

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

EDWIN H. SNIFFEN
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Deputy Directors
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TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

IN REPLY REFER TO:

February 13, 2025

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

MAUI

Request for Authorization to issue a Revocable Permit (RP) to IES Downstream, LLC, for nonexclusive easements for subsurface and surface fuel pipelines and anode beds, situated at Kahului Harbor, island of Maui, Tax Map Key (TMK) Nos. (2) 3-7-010:003 (Portion) and (2) 3-7-010:006 (Portion), Governor's Executive Order Nos. 2635 and 2986.

LEGAL REFERENCE:

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

APPLICANT:

IES Downstream, LLC (Applicant), is a foreign limited liability company whose mailing address is 91-480 Malakole Street, Kapolei, Hawaii 96707.

CHARACTER OF USE:

The nonexclusive easement area shall be used solely for the construction, installation, maintenance, use and repair of subsurface and surface fuel pipelines, and anode beds for the distribution of petroleum fuels to the people of Maui. No other use shall be permitted, except upon the written approval of the lessor.

LOCATION:

Portion of Governmental lands at Piers 1 and 3, Kahului Harbor, island of Maui, TMK Nos. (2) 3-7-010:003 (Portion) and (2) 3-7-010:006 (Portion), as shown on the enclosed map labeled Exhibit A.

ZONING:

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

AREA: See enclosed Exhibit A

DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
Subsurface Pipeline easements (7)	Improved Land-paved	14,445	\$0.42	\$6,066.90	\$12,133.80
Surface Pipeline easement (1)	Improved Land-paved	4,063	\$0.56	\$2,275.28	\$4,550.56
Subsurface Anode Bed easements (3)	Improved Land-paved	673	\$0.42	\$ 282.66	\$ 565.32

8,624.84	\$17,249.68
Total Monthly Rental	Total Security Deposit

CONSIDERATION:

Month-to-month rent determined by appraisal as of June 1, 2022, for Revocable Permits in Kahului Harbor, island of Maui.

TRUST LAND STATUS:

Public Land Trust Information System states trust land status for TMK No. (2) 3-7-010:003 (Portion) as undetermined and TMK No. (2) 3-7-010:006 (Portion) as Subsection 5 (a) of the Hawaii Admission Act (non-ceded lands).

CURRENT USE STATUS:

The Applicant currently occupies the premises under Harbor Lease No. H-89-2, for subsurface and surface fuel pipelines and anode beds for the distribution of petroleum fuels to the people of Maui. No other use shall be permitted, except upon the written approval of the lessor. Harbor Lease No. H-89-2 expires February 19, 2025. The Applicant wishes to continue occupancy.

LAND TITLE STATUS:

Governor's Executive Order Nos. 2635 and 2986 for Kahului Harbor, to be under the control and management of the State of Hawaii, Department of Transportation (HDOT).

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."

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. A6.d. "Repair or maintain existing structures or facilities located in or above the water necessary for the continued function and use, and to meet current local, state, and federal standards and regulations, and as permitted by the United States Army Corps of Engineers and Coast Guard. Structures include but not limited to fuel and other pipelines, hatch frames, manifolds, utilities, manholes, covers and other similar structures."

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."

Mr. Edwin H. Sniffen, Director
February 13, 2025
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REMARKS:

The Applicant currently occupies the premises under Harbor Lease No. H-89-2, which will expire on February 19, 2025. The Applicant wishes to continue occupancy. The Applicant's easement area is situated at Kahului Harbor for the distribution of petroleum fuels for the people on the island of Maui.

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

Easements A through K

(FOR CHEVRON'S CARGO LINES PURPOSES, UNDERGROUND)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the northeast corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,885.39 feet North and 11,064.82 feet East, thence running by azimuths measured clockwise from true South:

1. 27° 30' 10.00 feet along the remainder of government land;
2. 117° 30' 40.14 feet along the remainder of government land;
3. 42° 11' 08" 71.35 feet along the remainder of government land;
4. 176° 17' 36" 13.93 feet along the remainder of government land;
5. 222° 11' 08" 69.37 feet along the remainder of government land;

EASEMENT "A"
1 of 2

6. 297° 30

47.86 feet along the remainder of government
land to the point of beginning
and containing an area of 1,144
Square Feet.

