

DRAFT
Comprehensive Exemption List for the
County of Hawai'i, Department of Water Supply

According to section 11-200.1-15, Hawai'i Administrative Rules (HAR), the Department of Water Supply, County of Hawai'i (DWS-COH) may declare the following types of actions exempt from the requirement to prepare an environmental assessment.

The DWS-COH shall not make exemption declarations 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. 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.

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.*

A. STRUCTURES.

Part 1: De Minimis:

1. Repair, maintenance or minor alteration of any existing structure, owned / maintained by the DWS-COH or located within the DWS-COH's right-of-way / easement, which does not alter the structure's overall area or intended function.
2. Repair, repaint, reroof and maintenance of existing structures and interior components, including, but not limited to foundations; framework; walls; interior reconfiguration; flooring; ceilings; windows; doors; roofing; signage; plumbing, electrical and lighting systems; security, surveillance, telecommunication and information technology systems; heating, ventilation and air conditioning (HVAC) systems; SCADA and telemetry systems; and other similar components and systems.

3. Modification required to existing structures and equipment to meet new codes and regulations; or to bring and maintain compliance with current Federal, State and local regulations.
4. Repair and maintenance of buildings (office buildings, motor control buildings, maintenance buildings, dwellings, laboratory, etc.).
5. Repair, maintenance, minor alteration or operation of storage tanks / reservoirs (does not include earthen reservoirs).
6. Control of insects, termites, and pests using pesticides, and treatment control methods approved by the State Department of Agriculture and the EPA in accordance with manufacturer's instructions.
7. Repair, maintenance, or minor alteration of cement rubble masonry (CRM), grouted rubble paving (GRP), hollow block, reinforced concrete walls, retaining walls and screen walls.

Part 2: Exemption Notice:

1. Repair, maintenance or minor alteration to the extent of original field conditions and intended function (to include minor underpinning) of any slope/embankment stabilization and erosion mitigation structures, such as mechanically stabilized earth, soil nail and anchored walls that are owned / maintained by the DWS-COH.

B. FACILITIES.

Part 1: De Minimis:

1. Operation, repair, maintenance, or minor alteration of existing facilities that are owned/maintained by the DWS-COH or located within the DWS-COH's right-of-way / easement, which does not alter the facility's overall area or intended function.
2. Operations, repairs, or maintenance actions for compliance with OSHA requirements.
3. Repair, maintenance, minor alteration, or operation of pipeline and appurtenances (water mains, service laterals, meters, hydrants, valves, boxes, manholes, vaults, gauges, etc.).
4. Repair, maintenance, or minor alteration of piping supports, bridging, and related structures.
5. Repair, maintenance, minor alteration, or operation of deep well pump assembly, deep well station infrastructure, station appurtenances and related electrical equipment and controls.

6. Repair, maintenance, minor alteration, or operation of booster pump assembly, booster station infrastructure, station appurtenances and related electrical equipment and controls.
7. Repair, maintenance, minor alteration or operation of pressure reducing station and pressure breaker tank infrastructure.
8. Repair, maintenance, minor alteration, or operation of filtration, chlorination, disinfection, water treatment, and water quality / treatment facilities and related equipment.
9. Repair, maintenance or minor alteration of roadways, driveways and pavement.
10. Repair, maintenance, or minor alteration of accessibility and related structures (curbs, sidewalks, ramps, stairs, ladders, walkways, etc.).
11. Repair, maintenance or minor alteration of traffic control/safety facilities (signs, guardrails, delineators, bollards, striping, pavement markers, etc.).
12. Repair, maintenance, minor alteration, or operation of drainage facilities, intake and collection boxes.
13. Repair, maintenance, or minor alteration of fencing, gates, barriers, and screening.

Part 2: Exemption Notice:

1. None.

C. EQUIPMENT.

Part 1: De Minimis:

1. Repair, maintenance or minor alteration of any existing equipment, owned/maintained by the DWS-COH or located within the DWS-COH's right-of-way / easement, which does not alter the structure's overall area or intended function.
2. Repair, maintenance, minor alteration, or operation of fueling systems for DWS-COH fleet, equipment, and emergency back-up generators at various sites, including but not limited to fuel tanks, fuel lines, secondary containment provisions, pumping equipment, and fuel management and gauging systems.
3. Repair, maintenance, minor alteration, or operation of existing renewable power systems and equipment including but not limited to rooftop solar systems and equipment, battery storage, and e-vehicle charging systems; hydropower equipment; and hydrogen generation and fuel cell systems.

