

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII



JOBIE M. K. MASAGATANI  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI  
LT. GOVERNOR  
STATE OF HAWAII

WILLIAM J. AILA, JR.  
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

February 10, 2015

REC'D OF ENVIRONMENTAL QUALITY CONTROL  
15 MAR 18 P1:54  
RECEIVED

MEMORANDUM

TO: Charles Prentiss, Chair  
Exemptions Committee  
Environmental Council  
Department of Health

FROM: Jobie M. K. Masagatani, Chairman  
Hawaiian Homes Commission 

SUBJECT: Proposed Update to the Department of Hawaiian Home Lands' Exemption List

In light of recent Department of Hawaiian Home Lands (DHHL) efforts to ensure that all activities on DHHL lands are in compliance with Federal, State, and County regulations, the DHHL Planning Office has been offering recommendations to the Chairman of the Hawaiian Homes Commission on whether or not to exempt proposed projects on DHHL lands from the environmental assessment (EA) requirement of Chapter 343, HRS. Per the statute, projects are eligible for exemption from preparation of an EA if they meet certain requirements as stated in Section 11-200-8(a) HAR. Section 11-200-8(a) HAR also states that State and County agencies can prepare their own Chapter 343 exemption list. Activities on agency exemption lists must be consistent with Section 11-200-8(a) HAR exemption requirements and be approved by the State Environmental Council. DHHL's Exemption List has not been updated since 1982, which makes processing exemptions increasingly difficult.

The DHHL Planning Office, starting in early 2014, has been developing an updated Comprehensive Exemption List and circulated it internally as well as to pertinent State and County agencies for comment. Comments have been incorporated where appropriate and a Draft Proposed Exemption List has been prepared for submittal to the Environmental Council (see attached, in Ramseyer format). Please notify us when you have scheduled this Draft Proposed Exemption List for review at the next meeting of the Exemptions Committee. One of our Planning Office staff will be in attendance to answer any questions the Committee members may have.

In addition, we are in receipt of the Office of Environmental Quality Control's letter dated September 10, 2014, requesting the status of DHHL's exemption list, which we responded

I-0111

Mr. Charles Prentiss  
February 10, 2015  
Page 2

to on October 9, 2014. While the proposed timeline has slipped over the holidays, we look forward to starting the New Year with a discussion of and action on our proposed Comprehensive Exemption List by the Environmental Council.

If you have any questions or need additional information, please contact Kaleo Manuel, Acting Planning Program Manager, via email at [kaleo.l.manuel@hawaii.gov](mailto:kaleo.l.manuel@hawaii.gov), or by phone at (808) 620-9485; or Nancy McPherson, Planner, via email at [nancy.m.mcpherson@hawaii.gov](mailto:nancy.m.mcpherson@hawaii.gov) or by phone at (808) 620-9519.

Enc.

PROPOSED COMPREHENSIVE EXEMPTION LIST  
FOR THE STATE OF HAWAII'I DEPARTMENT OF HAWAIIAN HOME LANDS  
~~as approved by the~~  
~~ENVIRONMENTAL QUALITY COMMISSION~~  
For Review and Approval by the  
Environmental Council

~~October 18, 1982~~  
February 10, 2015

The Department of Hawaiian Home Lands (DHHL) is comprised of the following divisions and offices:

- Office of the Chairman (OCH)
- Planning Office (PO)
- Administrative Services Office (ASO)
- Fiscal Office (FO)
- Information and Community Relations (ICRO)
- Homestead Services Division (HSD)
- Land Development Division (LDD)
- Land Management Division (LMD)

HISTORICAL NOTE

This exemption list for the Department of Hawaiian Home Lands was reviewed and concurred upon by the Environmental Council on [DATE TO BE INSERTED]. This list supersedes the previous list that was reviewed and concurred upon by the Environmental Council on October 18, 1982.

GENERAL NOTE

Chapter 343, HRS authorizes the Environmental Council to establish procedures to exempt specific types of actions from the need to prepare an environmental assessment because the actions will have minimal or no significant effect on the environment.

The following types of projects will not be exempt:

1. Projects requiring detailed analyses as provided in an environmental assessment under Section 343-5, HRS. These include, but are not limited to places listed on the Federal or State registers of historic places.

