

COMPREHENSIVE EXEMPTION LIST
FOR THE
STATE OF HAWAII
NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY
AN ATTACHED AGENCY
OF THE
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Prepared
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The Natural Energy Laboratory of Hawaii Authority, pursuant to Section 11-200-8, Hawaii Administrative Rules, the following types of actions, where they fall within the given classes of action, shall generally be exempt from requirements regarding the preparation of an environmental assessment.

According to Section 11-200-8, Hawaii Administrative Rules, the Natural Energy Laboratory of Hawaii Authority may declare exempt the following types of actions from the requirement to prepare an environmental assessment.

The Natural Energy Laboratory of Hawaii Authority 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: 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.

A. STRUCTURES

1. Buildings: repairs and rehabilitations necessary to properly operate and maintain existing buildings, offices, storage sheds, laboratories, equipment rooms, shelters, shops, furnishings, framework, walls, roof sheathing, siding, flooring, floor coverage, mezzanines, stair ways, windows, doors, lighting, luminaries, electrical, plumbing, septic systems, solar water heating panels, photovoltaic systems, energy storage, communication systems, and heating/ventilation/air conditioning units.

2. Termite, rodent, vermin and other pest control treatments using Environmental Protection Agency and State Department of Agriculture approved pesticides under the supervision of certified applicators.
3. Modifications required to existing buildings and equipment to meet new codes and regulations, i.e., Occupational Safety & Health Administration, building, fire, security, Federal Aviation Administration, accessibility for the handicapped, environmental compliance, etc.
4. Repairs, rehabilitations, and modifications necessary to properly operate and maintain existing seawater distribution system pump stations, shelters, control rooms, underground vaults, chambers, fencing, and other structures including the replacement and maintenance of pumps, motor controls, priming systems, plumbing, above and below and ground pipelines, underwater pipelines and associated equipment, valves, transformers, public metering equipment (PME), electrical switchgear, electrical equipment, electrical devices, emergency electric generators, and automatic transfer switches.
5. Repairs and rehabilitations necessary to properly maintain existing structures within the department's Research Compound used for business incubation; research and development and demonstration of alternate energy concepts such as Ocean Thermal Energy Conversion, solar, energy storage, micro turbines, etc.; education and public outreach. These structures are typically test platforms, simulated power plants, tanks, ponds, raceways, nurseries, hatcheries, laboratories, fencing, and other types of approved temporary facilities.

B. FACILITIES

1. Repairs and rehabilitations necessary to properly maintain asphalt, aggregate, masonry, concrete and other existing roadways, public access roads, retaining walls, fencing, parking stalls, curbing, foundations, concrete surfaces, test pads, graded surfaces, paved surfaces, common areas, etc.
2. Repair or replacement of below ground and above ground utilities, manholes, conduits, water pipelines, vaults, fencing, chambers, etc.
3. Repairs and rehabilitations necessary to properly maintain existing groundwater monitoring wells, injection wells, seawater disposal trenches, septic tanks and leach fields.

C. EQUIPMENT

1. Repair and maintenance of automobiles, trucks, cranes, backhoes, and other construction equipment used by the department in the performance of normal and existing operations.
2. Repair and maintenance of machinery such as electric, pneumatic or hydraulic hand tools, compressors, generators, motors, mixers, saws, presses, welders, hoists, lifts, jacks, pumps, generators, etc. used in normal and existing operations.

D. TOPOGRAPHICAL FEATURES

1. Planting, trimming, mowing, weeding, maintenance and irrigation of Natural Energy Laboratory of Hawaii Authority landscaped areas.
2. Application of herbicides, fungicides, pesticides and other chemicals routinely used in the proper maintenance and culture of landscaped grounds and areas following printed labels and instructions under the supervision of certified or properly trained applicators.
3. Clearing and grading, for which grading permits are not required, to maintain safe and secure access for vehicular traffic and public access.
4. Installation of traffic signs, bollards, boulders, barricades fencing, gates, and other safety devices necessary to provide for public safety and security of the department's land.
5. Leases of property for continuing the department's uses or complementary purposes.

EXEMPTION CLASS 2: Replacement, reconstruction and/or removal 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.

