DIRECT ISSUANCE OF A REVOCABLE PERMIT FOR A VARIETY OF MARITIME ACTIVITIES TO SUPPORT TUG AND CARGO OPERATIONS AT PIERS 2 AND 3, KAHLULI HARBOR, ISLAND OF MAUI, HAWAII

LEGAL REFERENCE: Sections 171-11 and 55, Hawaii Revised Statutes.

APPLICANT: Young Brothers, Ltd.

CHARACTER OF USE: An interisland cargo handling operations incorporating facilities as described in Exhibit “B”

LOCATION: Portion of government lands, situated at Piers 2 and 3, Kahului Harbor, Island of Maui, Tax Map Key Nos. 2nd /3-7-08:02, 2nd /3-7-08:03, 2nd /3-7-10:02, 2nd /3-7-10:03, (Portions), as described on Exhibits “A” and “B”

CURRENT USE STATUS: Encumbered by Governor’s Executive Order No. 2635, 2746 and 2986 that sets aside the land to the Harbors Division, Department of Transportation

AREA: Approximately 16,416 square feet of various areas as described in Exhibit “B”

RENTAL: $6,820.73 per month (collectively as described in Exhibit “B”)

SECURITY DEPOSIT: $13,641.46 or twice the monthly rental.

ZONING: State Land Use Commission: Urban
City and County of Maui: M-2 (Heavy Industrial)
LAND TITLE STATUS: G.E.O. 2635 Subsection 5(a) and G.E.O 2746 classified “X” are both nonceded lands. G.E.O. 2986 Subsection 5(a), is cedet land.

COMMENCEMENT DATE: May 1, 2009

CHAPTER 343 ENVIRONMENTAL ASSESSMENT: The project is exempt from OEQC requirements pursuant to Sub-Chapter 11-200-8 of the Hawaii Administrative Rules that exempts the “operation, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing.”

REMARKS: The applicant is currently a Harbors Division tenant in good standing and would like to increase the space that the applicant holds at this location under revocable permit H-00-2214. Harbors would terminate H-00-2214 and issue a new revocable permit including existing and new areas.

RECOMMENDATION: That the Board authorizes the issuance of a new revocable permit to the applicant, revising the areas pursuant to an audit conducted on April 21, 2009, and subject to the terms and conditions outlined above and incorporated herein by reference and such terms and conditions as may be prescribed by the Director of Transportation.

Respectfully submitted,

FORD N. FUCHIGAMI  
Director of Transportation

Attachment

APPROVED FOR SUBMITTAL:

CARTY S. CHANG  
Acting Chairperson and Member  
Board of Land and Natural Resources