2. Projects in statutorily defined areas, including, but not limited to, critical habitats, special management areas, special design districts, registered view planes or scenic corridors, wet lands, sanctuaries, special habitats, shoreline areas, tsunami inundation areas, or other designations, except where the work is eligible for exemption and there is no negative impact on the conditions that define these areas.
3. Major projects without an Environmental Impact Statement (EIS), an Environmental Assessment with a Finding of No Significant Impact (EA/FONSI), or major projects that were never presented at a public meeting concerning site selection, master plan report, or any phase of incremental construction.
4. Major projects without a program to encourage public input into the design or siting of the project.

Pursuant to Section 11-200-8(B), Hawaii Administrative Rules (HAR), all exemptions under the classes in this section are inapplicable when the cumulative impact of planned successive actions of the same type, in the same place, over time, is significant or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment, as expressed in #2 above.

Pursuant to the administrative rules promulgated under authority of Section 343-6(7), HRS, specifically Section 11-200-8, HAR, DHHL has determined that the following types of actions, where they fall within the given classes of action, shall generally be exempt from the preparation of an environmental assessment:

~~Pursuant to EIS Regulation 1:33, the following types of actions, where they fall within the given classes of action, shall generally be exempt from requirements regarding preparation of an environmental assessment, negative declaration, or EIS:~~

Exemption Class #1: Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

- ~~1. Ditches, channels, and common areas: routine maintenance, grass cutting, and removal of debris.~~
- ~~2. Repairs to existing homestead homes.~~

- ~~3. Hawaiian Home Lands office and community facilities;~~
- ~~4. Ditches, channels, common areas and fences: routine maintenance, grass cutting and removal of debris.~~
- ~~5. Repairs to existing homestead homes;~~
- ~~6. Pumps and controls, pipes and channels water storage tanks and sources;~~
- ~~7. Road, road structures and trails.~~

1. Fertilizing, sprinkling, mowing, weeding, trimming, brush cutting, clearing, grubbing, aerating, road clearing and patching, sweeping, removal of debris and other routine maintenance of the following agency-maintained lands and facilities:

- a. Ditches, channels, and common areas.
- b. Streets, roads, highways, bike paths, pedestrian ways, trails, parking lots and appurtenances.
- c. Flood-control, erosion-control, and drainage facilities.
- d. Parks.
- e. Landscaped areas.
- f. Beach accesses.
- g. Beaches.
- h. Cemeteries.

2. Operation, maintenance, overhauling, repairing, repainting, reroofing, cleaning, polishing, greasing, oiling, and servicing of the following facilities, structures, and equipment:

- a. Existing buildings, offices, and community facilities.
- b. Repairs to existing homestead homes.
- c. Structures required for essential utilities, including, but not limited to:
  - i. Water system components such as pumps, valves and controls; pipes and channels; water storage tanks; wells; and other water sources;
  - ii. Water and sewage handling and treatment systems;
  - iii. Sanitary sewage systems;
  - iv. Drainage systems;
  - v. Electrical systems;
  - vi. Communication systems;
  - vii. Irrigation systems;
  - viii. Gas systems;
  - ix. Energy systems.

- d. Fencing, curbing, gates, walls, and retaining walls.
- e. Steps and stairways.
- f. Handicapped accessibility improvements, including walkways, stairways, ramps, and handrails.
- g. Individual and cluster unit mailboxes.
- h. Signage.
- i. Existing structures, including, but not limited to:
  - i. Storage sheds;
  - ii. Electrical sheds;
  - iii. Electric panels;
  - iv. Pumphouses;
  - v. Irrigation control panel sheds;
  - vi. Garages;
  - vii. Mechanic shops;
  - viii. Telecommunication equipment and sheds;
  - ix. Plant nursery sheds and hothouses;
  - x. Trash enclosures;
  - xi. Litter containers;
  - xii. Trash compactors;
  - xiii. Recycling collection bins;
  - xiv. Manhole and junction box covers.
- j. Stationary and mobile motorized equipment.
- k. Equipment, including, but not limited to:
  - i. Pumps, valves and motors;
  - ii. Electrical transformers, cabinets, panels, and vaults;
  - iii. Power, light, and telephone systems, including installation of poles;
  - iv. Heating, ventilation, and air conditioning ("HVAC");
  - v. Odor control systems;
  - vi. Security systems and alarms;
  - vii. Communication systems including antennae;
  - viii. Telecommunications and control systems, including supervisory control and data acquisition ("SCADA") systems;
  - ix. Irrigation controllers;
  - x. Telephone stations;
  - xi. Emergency electrical generators;
  - xii. Lifts provided for handicapped accessibility.
- l. Traffic calming devices, including, but not limited to, new traffic and pedestrian control devices -- speed humps, speed bumps, speed tables, traffic signals, directional, informational and regulatory signs, pavement markers, and striping.

