

COMPREHENSIVE EXEMPTION LIST FOR THE
COUNTY OF HAWAII

DEPARTMENT OF PUBLIC WORKS

SEPTEMBER 1, 2015

**Environmental Council
Concurrence: 05/10/2016**

According to section 11-200-8, Hawaii Revised Rules, the Department of Public Works may declare exempt the following types of actions from the requirement to prepare an environmental assessment.

The Department of Public Works shall not make exemption declarations when the cumulative impact of planned successive actions 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. Sensitive areas may include, but are not limited to significant historical, archaeological, and cultural sites, flood plains, wetlands, beaches, coastal areas, erosion-prone areas, geologically hazardous land, critical habitats, and estuaries.

EXEMPTION CLASS #1: *Operation, repairs, or maintenance of existing structures, facilities, equipment or topographic features involving negligible or no expansion or change of use beyond that previously existing:*

A. STRUCTURES

1. Grooving of existing concrete pavements and bridge decks, to improve skid resistance and safety
2. Cleaning, chipping, painting, patching of damaged concrete and replacement of structural members to existing roadway structures, including tunnels and parking structures
3. Retaining walls, noise walls and screen walls
4. Drainage structures, storm drain lines, intake and collection boxes
5. Minor underpinning
6. Pedestrian bridges/footbridges within park and public facility properties
7. Embankment/slope erosion repairs
8. Pipe supports

9. Fencing and gates
10. Slope retaining/stabilization structures, and stream bank lining
11. Maintenance of dams
12. Repair and maintenance of bridge structures including appurtenances

B. FACILITIES

1. Resurfacing, sealing, cleaning and/or repairing of roadways, roadway shoulders, parking areas, walkways, bikeways and driveways
2. Repair or replacement of utilities, manholes, and pipelines (excluding underwater pipelines) along and across roads and streets
3. Repairs to rockwalls and grouted rubble paving walls
4. Temporary parking on County remnant properties
5. Temporary storage of construction equipment and materials on County remnant properties
6. Manhole and junction boxes cover adjustment
7. Repair of curbs, gutters sidewalks, ramps and handrails
8. Repair of Guardrails
9. Drainage facilities, storm drains, earth berms, drainage swales, and stream banks
10. Essential utilities, including but not limited to wastewater systems, drainage systems, water systems, electrical systems, communication systems, irrigation systems, and fuel systems (except where a State Department of Health permit is required)
11. Pavements (and striping, as needed), including but not limited to, roadways, driveways, parking lots, walkways, bikeways, jogging paths, or multi-use pathways
12. Operate, repair and maintain all County owned areas including, but not limited to, parking lots, road rights-of-way, drainageways and easements. This maintenance shall include removal and trimming of all vegetation, as needed in order to minimize any encroachments or obstructions within the road right-of-way

13. Repair, maintenance and replacement of traffic control/ safety facilities (signs and posts, guardrails, striping, pavement markers, etc.)
14. Operations, repairs, or maintenance actions for compliance with OSHA requirements

C. TOPOGRAPHICAL FEATURES

1. Clearing, grading and grubbing, for which grading permits are not required, to maintain safety and security standards for vehicular traffic
2. Requests to the Department of Land and Natural Resources or General Services Administration for setting aside of State lands to the Department of Public Works
3. Requests to the Department of Land and Natural Resources for transfer of State lands by Governor's Executive Order between the Department of Public Works and other County agencies
4. Subdivision of lot(s) not previously subdivided into roadway parcel(s) and roadway remnant(s)
5. Subdivision of portion of roadway due to encroachment or determined surplus
6. Consolidation of residential-zoned roadway remnant parcels into one lot (residential)
7. Construction staging areas
8. Acquisition of interests, including easements, quitclaim, fee simple, and leaseholds, in real property on which existing County facilities are situated, provided that the County has conducted a site assessment
9. Clearing of earth berms, drainage swales, stream banks and streams including, but not limited to, those with direct outlet to the ocean
10. Clearing and maintenance of areas for emergency mitigation, including, but not limited to, firebreaks, emergency landing zones, staging and operational sites
11. Removal of dirt, rock and debris from flood-control debris basin
12. Repairs due to natural and man-made incidents (rebuild eroded berms, clear fallen trees, etc.)

