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

ISSUANCE OF RIGHT-OF-ENTRY PERMIT TO ALOHA PETROLEUM, LTD. ON LAND SITUATED AT, HILO HARBOR, WAIAKEA, SOUTH HILO, ISLAND OF HAWAII, TAX MAP KEY NO. (3) 2-1-09:PORTIONS OF 07 & 62

APPLICANT:

Alloha Petroleum, Ltd., whose mailing address is 1132 Bishop Street, Suite 1700, Honolulu, Hawaii 96813

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Hilo Harbor, Waiakea, South Hilo, Island of Hawaii identified by Tax Map Key No. (3) 2-1-09:Portions of 07 & 62, as shown on the attached map labeled Exhibit “A”.

AREA:

3200 square feet, more or less.

ZONING:

State Land Use District: Urban  
County of Hilo: Industrial

ITEM M-2
LAND STATUS:

Subsection 5(A) lands of the Hawaii Admission Act, non-ceded.

CURRENT USE STATUS:

Encumbered by Governor’s Executive Order No. 3962 to Department of Transportation, Harbors Division, for Commercial Maritime, Marine and Associated Purposes.

Encumbered by Revocable Permit No. H-98-2063 to Equilon Enterprises, LLC to monitor ground water conditions beneath adjacent bulk fuel distribution terminal.

CHARACTER OF USE:

Staging and Operation of Equipment and Material Related to the Construction of Improvements to the Aloha Petroleum, Ltd’s Fuel Farm Facility.

TERM OF RIGHT-OF-ENTRY:

Three months, option to extend up to March 31, 2014.

CONSIDERATION:

Gratis.

REMARKS:

Applicant operates a petroleum fuel farm facility at 661 Kalanianaole Avenue, Hilo, HI 96720, adjacent to the Hilo Harbor. As part of their construction project the Applicant plans on renovating their existing perimeter wall by increasing its height. Access to Harbors’ property is being requested during the project to stage and operate equipment and to move material on and off the Applicant’s property. The Applicant will be required to work with the Harbors’ Hawaii District staff and Young Brothers to prevent any disruption to harbors operations.

RECOMMENDATION:

That the Board authorizes the issuance of a Right-of-Entry permit to Aloha Petroleum, Inc. covering the subject area 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 right-of-entry permit form, as may be amended from time to time.

2. Review and approval by the Department of the Attorney General.
3. Such other terms and conditions as may be prescribed by the Director of Transportation that best serve the interest of the State.

Respectfully submitted,

[Signature]

GLENN M. OKIMOTO, Ph.D.
Director of Transportation

Attachment

APPROVED FOR SUBMITTAL:

[Signature]

WILLIAM J. AILA, JR.
Chairperson and Member
Board of Land and Natural Resources