

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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

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IN REPLY REFER TO:

May 22, 2025

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

HAWAII

Request for Authorization to issue two month-to-month Revocable Permits (RP) to The Gas Company, LLC, for non-exclusive subsurface easements for electricity transmission and for the distribution of petroleum products, situated at Hilo Harbor, island of Hawaii, Tax Map Key Nos. (3) 2-1-009:007 (Portion), (3) 2-1-009:048 (Portion), and (3) 2-1-009:060 (Portion), Governor's Executive Order (GEO) No. 3962.

LEGAL REFERENCE:

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

APPLICANT:

The Gas Company, LLC (Applicant), a domestic limited liability company whose mailing address is 745 Fort Street, 18th Floor, Honolulu, Hawaii, 96813.

CHARACTER OF USE:

Use of non-exclusive subsurface electrical easements for electricity transmission and for the distribution of petroleum products, situated at Hilo Harbor.

LOCATION:

Portion of Government lands at Hilo Harbor, island of Hawaii, TMK Nos. (3) 2-1-009:007 (Portion), (3) 2-1-009:048 (Portion), and (3) 2-1-009:060 (Portion), as shown on enclosed Exhibit A.

Mr. Edwin H. Sniffen, Director
May 22, 2025
Page 2

ZONING:

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

AREA: See enclosed Exhibits A and B

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Non-exclusive subsurface electrical easement for electricity transmission	Improved Land-paved	1,565	\$0.23	\$ 359.95	\$ 719.90
2	Non-exclusive subsurface easement for the distribution of petroleum products	Improved Land-paved	8,613	\$0.23	\$ 1,980.99	\$ 3,961.98

\$ 2,340.94	\$ 4,681.88
Total Monthly Rental	Total Security Deposit

CONSIDERATION:

Month-to-month rent determined by appraisal as of January 1, 2025, for RPs in Hilo Harbor, Hawaii.

LAND TITLE STATUS:

Under control and management of the Hawaii Department of Transportation (HDOT) through issuance of GEO No. 3962.

TRUST LAND STATUS:

Public Land Trust Information System has TMK Nos. (3) 2-1-009:060 (Portion) and (3) 2-1-009:048 (Portion) listed as subsection as undetermined and TMK No. (3) 2-1-009:007 (Portion) listed as subsection 5(b) of the Hawaii Admission Act (ceded lands).

CURRENT USE STATUS:

The Applicant currently occupies the premises to assist in supporting the energy needs of the island of Hawaii.

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. A6. “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, as permitted by the United States (U.S.) Army Corps of Engineers and the U.S. Coast Guard. Structures include but are not limited to:
 - a. Perimeter seawalls, revetments, groins, and other similar protective structures.
 - b. Pier decks, aprons, piles, sheet piles, bulk heads, dolphins, launch ramps, loading docks, substructure elements and other similar structures.
 - c. Bull rails, fender systems, bollards, cleats, and other similar mooring features.
 - d. Fuel and other pipelines, hatch frames, manifolds, utilities, manholes, covers and other similar structures.
 - e. Stormwater systems (e.g., culverts, drainage systems, inlets, and outfalls), pipes, swales, manholes and other similar structures.

Mr. Edwin H. Sniffen, Director
May 22, 2025
Page 4

f. Navigational aids, range lights and other similar navigational assets.”

Exemption Type 8, Part 1:

- No. 8g. “Creation or extension of leases, RPs or easements involving negligible or minor expansion or change of use beyond that previously existing.”

REMARKS:

The Applicant has assisted businesses and residents with their energy needs throughout the State since 1904. The Applicant is committed to advancing a clean energy future for Hawaii by accelerating plans for renewable gas and hydrogen integration, diversification through expansion of its energy portfolio, being mindful of its carbon footprint, and ensuring reliability within the State’s energy supply chain to ensure availability and affordability for the community. In 2018, the Applicant started production of renewable natural gas at the Honouliuli Wastewater Treatment Plant, which added to the diversification of Honolulu’s utility fuel mix.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends authorizing the issuance of two month-to-month RPs 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

