = 28) (8' x 6' = 48)	76



**Area 13 – Pier 3 Transformer and Electrical Equipment**



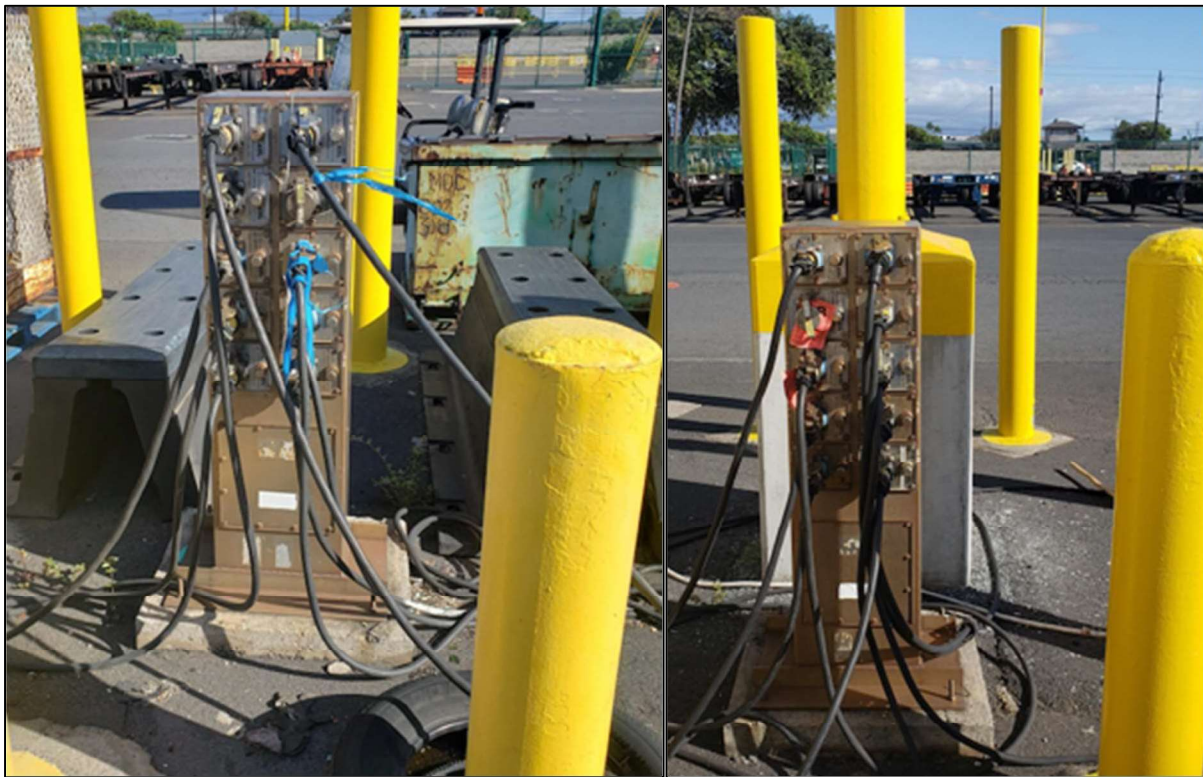
AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
13	Pier 3 Transformer and Electrical Equipment	Improved-Paved land	8'	8'	64