Tax Map Key: 3rd Div. 3-7-10: portions of 13 and 28

November 19, 1987

IMATA AND ASSOCIATES, INC.
171 Kapiolani Street
Hilo, Hawaii 96720



Clyde K. Matsunaga
Clyde K. Matsunaga
Registered Professional Surveyor
Certificate No. 4328

EASEMENT "B"

(FOR CHEVRON'S CARGO LINES PURPOSES, ABOVE GROUND)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the northwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,763.60 feet North and 10,730.79 feet East, thence running by azimuths measured clockwise from true South:

1. 302° 23' 26.60 feet along the remainder of government
land;
2. 266° 07' 53.68 feet along the remainder of government
land;
3. 216° 38' 49.40 feet along the remainder of government
land;
4. 265° 55' 7.23 feet along the remainder of government
land;
5. 175° 55' 8.06 feet along the remainder of government
land;

EASEMENT "B"
1 of 3

6. 241° 32' 30" 62.00 feet along the remainder of government land;
7. 252° 04' 82.35 feet along the remainder of government land;
8. 356° 17' 36" 13.93 feet along the remainder of government land;
9. 72° 04' 77.69 feet along Lot 2-B (CSF 16,518);
10. 61° 32' 30" 58.32 feet along Lot 2-B (CSF 16,518);
11. 36° 38' 62.97 feet along Lot 2-B (CSF 16,518);
12. 86° 07' 82.36 feet along Lot 1-B;
13. 212° 30' 0.14 of a foot along the remainder of government land;
14. 122° 30' 3.00 feet along the remainder of government land;
15. 212° 30' 5.00 feet along the remainder of government land;
16. 122° 30' 13.49 feet along the remainder of government land;
17. 212° 30' 5.00 feet along the remainder of government land;

18. 212° 23' 14.00 feet along the remainder of government
land to the point of beginning
and containing an area of 4,063
Square Feet.

Tax Map Key: 3rd Div. 3-7-10: portion of 6

November 19, 1987

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EASEMENT "C"

(FOR CHEVRON'S CARGO LINES PURPOSES, UNDERGROUND)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the northeast corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,760.22 feet North and 10,728.65 feet East, thence running by azimuths measured clockwise from true South:

1. 32° 23' 10.00 feet along the remainder of government land;
2. 122° 23' 291.29 feet along the remainder of government land;
3. 167° 23' 58.14 feet along the remainder of government land;
4. 122° 23' 191.93 feet along the remainder of government land;
5. 212° 23' 10.00 feet along the remainder of government land;

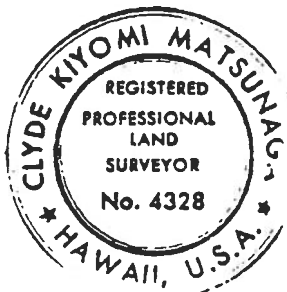
EASEMENT "C"
1 of 2

6. 302° 23' 196.07 feet along the remainder of government land;
7. 347° 23' 58.14 feet along the remainder of government land;
8. 302° 23' 287.15 feet along the remainder of government land to the point of beginning and containing an area of 5,414 Square Feet.

Tax Map Key: 3rd Div. 3-7-10: portion of 6

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EASEMENT "C"
2 of 2

EASEMENT "D"

(FOR CHEVRON'S CARGO LINES PURPOSES, ANODE BEDS)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the most westerly corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,960.68 feet North and 10,401.57 feet East, thence running by azimuths measured clockwise from true South:

1. 122° 23' 4.00 feet along the remainder of government land;
2. 212° 23' 37.00 feet along the remainder of government land;
3. 302° 23' 4.00 feet along the remainder of government land;

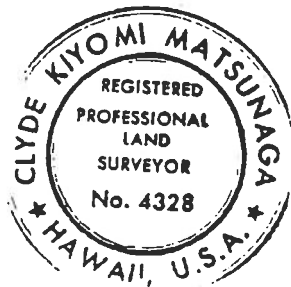
EASEMENT "D"
1 of 2

4. 32° 23' 37.00 feet along the remainder of government
land to the point of beginning
and containing an area of 148
Square Feet.

