

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
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TAMMY L. LEE
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ROBIN K. SHISHIDO

IN REPLY REFER TO:

March 12, 2026

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

MAUI:

Request for Authorization to issue a 10-year Lease by direct negotiation 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 (GEO) Nos. 2635 and 2986.

LEGAL REFERENCE:

Hawaii Revised Statutes, Sections 171-6, 171-11, 171-13, 171-17, 171-35, 171-36, 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.

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 Exhibits A and B

Easement	Use and Description	Land Area
A	Nonexclusive subsurface pipeline	1,144
B	Exclusive surface pipeline	4,063
C	Nonexclusive subsurface pipeline	5,414
D	Nonexclusive anode beds	148
E	Nonexclusive subsurface pipeline	782
F	Nonexclusive subsurface pipeline	1,294
G	Nonexclusive anode beds	381
H	Nonexclusive subsurface pipeline	4,699
I	Nonexclusive subsurface pipeline	371
J	Nonexclusive subsurface pipeline	741
K	Nonexclusive anode beds	144

CONSIDERATION:

The Hawaii Department of Transportation (HDOT) and the Applicant have agreed on the appraised value for the easements and is as follows:

Period	Appreciation Rate	Annual Rental
Years 1-5	N/A	\$ 66,797.00
Years 6-10	30 percent	\$ 86,836.00

TRUST LAND STATUS:

The Public Land Trust Information System states the 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 Revocable Permit (RP) No. M-KI-1-26-15-RP for nonexclusive subsurface and surface fuel pipelines and nonexclusive subsurface 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.

LAND TITLE STATUS:

GEO Nos. 2635 and 2986, for Kahului Harbor, to be under the control and management of the 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 (U.S.) Army Corps of Engineers and U.S. 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, RPs, or easements involving negligible or minor expansion or change of use beyond that previously existing.”

REMARKS:

The Applicant currently occupies the premises under an RP and seeks to continue its occupancy. The Applicant’s easement area is situated at Kahului Harbor for the distribution of petroleum fuels for the people of the island of Maui. These pipelines constitute the primary source of fuel for Maui. The Applicant is headquartered in Hawaii and operates terminal facilities and retail operations that provide energy products for utility, aviation, retail, and business customers throughout the State. The Applicant would prefer a longer disposition, however, due to environmental changes, the HDOT is

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in process of reviewing and planning future projects in the area to ensure Kahului Harbor is built for resiliency and will continue to serve the Maui community for future generations.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends the issuance of a 10-year lease by direct negotiation 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

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 (CSP 16,518);
10. 61° 32' 30" 58.32 feet along Lot 2-B (CSP 16,518);
11. 36° 38' 62.97 feet along Lot 2-B (CSP 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

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



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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;

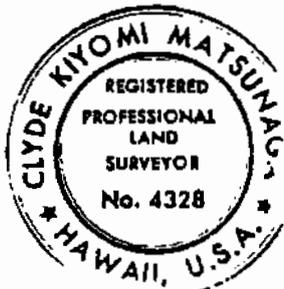
EASEMENT "C"
1 of 2

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

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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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

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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

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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° 42' 17" 141.86 feet along the remainder of government
land;
5. 122° 30' 10.13 feet along the remainder of government
land;
6. 221° 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° 57' 06" 162.55 feet;
8. 183° 30' 63.29 feet along the remainder of government
land;
9. 212° 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

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



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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

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171 Kapiolani Street
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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

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



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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.