13. Landscaping

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 replaces.*

A. STRUCTURES

1. Replacement of existing protective structures such as walls and fences to retain necessary security to protect property or ensure public safety
2. Replacement of bollards
3. Replacement or reconstruction of roadway structures when flood or other natural phenomena causes complete collapse or serious damage to the structures which render them unsafe for traffic use
4. Replacement or repair of existing deteriorated and/or damaged structures to their original/better condition within areas under the jurisdiction of the Department of Public Works
5. Replacement or reconstruction of drainage structures
6. Replacement or reconstruction of stream retaining walls
7. Replacement of chain link fencing and gates
8. Accessible ramps and handrails
9. Bridge repair rehabilitation, reconstruction and/ or replacement 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
10. Drainage structure replacement and repair
11. Fencing, curbing, walls, and gates
12. Pedestrian bridges/footbridges within park and public facility properties
13. Retaining walls, slope retaining structures, and stream bank linings
14. Replacement or reconstruction of retaining walls
15. Replacement or reconstruction of slope stabilization structures
16. Replacement or reconstruction of fencing

17. Replacement or reconstruction of curbs, sidewalks and ramps
18. Retaining walls

B. FACILITIES

1. Upgrade or replace existing roadways, bike paths and bike lanes, road intersections, roadway markings and striping, roadway shoulders, curves, and walkways, to meet acceptable safety standards
2. Upgrade or replace utility and drainage systems to maintain a consistent level of service. Drainage improvements will generally consist of installation of pipe culverts, construction of gutters where minor flooding occurs
3. Reconstruction of existing crossroads or separations and existing stream crossings, except bridges
4. Bridge repair
5. Temporary replacement of a roadway facility which is commenced immediately after the occurrence of a natural disaster or catastrophic failure to restore the roadway for the health, welfare, and safety of the public
6. Restriping of existing roadways to provide an additional lane
7. Providing a contra-flow for car pools and buses during peak hours by coning the opposite direction of travel
8. Reconstruction of roadway shoulders and installation of emergency bays for the transporting of vehicular traffic during peak hours. These roadway improvements, if needed to mitigate the traffic impacts of an adjacent development project, should not be exempt and should be included and discussed in the development project's environmental documents
9. Replacement or reconstruction of curbs and sidewalks
10. Earth berms, drainage swales, and stream banks
11. Essential utilities, including but not limited to, wastewater systems, drainage systems, water systems, electrical systems, communication

systems, irrigation systems, and fuel systems except where a State Department of Health permit is required

12. Lighting of streets and roadways
13. Pavements (and striping, as needed), including but not limited to, roadways, driveways, parking lots, walkways, bikeways, jogging paths, or multi-use pathways
14. Replacement or reconstruction of existing asphaltic concrete paved roads or of existing gravel roads by resurfacing with asphaltic concrete pavement. The completed road will be located within the existing right-of-way and will have substantially the same purpose, capacity and dimensions as the road prior to construction
15. Modernization of an existing roadway for safety purposes by resurfacing, restoration, rehabilitation, reconstruction, widening less than a single lane width, adding shoulders, adding auxiliary lanes for localized purposes (weaving, climbing, speed changes, etc.) and correcting substandard curves and intersections
16. Reconstruction of an existing roadway for safety purposes by widening less than one lane width, adding shoulders, adding auxiliary lanes for localized purposes (i.e., turning, passing, decelerating lanes, etc.) and correcting substandard curves and intersections. Cut slopes may be graded to a minor extent for such reconstruction
17. Replacement, reconstruction of water, sewage, electrical, gas, telephone, street light and other essential public utility service extensions within the County road rights-of-way
18. Drainage facilities, earth berms, and stream banks without historical value
19. Accessible ramps and handrails
20. Replacement or reconstruction of traffic control/ safety facilities (i.e. signs, guardrails, striping, pavement markers)
21. Pavements including, but not limited to, driveways, parking lots, walkways, and bikeways, jogging paths and multi-use pathways
22. Signs and posts

