

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



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

EDWIN H. SNIFFEN  
DIRECTOR  
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IN REPLY REFER TO:

September 26, 2024

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

OAHU

Request for authorization to issue a Construction-Right-of-Entry and Grant of Easements (perpetual, non-exclusive and exclusive), to Hawaiian Electric Company, Inc., for utility purposes in conjunction with the Aloha Tower NEVI EV Charger Project, Honolulu Harbor, Island of Oahu, Tax Map Key No. (1) 2-1-001:062 (Portion), Governors Executive Order No. 3542.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 171-6, 171-7, 171-11, 171-13, 171-17, 171-35, 171-55, and 171-95, as amended.

APPLICANT:

Hawaiian Electric Company, Inc. (Applicant), is a domestic profit corporation whose mailing address is P.O. Box 2750, Honolulu, Hawaii 96840.

CHARACTER OF USE:

To allow Applicant and its permitted agents (assignees, contractors, subcontractors, and agents) the Right-to-Enter upon and take possession of the premises to: a) construct, reconstruct, operate, maintain, repair, and remove transformer vaults, underground wire lines, and manholes and such appliances and equipment as may be necessary for the transmission and distribution of electricity and/or communication, including all service lines emanating from the main trunk line, to be used for light and power and/or communications and control circuits, including without limiting the generality of the foregoing; b) easements for subsurface lines and ancillary surface equipment; and

c) together with the right from time to time, and at all reasonable times to enter upon the areas for the above-mentioned purposes and maintenance thereof, and also, the right of ingress, egress, and regress over all the Hawaii Department of Transportation (HDOT) roads leading to the areas.

LOCATION:

Portion of Government lands situated on Honolulu Harbor, island of Oahu, Tax Map Key No. (1) 2-2-002:062 (Portion), as shown on the enclosed Exhibit A.

ZONING:

State Land Use Commission: Urban  
City and County of Honolulu: State Jurisdiction, Aloha Tower Project  
(Administered by Aloha Tower Development Corp.)

AREA: See enclosed Exhibit A

<b>AREA</b>	<b>DESCRIPTION</b>	<b>TYPE</b>	<b>SQ. FT.</b>
1	Underground Utility Lines	Non-Exclusive Easement	3,140
2	Transformer Vault	Exclusive Easement	672

TERM AND CONSIDERATION:

Grant of Easements: Perpetual and consideration set at gratis as easements are required in connection with a government project – Pursuant to HRS, Section 171-95.

Construction-Right-of-Entry: Until the construction, reconstruction, operation, maintenance, repair and removal of transformer vaults, underground wire lines, and manholes and such appliances and equipment as may be necessary for the transmission and distribution of electricity and/or communication improvements are complete, and the execution of the grant of easements.

LAND TITLE STATUS:

Owned by the State of Hawaii, management and control of the property was transferred to the HDOT by Executive Order No. 3542.

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 3: Construction and location of single, new, small facilities or structures, and the alteration and modification of the facilities or structures and installation of new, small equipment or facilities and the alteration and modification of same, including, but not limited to: D. Water, sewage, electrical, gas, telephone and other essential public utility services extensions to serve such structures or facilities.”

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 3, Part 1:

- No. 13. “Modify utility systems including electrical (e.g., convert overhead lines to underground lines), gas, water, sewer, communications and other services to serve structures, buildings, or facilities. Extend utility service connection to new or modified assets. Exterior lighting modifications will comply with HRS, Chapter 201-8.5, Night Sky Protection Strategy.”
- No. 16. “Install new substation, transformers and electrical connections to supplement existing power supply and to maintain the functionality of a facility.”

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 use of the premises by the Applicant is in support of the HDOT Highways Project for the installation of an EV charger site located at Aloha Tower, ultimately to supply power to the improvements contained within that project.