Exhibit A

Area 1 - Non-exclusive subsurface electrical easement for electricity transmission

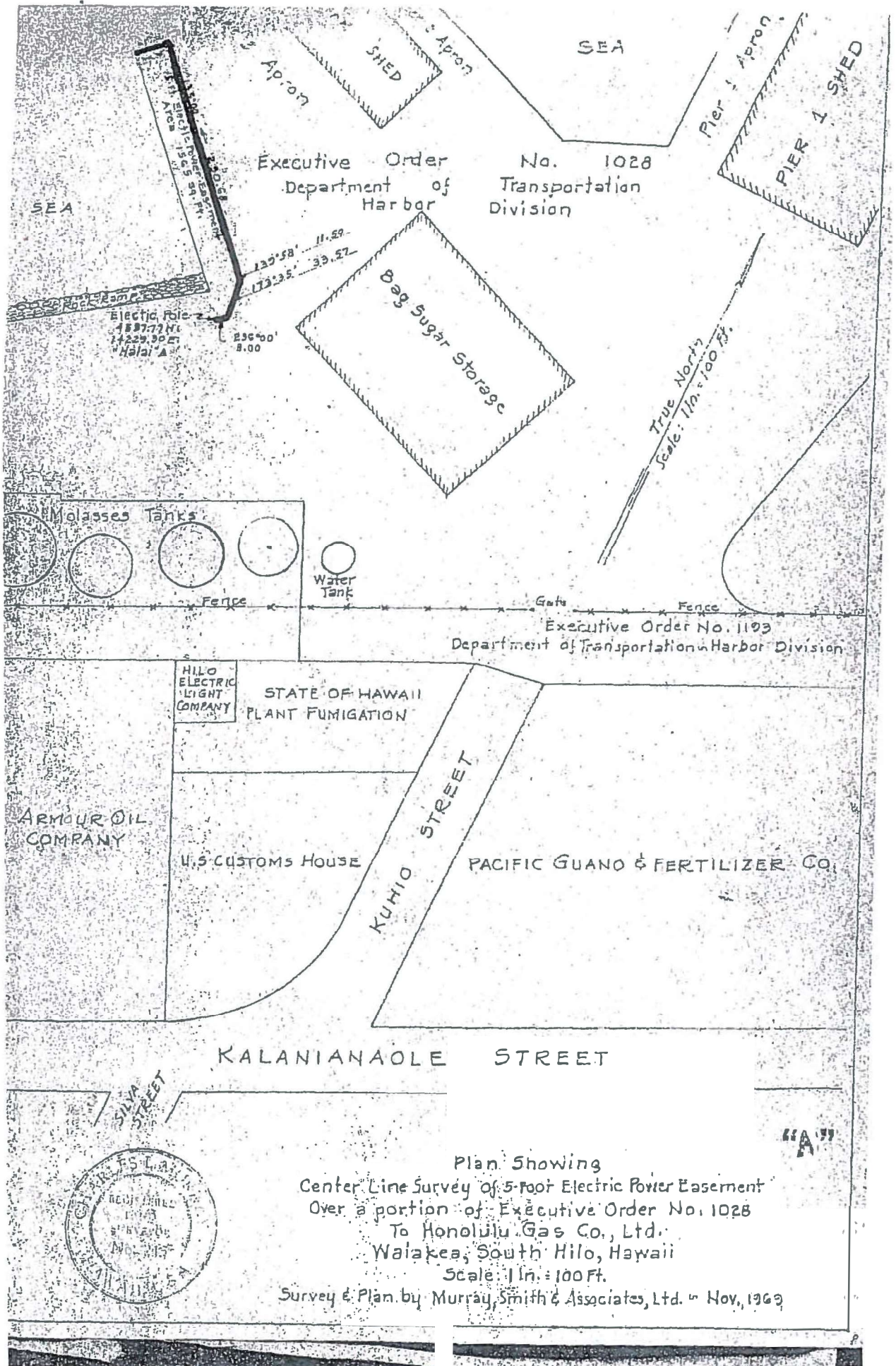


Exhibit B

תאריך קבלה: 2-1-77 חתום: ד"ר