**Area 14 – Pier 3 Reefer Plugs**



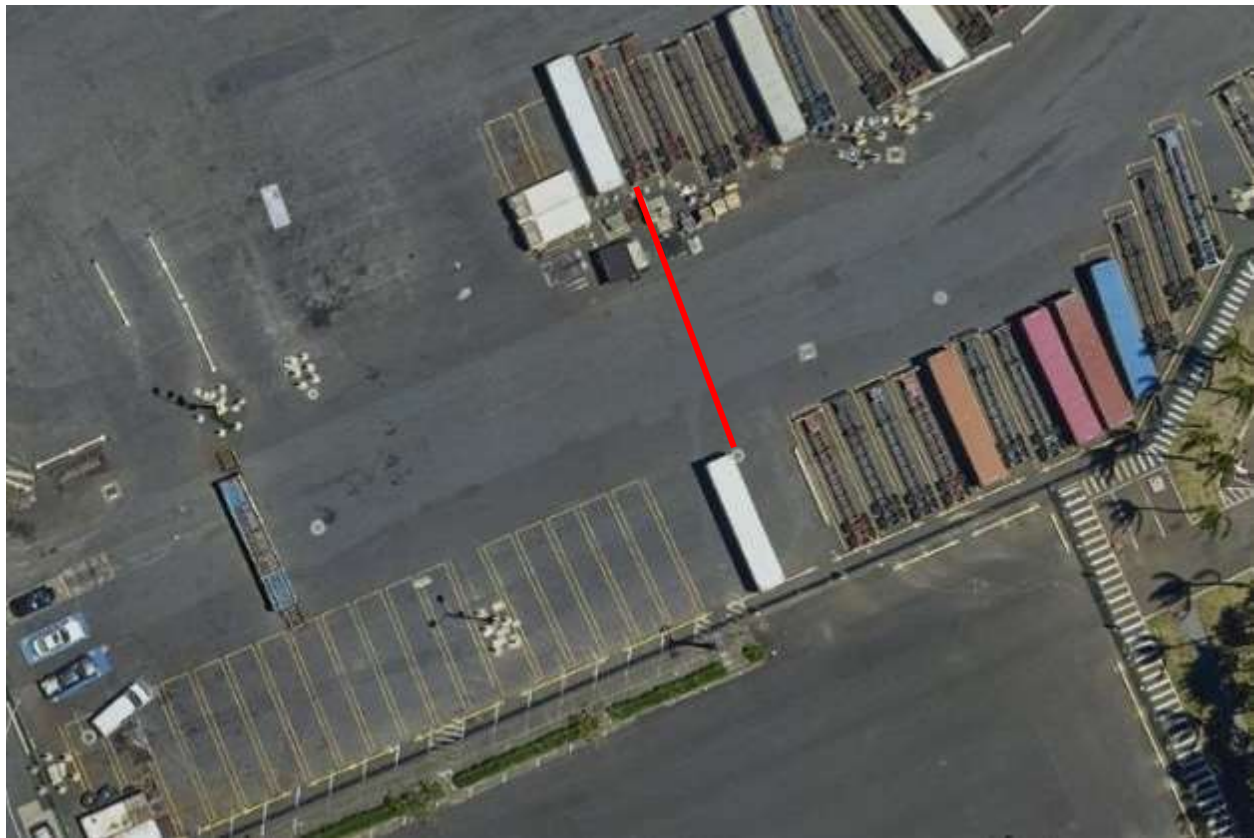
AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
14	Pier 3 Reefer Plugs	Improved-Paved land	3'	132'	396



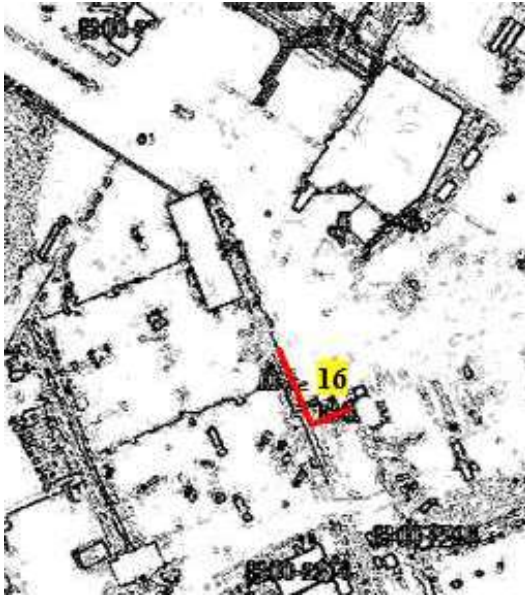
**Area 15 – Reefer Easement**



AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
15	Reefer Easement	Improved-Paved land	(45' x 2' = 90) (13.5' x 2' = 27)	117



**Area 16 – Container Station Easement**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
16	Container Station Easement	Improved-Paved land	45'	2'	90