- m. Traffic and pedestrian safety measures -- guardrails, escape ramps, sidewalks, bollards, and vehicle access barriers.
- n. Exterior lighting, including, but not limited to, street lights, parking lot lights, security lighting, ball field and play court lighting, bollards, and wall sconces.
- o. Existing recreational facilities, structures, and equipment, including, but not limited to:
  - i. Recreation buildings, multi-purpose buildings, clubhouses, and education buildings;
  - ii. Administration buildings, storage and operations buildings, and caretaker residences;
  - iii. Comfort stations, bathhouses, and locker room facilities;
  - iv. Water tanks developed to serve park or community use needs;
  - v. Outdoor showers, drinking fountains, ornamental and swimming pools, and hose bibs;
  - vi. Security and visitor information kiosks, concession stands, and phone booths;
  - vii. Life guard towers and accessory or appurtenant structures;
  - viii. Athletic fields, athletic courts, play court practice walls, skate parks, and appurtenant equipment and facilities;
  - ix. Gymnasiums, skating rinks and related facilities;
  - x. Planter boxes, arbors, botanical and community gardens, and plant nurseries;
  - xi. Bandstands, pavilions, shelters, tent platforms, benches, picnic tables and charcoal disposals;
  - xii. Signs and posts, and bike racks;
  - xiii. Security lighting of grounds, structures, and parking lots;
  - xiv. Equipment sheds and canoe hale;
  - xv. Pedestrian bridges in park or community use areas;
  - xvi. Play equipment, fitness exercise stations.
- 3. Patching, resurfacing, striping and cleaning of pavement surfaces including, but not limited to, streets, roads, highways, pedestrian ways and walkways, bike paths, driveways, parking lots, and appurtenances.
- 4. Repair and maintenance of established footpaths, trails and bike paths, including those to beaches and beach accesses.
- 5. Operation, repair, testing, and maintenance of vehicles.

6. Abandoned vehicle pickup program operations.
7. Collection of refuse and recyclables, and schedule changes.
8. Operation, repairs, and maintenance of existing cemeteries, including the digging and covering of new graves.
9. Relocation of cemetery grave contents that have been affected or are threatened to be affected by erosion, according to regulations for the Native American Graves Protection and Repatriation Act (NAGPRA, 43 CFR Part 10), and per guidelines provided in Hawaii Administrative Rules Chapter 13-300, as approved by the Island Burial Councils.
10. General actions involving the rehabilitation or restoration of existing structures at historic sites.
11. Removal of sand from ocean ponds or drainage ways for maintenance purposes as permitted by the U.S. Army Corps of Engineers and the State Department of Health.
12. Acquisition of land presently utilized as maintenance accessways, by easement or deed, for the purpose of stream cleaning.
13. Clearing of earth berms, drainage swales, culverts, stream banks, and streams including, but not limited to streams with direct outlet to the ocean:
  - a. Routine maintenance and removal of dirt, rock, debris, and accumulated boulders from canals, streams, and flood-control debris basins and debris/catchment structures where such removal will not have an adverse impact on downstream waters, bays, or the environment;
  - b. Vegetation clearing from streams, improved and unimproved drainage ditches, or swales. Work may involve removing and cutting of debris, brush, grasses, and trees.
14. Removal of domestic sewage from residential and commercial waste and wastewater systems and the disposal of such material into municipal wastewater treatment facilities.
15. Chemical control of vector.
16. Construction staging areas and temporary storage of construction equipment and materials.
17. Clearing and maintenance of areas for emergency mitigation and access including, but not limited to, firebreaks, emergency landing zones, and properly staged operations and staging sites.
18. Actions necessary for compliance with Occupational Safety and Health Administration requirements.
19. Repair and maintenance of civil defense warning sirens.

