

COMPREHENSIVE EXEMPTION LIST FOR THE
STATE OF HAWAII
SCHOOL FACILITIES AUTHORITY

REVIEWED AND CONCURRED UPON BY THE ENVIRONMENTAL COUNCIL ON
_____ 2023

This is the original exemption list for the School Facilities Authority which is administratively attached to the Department of Education (DOE). This list was reviewed and concurred upon by the Environmental Council. The list applies to those projects undertaken by the School Facilities Authority.

Pursuant to the Hawaii Administrative Rules (HAR), Section 11-200.1-15(c), there are ten general types of actions exempt from the preparation of an environmental assessment (EA). Pursuant to HAR, Section 11-200.1-15(d), these exemptions are inapplicable 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.

The School Facilities Authority Comprehensive Exemption List of actions eligible for exemption is organized by ten general types of actions (HAR, Section 11-200.1-15) and further classified within each type as one of the following:

Part 1 – De Minimis: Routine activities and ordinary functions that do not have the potential to affect the environment more than negligibly, per HAR Section 11-200.1-16(a).

Part 2 – Exemption Notice: Types of actions eligible for exemption under HAR Section 11- 200.1-15 that will have minimal or no significant effects on the environment.

GENERAL TYPE 1: Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features involving minor expansion or minor change of use beyond that previously existing [§ 11-200.1-15(c)(1) HAR].

Part 1 – De Minimis:

1. All building features, including:
 - a. Building;
 - b. Structure;
 - c. Furniture;
 - d. Equipment;
 - e. Electrical system;
 - f. Communication system;
 - g. Plumbing system;
 - h. Heating, ventilation, and air conditioning system;
 - i. Fire protection system;

SFA Exemption List

- j. Drainage system;
 - k. Waste treatment facility;
 - l. Interior alternations and renovations to existing facilities including but not limited to partitions, doors, built-in furnishing, and built-in equipment.
2. All outside campus features, including:
- a. Wall, fencing, curbing, gates, guardrails, and safety barriers
 - b. Walkways and bike path/covered walkways
 - c. Roadways
 - d. Parking lots/covered bus loading areas or shelters
 - e. Paved courts, covered play courts
 - f. Play equipment and shade structures
 - g. Drinking fountains
 - h. Signs
 - i. Athletic fields
 - j. ~~Lightening~~ Lighting of athletic fields and parking lots
 - k. Landscaping
 - l. Vehicle

This includes improvements such as re-striping, new signage, redirecting traffic flow, altering the number of parking slots, and complying with Americans with Disabilities Act requirements.

- 3. Fuel systems: Operation, repair or maintenance of on-site propane and methane gas systems used for preparing food and other associated kitchen purposes; heating water for locker/shower buildings; conducting experiments in science laboratories; and cooking in homemaking classrooms in schools. Operation, repair or maintenance of gasoline and diesel tank and pump systems for refueling cars, buses and trucks in automotive servicing areas and maintenance baseyards.
- 4. Vector and pest control: Fumigation and treatment of building for termites, cockroaches, ants, vermin and other pests using pesticides registered by the State Department of Agriculture (DOA) and the U.S. Environmental Protection Agency.
- 5. On-site infrastructure improvements (walkway, roadway, parking, water, irrigation, sewer, drainage, power, telephone, data and communication systems).
- 6. Removal or treatment of hazardous substances: Removal, mitigation, stabilization or containment of mold, asbestos, radon, lead paint, or other controlled substances.

Part 2 – Exemption Notice:

- 1. None.

GENERAL TYPE 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 [§ 11-200.1-15(c)(2) HAR].

Part 1 – De Minimis:

1. Furniture.
2. Equipment.
3. Electrical system.
4. Communications system.
5. Plumbing system.
6. Heating, ventilation, and air conditioning system.
7. Wall and fence.
8. Sign.
9. Athletic field.
10. Existing school buildings provided the facilities are listed in the DOE's "Educational Specification and Standards for School Facilities" (EDSPECS) which lists required or sanctioned DOE programs and facilities. The types of buildings that may hereunder be replaced or reconstructed include classrooms, administration offices, libraries, auditoriums, cafeterias, kitchens, industrial shops, locker/shower rooms, gymnasiums, stadiums, and other buildings that house or facilitate educational functions.
11. Existing on-site school structures such as covered walkways, covered playcourts, flag poles, bus shelters, swimming pools, bleachers, ramps, and elevators.
12. On-site propane and methane gas systems used for preparing food and other associated kitchen purposes; heating water for locker/shower buildings; conducting experiments in science laboratories; and cooking in homemaking classrooms in schools. Replacement or reconstruction of gasoline and diesel tank and pump systems for refueling cars, buses and trucks in automotive servicing areas and maintenance baseyards.
13. Existing lined and unlined drainage swales and ditches that collect and divert rainfall runoff on-site, existing conduits connecting the intake structures and existing conduits connecting on-site systems to off-site drainage systems approved by the County.
14. Existing waste treatment facility where the County does not have any off-site sewerage system available; does not have the system capacity to permit any additional sewage loading; or requires some treatment before discharge into their system. The new waste treatment facility will have substantially the same capacity as the original facility.

