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

IN REPLY REFER TO:

June 14, 2024

Ms. Dawn N. S. Chang, Chairperson
Board of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii 96813

Dear Ms. Chang:

KAUAI

Issuance of a month-to-month Revocable Permit (RP) to the Aloun Kauai Farming LLC, for container storage adjacent to Pier 2, Nawiliwili Harbor, island of Kauai, Tax Map Key (TMK) Nos. (4) 3-2-004:041 (Portion) and (4) 3-2-004:021 (Portion), Governor's Executive Order No. 509.

LEGAL REFERENCE:

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

APPLICANTS:

Aloun Kauai Farming LLC (Applicant) is a domestic limited liability company, whose mailing address is 7050 Kaumualii Highway, Kekaha, Hawaii 96752.

CHARACTER OF USE:

Storage of containers

LOCATION:

Portion of governmental lands adjacent to Pier 2, Nawiliwili Harbor, island of Kauai, Tax Map Key Nos. (4) 3-2-004:041 (Portion) and (4) 3-2-004:021 (Portion), Governor's Executive Order No. 509, as shown on the enclosed map labeled Exhibit A.

ITEM M-HAR-4

AREA: See enclosed Exhibit A

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE	RENTAL	SECURITY DEPOSIT
1	Container Storage	Unpaved-Unimproved Land	8,100	\$0.14	\$1,134.00	\$2,268.00

CONSIDERATION

Month-to-month rent determined by appraisal as of January 1, 2021, for RPs in Nawiliwili Harbor, island of Kauai.

ZONING:

State Land Use Commission: Urban
County of Kauai: Unknown

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Subsection 5 (a) of the Hawaiian Admission Act (non-ceded lands).

CURRENT USE STATUS:

Land encumbered under Governor's Executive Order No. 509, dated February 19, 2003, setting aside land for maritime and maritime related uses to be under the control of the State of Hawaii, Department of Transportation (HDOT).

LAND TITLE STATUS:

Acquired by the HDOT, through eminent domain proceedings; issuance of Governor's Executive Order No. 509.

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 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, 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 3, Part 1:

- No. 22. "Installation of temporary parking and temporary storage of construction equipment and materials on the HDOT property."

REMARKS:

The Applicant's mission is to provide the people of Hawaii with the highest quality of fresh locally grown produce at a price that is not only competitive, but comparable to mainland farmers. Currently the Applicant transports fresh produce in containers during workday hours which are during peak traffic hours. The area will allow the Applicant to transport refrigerated containers of fresh produce in the evening during non-peak traffic hours, and store the containers close to the harbor until they are ready to be loaded onto cargo ships.

RECOMMENDATION:

Based on this submittal, testimony and facts presented, the HDOT recommends that the Board finds that approving the issuance of a month-to-month RP to the Applicant for the above stated purposes, subject to terms and conditions outlined above and incorporated herein by reference, and to such terms and conditions as may be prescribed by the Director of Transportation; will serve the best interest of the State.

Sincerely,



EDWIN H. SNIFFEN
Director of Transportation

APPROVED FOR SUBMITTAL:



DAWN N. S. CHANG, Chairperson

Enclosure



AREA	DESCRIPTION	TYPE	DIMENSIONS	SQ. FT.
1	Container Storage	Unpaved- Unimproved Land	60' x 135'	8,100