23. Sidewalks, pathways, equestrian trails, bike paths
24. Replacement of manholes, waterlines, meters, hydrants, valves, sewer lines and utility lines along and across roads and streets

C. TOPOGRAPHICAL

1. Clearing, grading and grubbing
2. Acquisition of lands for drainage purposes where there is a natural, existing drainage watercourse
3. Acquisition of lands that do not include homes and businesses and relocation of tenants, especially for upgrading substandard curvatures and intersections for roadway improvements.

EXEMPTION CLASS #3: *Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: (A) Single-family residences less than 3,500 square feet not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores, offices, and restaurants designed for total occupant load of 20 persons or less per structure, if not in conjunction with the building of two or more such structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility services extension to serve such structure or facilities; accessory or appurtenant structures including garages, carports, patios swimming pools, and fences; and, acquisition of utility easements.*

1. Utility service connection, extension and installation along and across County roads.
2. Construction or alteration of cement rubble masonry, hollow block, or reinforced concrete walls not more than six feet in height
3. Construction or alteration of fencing
4. Construction or alteration of guardrails

5. Construction or alteration of sidewalks and covered walkways
6. Construction or alteration of existing building and facilities to comply with the American with Disabilities Act (ADA) requirements
7. Construction or alteration and extension of storm drainage system and drainage structures
8. Extension of existing waterline
9. Acquisition of utility easements
10. Construction of striping of existing pavement for a bike path within an existing County right-of-way
11. Creation of temporary staging areas during periods of County construction
12. Earth berms and drainage swales
13. Essential utilities, including but not limited to wastewater systems, drainage systems, water systems, electrical systems, communication systems, irrigation systems and fuel systems except where a State Department of Health permit is required
14. Fencing, curbing, walls, and gates
15. Installation and construction of flare screens, safety barriers, guardrails, energy attenuators, and other appurtenances designed to protect the motoring public
16. Minor street widening and improvements within existing or future County street rights-of-way
17. Pavements (and striping, as needed), including but not limited to roadways, driveways, parking lots, walkways, bikeways, jogging path, or multi-use pathway
18. Pedestrian bridges/footbridges within park and public facility properties
19. Install traffic control devices, i.e. traffic signals, street lights, traffic signs, striping and pavement markings
20. Installation of manholes, waterlines, sewage, electrical, gas, telephone, street light and appurtenances and other essential public utility service extensions within the County road rights-of-way
21. Traffic calming devices

22. Construction of disabled accessibility improvements including walkways, stairways, and ramps and handrails
23. Acquisition of interests, including fee simple, quitclaim, easements, and leaseholds, in real property on which County facilities will be situated, provided that the County has conducted a site assessment.
24. Construction of new and/ or alteration or modification of slope stabilization structures
25. Construction of temporary emergency access roads
26. Retaining walls, except within the shoreline area or the state conservation district
27. Clearing, grading and grubbing of one acre or less
28. Signs and posts
29. Sidewalks, pathways, trails, bike paths not greater than 10,000 lineal feet
30. Landscaping
31. Field office
32. Modification, required to conform to Federal, State and Local regulations or codes
33. Installation of traffic and pedestrian safety measures - guardrails, escape ramps, sidewalks
34. Acquisition of lands for drainage purposes where there is a natural, existing drainage watercourse
35. Acquisition of lands that do not include homes and businesses, especially for upgrading substandard curvatures and intersections for roadway improvements

EXEMPTION CLASS #4: *Minor alterations in the conditions of land, water, or vegetation.*

