

COMPREHENSIVE EXEMPTION LIST
FOR THE
STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
AMENDED, NOVEMBER 15,2000

NOTE: The present list, reviewed and concurred in by the Environmental Council Docket 92-EX-01), State of Hawaii, amends and supersedes the December 16, 1992, exemption list for the Department of Transportation.

Pursuant to Section 11-200-8 (a), 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.

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: repainting, reroofing, and repairs to and maintenance of furnishings, framework, walls, roof sheathing, flooring, floor coverage, windows, doors, electrical, plumbing, and communication systems, elevators, escalators, conveyors, heating/ventilation/air conditioning units, pedestrian bridges and underpasses.

2. Termite and pest control treatment using Environmental Protection Agency and State Department of Agriculture approved pesticides under the supervision of certified applicators.

3. Repairing and maintaining protective walls damaged by aircraft blast.

4. Grooving of existing concrete pavements, bridge decks, taxiways and runways to improve skid resistance and safety.

5. Cleaning, chipping, painting, patching of damaged concrete and replacement of structural members to existing roadway structures, including tunnels and parking structures.

6. Modification 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.

7. Repairs and modifications to sewage and water pumping stations and treatment facilities to maintain established codes and standards provided that modifications that expand the capacity or geographical service area of existing facilities shall not be exempt.

B. FACILITIES

1. Resurfacing, sealing, and/or repairing of roadways, roadway shoulders, parking areas, taxiways, runways, walkways, bikeways and harbor storage and container areas.

2. Repair or replacement of fender systems, utilities, manholes, air and water navigational aids, and pipelines, excluding underwater pipelines.

3. Repairs or improvements to hatch frames and covers, residences, loading docks and mooring facilities.

4. Repairs to rockwalls, curbing, perimeter seawalls, groins, dikes, breakwaters, loading docks, and storm drains.

5. Temporary parking on highway remnant properties.

6. Temporary storage of construction equipment and materials on highway remnant properties.

C. EQUIPMENT

1. Repair and maintenance of automobiles, trucks, maintenance and construction equipment used by the department in the performance of duty.

2. Repair and maintenance of machinery such as tools, mowers, pumps, generators, etc.

D. TOPOGRAPHICAL FEATURES

1. Planting, trimming, mowing, and irrigating State Department of Transportation airport, harbor, and highway areas.

2. Clearing and grading, for which grading permits are not required, to maintain safety and security standards for aircraft and vehicular traffic.

3. Clearing of swales and drainage conduits to maintain existing flow characteristics.

4. Clearing of shoreline areas of debris or other objectionable material such as oil and derelict craft.

5. Requests to the Department of Land and Natural Resources or General Services Administration for setting aside of State lands to the Department of Transportation.

6. Requests to the Department of Land and Natural Resources for transfer of State lands by Governor's Executive Order between the Department of Transportation and other State agencies.

7. Subdivision of lot (s) not previously subdivided into highway parcel (s) and highway remnant (s).

8. Subdivision of portion of highway due to encroachment or determined surplus.

9. Consolidation of residential-zoned highway remnant parcels into one lot (residential).

10. Leases of property for continuing aeronautical uses or complementary airport purposes.

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.

A. STRUCTURES

1. Repair or replacement of frames, sidings, floors, fixtures, windows, fire protection system, roofing, roll-up doors, cattle holding pens, and minor renovations/additions/modifications not exceeding 20 percent of the floor area.

2. Replacement of existing protective structures such as walls and fences to retain necessary security to protect property or ensure public safety.

3. Replacement of bollards.

4. Replacement or reconstruction of highway structures when flood or other natural phenomena causes complete collapse or serious damage to the structures which render them unsafe for traffic use.

5. Replacement or repair of existing deteriorated and/or damaged structures to their original/better condition within areas under the jurisdiction of the Department of Transportation such as piers, mooring buoys, single story office buildings, warehouses, sheds, comfort stations, and shelters.