4. Repair, maintenance, minor alteration or operation of electrical, telephone and radio equipment and air conditioning systems.
5. Repair and maintenance of computer equipment.
6. Repair, maintenance, minor alteration, or operation of vehicles, machinery, heavy equipment, and tools.
7. Repair, maintenance, minor alteration, upgrade, or operation of exterior lighting, in compliance with HRS Chapter 201-8.5, Night Sky Protection Strategy.

Part 2: Exemption Notice:

1. None.

D. TOPOGRAPHICAL FEATURES.

Part 1: De Minimis:

1. Minor vegetation clearing and management, including grubbing, mowing, pruning, trimming, weeding, planting and irrigating to reduce fire hazards, control visibility for safety/security, and maintain appropriate visual appearance.
2. Control of plant growth and insects using pesticides and herbicides approved by the State Department of Agriculture and the EPA in accordance with manufacturer's instructions.
3. Maintenance of grounds by such means as mowing, trimming and weeding.
4. Repair or maintenance due to natural and man-made incidents (reconstruct eroded berms, clear fallen trees, etc.).

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.*

A. STRUCTURES.

Part 1: De Minimis:

1. Replacement or reconstruction of building components, including, but not limited to foundations; framework; walls; interior reconfiguration; flooring; ceilings; windows; doors; roofing; signage; plumbing, electrical and lighting systems; security, surveillance, telecommunication and information technology systems;

heating, ventilation and air conditioning (HVAC) systems; SCADA and telemetry systems; and other similar components and systems.

2. Replacement or reconstruction of piping support, bridging, related structures and bollards.
3. Replacement or reconstruction of roadways, driveways and pavement.
4. Replacement or reconstruction of accessibility and related structures (curbs, sidewalks, ramps, stairs, ladders, walkways, etc.).
5. Replacement or reconstruction of fencing, gates, barriers and screening.

Part 2: Exemption Notice:

1. Replacement, reconstruction, or rehabilitation of any damaged, deteriorated, or ineffective existing structure owned/maintained by the DWS-COH or located within the DWS-COH's easement or right-of-way, to its original or better condition as necessary to ensure structural integrity, public safety, and/or continuity of service.
2. Replacement, reconstruction, or rehabilitation required to bring any existing structure, into compliance, or to maintain compliance with current Federal, State, and local regulations.
3. Replacement, reconstruction, or rehabilitation of buildings for no substantial change in use.
4. Replacement, reconstruction, or rehabilitation of storage reservoirs / tanks to equal size or to meet current demands, fire flow standards and other operational requirements with no intention of providing additional storage for increased development.
5. Replacement or reconstruction of cement rubble masonry (CRM), grouted rubble paving (GRP) hollow block, reinforced concrete walls, retaining walls and screen walls.
6. Replacement or reconstruction (to include minor underpinning) of any slope/embankment stabilization and erosion mitigation structures, such as mechanically stabilized earth, soil nail and anchored walls that are owned / maintained by the DWS-COH.

B. FACILITIES.

Part 1: De Minimis:

1. Replacement, reconstruction, or rehabilitation required to bring any existing facility, equipment, or apparatus into compliance, or to maintain compliance with current Federal, State, and local regulations.
2. Replacement or reconstruction of pressure reducing stations.
3. Replacement or reconstruction of pressure reducing stations and pressure breaker tanks.
4. Replacement or reconstruction of piping supports, bridging, and related structures.
5. Replacement or reconstruction of roadways, driveways and pavement.
6. Repair, maintenance, or minor alteration of accessibility and related structures (curbs, sidewalks, ramps, stairs, ladders, walkways, etc.).
7. Replacement or reconstruction of traffic control/safety facilities (signs, guardrails, delineators, bollards, striping, pavement markers, etc.).
8. Replacement or reconstruction of intake and collection boxes and drainage facilities.
9. Replacement of vehicles, machinery, heavy equipment, and tools.
10. Replacement or reconstruction of exterior lighting, in compliance with HRS Chapter 201-8.5, Night Sky Protection Strategy.