A. STRUCTURES

1. Replacement or reconstruction of existing buildings, offices, storage sheds, laboratories, equipment rooms, shelters, shops, furnishings, framework, walls, roof sheathing, siding, flooring, floor coverage, mezzanines, stair ways, windows, doors, lighting, luminaries, electrical, plumbing, septic systems, solar water heating panels, photovoltaic systems, communication systems, and heating/ventilation/air conditioning units.

2. Replacement of existing protective structures such as walls, barricades, gates, and fences to retain necessary security to protect property or ensure public safety.
3. Replacement of existing seawater distribution system pump stations, shelters, control rooms, underground vaults, chambers, fences, and other structures including the replacement and maintenance of pumps, motor controls, priming systems, plumbing, above and below ground pipelines, underwater pipelines and associated equipment, valves, transformers, public metering equipment (PME), electrical switchgear, electrical equipment, electrical devices, emergency electric generators, and automatic transfer switches.

B. FACILITIES

1. Upgrade or replace existing roadways, intersections, signs, roadway markings and striping, shoulders and curves to meet acceptable safety standards.
2. Upgrade or replace above and below ground utilities and seawater distribution system components to maintain a consistent level of service to existing and future tenants.
3. Replace vehicles, construction equipment and machinery to maintain a consistent level of service to existing and future tenants.

EXEMPTION CLASS 3: Construction and location of single, new, small facilities or structures and the alteration and modification of 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 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 twenty persons or less, if not in conjunction with the building of two or more such structures; (d) Water, sewage, electrical, gas, telephone and other essential public utility services extensions to serve such structures or facilities; and, (e) Accessory or appurtenant structures including garages, carports, patios, swimming pools, gates and fences.

A. STRUCTURES

1. Construct appropriate structures on Natural Energy Laboratory of Hawaii Authority's land for utilities, pump stations, security guard shelters, comfort stations, restroom facilities, emergency generators, transformers, etc.

B. FACILITIES

1. Utility and seawater connections and installations along the Natural Energy Laboratory of Hawaii Authority access and lateral roads to service existing and future tenants.

C. EQUIPMENT

1. Installation of security and safety equipment.
2. Installation of telemetering, Supervisory Control and Data Acquisition (SCADA) systems, electrical, Internet and computer equipment and wiring.

D. C. TOPOGRAPHICAL FEATURES

1. Installation and removal of sprinkler systems.

EXEMPTION CLASS 4: Minor alteration in the conditions of land, water, or vegetation.

1. Landscaping limited to installation of underground sprinkler or above ground drip irrigation systems and planting of groundcover, shrubs, and trees involving minimum or no grading on property under the jurisdiction of the Natural Energy Laboratory of Hawaii Authority.
2. Paving of previously graded parking and storage yard areas under the control of the NELHA.

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, boundary, hydrographic, bathymetric, sounding, wave, wind, marine and anchialine biota and other surveys.
2. Conduct appraisal of real property for the development of lease rates, rental establishment, land exchange purposes, and establishment of royalties.
3. Conduct noise monitoring, air quality, water quality, and data acquisition surveys.
4. Conduct building appraisals and evaluations.
5. Conduct economical analyses (including master & strategic planning updates).
6. Conduct archaeological surveys, excluding excavation.

7. Conduct ecological surveys for which no permit is required.
8. Conduct geological, soil, and subsurface investigations (borings) provided cultural remains are not disturbed
9. Conduct energy studies including alternative energy studies.

EXEMPTION CLASS 6: Construction or placement of minor structures accessory to existing facilities.

1. Installation of warning signs, barricades, delineators, safety barriers, guard rails, energy attenuators and other appurtenances designed to protect the public.
2. Installation of directional, informational, regulatory and traffic signs.
3. Installation of light standards for special events, construction and emergencies.

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

1. Installation of office partitions and electrical outlets as required.
2. Expand utilities as need dictates in existing structures.
3. Installation, alteration, relocation or removal of doors, windows, shelving, and plumbing and air conditioning features.
4. Maintaining existing utilities.

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 National Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6E, Hawaii Revised Statutes.

1. Demolition of existing structures under Natural Energy Laboratory of Hawaii Authority jurisdiction except structures located on any historic site as designated in the National Historic Preservation Act of 1966, Public Law 89-655, or Chapter 6E, Hawaii Revised Statutes.

EXEMPTION CLASS 9: Zoning variances except: use, density, height, parking requirements and shoreline setback variances.

None.