

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
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IN REPLY REFER TO:

June 28, 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 a month-to-month Revocable Permit (RP), to P & R Water Taxi LLC, for container storage of tugboat supplies, situated at Pier 2, Kahului Harbor, island of Maui, Tax Map Key (TMK) No. (2) 3-7-010:003 (Portion), Governor's Executive Order No. 2635.

LEGAL REFERENCE:

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

APPLICANT:

P & R Water Taxi LLC (Applicant) is a domestic limited liability company whose mailing address is P.O. Box 2851, Honolulu, Hawaii 96803.

CHARACTER OF USE:

Use for container storage of tugboat supplies at Kahului Harbor, island of Maui.

LOCATION:

Portion of governmental lands situated at Pier 2, Kahului Harbor, island of Maui, TMK No. (2) 3-7-010:003 (Portion), Governor's Executive Order No. 2635, as shown on the enclosed map labeled Exhibit A.

ITEM M-HAR-3

AREA: See enclosed Exhibit A

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Container storage of tugboat supplies	Improved Land-paved	40	\$0.56	\$ 22.40	\$ 44.80

CONSIDERATION:

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

ZONING:

State Land Use Commission: Urban
County of Maui: Draft - M-2, Heavy Industrial

COMMENCEMENT DATE:

To be determined by the Director of Transportation

TRUST LAND STATUS:

Public Land Trust Information System has TMK parcel as undetermined.

CURRENT USE STATUS:

The area is currently occupied by the Applicant.

LAND TITLE STATUS:

Under the control and management of the State of Hawaii, Department of Transportation (HDOT), through issuance of Governor's Executive Order No. 2635.

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. B.2. “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. 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 provides docking assistance to various vessels such as cruise ships, container ships, tankers, and barges arriving and departing in Kahului Harbor. Currently, the Applicant has an existing month-to-month RP to support its Hawaii tugboat operation. The HDOT has been reviewing all month-to-month RPs to ensure compliance with and applicability to HRS, Sections 171-17 and 171-55. This submittal will update and renew the month-to-month RP, which is compliant with HRS, Section 171.

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RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends that the Board finds that the issuance of a month-to-month RP 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:



DAWN N. S. CHANG, Chairperson

Enclosures



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
1	Container storage of tugboat supplies	Improved land-paved	8'	5'	40