Part 2: Exemption Notice:

1. Replacement, reconstruction, or rehabilitation of any damaged, deteriorated, or ineffective existing facility, equipment, or apparatus owned/maintained by the DWS-COH or located within the DWS-COH's easement or right-of-way, to its original or better condition as necessary to ensure structural integrity, public safety, and/or continuity of service.
2. Replacement, reconstruction, or rehabilitation of pipeline and appurtenances (water mains, service laterals, meters, hydrants, valves, manholes, gauges) to equal size or to meet current demands, fire flow standards and other operational requirements with no intention of providing additional capacity for increased development.
3. Replacement, reconstruction, or rehabilitation of deep well pump assembly, deep well station infrastructure, station appurtenances and related electrical equipment and controls, to equal size or to meet current demands, fire flow standards and other operational requirements with no intention of providing additional capacity for increased development.

4. Replacement, reconstruction, or rehabilitation of booster pump assembly, booster station infrastructure, station appurtenances, and related electrical equipment and controls, to equal size or to meet current demands, fire flow standards and other operational requirements with no intention of providing additional capacity for increased development.
5. Replacement, reconstruction, or rehabilitation of filtration, disinfection, water treatment, and water quality facilities and related equipment.
6. Replacement or reconstruction of fueling systems for DWS-COH fleet, equipment, and emergency back-up generators at various sites, including but not limited to fuel tanks (not to exceed 2,000 gallons), fuel lines, secondary containment provisions, pumping equipment, and fuel management and gauging systems.
7. Replacement, reconstruction, or rehabilitation of renewable power systems and equipment including but not limited to rooftop solar systems and equipment, battery storage and e-vehicle charging systems; hydropower equipment to provide power to equipment operations not to exceed 5 megawatts; and hydrogen generation and fuel cell systems to provide power to equipment operations not to exceed 5 megawatts.
8. Replacement or reconstruction (to include minor underpinning) of any slope/embankment stabilization and erosion mitigation structures, such as mechanically stabilized earth, soil nail and anchored walls that are owned / maintained by the DWS-COH.

GENERAL TYPE 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 or 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.*

A. STRUCTURES.

Part 1: De Minimis:

1. Construction/installation of new, alteration, modification, relocation or removal of building components, including, but not limited to foundations; framework; walls; interior reconfiguration; flooring; ceilings; windows; doors; roofing; signage;

plumbing, electrical and lighting systems; security, surveillance, telecommunication and information technology systems; heating, ventilation and air conditioning (HVAC) systems; SCADA and telemetry systems, and other similar components and systems.

2. Construction of new and/or alteration or modification to bring any existing structure into compliance, or to maintain compliance with current Federal, State, and local regulations.
3. Construction of new and/or alteration or modification of accessory or appurtenant structures (garages, carports, patios, etc.).
4. Construction or placement of portable field buildings.
5. Construction of new and/or alteration or modification of existing structure to comply with the Americans with Disabilities Act (ADA) requirements.
6. Construction of new and/or alteration or modification of fencing, gates, barriers or screening.

Part 2: Exemption Notice:

1. Construction of new pipeline and appurtenances (water mains, service laterals, meters, hydrants, valves, manholes, gauges) for the purpose of improving water quality or to meet current demands, fire flow standards and other operational requirements with no intention of providing additional capacity for increased development.
2. Upsizing new pipelines within existing easement or right-of-way as allowed by DWS-COH rules pertaining to extension of mains with no intention of providing additional capacity for increased development.
3. Extension of existing waterlines to complete grid within existing right-of-way and easements.
4. Construction of new and/or alteration or modification of storage reservoir / tank and appurtenances for the purpose of improving water quality or to meet current demands, fire flow standards and other operational requirements with no intention of providing additional storage for increased development. New storage reservoir capacity not to exceed 100,000 gallons on or at existing DWS-COH parcel or facility.
5. Construction of new and/or alteration or modification of buildings (control buildings, chlorination buildings, offices, etc.).
6. Construction of small new buildings or additions at existing facilities.

7. Construction/installation of any structure, located within or along a DWS-COH owned/maintained property/right-of-way/easement not otherwise identified in this Exemption List.
8. Construction/modification of cement rubble masonry (CRM), grouted rubble paving (GRP), hollow block, reinforced concrete walls or retaining walls and screen walls (not on the shoreline).
9. Construction, alteration or modification of any slope/embankment stabilization and erosion mitigation structures, such as mechanically stabilized earth, soil nail and anchored walls that are owned / maintained by the DWS-COH.

