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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:

August 8, 2024

Mr. Edwin H. Sniffen, Director  
Department of Transportation  
869 Punchbowl Street  
Honolulu, Hawaii 96813

HAWAII

Request for Authorization to issue a month-to-month Revocable Permit (RP) to Aloha Petroleum LLC, for storage of equipment, situated at Pier 3, Hilo Harbor, island of Hawaii, Tax Map Key (TMK) No. (3) 2-1-009:007 (Portion), Governor's Executive Order No. 3962

LEGAL REFERENCE:

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

APPLICANT:

Aloha Petroleum LLC (Applicant) is a foreign limited liability company whose mailing address is 8801 South Yale Avenue, Suite 200, Tulsa, Oklahoma 74137.

CHARACTER OF USE:

Storage of equipment.

LOCATION:

Portion of Government lands at Pier 3, Hilo Harbor, island of Hawaii, TMK No. (3) 2-1-009:007 (Portion), as shown on enclosed Exhibit A.

ZONING:

State Land Use Commission: Urban  
County of Hawaii: MG-1a

AREA: See enclosed Exhibit A

| <b>AREA</b> | <b>DESCRIPTION</b>   | <b>TYPE</b>           | <b>SQ. FT.</b> | <b>RATE</b> | <b>RENTAL</b> | <b>SECURITY DEPOSIT</b> |
|-------------|----------------------|-----------------------|----------------|-------------|---------------|-------------------------|
| 1           | Storage of Equipment | Improved Land - Paved | 200            | \$ 0.23     | \$ 46.00      | \$ 92.00                |

CONSIDERATION:

Month-to-month rent determined by appraisal as of January 1, 2021, for RPs in Hilo Harbor, Hawaii.

LAND TITLE STATUS:

Governor's Executive Order No. 3962 for commercial maritime, marine, and associated purposes, to be under the control and management of the State of Hawaii, Department of Transportation (HDOT).

TRUST LAND STATUS:

Subsection 5 (b).

CURRENT USE STATUS:

The Pier 3, Hilo Harbor area is used for cargo handling and storage areas. The HDOT has been reviewing all month-to-month RPs to ensure compliance with and applicability to HRS, Sections 171-17 and 171-55.

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, which 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."

The HDOT deems the action as de minimis and exempts it from the preparation of an exemption notice in accordance with HAR, Subchapter 11-200.1-16 (b). The exemption declaration for the action described above, 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. B2. "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. 8g. "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 was first established in Hawaii in 1977. The Applicant is the largest gasoline marketer and convenience store operator in the State. The Applicant's operations include gas stations, fuel distribution terminals, convenience stores, and now Subway and Dunkin Donut franchises across Oahu, Maui, Hawaii, and Kauai.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends 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,



DREANALEE K. KALILI  
Deputy Director of Transportation for Harbors

Enclosures

**Area – Storage of Equipment**



| AREA | DESCRIPTION          | TYPE                  | DIMENSIONS | SQ. FT. |
|------|----------------------|-----------------------|------------|---------|
| 1    | Storage of equipment | Improved Land - Paved |            | 200     |