

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
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

IN REPLY REFER TO:

HAR-PM.26.1260

April 23, 2026

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

OAHU

Issuance of a Construction Right-of-Entry (CROE) to the United States (U.S.) Coast Guard for construction material laydown area, situated at Pier 53, Honolulu Harbor, Oahu, Tax Map Key (TMK) No. (1) 1-5-041:321 (Portion), Governor's Executive Order (GEO) No. 3401.

LEGAL REFERENCE:

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

APPLICANT:

The U.S. Coast Guard (Applicant) is a branch of the U.S. Armed Forces, whose mailing address is 300 Ala Moana Boulevard, Honolulu, Hawaii 96850.

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 lay down construction materials. This right shall include, from time to time and at all reasonable times, the right to ingress and egress from all Hawaii Department of Transportation (HDOT), Harbors, roads leading to the Premises.

LOCATION:

Portion of Government lands at Pier 53, Honolulu Harbor, Oahu, TMK No. (1) 1-5-041:321 (Portion), GEO No. 3401, as shown on enclosed Exhibit A.

ZONING:

State Land Use Commission:
City and County of Honolulu:

Urban
F-1, Federal and Military Preservation District

TERM OF CROE:

The CROE shall be effective as of June 1, 2026, until May 30, 2027, with option to extend by six months as necessary.

AREA: See enclosed Exhibit A

CONSIDERATION:

Gratis.

LAND TITLE STATUS:

Per GEO No. 3401, the Premises was set aside to the HDOT.

TRUST LAND STATUS:

Public Land Trust Information System lists status for TMK No. (1) 1-5-041:321 (Portion), as Subsection 5(f) of the Hawaii Admission Act, ceded.

CURRENT USE STATUS:

TMK No. (1) 1-5-041:321 (Portion), encumbered under GEO No. 3401, for harbors and related facilities purposes to be under the control and management of the HDOT Harbors.

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."

APPLICATION REQUIREMENTS:

The Applicant shall:

1. Ensure that its contractor and sub-contractors, 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 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 the 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 \$1,000,000.00 per occurrence.
 - c. All insurance required to be maintained by 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 Applicant and its permitted agents and issued by companies of sound and adequate financial responsibility, who are allowed to do business in the State of Hawaii, all as reasonable 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 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 reasonable 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, or any person acting for and, 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 its use of the premises.

3. Take all necessary steps to ensure that any of its work involving the premises will not cause any permanent damage to property or improvements situated on, adjacent to, or near the Premise.
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 federal, state, or county, 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.

REMARKS:

The Applicant's work proposed to provide necessary construction material laydown area in support of their adjacent wharf improvement project.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends authorizing the issuance of a CROE to the Applicant 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

Area 1 – Laydown Area for Construction Materials



Area	Description	Type	Sq. Ft.
1	Laydown Area for Construction Materials	Improved Land - Paved	6,390