B. FACILITIES.

Part 1: De Minimis:

1. Construction of new and/or alteration or modification to bring any existing facility, equipment, or apparatus into compliance, or to maintain compliance with current Federal, State, and local regulations.
2. Construction of new and/or alteration or modification of existing facility to comply with the Americans with Disabilities Act (ADA) requirements.
3. Construction of new, or alteration, modification, relocation and/or extension, or removal of water meters and boxes, and service laterals / connections.
4. Alteration or modification of pump station infrastructure and appurtenances including installation of piping, control valves, chlorination systems, or alterations of pump assemblies.
5. Installation of new, or modification of monitoring equipment and instrumentation for measurement of physical, chemical and biological parameters of water quality.
6. Relocation of fire hydrants or standpipes to clear new construction such as a driveway, or to eliminate hazardous conditions.
7. Installation/modification of telephone, telemetering, SCADA, electrical and computer equipment and wiring.
8. Construction of new, or alteration or modification of shelters for emergency generators at existing pump stations.
9. Installation or modification of equipment for existing buildings, such as emergency back-up generators and transfer switches for pump stations.
10. Construction/modification of observation well shelters (kiosks).
11. Installation/modification of monitoring devices.

12. Installation/modification of motor control centers and chlorinator buildings.
13. Construction of new, or alteration or modification of pad-mounted transformers, switchgear and motor control centers.
14. Construction/modification of sidewalks and covered walkways.
15. Alteration or modification of accessibility and related structures (curbs, sidewalks, ramps, stairs, ladders, walkways, etc.).
16. Construction/installation of new, or alteration, modification, relocation or removal of traffic control/safety facilities (signs, guardrails, delineators, bollards, striping, pavement markers, etc.).
17. Installation of new, or modification of site security upgrades including fencing, access controls, intrusion alarm systems, surveillance systems and telemetry.
18. Construction of new, or alteration, modification, relocation or removal of utility connections for electricity, telecommunications, gas, or sewer.
19. Construction/modification of stream and rain gauging stations.
20. Construction/installation of new, or alteration, modification, relocation or removal of exterior lighting, in compliance with HRS Chapter 201-8.5, Night Sky Protection Strategy.
21. Installation of exterior lighting designed to minimize impact to wildlife and aesthetics. Exterior lighting will be 15 feet or less above ground level and shielded to minimize fugitive light.

Part 2: Exemption Notice:

1. Construction of new pipeline and appurtenances (water mains, service laterals, meters, hydrants, valves, manholes, gauges, etc.) for purposes of improving water quality or to meet current fire flow standards with no intention of providing additional flow for increased development.
2. Upsizing new pipelines within existing right-of-way as allowed by DWS-COH rules pertaining to extensions of mains.
3. Extension of existing waterlines to complete grid within existing right-of-way and easements.
4. Upgrade or expansion of existing well and booster pump stations to master planned capacity, including installation of filtration, water treatment and additional pumping equipment and appurtenances, provided circumstances have not changed substantively from the time of the master plan was prepared.

5. Construction of new and/or alteration or modification of pressure regulating equipment such as booster pumps, pressure reducers, pressure relief valves, etc. where the intent is to route water from one pressure zone to the next.
6. Construction/installation of new, or alteration or modification of temporary emergency water production, water well pumping, filtration, disinfection, water treatment, transmission, distribution, water quality facilities and related equipment.
7. Construction or placement of temporary and portable field buildings.
8. Construction of temporary emergency access roads.
9. Construction, alteration or modification of any slope/embankment stabilization and erosion mitigation structures, such as mechanically stabilized earth, soil nail and anchored walls that are owned / maintained by the DWS-COH.
10. Construction of new, alteration or modification of renewable power systems and equipment including but not limited to rooftop solar systems and equipment with the retrofit of electrical systems for the installation of solar energy for battery storage and e- vehicle charging systems; hydropower equipment to provide power to equipment operations not to exceed 5 megawatts; and hydrogen generation and fuel cell systems to provide power to equipment operations not to exceed 5 megawatts.
11. Construction of new and/or alteration or modification of fueling systems for DWS-COH fleet, equipment, and emergency back-up generators at various sites, including but not limited to fuel tanks appurtenances (not to exceed 2,000 gallons), fuel lines, secondary containment provisions, pumping equipment, and fuel management and gauging systems.
12. Construction/installation of any facilities, located within or along a DWS-COH owned/maintained property/right-of-way/easement not otherwise identified in this Exemption List.