1. Minor ground adjustments which do not require grading permits for the purpose of eliminating hazards to vehicular traffic operations

2. Landscaping: trimming and/or transplanting of trees; sodding of bare areas for dust and erosion control
3. Paving of shoulder areas within existing County rights-of-way for driveways and subdivision street connections. These shoulder pavings will provide vehicular access to the roadway pavement lanes from the adjacent common property line for residential and commercial driveways and subdivision street connections. These actions will not alter the character of the roadway facility
4. Construction of berms
5. Construction of drainage ditches
6. Construction of footpaths
7. Construction of seepage drains/detention basins including dry wells
8. Incident cleaning of land and preliminary site work for surveying, engineering design, and geologic and hydrologic studies.
9. Lining short sections of stream banks for erosion control and slope stability
10. Removal of insignificant trees which endanger life or property and nonsignificant trees
11. Maintenance and removal of all vegetation from within the County road rights-of-way and easement that pose a hazard to the health and welfare of the public
12. Maintenance and removal of vegetation in order to conduct survey work
13. Minor cut, fill, and grading of County property which does not exceed one hundred cubic yards of material on any one site and does not exceed four feet in vertical height at its highest point for work outside of the Special Management Area, and minor cut, fill and grading of County property which does not exceed fifty cubic yards of material on any one site and does not exceed two feet in vertical height at its highest point for work within the Special Management Area
14. Reinterment of burial remains as approved by State of Hawaii, Area Burial Councils

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 certified professional engineer (geologist);
 - c. The sea/retaining wall or armoring is determined 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 is performed in conjunction with beach nourishment
16. Clearing, grading or grubbing within County road or County lands of one acre or less
17. Regrading road shoulders and installation of pedestrian/bike sidewalk-bikepath
18. Landscaping of roadway embankments and medial strips, and installation of accessory sprinkler systems
19. Roadway shoulder improvements

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.*

1. Conduct topographic and location surveys
2. Conduct foundation surveys
3. Conduct traffic surveys (including transit patronage surveys)
4. Conduct graves surveys
5. Conduct noise monitoring surveys
6. Conduct drainage studies
7. Conduct inventories

8. Conduct building evaluations
9. Conduct economical analyses (master planning updates)
10. Conduct archaeological surveys, excluding excavation
11. Conduct air quality surveys
12. Conduct ecological surveys for which no permit is required
13. Conduct subsurface investigations (borings) provided cultural remains are not disturbed
14. Stream study and survey
15. Subsurface exploration soil boring and archaeological investigation. Archaeological investigations include historical research and archaeological inventory surveys, including subsurface test pits
16. Surveying work to verify control points and topographic work
17. Basic data collection, research, experimental management, and resource evaluation activities necessary within existing public facility property boundaries that do not result in a serious or major disturbance to an environmental resource, including but not limited to, archaeological surveys, biological and ecological studies and surveys, chemical and bacteriological laboratory analysis, monitoring device installation, storm water runoff sampling and analysis, stream studies and surveys, topographical surveys, exploratory soil boring, reconnaissance, testing, or data recovery
18. Perform preliminary surveys (e.g. reconnaissance, location work, level circuits, topographic and hydrographic work)
19. Planning data collection
20. Design alternative analysis
21. Archaeological reconnaissance studies, inventory surveys, and artifacts gathering conducted by an archaeologists licensed in the State of Hawaii and pursuant to the State Historic Preservation Office requirements
22. Leak detection data collection
23. Soils investigation

24. Surveying, engineering design and geologic and hydrologic studies with minor trimming of vegetation

EXEMPTION CLASS #6: *Construction or replacement of minor structures accessory to existing facilities.*