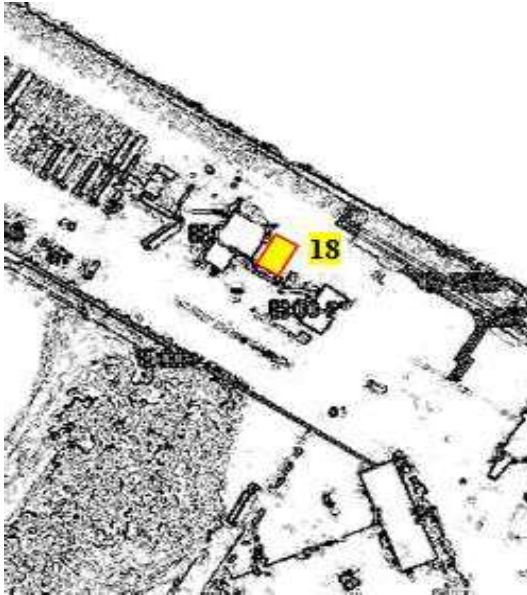
**Area 17 – Gate 8 Container Station**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
17	Gate 8 Container Station	Improved-Paved land	14'	28'	392



**Area 18 – Stevedore Lanai Break Area**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
18	Stevedore Lanai Break Area	Improved-Paved land	20'	32'	640





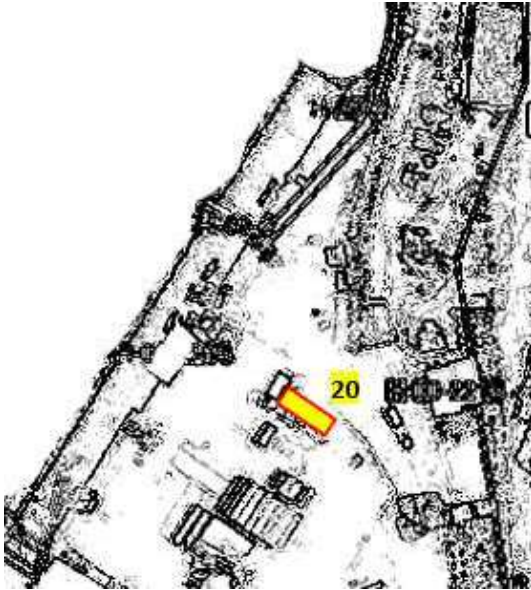
**Area 19 – Guard Station 2**



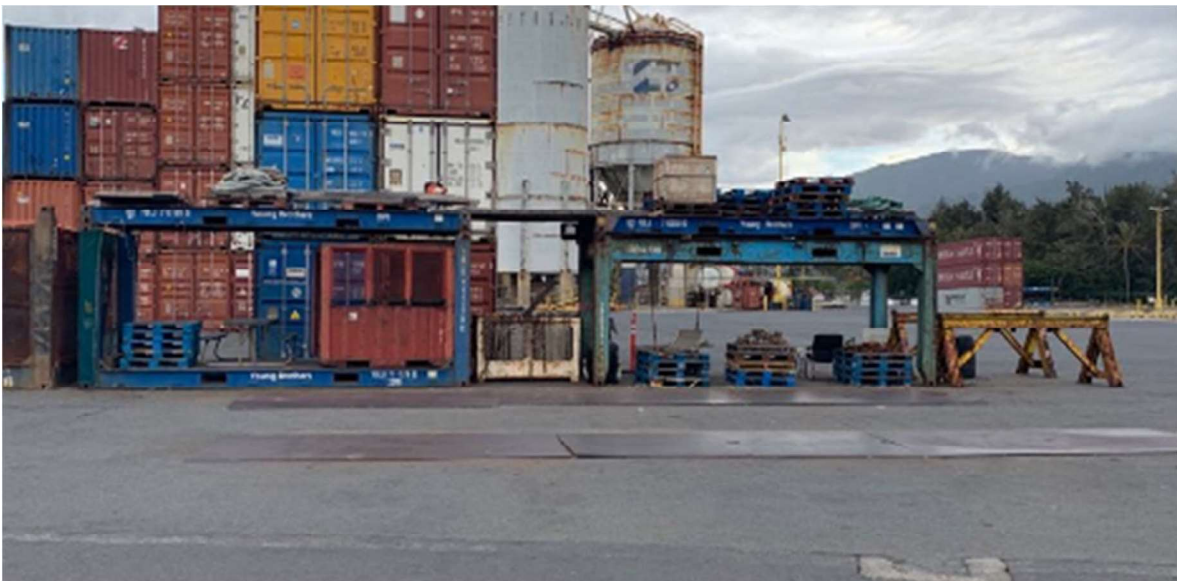
AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
19	Guard Station 2	Improved-Paved land	8'	22'	176