Exemption Class #2: Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the

same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.

- ~~1. Replacement of a single home at one time.~~
  - ~~2. Replacement or reconstruction of cesspools with Individual Wastewater Systems approved by the State Department of Health and Board of Water Supply.~~
  - ~~3. Replacement of a single home at one time;~~
  - ~~4. Replacement or reconstruction of cesspools approved by the State Department of Health and Board of Water Supply.~~
- 
1. Replacement, reconstruction, alteration, modification (no change in use), or installation of any building, structure, facility, equipment, or utility, including, but not limited to:
    - a. Homestead residential dwellings and accessory structures such as garages and barns;
    - b. Community use structures such as recreation buildings, multi-purpose buildings, clubhouses, and education buildings;
    - c. Administration buildings, storage and operations buildings, and caretaker residences;
    - d. Replacement of cesspools with Individual Wastewater Systems approved by the State Department of Health;
    - e. Installation of systems with improved technology for energy savings, including but not limited to solar hot water and photovoltaic systems;
    - f. Exterior door and window replacement;
    - g. Steps and stairways;
    - h. Handicapped accessibility improvements, including walkways, stairways, ramps, and handrails;
    - i. Individual and cluster unit mailboxes;
    - j. Signage;
    - k. Fencing, curbing, gates, walls, and retaining walls;
    - l. Landscaping, clearing, grading, and grubbing;
    - m. Clearing and maintenance of areas for emergency mitigation and access including, but not limited to, firebreaks, emergency landing zones, and properly staged operations and staging sites;
    - n. Utility support systems for exempt landscaping projects, including, but not limited to sprinkler systems installation;

- o. Pavements including, but not limited to, roadways, driveways, parking lots, carports, walkways, bikeways, sidewalks, jogging paths, multi-use pathways, and covered walkways;
- p. Traffic calming devices, including, but not limited to, new traffic and pedestrian control devices -- speed humps, speed bumps, speed tables, traffic signals, directional, informational and regulatory signs, pavement markers, and striping;
- q. Traffic and pedestrian safety measures -- guardrails, escape ramps, sidewalks, bollards, and vehicle access barriers;
- r. Highway improvements for safety purposes -- widening less than one lane width, adding shoulders, adding auxiliary lanes for localized purposes (i.e., turning, passing, decelerating lanes, etc.), correcting substandard curves and intersections, and grading cut slopes to a minor extent;
- s. Bridge repair and/or replacement (for bridges without historic value) as long as the new bridge is limited to two traffic lanes. New bridge replacement could include bicycle route, pedestrian walkway and safety improvements to meet Federal and State Highway Standards;
- t. Footbridge replacement and repair;
- u. Public transportation shelters and bus stops;
- v. Upgrading of existing street lighting system;
- w. Litter containers, trash enclosures, trash compactors, and recycling collection bins;
- x. Recycling drop-off and redemption centers serving the surrounding residential community, and drop-off areas for clean yard waste and landscape debris generated in the surrounding community;
- y. Storage sheds, maintenance sheds, electrical sheds, pump houses, and athletic equipment storage sheds;
- z. Drainage structures and facilities, earth berms, and stream banks without historic value;
- aa. Comfort stations, bathhouses, and locker room facilities;
- bb. Water tanks developed to serve park or community use needs;
- cc. Outdoor showers, drinking fountains, ornamental and swimming pools, and hose bibs;
- dd. Security and visitor information kiosks, concession stands, and phone booths;
- ee. Life guard towers and accessory or appurtenant structures;