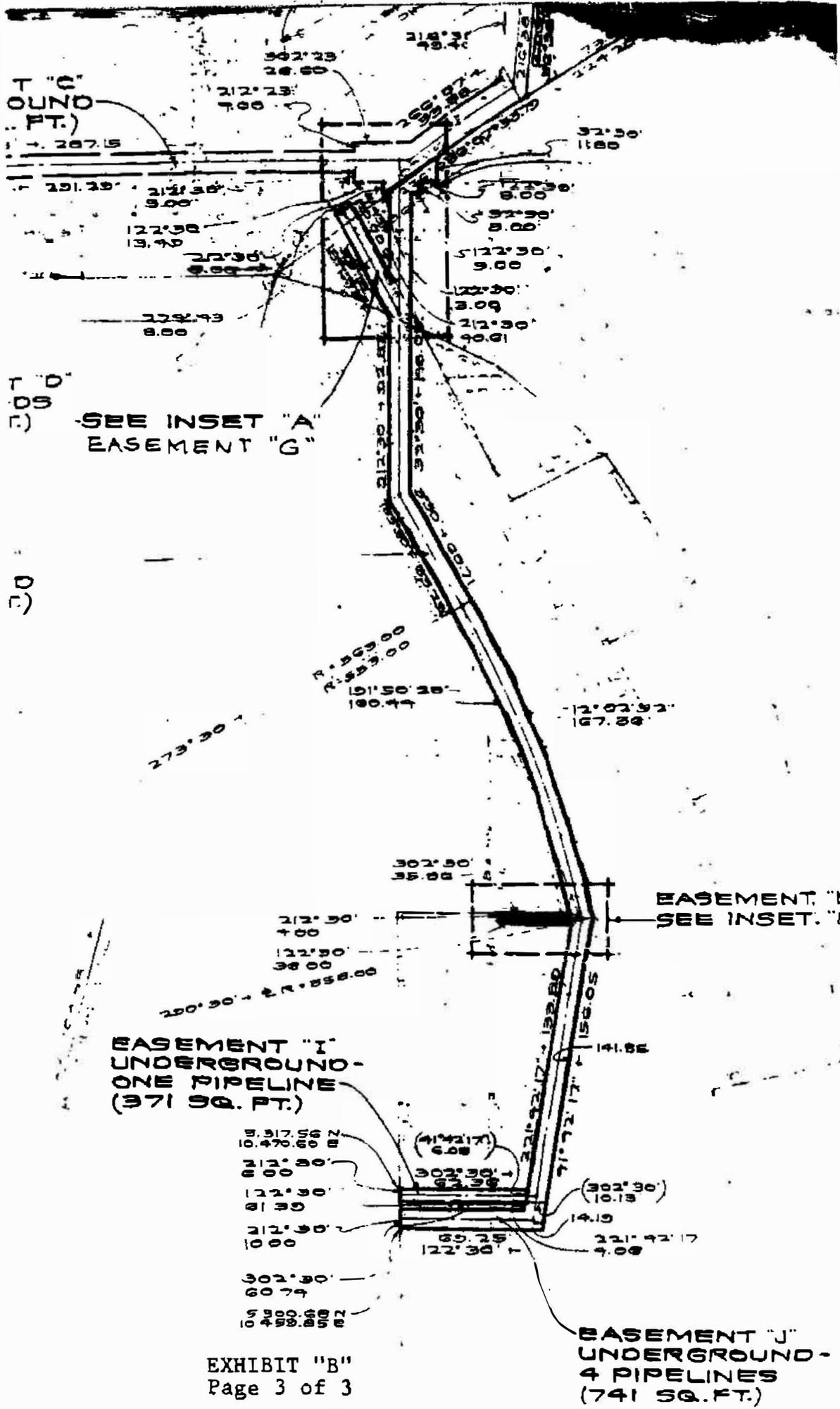
Tax Map Key: 2nd Div. 3-7-10: portion of 3

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T.C. FOUND. FT.)

