

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  
KA LUNA HO'OKELE

Deputy Directors  
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TAMMY L. LEE  
CURT T. OTAGURO  
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IN REPLY REFER TO:

March 12, 2026

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 (CROE) and Grant of a Non-exclusive Easement (GOE) for 65 years to the City and County of Honolulu (City), for the use of the Board of Water Supply, for a water meter and non-exclusive subsurface water improvements, situated at Piers 1 and 2, Honolulu Harbor, island of Oahu, Tax Map Key (TMK) Nos. (1) 2-1-015:009 (Portion) and (1) 2-1-015:064 (Portion), Governor's Executive Order (GEO) No. 4238.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 171-6, 171-7, 171-11, 171-13, 171-17, 171-55, 171-59, and 171-95, as amended.

APPLICANT:

The Board of Water Supply (Applicant) is a government agency whose mailing address is 630 South Beretania Street, Honolulu, Hawaii 96843. Pursuant to Section 7-105 (e) of the Revised Charter of the City (1973), as amended (2017 Edition), the Applicant is authorized to acquire, in the name of the City, real property or any interest therein by various means for the construction, maintenance, repair, extension, or operation of the water systems.

CHARACTER OF USE:

To allow the Applicant and its permitted agents (including employees, assignees, contractors, subcontractors, and agents) the right to enter upon and take possession of the Premises to construct, reconstruct, operate, maintain, repair, replace, and remove surface and/or underground pipelines, valves, meters, boxes, and such appliances and equipment (Facilities) as may be necessary for water service and fire protection purposes. Together with, from time to time and at all reasonable times, the right of ingress to and egress from all the Hawaii Department of Transportation (HDOT), Harbors, roads leading to

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the easement area. The easement granted herein shall be used exclusively for the installation, operation, maintenance, repair, replacement, and removal of the Facilities, together with all necessary appurtenances. The Applicant shall ensure that all improvements within the easement area are constructed and maintained in compliance with applicable federal, state, and county laws, ordinances, and regulations. The Applicant shall be responsible for any environmental remediation resulting from leaks, spills, or discharges associated with the Facilities. The HDOT reserves the right to access the easement area at reasonable times for inspection purposes, provided that such access does not unreasonably interfere with the Applicant's use of the easement area.

LOCATION:

Portion of Government lands at Honolulu Harbor, island of Oahu, TMK Nos. (1) 2-1-015:009 (Portion) and (1) 2-1-015:064 (Portion), as shown on enclosed Exhibit A.

ZONING:

State Land Use Commission:	Urban
City and County of Honolulu:	Kakaako Community Development District
	Waterfront Industrial Precinct
	Mixed Use Precinct
	Public Use Precinct

TERM OF CROE:

The CROE shall be effective until the construction of the Facilities is completed to the satisfaction of the Applicant and the execution and recordation of the GOE.

AREA: See enclosed Exhibit A

CONSIDERATION:

Gratis.

LAND TITLE STATUS:

Per GEO No. 4238, the Premises was set aside to the HDOT.

TRUST LAND STATUS:

Public Land Trust Information System states TMK No. (1) 2-1-015:009 (Portion) is listed as 5(b), and TMK No. (1) 2-1-015:064 (Portion) is not listed.

CURRENT USE STATUS:

TMK Nos. (1) 2-1-015:009 (Portion) and (1) 2-1-015:064 (Portion) encumbered under GEO No. 4238, for continued manifested cargo and passenger operation purposes.

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, Part 1: Modification of existing facilities or installation of new equipment.”

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.”

APPLICANT REQUIREMENTS:

The Applicant shall:

1. Ensure that its contractor and subcontractors, shall obtain the following insurance during the term of the CROE and include the HDOT, as an additional insured:
  - a. Bodily injury or property damage caused by the Applicant’s or its permitted agent’s negligence in the form of a general liability insurance policy with a combined single limit of not less than one million dollars (\$1,000,000.00) for bodily injury and damage to property per occurrence, and two million dollars (\$2,000,000.00) in the aggregate.