- ff. Athletic fields, athletic courts, play court practice walls, skate parks, and appurtenant equipment and facilities;
- gg. Gymnasiums, skating rinks, and related facilities;
- hh. Planter boxes, arbors, botanical and community gardens, and plant nurseries;
- ii. Bandstands, pavilions, shelters, tent platforms, benches, picnic tables, and charcoal disposals;
- jj. Signs and posts, and bike racks;
- kk. Security lighting of grounds, structures, and parking lots;
- ll. Equipment sheds and canoe hale;
- mm. Play equipment, fitness exercise stations;
- nn. Civil defense warning sirens;
- 2. Replacement, reconstruction, alteration, modification (no change in use), or installation of equipment, including, but not limited to:
  - a. Pumps;
  - b. Motors;
  - c. Electrical transformers, cabinets, panels, and vaults;
  - d. Power, light, and telephone pole systems;
  - e. Solar hot water and photovoltaic systems;
  - f. Installation of systems with improved technology for energy savings;
  - g. Measures to increase resilience of structures, including but not limited to hurricane clips;
  - h. HVAC;
  - i. Odor control systems;
  - j. Security systems and alarms;
  - k. Communication systems including antenna;
  - l. SCADA;
  - m. Irrigation controllers;
  - n. Telephone stations;
  - o. Emergency electrical generators;
  - p. Lifts provided for handicapped accessibility.
- 3. Replacement, reconstruction, alteration, modification (no change in use), or installation of utility services, including, but not limited to:
  - a. Water, wastewater, drainage, electrical, communications, telecommunications, control systems, including SCADA systems, security, fire protection, air conditioning, odor, irrigation, and fuel systems, subject to compliance with all applicable permitting requirements, including State Department of Health requirements;
  - b. Existing sewer lines and sewer service laterals, providing the action does not involve any increase in

the overall capacity of the system beyond the capacity required to meet current and anticipated future service requirements in an established existing County wastewater system service area;

- c. Removal or filling of decommissioned cesspools with required permit;
- d. Replacement or reconstruction of domestic water wells for homesteading purposes.

Exemption Class #3: Construction and location of single, new, small facilities or structures and the alteration and modification of the same, including, but not limited to:

- (a) Single - family residences not in conjunction with the building of two or more units;
- (b) Multi - unit structures designed for not more than four (4) dwelling units if not in conjunction with the building of two (2) or more such structures;
- (c) Stores, offices, and restaurants designed for total occupant load of twenty (20) persons or less per structure, if not in conjunction with the building of two (2) or more such structures; and
- (d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures, including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements.

- 1. Construction of new structures on DHHL lands (to include leased lands) of any of the following:
  - a. Single family residences not in conjunction with the building of two (2) or more such units.
  - b. Multi-unit structure designed for not more than four (4) dwelling units if not in conjunction with the building of two (2) or more such structures.
  - c. Stores, offices and restaurants designed for total occupant load of twenty (20) persons or less, if not in conjunction with the building of two (2) or more such structures.

- d. Water, sewage, electrical, gas, telephone and other essential public utility services extensions to serve such types of structures or facilities, including domestic water source development for homesteading purposes, with required permits.
- e. Accessory or appurtenant structures including domestic water source development for homesteading purposes, collection, distribution and storage systems; small structures needed to house utilities, garages, carports, patios, swimming pools, driveways, swales, and individual and cluster unit mailboxes.
- 2. Construction of modifications, such as ramps and lifts for building/facility access, to ensure compliance with existing/new codes and regulations.
- 3. Modifications to facilitate the storage or on-site repair of new equipment necessary for the operation and/or maintenance of the facility.
- 4. Installation of new, small ground water, surface water, or atmospheric monitoring and data collection equipment and structures that house or protect them.
- 5. Installation of electrical and telemetry systems to serve data collection equipment and structures that house or protect them.
- 6. Re-burial of previously identified or inadvertently discovered remains over fifty (50) years old, with Department approval, and according to regulations for the Native American Graves Protection and Repatriation Act (NAGPRA, 43 CFR Part 10) and guidelines provided in Hawaii Administrative Rules Chapter 13-300.
- 7. Construction, alterations, or modification of small facilities which support department activities, to include lifeguard stations and similar public safety structures, comfort stations, and waterless or composting toilet facilities.
- 8. Construction of traditional Native Hawaiian hale and halau using renewable materials, traditional construction techniques, and permeable foundations such as ili'ili, in general conformance with materials requirements and design standards as described in Maui County Code Chapter 16.26B.3800 "Hawaii Provisions for Indigenous Hawaiian Architecture Structures" and Revised Ordinances of Honolulu Chapter 16 Article 12, "Indigenous Hawaiian Architecture". No concrete or other modern materials for foundations or flooring.
- 9. Installation of civil defense warning sirens.