Mr. Edwin H. Sniffen, Director  
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RECOMMENDATION:

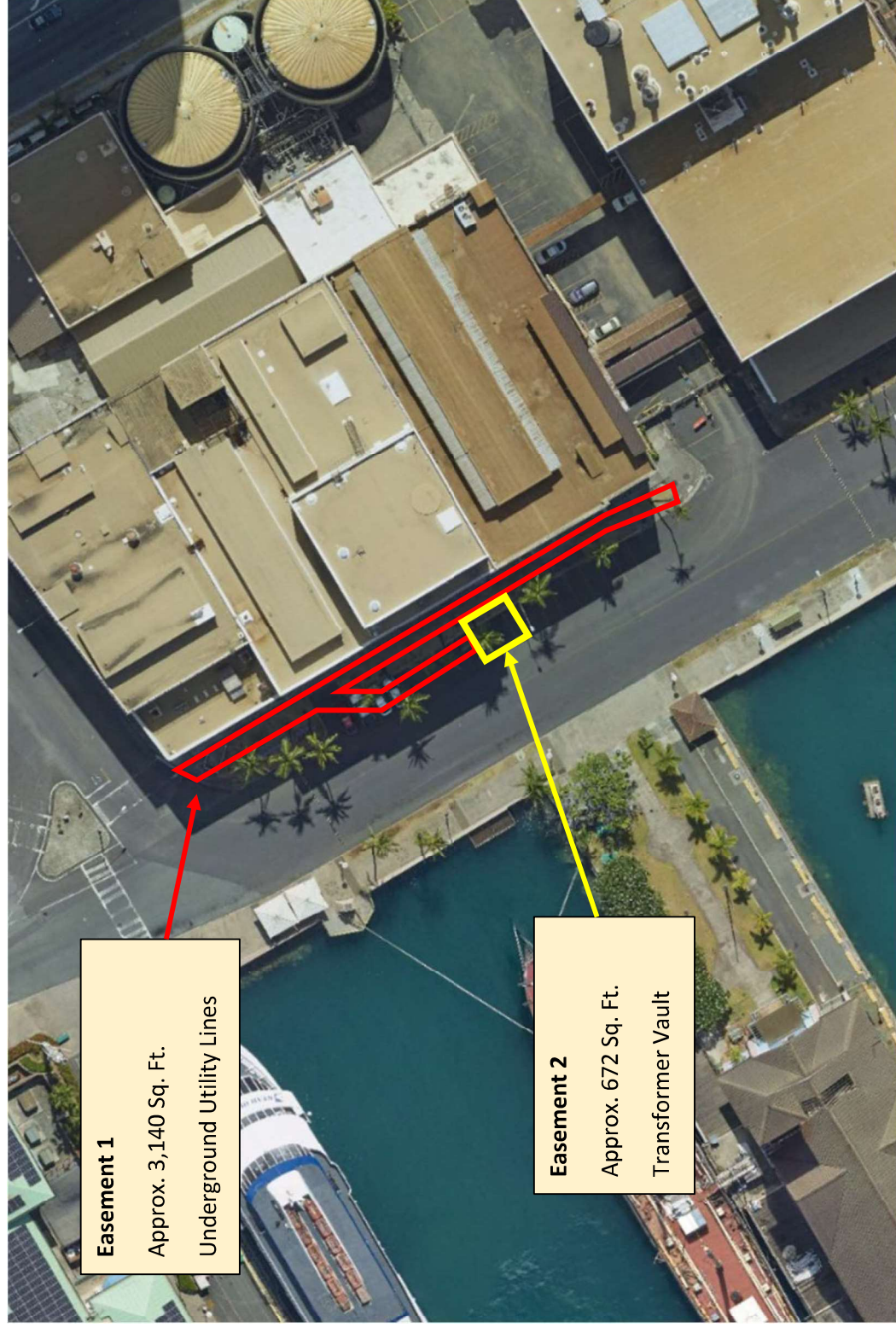
Based on this submittal, testimony and facts presented, the HDOT recommends the issuance of a Construction Right-of-Entry and Grant of Easements (perpetual, non-exclusive) to the Applicant under the terms and conditions cited above, and other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State.

Sincerely,



DREANALEE K. KALILI  
Deputy Director of Transportation for Harbors

Enclosures



**Easement 1**  
Approx. 3,140 Sq. Ft.  
Underground Utility Lines

**Easement 2**  
Approx. 672 Sq. Ft.  
Transformer Vault



