

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
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IN REPLY REFER TO:

November 21, 2024

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

KAUAI

Request for Authorization to issue one month-to-month Revocable Permit (RP) to Young Brothers, LLC, for container station waiting area, situated at Pier 3, Nawiliwili Harbor, island of Kauai, Tax Map Key (TMK) No. (4) 3-2-003:007 (Portion), Governor's Executive Order No. 3411

LEGAL REFERENCE:

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

APPLICANT:

Young Brothers, LLC (Applicant), is a domestic limited liability company whose mailing address is 1331 North Nimitz Highway, Honolulu, Hawaii 96817.

CHARACTER OF USE:

Container station waiting area.

LOCATION:

Portion of Government lands at Pier 3, Nawiliwili Harbor, island of Kauai, TMK No. (4) 3-2-003:007 (Portion), as shown on enclosed Exhibit A.

ZONING:

State Land Use Commission:
County of Kauai:

Urban
General Industrial

AREA: See enclosed Exhibit A

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE	RENTAL	SECURITY DEPOSIT
1	Nimitz Container Clerk Station	Improved Land - Paved	200	\$ 0.99	\$ 198.00	\$ 396.00

CONSIDERATION:

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

LAND TITLE STATUS:

Governor's Executive Order No. 3411 for Harbor related 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 Applicant currently occupies portions of Pier 3 of Nawiliwili Harbor, island of Kauai, for container station waiting area. 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 is an interisland freight handling and transportation company which has been in business for over 100 years. The Applicant has a fleet of eight barges with a combined capacity of over 60,000 tons and equipment that can accommodate a range of capacity needs. They are the only regularly scheduled common carrier that transports goods to all of the main Hawaiian Islands. They are committed to investing in new vessels and shoreside technologies to lessen the impact on the environment. The Applicant has a long-standing tradition of supporting the local island communities in many ways, including in-kind gratis shipments, equipment donation, and participation in the Saltchuk Giving Initiative – Hawaii Region. Recently, they have been working with non-profit organizations who are working to support recovery efforts in Maui due to the wildfires in the form of gratis shipments, which are in-kind services to transport goods.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends the issuance of one 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 Kalili

DREANALEE K. KALILI
Deputy Director of Transportation for Harbors

Enclosures

Area – Container Station Waiting Area



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
1	Container Station Waiting Area	Improved Land - Paved	8'	20'	160

