

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii

April 25, 2014

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

MAUI

Issuance of a Revocable Permit to Pacific Biodiesel Logistics, LLC for Fuel Delivery, Maalaea Small Boat Harbor, Maalaea, Wailuku, Maui, Tax Map Key: 3-6-01:02 por.

APPLICANT:

Pacific Biodiesel Logistics, LLC, is a Domestic Limited Liability Company (LLC) whose address is 40 Holbron Ave, Kahului, Hawaii 96732.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Maalaea Small Boat Harbor situated at Waikapu, Wailuku, Maalaea, Island of Maui, identified by Tax Map Key: 3-6-01:02 portion. Location and Delivery sites shown on the attached map labeled Exhibit A.

ZONING:

State Land Use District: Urban
County of Maui CZO: M-1Business/Industrial

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES__ NO X

CHARACTER OF USE:

To enter and use portions MSBH premises to deliver and dispense fuel via tank truck.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

\$100.00 or \$0.005 per gallon whichever is greater, subject to review and approval by the Chairperson.

SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Boating and Ocean Recreation Environmental Impact Statement Exemption List", approved by the Environmental Council and dated March 22, 1995, the subject request qualifies under exempt Class of Action No. 1 - "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion of or change of use beyond that previously existing."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Registered business name confirmed:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Applicant in good standing confirmed:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

REMARKS:

The Division of Boating and Ocean Recreation requests approval to issue a Revocable Permit to Pacific Biodiesel Logistics, LLC to deliver and dispense fuel within the Maalaea Small Boat Harbor (MSBH). At present there are two petroleum companies that deliver fuel to vessels moored throughout MSBH. The requested Revocable Permit will encourage competition and will offer another fuel option for both the commercial or recreational users in the harbor.

The Permit will be issued for fuel delivery purposes from a tanker truck. The Harbor Master will reserve the right to approve the access points to dispense the fuel throughout the harbor and shall reserve the right to adjust those sites and/or hours of delivery as needed for the health, safety and the efficient operation of MSBH.

The Permittee shall provide sufficient insurance as approved by the Department and comply with all Federal, State and County requirements for a delivery operation of this type.

The applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years.

RECOMMENDATION: That the Board:

- A. Authorize, 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 preparation of an environmental assessment.
- B. The issuance of a Revocable Permit to Pacific Biodiesel Logistics, LLC covering the subject area for access to deliver and dispense fuel, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 1. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 2. Review and approval by the Department of the Attorney General; and
 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

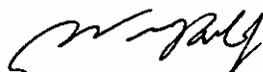
Respectfully Submitted,



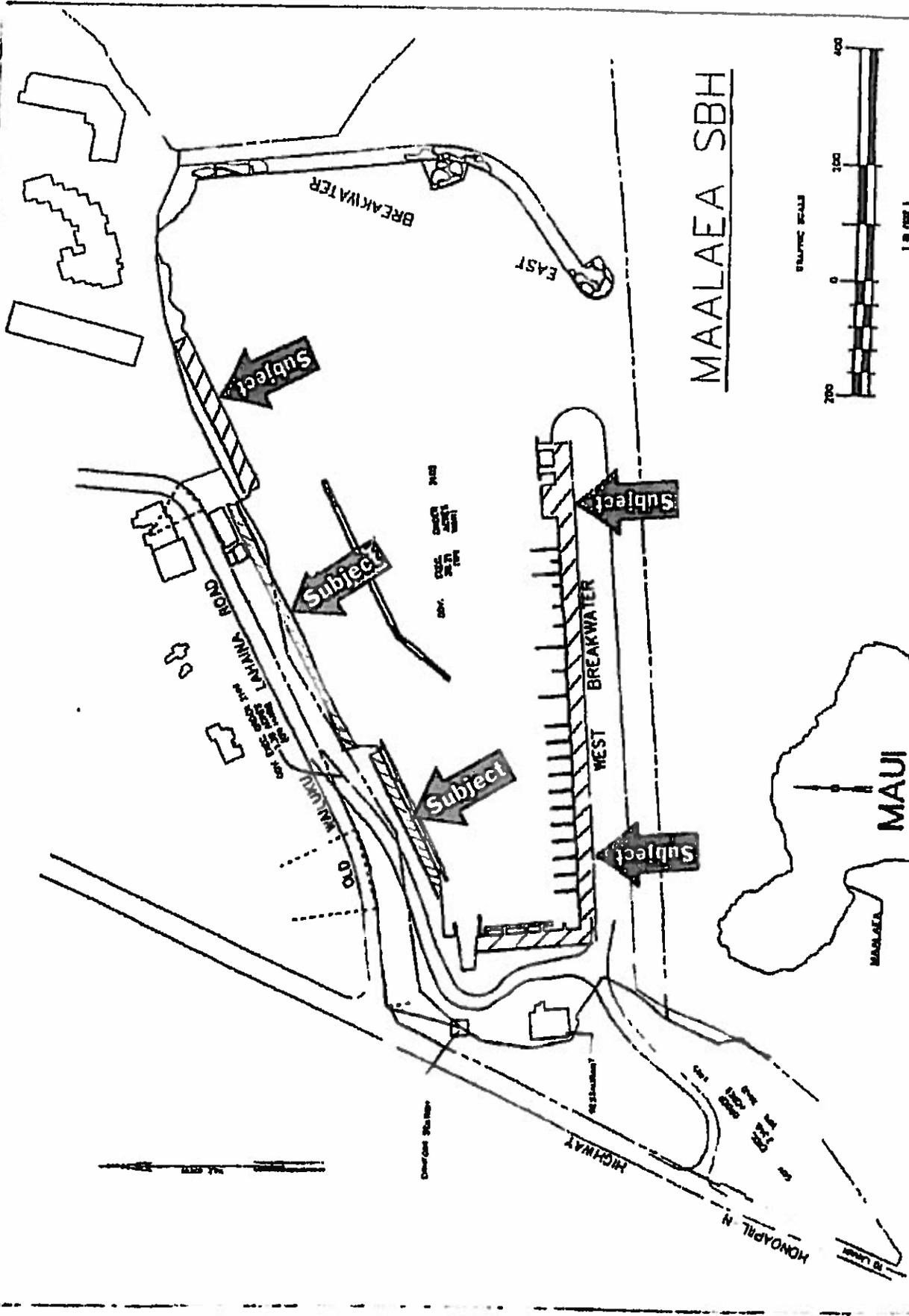
Edward R. Underwood
Administrator

Attachment: Exhibit A

APPROVED FOR SUBMITTAL:



William J. Aila, Jr.
Chairperson



MAALAEA SBH

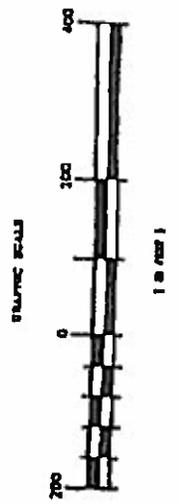


EXHIBIT "A"