Tax Map Key: 3rd Div. 3-7-10: portion of 6

November 19, 1987

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EASEMENT "E"

(FOR CHEVRON'S CARGO LINES PURPOSES, UNDERGROUND, ONE PIPELINE)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the most southerly corner of this easement and on Kahului Harbor, Pier 1, Bulkhead Line, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,985.07 feet North and 10,260.43 feet East, thence running by azimuths measured clockwise from true South:

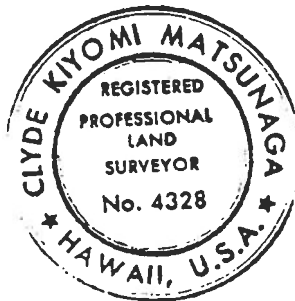
1. 122° 22' 49" 8.50 feet on Kahului Harbor, Pier 1,
Bulkhead Line;
2. 212° 23' 92.00 feet along the remainder of government
land;
3. 302° 23' 8.50 feet along the remainder of government
land;

4. 32° 23' 92.00 feet along the remainder of government
land to the point of beginning
and containing an area of 782
Square Feet.

Tax Map Key: 3rd Div. 3-7-10: portions of 6 and 18

November 19, 1987

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EASEMENT "F"

(FOR CHEVRON'S CARGO LINES PURPOSES, UNDERGROUND, FOUR PIPELINES)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the most westerly corner of this easement and on Kahului Harbor, Pier 1, Bulkhead Line, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,999.80 feet North and 10,237.20 feet East, thence running by azimuths measured clockwise from true South:

1. 212° 23' 102.00 feet along the remainder of government land;
2. 302° 23' 19.00 feet along the remainder of government land;
3. 32° 23' 10.00 feet along the remainder of government land;
4. 122° 23' 7.00 feet along the remainder of government land;
5. 32° 23' 92.00 feet along the remainder of government land;

EASEMENT "F"
1 of 2

6. $122^{\circ} 22' 49''$ 12.00 feet on Kahului Harbor, Pier 1,
Bulkhead Line to the point of
beginning and containing an area
of 1,294 Square Feet.

Tax Map Key: 2nd Div. 3-7-10: portions of 6 and 18

November 19, 1987

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EASEMENT "F"
2 of 2

EASEMENT "G"

(FOR CHEVRON'S CARGO LINES PURPOSES, ANODE BEDS)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the northwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,740.75 feet North and 10,705.32 feet East, thence running by azimuths measured clockwise from true South:

1. 274° 43' 8.00 feet along the remainder of government land;
2. 4° 43' 40.00 feet along the remainder of government land;
3. 32° 30' 17.16 feet along the remainder of government land;

EASEMENT "G"
1 of 2

4. 184° 43'

55.18 feet along the remainder of government
land to the point of beginning
and containing an area of 381
Square Feet.

Tax Map Key: 3rd Div. 3-7-10: portions of 3 and 6

November 19, 1987

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EASEMENT "G"
2 of 2

EASEMENT "H"

(FOR CHEVRON'S CARGO LINES PURPOSES)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the northeast corner of this easement and on the westerly boundary of Lot 1-B, the direct azimuth and distance from the northwest corner of Lot 1-B being: $5^{\circ} 00'$ 53.38 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,679.96 feet North and 10,708.95 feet East, thence running by azimuths measured clockwise from true South:

1. $32^{\circ} 30'$ 89.77 feet along the remainder of government land;
2. $3^{\circ} 30'$ 60.71 feet along the remainder of government land;
3. Thence along the remainder of government land on a curve to the right with a radius of 563.00 feet, the chord azimuth and distance being:
 $12^{\circ} 02' 52''$ 167.36 feet;

EASEMENT "H"
1 of 3

4. $41^{\circ} 42' 17''$ 141.86 feet along the remainder of government land;
5. $122^{\circ} 30'$ 10.13 feet along the remainder of government land;
6. $221^{\circ} 42' 17''$ 141.61 feet along the remainder of government land;
7. Thence along the remainder of government land on a curve to the left with a radius of 553.00 feet, the chord azimuth and distance being:
 $191^{\circ} 57' 06''$ 162.55 feet;
8. $183^{\circ} 30'$ 63.29 feet along the remainder of government land;
9. $212^{\circ} 30'$ 111.57 feet along the remainder of government land;

10. 5° 00' 21.65 feet along Lot 1-B to the point of
beginning and containing an area
of 4,699 Square Feet.