Exemption Class #4: Minor alteration in the conditions of land, water, or vegetation.

1. Removal and/or cutting of trees and filling of holes and/or cutting of trees that are burned, destroyed, or diseased;, or otherwise endanger life or property.
2. Removal of gravel, rocks, trees (non-endangered species), and/or other materials necessary to make agricultural lands more productive and useful for grazing, farming, and other related agricultural purposes.
3. Landscaping alongside roadways, around buildings, and within existing parks and community use areas, including, but not limited to, planting of groundcover, grass, shrubs, and trees, sodding of bare areas for dust and erosion control, and installation of community gardens, involving minimal or no grading.
4. Minor vegetation clearing and management, including mowing, pruning, and trimming. Work under this exemption shall be performed by the Department or its contractor. Work shall involve cutting and removal of brush, grass, and small trees or bushes. Vegetation shall be hauled by truck to an approved sanitary landfill site, or allowed to remain onsite where feasible for use as compost or mulch.
5. Re-burial of previously identified or inadvertently discovered remains over fifty (50) years old, with Department approval, and according to regulations for the Native American Graves Protection and Repatriation Act (NAGPRA, 43 CFR Part 10) and guidelines provided in Hawaii Administrative Rules Chapter 13-300.
6. Minor grading and grubbing of lands not requiring a grading permit.
7. Removal or filling of decommissioned cesspools with required permit.
8. Construction of seepage drains/detention basins on DHHL lands where flows are kept within preexisting levels and for which a drainage study has been completed.
9. Re-grading of road shoulders and installation of pedestrian/bike sidewalks and bike paths.
10. Pest control. Work under this exemption shall be performed by the Department or its contractor. Work shall involve placement of approved toxic baits, kill traps, live traps, snares, repellent, and using EPA-regulated, commercially-available pesticides. Label instructions shall be strictly adhered to. No pesticides shall be allowed to enter State waters.
11. Construction of walkways and installation of guard rails.

12. Paving of previously existing graded parking areas and roadways.
13. Vegetation clearing and removal work on or near the embankment, spillway, or outlet works of a dam facility with the intent of removing tall and/or woody vegetation, which could pose a threat to the embankment or impede inspection of the facility. May also include clearing or construction of site improvements required for the mobilization of equipment or personnel to accomplish the task.
14. Vegetation clearing and removal work to stabilize existing slopes and mitigate rock fall, including work required to mobilize equipment and personnel to accomplish the task.
15. Removal of an existing sea/retaining wall or shoreline armoring, subject to the following criteria:
  - a. The sea/retaining wall or armoring is structurally unsound as certified by a Structural Engineer;
  - b. Removal of the sea/retaining wall or armoring is determined as a mitigative measure to impacts identified by a technical study prepared by a certified professional engineer and/or coastal geologist;
  - c. The sea/retaining wall or armoring is determined to be a safety hazard to the public or environment, and the impacts of retaining the sea/retaining wall or armoring are determined greater than removal; or
  - d. Removal of the sea/retaining wall or armoring is performed in conjunction with beach nourishment.
16. Beach nourishment and sand dune restoration activities of less than 10,000 cubic yards of beach quality sand.
17. Construction, in accordance with the Hawaii Well Construction and Pump Installation Standards, required to seal production, monitoring, and geothermal wells, which have been permanently discontinued, that have either been allowed to become unsealed, leaking, polluting, deteriorating in quality, uncontrollable, buried, or are in such a state of disrepair that continued use is impractical or unsafe.