1. Installation of flare screens, safety barriers, guard rails, energy attenuators and other appurtenances designed to protect the motoring public
2. Installation of traffic signals, pavement marks, and striping for traffic safety and control
3. Installation of directional, informational, and regulatory signs
4. Installation of light standards
5. Installation of screens for noise control
6. Alteration or addition of improvements with associated utilities, which are incidental to existing facilities. Such improvements and associated utilities include paving, rock walls, fencing, walkways, lighting, and drainage systems
7. Construction of (bus shelters) and sidewalks
8. Striping of existing paved roadways or paved shoulders to create a bike lane when no additional construction is required
9. Accessible ramps and handrails
10. Construction field offices
11. Lighting of streets and roadways
12. Portable buildings for temporary use of 5 years or less
13. Signs
14. Installation of culverts under an existing County road to eliminate flooding
15. Installation of drywell sumps within the County right-of-way to eliminate or reduce localized flooding, ponding or puddling
16. Install traffic control devices, i.e. traffic signals, street lights, traffic signs and pavement markings

17. New installation of water, sewage, electrical, gas, telephone, street light and other essential public utility service extensions within the County road rights-of-way
18. Construction of sidewalks, curbs and gutters
19. Installation of glare screens, bollards, vehicular access barriers, safety barriers, energy attenuators, and other items to protect the motoring public, except for 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 USC Section 470, as amended), or Chapter 6E, Hawaii Revised Statutes
20. Installation of safety and security fences, gates and barriers to protect the general public from entering hazardous areas.
21. Installation of street lights, directional, informational, and regulatory signs, pavement markings, traffic signals, fire alarm systems, civil defense warning systems, and security systems
22. Installation of drains, sewers, and waterlines within streets, roadways, and easements
23. Construction of interior roadways, driveways, parking lots, and jogging and bicycling paths within existing park facilities
24. Installation of Best Management Practices (BMPs)
25. Retaining walls, except in shoreline areas or the state conservation district
26. Sidewalks, pathways, equestrian trails, bike paths not greater than 10,000 lineal feet
27. Chain-link fencing

EXEMPTION CLASS #7: *Interior alterations involving things such as partitions, plumbing, and electrical conveyances.*

1. Installation of glare screens, safety barriers, and energy attenuators to protect the motoring public

2. Installation of street lights; directional, informational, and regulatory signs; pavement marks; traffic signals; control system; and fire alarm systems
3. Chain-link fencing

EXEMPTION CLASS #8: *Demolition of structures, except those structures located on any historic site as designated in the national register or Hawai'i register as provided for in the National Historic Preservation Act of 1966, Public Law 89-665, 16 U.S. C. Sec. 470, as amended, or Chapter 6E, HRS.*

1. Demolition of existing structures under Department of Public Works jurisdiction except seawalls and other coastal structures and those structures located on any historic site as designated in the National Historic Preservation Act of 1966, Public Law 89-655, or Chapter 6E, Hawai'i Revised Statutes.
2. Removal of architectural features/barriers.
3. Demolition of sidewalks and curbs.
4. Demolition 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
5. Demolition of retaining walls
6. Demolition of slope stabilization structures
7. Demolition of drainage facilities
8. Demolition of fencing
9. Demolition of curbs, sidewalks, and ramps
10. Demolition of street improvements prior to street widening or adjustment
Demolition of street improvements prior to street widening or adjustment

EXEMPTION CLASS #9: *Zoning variances except shoreline setback variances.*

1. Demolition work: curbs, sidewalks, pavement, driveways, and buildings

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

1. Acquisition, but not improvement of property, for public use (including easements) and minor subdivision and consolidation of parcels necessary for acquisition of property for public use (including rounding corners and minor street widening)
2. Disposal of remnant parcels outside of the County right-of-way
 - a) Parcel(s) not greater than 5,000 square feet for roadway improvement projects
 - b) Parcel(s) not greater than 16,000 square feet for stream improvement projects
3. Subdivision/consolidation of public lands and their transfer between the City and State for continuing public use
4. Land exchanges including, but not limited to, transactions, to correct, existing roadway alignments and easement locations, public park facilities, and title transfers between the State and County involving no monetary consideration