SFA Exemption List

15. Existing walkways that connect buildings and facilities on a site or provide pedestrian access onto the site from the public roadway or walkway.
16. Existing roadways that provide vehicular and fire/emergency access across a site or onto a site from a public roadway. In the case of high schools, these are roadways that connect with such points as vehicular loading areas, parking lots, cafeterias, gymnasiums, swimming pools, athletic fields, industrial shops, and agricultural areas. Work under this item includes repaving and striping.
17. Existing parking lots required by the County zoning code or specified in the DOE's EDSPECS. Work under this item includes repaving and striping
18. Existing paved courts specified by the DOE's EDSPECS. Work under this item includes repaving and striping.

Part 2 – Exemption Notice:

1. None.

GENERAL TYPE 3: Construction and location of single, new, small facilities or structures and the alteration and modification of the facilities or structures and installation of new, small equipment or facilities and the alteration and modification of the equipment or facilities, including, but not limited to:

- (A) Single-family residences less than 3,500 square feet, as measured by the controlling law under which the proposed action is being considered, if 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 individuals or fewer 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 extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements [§ 11-200.1-15(c)(3) HAR].

Part 1 – De Minimis:

1. Garage areas for up to 10 vehicles.
2. Patio areas up to 2,000 square feet.
3. Covered walkway.
4. Bus stops or covered bus loading areas up to 2,000 square feet.

SFA Exemption List

5. Elevator/conveyor system.
6. Stairway.
7. Ramp.
8. Any structure, facility, equipment, or utility required to meet governmental requirements given under the Occupational Safety and Health Act, county building and fire codes, Americans with Disabilities Act, and State Department of Health (DOH) regulations.
9. Window modification.
10. Door modification.
11. Exterior modification.
12. Furniture.
13. Equipment.
14. Electrical system.
15. Communications system.
16. Plumbing system.
17. Heating, ventilation and air conditioning system.
18. Sign.
19. Athletic field.
20. Bleachers.
21. Swimming pool.
22. Any buildings or structures that are part of a planned development within an existing State facility used by the DOE that does not require any off-site infrastructure improvements, including but not limited to:
 - a. Classroom building.
 - b. Cafeteria.
 - c. Multipurpose room.
 - d. Gymnasium, stadium, bleachers, weight room.
 - e. Locker/shower facility.
 - f. Playfield, playground, playcourt.

SFA Exemption List

- g. Administration building.
 - h. Library.
 - i. Parking lot, bus loading, and book drop.
 - j. Chain link fence, gate.
 - k. Irrigation system.
 - l. Wheelchair ramps.
 - m. Saran houses or hothouses having gravel floors, wood frames, and plastic covering.
 - n. Offices.
23. Additional classroom space and appurtenances not exceeding 10% of existing number of classrooms provided that no variances to setback, height, or density requirements are necessary.

Part 2 – Exemption Notice:

- 1. None.

GENERAL TYPE 4: Minor alteration in the condition of land, water or vegetation [§ 11-200.1-15(c)(4) HAR].

Part 1 – De Minimis:

- 1. Clearing and grubbing or grading in accordance with DOH and county standards; all work done under Exemption Class 4, Number 1, will also be limited to projects that:
 - a. Comply with setback requirements for applicable Federal, State and County laws, regulations, ordinances, codes, rules; and
 - b. Impact less than 15 acres (non-contiguous) of an existing State facility site.
- 2. Planter boxes/landscaping, including laying topsoil; planting trees, shrubs and ground cover; and relocating or removing trees that are not considered historical or significant
- 3. Installation of sprinkler or irrigation system to water trees, shrubs, and grass.
- 4. Land subdivision and consolidation: Where no FONSI or EIS has been filed for an existing school or facility site:
 - a. Acquisition, subdivision and/or consolidation of minor amounts of land for rounding corners of existing roadways.
 - b. Subdivision and/or consolidation of roadway remnant with school or facility site; all

SFA Exemption List

work for exemption Class 4, Numbers 4a and 4b, will also be limited to projects that:

- i. Involve less than 5.0 acres (total); or
- ii. Have published a public notice for the roadway remnant declaration process.
- c. Subdivision and/or consolidation of parcel(s) dedicated to the State by a County agency for State facility site.
- d. Easements in favor of the County or a public utility company for on-site infrastructure improvements (walkway, roadway, parking, water, irrigation, drainage, sewer, power, telephone, data and communication systems).