Exemption Class #5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

~~Archaeological and endangered species.~~

1. Surveys, research, and investigations into all aspects of water use, quantity, and quality.
2. Planning data collection.
3. Studies for the purpose of identifying hazardous conditions.
4. Noise monitoring surveys.
5. Drainage studies.
6. Flood control studies.
7. Site inventories and site assessments.
8. Building evaluations.
9. Economic analyses.
10. Archaeological surveys, including clearing of vegetation in direct association with site evaluation and mapping.
11. Air quality surveys.
12. Water quality surveys.
13. Foundation surveys and subsurface investigations (borings), provided cultural remains are not disturbed.
14. Ecological and botanical surveys for which no permit is required.
15. Surveys, research, and investigations into all aspects of natural resource management, including native forest restoration and invasive species removal.
16. Environmental impact research.
17. Hazardous materials surveys.
18. Data collection in accordance with NPDES requirements.
19. Topographic, metes and bounds, sounding, wave, littoral transport, and location surveys.
20. Ground cover survey inspection of property for appraisal.
21. Development feasibility studies.
22. Installation of staff gauges, water monitoring and reporting equipment at dam facilities and appurtenant works to include trenching work and construction of supporting features such as equipment sheds, transmitting devices, solar panels, and minimal site grading and improvements for the safe operation and installation of these features.
23. Phase II Investigation work on a dam or reservoir, including soil sampling and drilling, water monitoring, and/or test pit excavations. This may include clearing or construction of site improvements needed to mobilize equipment or personnel to accomplish the task.
24. Measurements of stream flow in accordance with the prescribed method and practices of, or acceptable to, the U.S. Geological Survey, installation of surface water monitoring equipment, and collection of data.
25. Collection of ground water resource data and conducting of ground water monitoring, including construction of exploratory wells not more than 8 inches in diameter to

provide ground truth for water resource investigations, in accordance with the Hawaii Well Construction and Pump Installation Standards.

26. Collection of atmospheric data and conducting of climatological monitoring in accordance with the methods and practices of, or acceptable to, the National Weather Service and collection of data.
27. Installation of new, small ground water, surface water or atmospheric monitoring and data collection equipment and structures that house or protect them.
28. Installation of electrical and telemetry systems to serve data collection equipment and structures that house or protect them.
29. Subsurface trenching or digging necessary to install scientific or geological data collection devices.
30. Permission to enter State lands for the purpose of conducting the activities listed above.

Exemption Class #6: Continuing administrative activities, such as purchases for supplies and personnel-related actions. Construction or placement of minor structures accessory to existing facilities.

~~1. Land consolidation of remnant parcels to provide additional land area for homesteading purposes.~~

~~2. Minor subdivisions: Single lot subdivisions involving one lot into two lots.~~

1. Installation of fencing for agricultural, cultural, and natural resources management purposes.
2. Installation of roof top water catchment systems.
3. Placement of aerators for increasing the dissolved oxygen content for fish populations in reservoirs, nurseries, or ponds.
4. Construction of fencing, gates, lighting, security alarms, camera systems, and similar items for security and/or safety.
5. Installation of utilities (telecommunications, electrical, drainage, waterlines and faucets, sewers) for use within a site/property.
6. Installation of equipment such as pumps and valves; electrical transformers, cabinets, panels and vaults; power, light, and telephone poles/cables; heating, ventilation, and air conditioning; irrigation controllers;

- emergency electrical generators; and lifts provided for handicapped accessibility.
7. Construction of interior roadways, driveways, parking lots, sidewalks, curbs, and gutters.
  8. Construction of retaining walls, perimeter walls, and walls for traffic safety purposes less than four (4) feet in height that are properly engineered so as to not affect drainage on the site.
  9. Installation of items to facilitate compliance with construction best management practices procedures and requirements.
  10. Installation of signage (regulatory, directional, informational) and pavement markings.
  11. Construction of utility storage sheds, maintenance sheds, electrical sheds, pump houses, trash enclosures, and portable modular buildings measuring less than 500 square feet in total area.
  12. Construction of telecommunication equipment and sheds less than four (4) feet in height.
  13. Installation of glare screens, bollards, vehicular access barriers, energy attenuators, and other appurtenances designed to protect the motoring public.
  14. Alteration or addition of comfort stations, pavilions, concessions, or other structures to meet facility needs.
  15. Construction/installation of ground water or utility tanks with less than 10,000-gallon capacity. Spill containment shall be provided when appropriate.
  16. Installation of hurricane protection devices and other minor structural accessories that will facilitate resistance to damaging effects of natural hazards.

Exemption Class #7: Construction or placement of minor structures accessory to existing facilities.  
Interior alterations involving things such as partitions, plumbing, and electrical conveyances.

Fencing for agricultural purposes.