Tax Map Key: 2nd Div. 3-7-10: portion of 3

November 19, 1987

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EASEMENT "I"

(FOR CHEVRON'S CARGO LINES PURPOSES, UNDERGROUND, ONE PIPELINE)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the northwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,317.56 feet North and 10,470.60 feet East, thence running by azimuths measured clockwise from true South:

1. 302° 30' 62.36 feet along the remainder of government
land;
2. 41° 42' 17" 6.08 feet along the remainder of government
land;
3. 122° 30' 61.39 feet along the remainder of government
land;

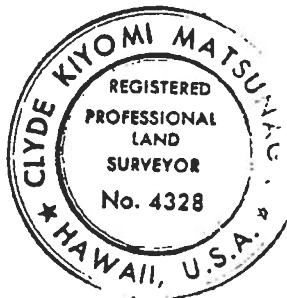
4. 212° 30'

6.00 feet along the remainder of government
land to the point of beginning
and containing an area of 371
Square Feet.

Tax Map Key: 2nd Div. 3-7-10: portion of 3

November 19, 1987

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EASEMENT "I"
2 of 2

EASEMENT "J"

(FOR CHEVRON'S CARGO LINES PURPOSES, UNDERGROUND, 4 PIPELINES)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the southwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,300.68 feet North and 10,459.85 feet East, thence running by azimuths measured clockwise from true South:

1. $212^{\circ} 30'$ 10.00 feet along the remainder of government land;
2. $302^{\circ} 30'$ 60.74 feet along the remainder of government land;
3. $221^{\circ} 42' 17''$ 4.06 feet along the remainder of government land;
4. $302^{\circ} 30'$ 10.13 feet along the remainder of government land;
5. $41^{\circ} 42' 17''$ 14.19 feet along the remainder of government land;

EASEMENT "J"
1 of 2

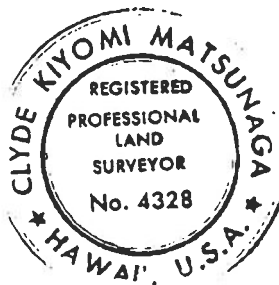
6. 122° 30'

69.25 feet along the remainder of government
land to the point of beginning
and containing an area of 741
Square Feet.

Tax Map Key: 2nd Div. 3-7-10: portion of 3

November 19, 1987

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EASEMENT "K"

(FOR CHEVRON'S CARGO LINES PURPOSES, ANODE BEDS)

LAND SITUATED AT KAHULUI, WAILUKU, ISLAND OF MAUI,
HAWAII.

Being a portion of Government Land at Kahului Harbor.

Beginning at the southwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE", being 5,403.13 feet North and 10,581.71 feet East, thence running by azimuths measured clockwise from true South:

1. $212^{\circ} 30'$ 4.00 feet along the remainder of government land;
2. $302^{\circ} 30'$ 35.86 feet along the remainder of government land;
3. Thence along the remainder of government land on a curve to the right with a radius of 553.00 feet, the chord azimuth and distance being:
 $20^{\circ} 17' 34''$ 2.13 feet;

EASEMENT "K"
1 of 2

4. $41^{\circ} 42' 17''$ 1.94 feet along the remainder of government land;
5. $122^{\circ} 30'$ 36.00 feet along the remainder of government land to the point of beginning and containing an area of 144 Square Feet.