Part 2 – Exemption Notice:

1. None.

GENERAL TYPE 5: Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major to an environmental resource [§ 11-200.1-15(c)(5) HAR].

Part 1 – De Minimis:

1. Topographic survey.
2. Soil borings/foundation survey.
3. Traffic survey.
4. Grave survey.
5. Air/water/noise/hazardous materials assessment and/or monitoring survey.
6. Drainage study.
7. Tenant relocation/inventory survey.
8. Site/building assessment and/or monitoring, including assessment and/or monitoring for ADAAG compliance.
9. Economic analysis.
10. Long range development plans.
11. Environmental impact research.
12. Survey conducted by an archaeologist from the DLNR, University of Hawaii, Bishop Museum, or private company to satisfy certain requirements in preparing an EIS to make a preliminary determination on condition at, or surrounding, a State facility site.

SFA Exemption List

13. Site appraisal by DLNR or an independent appraisal company for the State to determine the purchase price for real property (including land, buildings, features, plants, crops, severance issues) being considered under an acquisition, exchange, easement or lease agreement for a State facility.
14. "Right-of-Entry" for site investigation/study.

Part 2 – Exemption Notice:

1. None.

GENERAL TYPE 6: Demolition of structures, except those structures that are listed on the national register or Hawai'i Register of Historic Places [§ 11-200.1-15(c)(6) HAR].

Part 1 – De Minimis:

1. Building.
2. Infrastructure systems such as utilities, (e.g. water, drainage, sewer, power, telephone, data and communication systems).
3. Structures such as covered walkways, covered playcourts, bus shelters, swimming pools, bleachers, scoreboards, stairs, ramps, elevators, flag poles, walls, fences, planter boxes, signs, garages, patios, tool sheds, storage sheds, saran houses, bath houses, portable buildings, pump houses, transformer buildings, and air conditioning enclosures.
4. Structures or facilities such as roads, parking lots, bus shelters, walls, fences, signs, flag poles, paved courts, walkways, equipment and furniture.
5. Any related improvement or work that is limited to the State facility site.

Part 2 – Exemption Notice:

1. None.

GENERAL TYPE 7: Zoning variances except shoreline setback variances [§ 11-200.1-15(c)(7) HAR].

Part 1 – De Minimis:

1. Building set-back variances.

Part 2 – Exemption Notice:

1. None.

GENERAL TYPE 8: Continuing administrative activities [§ 11-200.1-15(c)(8) HAR].

Part 1 - De Minimis:

SFA Exemption List

1. Purchases of supplies, services, and equipment required to support existing operations.
2. Procure professional services, goods and services, competitive sealed proposals, competitive sealed bidding, and similar services.
3. Request and use federal, state, or local grants to support ongoing operations; implement programs; training of personnel, including purchase and rental of training facilities and equipment; and similar activities.
4. Perform all aspects of administrative functions including personnel actions, accounting, budgeting, training, regulatory reporting, and the promulgation of rules and directives, and similar activities.
5. Conduct research, public education, outreach, and communications, including meetings, surveys, websites, training, newsletters, and press releases; prepare long-term planning documents; and similar activities.
6. Prepare and administer interagency agreements, letters of agreement with developers regarding impact fees and fair share contributions to school facility improvements, and similar activities.
7. Right-of-entry agreements, use and occupancy contracts.
8. Acquisition, subdivision or consolidation of public lands to facilitate transfer between the SFA and other agencies for public use.
9. Transfer of management authority or title over public lands between SFA and other agencies through Governor's executive orders or other legal instruments.

Part 2 - Exemption Notice:

1. None.

GENERAL TYPE 9: Acquisition of land and existing structures, including single or multi-unit dwelling units, for the provision of affordable housing, involving no material change of use beyond previously existing uses, and for which the legislature has appropriated or otherwise authorize funding [§ 11-200.1-15(c)(9) HAR].

Part 1 – De Minimis:

1. None.

Part 2 – Exemption Notice:

1. None.

GENERAL TYPE 10: New construction of affordable housing, where affordable housing is defined by the controlling law applicable for the state or county proposing agency or approving agency, that meets the following:

SFA Exemption List

- (A) Has the use of state or county lands or funds or is within Waikīkī as the sole triggers for compliance with chapter 343, HRS;
- (B) As proposed conforms with the existing state urban land use classification;
- (C) As proposed is consistent with the existing county zoning classification that allows housing; and
- (D) As proposed does not require variances for shoreline setbacks or siting in an environmentally sensitive area, as stated in section 11-200.1-13(b)(11).

Part 1 – De Minimis:

- 1. None.

Part 2 – Exemption Notice:

- 1. None.