- b. Automobile insurance for any vehicles used to access and are on the premises with a minimum limit of not less than \$1,000,000 per occurrence.
  - c. All insurance required to be maintained by the Applicant and its permitted agents hereunder shall be pursuant to policies in form and substance consistent with policies of a similar type issued to businesses similar to the Applicant and its permitted agents and issued by companies of sound and adequate financial responsibility authorized to do business in the State of Hawaii, all as reasonably satisfactory to the State.
  - d. The Applicant shall include the State as an additional insured on the policies, or provide other assurances reasonably acceptable to the State, that the Applicant's insurance policies shall be primary, not in excess of or pro-rata and noncontributing as to and with any other insurance held or maintained by the State, for any injury or claim arising on the Premises due to the Applicant's negligence or the negligence of its permitted agents. The term "State" shall include the State's officers and employees acting within the scope of their duties.
  - e. The Applicant shall provide proof of all required insurance to the State either by the production of an insurance certificate or some other written form reasonably acceptable to the State.
2. Use due care for public safety and agrees to hold harmless, and indemnify the State, its officers, agents, and employees, and any person acting for or on its behalf, from and against all claims or demands for damage, including claims for property damage, personal injury, or death, arising on, about, or in connection with the exercise of the rights and privileges herein granted, caused directly or approximately by any failure on the part of the Applicant in the use of the Premises.
3. Take all necessary steps to ensure that any work involving the Premises will not cause any permanent damage to property or improvements situated on, adjacent to, or near the Premises.
4. Take all necessary steps to ensure that the work done on the Premises does not interfere with any of the operational activities of any adjacent property owners.
5. Coordinate all activities with Staff of the HDOT.
6. At all times during the term of the CROE, comply with all applicable laws, statutes, ordinances, rules, and regulations, whether State, County, or Federal, which are now or hereafter may be in effect.
7. Adhere to other terms and conditions as may be prescribed by the Director of Transportation.

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REMARKS:

The Applicant's work is proposed to integrate the existing fire suppression system with additional water lines, meters, hydrants, connections, and other appurtenances needed to create a robust fire suppression system. The work will ensure the cargo yard facility at Piers 1 and 2, Honolulu Harbor, is in line with the current fire code. The CROE and GOE will allow the Applicant to relocate, install, construct, operate, and maintain the Facilities.

RECOMMENDATION:

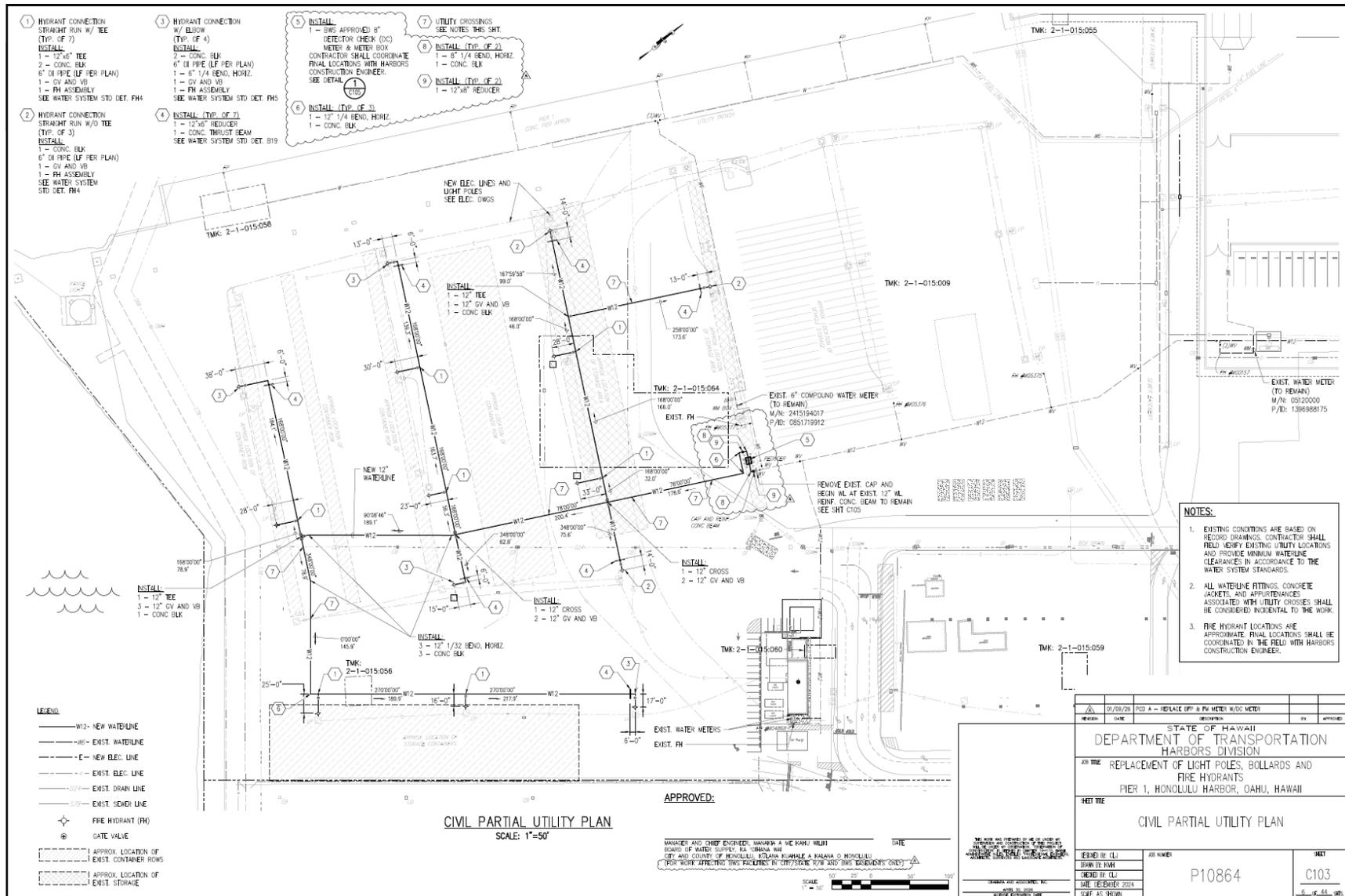
Based on this submittal, testimony and facts presented, the HDOT recommends authorizing the issuance of a CROE and the GOE for 65 years for the purposes cited above, subject to the terms and conditions outlined above and incorporated herein by reference, and such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State.

Sincerely,



DREANALEE K. KALILI  
Deputy Director of Transportation for Harbors

Enclosure



- NOTES:**
- EXISTING CONDITIONS ARE BASED ON RECORD DRAWINGS. CONTRACTOR SHALL FIELD VERIFY EXISTING UTILITY LOCATIONS AND PROVIDE MINIMUM WATERLINE CLEARANCES IN ACCORDANCE TO THE WATER SYSTEM STANDARDS.
  - ALL WATERLINE FITTINGS, CONCRETE JACKETS, AND APPURTENANCES ASSOCIATED WITH UTILITY CROSSES SHALL BE CONSIDERED INCIDENTAL TO THE WORK.
  - FIRE HYDRANT LOCATIONS ARE APPROXIMATE. FINAL LOCATIONS SHALL BE COORDINATED IN THE FIELD WITH HARBORS CONSTRUCTION ENGINEER.

REVISION	DATE	DESCRIPTION	BY	APPROVED
1	01/09/26	ADD A - REPLACE (EP) & FH METER W/O METER		

STATE OF HAWAII  
 DEPARTMENT OF TRANSPORTATION  
 HARBORS DIVISION

JOB TITLE: REPLACEMENT OF LIGHT POLES, BOLLARDS AND FIRE HYDRANTS  
 PIER 1, HONOLULU HARBOR, OAHU, HAWAII

SHEET TITLE: CIVIL PARTIAL UTILITY PLAN

DESIGNED BY: [ ] JOB NUMBER: P10864

DRAWN BY: [ ] SHEET NO.: C103

CHECKED BY: [ ] DATE: DECEMBER 2024

SCALE AS SHOWN