Interior alterations to buildings or structures that do not increase the floor area or change the occupancy, including but not limited to:

1. Construction work to maintain existing utilities;
2. Expansion of utilities as need dictates in existing structures;

3. Upgrades to plumbing and electrical systems that result in conservation of energy, water, or other reductions in waste production or resource demand;
4. Installation of office partitions, electrical outlets, lighting;
5. Renovations and reconstruction required to bring existing structures into compliance with current building codes and applicable health and safety regulations;
6. Renovations that will result in energy or other operational cost savings;
7. Installation of security lights and alarms;
8. Normal removal and replacement of windows, doors, partitions, floors, ceiling, roof, and other building accessories/components due to wear and tear. This exemption does not include procedures needed to handle lead-paint, asbestos, and other toxic substances.

Exemption Class #8: Demolition of structures, except those structures located on any historic site as designated in the national register or Hawaii register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, 16 U.S.C. §470, as amended, or chapter 6E, HRS.

Demolition and removal of structures on DHHL lands, except in cases where the structures to be demolished contain known hazardous substances such as asbestos and lead-based paint, including but not limited to:

1. Demolition and removal of abandoned private property from DHHL lands;
2. Demolition and removal of buildings and structures prior to or concurrent with the construction of a new or replacement building or structure, except those structures located on any historic site;
3. Demolition and removal of old, dilapidated, unsafe, buildings or structures, which pose a hazard, in accordance with building, housing, or health codes and regulations, including but not limited to, the decommissioning and backfilling of cesspools;
4. Demolition and removal of utilities and utility structures or portions thereof;
5. Demolition and removal of roadway paving, drainage structures, and security fencing;
6. Demolition and removal of unusable, obsolete, abandoned, or unauthorized structures or improvements on DHHL lands;

7. Removal of an existing sea/retaining wall, shoreline armoring, or groin, subject to the following criteria:
  - a. The item to be removed has been either determined to be structurally unsound as certified by a Structural Engineer or determined to have ceased to perform its function;
  - b. Removal of the item is determined as a mitigative measure to impacts identified by a technical study by a certified professional engineer;
  - c. The item has been determined to be a safety hazard to the public or environment, and the impacts of retaining it have been determined to exceed those of its removal;
  - d. Removal is performed in conjunction with beach maintenance or restoration work.

~~Exemption Class #9: Demolition of structures, except those structures located on any historic site as designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6, Hawaii Revised Statutes.~~

~~Demolition of dilapidated structures.~~

Exemption Class #10: Continuing administrative activities including, but not limited to purchase of supplies and personnel-related actions.

1. Continuing DHHL administrative activities including, but not limited to, purchase of supplies and personnel-related actions.
2. Purchase, maintenance, and repair of supplies, services, equipment, and motor vehicles to support existing operations.
3. Procurement of appraisals and other related studies and reports.
4. Land consolidation of remnant parcels to provide additional land area for homesteading purposes.
5. Minor subdivisions, defined as single-lot subdivisions involving one lot divided into two lots.
6. Acquisition and leasing of land and facilities/improvements acquired for continued use, provided that the Department conducts a site assessment.
7. Acquisition of interests, including easements, quitclaim, fee simple, and leaseholds, in real property on which

- existing DHHL facilities are situated, provided that DHHL has conducted an environmental site assessment pursuant to the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA"), and the U.S. Environmental Protection Agency ("EPA") regulations under 40 CFR Part 312, and/or the American Society of Testing and Materials ("ASTM") standards under ASTM E1527-05 or E2247-08.
8. Land exchanges including, but not limited to, transactions to correct existing roadway alignments and easement locations, public park facilities, and title transfers between DHHL and other State departments and between DHHL and County or Federal agencies involving no monetary consideration.
  9. Acquisition, but not improvement of property, for DHHL use (including easements) and minor subdivision and consolidation of parcels for acquisition of property for DHHL use (including rounding corners and minor street widening).
  10. Subdivision consolidation of public lands to facilitate their transfer between the City and State for continuing public use without change in existing land use.
  11. Operation of initial or continuing DHHL programs consistent with established land use, including, but not limited to, stream debris clean-ups, storm drain stenciling, beach debris clean-up.
  12. Acquisition of lands for drainage purposes where there is a natural, existing drainage watercourse.

~~NOTE: As stipulated by EIS Regulation 1:33(b), all exemptions under this list are inapplicable when the cumulative impact of planned successive actions of the same type, in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.~~