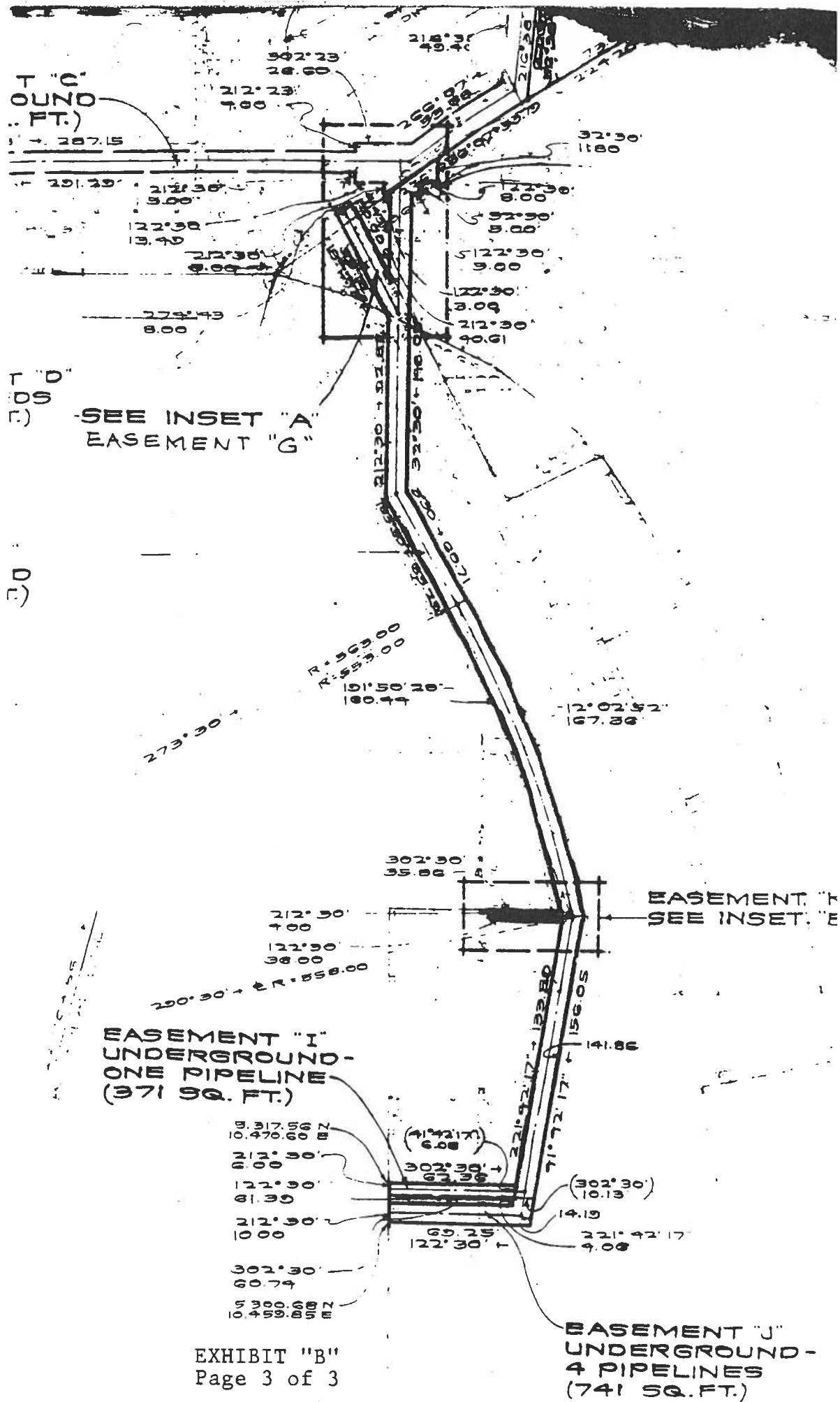
Tax Map Key: 2nd Div. 3-7-10: portion of 3

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SCALE : 1 IN. = 10 FT



SCALE : 1 IN. = 10 FT.

KAHULUI HARBOR

KAHULUI, WAILUKU, MAUI, HAWAII.

MAP SHOWING CHEVRON'S CARGO L
"A" TO "K", INCLUSIVE

TAX MAP KEY : 2ND DIV. 3-7-10: 3, 6, 1

OWNER : STATE OF HAWAII