GENERAL TYPE 4: *Minor alterations in the conditions of land, water, or vegetation.*

Part 1: De Minimis:

1. Incidental clearing of land and preliminary site work for surveying, engineering design, and geologic and hydrologic studies.
2. Minor vegetation clearing and management, including grubbing, mowing, pruning, trimming, weeding, removal and/or transplanting of trees that are not considered historical or exceptional, sodding of bare areas or planting of groundcover, shrubs or trees for dust and erosion control.

3. Minor land adjustments for landscaping purposes or for leveling grounds for which grading permits are not required.
4. Landscaping and installation of underground sprinkler or drip irrigation systems.
5. Temporary access roads with minimal grading and tree removal to repair and maintain existing facilities.

Part 2: Exemption Notice:

1. Pruning, trimming or removal of exceptional trees which endanger life or property.

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 disturbance to an environmental resource.*

Part 1: De Minimis:

1. Water main location studies.
2. Water sampling for water quality analysis purposes.
3. Leak detection data collection.
4. Fire flow tests.
5. Studies such as planning, economic, energy (including hydrogenator and alternative energy studies), environmental, feasibility, financial, inventory, asset management and other similar studies.
6. Environmental surveys such as historical, cultural, biological, ecological, traffic, noise, water and other similar surveys.
7. Engineering surveys such as architectural, structural, building, civil, mechanical, electrical, topographical, hazardous contaminant (asbestos, lead, etc.), and other similar surveys.
8. Conduct GIS mapping, aerial, land surveys, 3D modeling, BIM, digital twins and other similar activities.
9. Real estate transaction actions, including but not limited to due diligence, appraisals, and land surveys (e.g., metes and bounds, shoreline setback) to determine the acquisition/sale price, rental establishment or the establishment of royalties.

Part 2: Exemption Notice:

1. Construction of a monitoring well for data collection purposes as defined by the State Commission on Water Resource Management.
2. Geologic/Hydrogeologic investigation.
3. Conduct geotechnical / soils, foundational, archaeological, burial, and other subsurface investigations (i.e., trenching and boring activities) and other similar investigations provided the State Historic Preservation Division was consulted and mitigation measures implemented, if applicable.

GENERAL TYPE 6: *Demolition of structures, except those structures that are listed on the national register or Hawai'i Register of Historic Places.*

Part 1: De Minimis:

1. Demolition of piping supports, bridging and related structures.
2. Demolition of fencing, gates, barriers or screening.
3. Demolition of cement rubble masonry (CRM); grouted rubble paving (GRP), hollow block, reinforced concrete walls, retaining walls and screen walls.
4. Demolition of accessibility and related structures (curbs, sidewalks, ramps, stairs, ladders, walkways, etc.).
5. Demolition of drainage facilities, intake and collection boxes.

Part 2: Exemption Notice:

1. Demolition of buildings and structures.
2. Demolition of storage tanks/reservoirs (does not include earthen reservoirs).
3. Demolition of any slope/embankment stabilization and erosion mitigation structures, such as mechanically stabilized earth, soil nail and anchored walls that are owned / maintained by the DWS-COH.

GENERAL TYPE 7: *Zoning variances except shoreline setback variances.*

Part 1: De Minimis:

1. Building set-back variances.

Part 2: Exemption Notice:

1. None.

GENERAL TYPE 8: *Continuing administrative activities.*

Part 1: De Minimis:

1. Purchase of supplies, services, and equipment required to support existing operations.
2. Personnel-related actions.
3. Acquisition of land / easements on which water system facilities and appurtenances are presently situated or under construction.
4. Acquisition of interests, including easements, quitclaim, fee simple, and leaseholds, in real property on which existing DWS-COH facilities are situated, or will be situated or under construction provided that the DWS-COH has conducted a site assessment.
5. Request to the Department of Land and Natural Resources or General Services Administration for setting aside of State lands to the DWS-COH.
6. Request to the Department of Land and Natural Resources for transferring of State lands by Governor's Executive Order between the DWS-COH and other County agencies.
7. Right-of-entry agreements.
8. Subdivision and consolidation actions.
9. Condemnation actions.

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.*

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: (a) Has the use of state or county lands or funds or is within Waikiki 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.