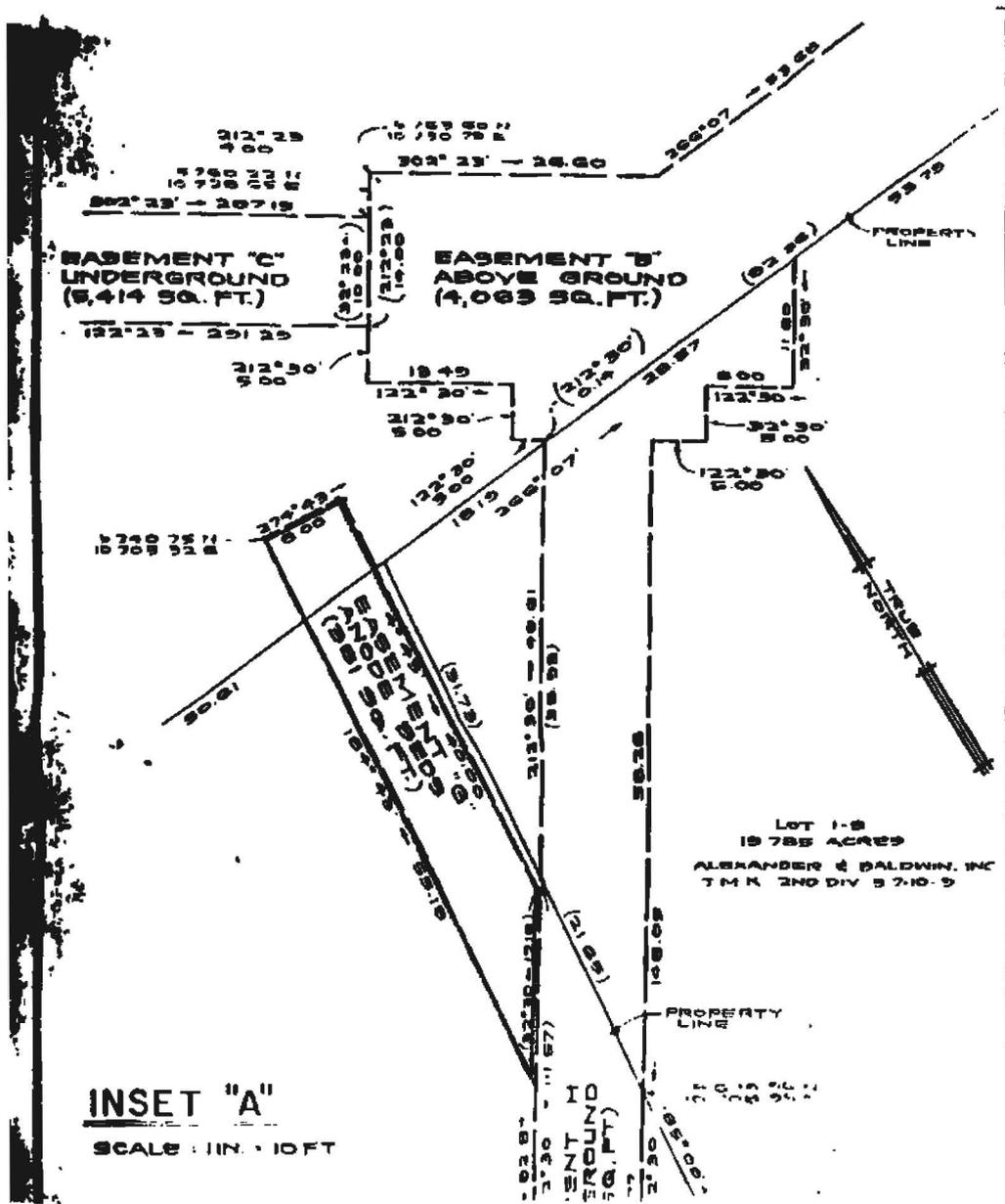
T.C. FOUND. FT.)

SEE INSET "A"
EASEMENT "G"

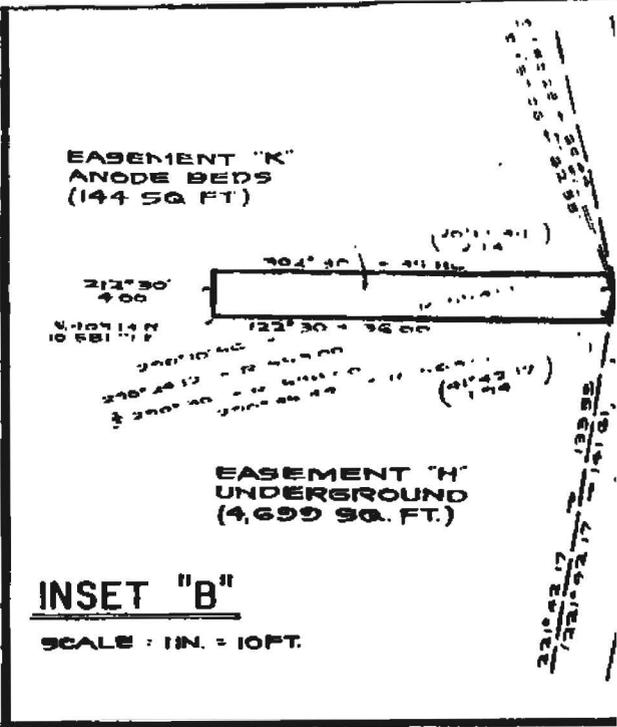
EASEMENT "I"
UNDERGROUND -
ONE PIPELINE
(371 SQ. FT.)

EASEMENT "K"
SEE INSET "E"

EASEMENT "J"
UNDERGROUND -
4 PIPELINES
(741 SQ. FT.)



INSET "A"
SCALE : 1 IN. = 10 FT.



INSET "B"
SCALE : 1 IN. = 10 FT.

KAHULUI HAR

KAHULUI, WAILUKU, MAU
MAP SHOWING CHEVRON
"A" TO "K", INCLUSIVE
TAX MAP KEY : 2ND DIV.
OWNER : STATE OF HAWAII

