

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

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.26.1261

April 23, 2026

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

KAUAI

Issuance of a Revocable Permit (RP) to Marine Spill Response Corporation for container storage of spill response gear, situated at Pier 1, Port Allen Harbor, Kauai, Tax Map Key (TMK) No. (4) 2-1-003:006 (Portion), Governor's Executive Order (GEO) No. 3958.

LEGAL REFERENCE:

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

APPLICANT:

Marine Spill Response Corporation (Applicant) is a foreign non-profit corporation, whose mailing address is 220 Spring Street, Suite 500, Herndon, Virginia 20170.

CHARACTER OF USE:

The Applicant's proposed use of the RP space shall be for container storage of spill response gear.

LOCATION:

Portion of Government lands at Pier 1, Port Allen Harbor, Kauai, TMK No. (4) 2-1-003:006 (Portion), GEO No. 3958, as shown on enclosed Exhibit A.

ZONING:

State Land Use Commission:
County of Kauai:

Urban
I-G, Industrial General

AREA: See enclosed Exhibit A

| Area | Description | Type | Sq. Ft. | Rate | Monthly Rental | Security Deposit |
|-------------|------------------------------------------|-----------------------|----------------|-------------|-----------------------|-------------------------|
| 1 | Container Storage of Spill Response Gear | Improved Land - Paved | 160 | \$0.33 | \$52.80 | \$105.60 |
| N/A | Total | N/A | N/A | N/A | \$52.80 | \$105.60 |

CONSIDERATION, RP:

Month-to-month rent at fifty-two dollars and eighty cents (\$52.80) determined by appraisal as of January 1, 2025, for RPs in Port Allen Harbor. The Security Deposit shall be one hundred five dollars and sixty cents (\$105.60).

LAND TITLE STATUS:

GEO No. 3958 for commercial maritime, marine, and associated purposes, to be under the control and management of the Hawaii Department of Transportation (HDOT), Harbors.

TRUST LAND STATUS:

Public Land Trust Information System lists status for TMK No. (4) 2-1-003:006 (Portion) as Subsection 5(a) of the Hawaii Admission Act (non-ceded).

CURRENT USE STATUS:

The area is currently occupied by the Applicant.

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

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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, RPs or easements involving negligible or minor expansion or change of use beyond that previously existing."

REMARKS:

The Applicant is an independent not-for-profit corporation whose purpose is to provide best-effort response and remediation assistance for large oil spills in United States offshore waters.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends the issuance of a 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 K. KALILI
Deputy Director of Transportation for Harbors

Enclosures

Area 1: Container Storage of Spill Response Gear



| Area | Description | Type | Sq. Ft. |
|------|------------------------------------------|-----------------------|---------|
| 1 | Container Storage of Spill Response Gear | Improved Land - Paved | 160 |