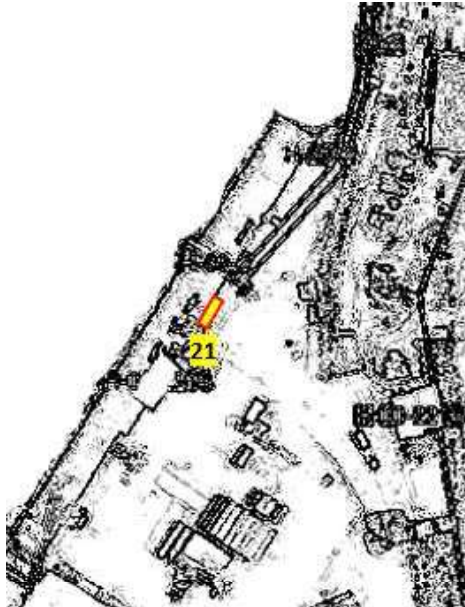
Area 20 – Coning Station 1



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
20	Coning Station 1	Improved-Paved land	58'	8'	464



**Area 21 – Coning Station 2**



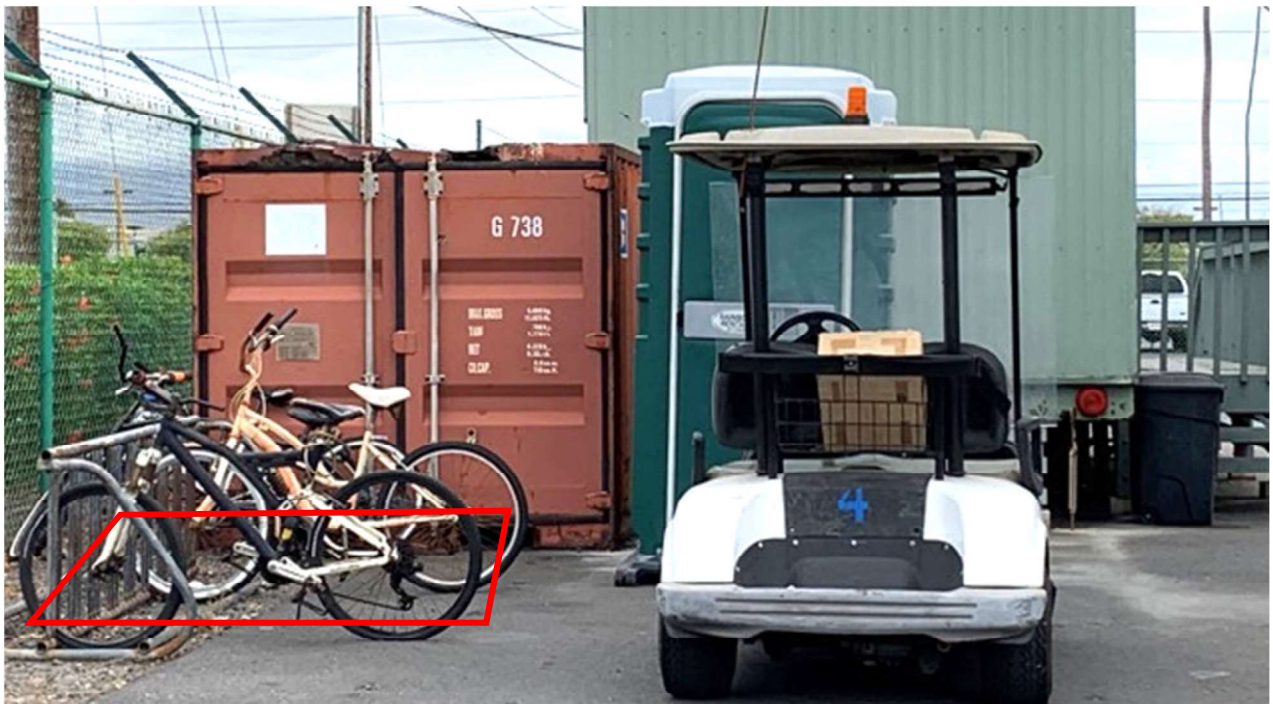
AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
21	Coning Station 2	Improved-Paved land	20'	8'	160