B. FACILITIES

1. Upgrade or replace existing roadways, bike paths and bike lanes, road intersections, roadway markings and striping, roadway shoulders and curves, walkways, airfield pavements, and air and water navigational aids 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. Replacement of vehicles and machinery in accordance with the Department of Accounting and General Services directives.

4. Reconstruction of an existing highway for safety purposes by widening less than one lane width, adding shoulders, and adding auxiliary lanes for localized purposes (passing, deceleration for turns, etc.) and correcting substandard curves and intersections.

5. Reconstruction of existing crossroads or railroad crossings or separations and existing stream crossings, except bridges.

6. Temporary replacement of a highway facility which is commenced immediately after the occurrence of a natural disaster or catastrophic failure to restore the highway for the health, welfare, and safety of the public.

7. Restriping of existing roadways to provide an additional lane for use of car pools and buses during peak hours.

8. Providing a contra-flow for car pools and buses during peak hours by coning the opposite direction of travel.

9. Upgrading and/or replacement of fuel lines and fuel tanks in areas under the jurisdiction of the State Department of Transportation including the installation of above-ground, dual walled, fire-rated fuel tanks whose total capacity does not exceed existing capacity.

10. Closure and/or metering of highway ramps for safety purposes or for the improvement of traffic flow along a major highway.

11. Reconstruction of highway shoulders and installation of emergency bays for the transporting of vehicular traffic during peak hours. These highway 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.

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 and fences.

1. Construct appropriate structures not exceeding 1,000 square feet on the Department of Transportation property and modify/alter the Department of Transportation buildings to house utility or sprinkler system components such as pumps, transformers, etc.

2. Construct/modify/alter carports, personnel (bus type) shelters, and specialty storage facilities such as paint sheds and structures not exceeding 1,000 square feet on the Department of Transportation property.

3. Installation of security and safety equipment.

4. Alterations to existing buildings such as schools, libraries, etc., to provide for noise attenuation such as the installation of louvers, acoustic filters or air conditioning.

5. Construction of facilities to accommodate the elderly or handicapped persons.

6. Installation and removal of sprinkler systems.

7. Utility service connection and installation along and across State highway or roads, and in airports and harbors.

EXEMPTION CLASS 4: Minor alteration 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 and aircraft operations or to compromise air navigational aids.

2. Landscaping: trimming and/or transplanting of trees; sodding of bare areas for dust and erosion control.

3. Paving of shoulder areas within existing highway rights-of-way for driveways and subdivision street connections. These shoulder pavings will provide vehicular access to the highway 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 highway facility.

4. Landscaping limited to installation of underground sprinkler or drip irrigation system and planting of groundcover, shrubs, and trees involving minimum or no grading on property under the jurisdiction of the Department of Transportation.

5. Paving of previously graded parking and storage yard areas under the control of the Department of Transportation.

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, sounding, wave, littoral transport 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 water quality surveys.
14. Conduct ridesharing demonstrations.
15. Conduct subsurface investigations (borings) provided cultural remains are not disturbed.

EXEMPTION CLASS 6: Construction or placement 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 around trash bin areas and for noise control.
6. Installation of reefer outlets.
7. Procure and install works of art.
8. Alteration or addition of improvements with associated utilities, which are incidental to existing harbor and boat ramp operations, in accordance with master plans that have met the requirements of Chapter 343, Hawaii Revised Statutes. Such improvements and associated utilities include concessions, comfort stations, pavilions, paving, rockwalls, fencings, walkways, loading docks, warehouses, piers, offices, container freight stations, cranes, fuel lines, lighting, sprinkler and drainage systems.
9. Construction of bus shelters, telephone booths and sidewalks.
10. Striping of existing paved roadways or paved shoulders to create a bikelane when no additional construction is required.

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. Maintaining of 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 Department of Transportation 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, Hawaii Revised Statutes.

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

None.

NOTE: Pursuant to Section 11-200-8 (b), Hawaii Administrative Rules, 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 maybe significant in a particularly sensitive environment.