Area 22 – Bike Rack



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
22	Bike Rack	Improved-Paved land	7'	14'	98



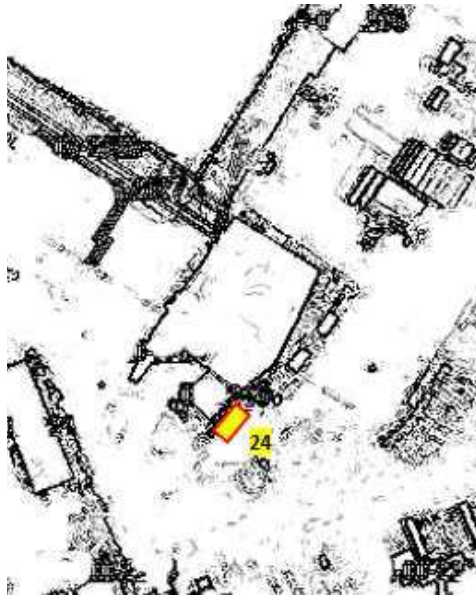
**Area 23 – Storage G-van, portable restroom and wash station**



AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
23	Storage G-van, portable restroom and wash station	Improved-Paved land	5' x 7' = 35 4' x 8' = 32 2' x 4' = 8	75



**Area 24 – Large Dumpster**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
24	Large Dumpster	Improved-Paved land	19'	18'	342



**Area 25 – Single Dumpster**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
25	Single Dumpster	Improved-Paved land	7'	6'	42



**Area 26 – Second Single Dumpster**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
26	Second Single Dumpster	Improved-Paved land	7'	6'	42





**Area 27 – Portable Restroom – car lot**



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
27	Portable Restroom - car lot	Improved-Paved land	4'	4'	16



AREA	Tax Map Key No.	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	(2) 3-7-010:999 (P)	Guard Station	Improved-Paved land	296	\$0.56	\$ 165.76	\$ 331.52
2	(2) 3-7-010:999 (P)	Container Station	Improved-Paved land	275	\$0.56	\$ 154.00	\$ 308.00
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18	(2) 3-7-010:003 (P)	Stevedore Lanai Break Area	Improved-Paved land	640	\$ 0.56	\$ 358.40	\$ 716.80
19	(2) 3-7-008:002 (P)	Guard Station 2	Improved-Paved land	176	\$ 0.56	\$ 98.56	\$ 197.12
20	(2) 3-7-010:002 (P)	Coning Station 1	Improved-Paved land	464	\$ 0.56	\$ 259.84	\$ 519.68
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22	(2) 3-7-008:002 (P)	Bike Rack	Improved-Paved land	98	\$ 0.56	\$ 54.88	\$ 109.76
23	(2) 3-7-008:002 (P)	Storage G-van, portable restroom and wash station	Improved-Paved land	75	\$ 0.56	\$ 42.00	\$ 84.00
24	(2) 3-7-010:002 (P)	Large Dumpster	Improved-Paved land	342	\$ 0.56	\$ 191.52	\$ 383.04

Young Brothers, LLC  
 Kahului Harbor, Piers 2-3

Exhibit C

25	(2) 3-7-010:003 (P)	Single Dumpster	Improved-Paved land	42	\$ 0.56	\$ 23.52	\$ 47.04
26	(2) 3-7-010:002 (P)	Second Single Dumpster	Improved-Paved land	42	\$ 0.56	\$ 23.52	\$ 47.04
27	(2) 3-7-010:002 (P)	Portable Restroom – car lot	Improved-Paved land	16	\$ 0.56	\$ 8.96	\$ 17.92
						<b>\$ 5,923.26</b>	<b>\$11,846.52</b>
						<b>Total Monthly Rental</b>	<b>Total Security Deposit</b>