COMPREHENSIVE EXEMPTION LIST
FOR THE
STATE OF HAWAI'I
DEPARTMENT OF CORRECTIONS AND REHABILITATION
October 15, 2026

Section 343-6(a)(2), Hawai'i Revised Statutes ("HRS") authorizes the Environmental Advisory Council to establish procedures to exempt specific types of action from the preparation of an environmental assessment because the action will have minimal or no significant effect on the environment. Such procedures are specified under Title 11, Chapter 200.1, Subchapter 8, Hawaii Administrative Rules ("HAR"). The State Department of Corrections and Rehabilitation (DCR), through time and experience, has developed the following exemption list identifying particular activities that fall within the exempt types of actions described in Title 11, Chapter 200.1-15, HAR.

EXEMPT TYPES OF ACTIONS

DCR may declare ordinary or routine functions and general types of minor actions as being exempt from the requirement to prepare an Environmental Assessment (EA) that might otherwise be triggered under Hawai'i's environmental review (§11-200.1-16, HAR). DCR has developed a list that identifies actions that fall under one of the two types of exempt actions:

1. Part 1 Actions. Activities determined to be exempt from preparation of an EA and the notification requirements under §11-200.1-17, HAR because DCR considered these to be "de minimis" actions that do not have the potential to adversely affect the environment; or
2. Part 2 Actions. Activities that DCR determined to fall within one or more of the ten (10) general types of actions established under §11-200.1-15(c), HAR that are determined to be exempt from preparation of an EA, provided that DCR fulfills the exemption notice requirements under §11-200.1-17, HAR.

Emergency actions undertaken by DCR shall be conducted in accordance with Sections 11-200.1-8(2)(b) and (c), HAR.

1. When an agency proposes an action during a governor-declared state of emergency, the proposing agency shall document in its records that the emergency action was undertaken pursuant to a specific emergency proclamation. (HAR, Section 11-200.1-8(b)).
2. If the emergency action has not substantially commenced within sixty days of the emergency proclamation, the action will be subject to Hawaii Revised Statutes, Chapter 343. (HAR, Section 11-200.1-8(b)).

3. In the event of a sudden unexpected emergency causing or likely to cause loss or damage to life, health, property, or essential public service, but for which a declaration of a state of emergency has not been made, a proposing agency undertaking an emergency action shall document in its records that the emergency action was undertaken pursuant to a specific emergency and shall include the emergency action on its list of exemption notices for publication by the office in the bulletin pursuant to Section 11-200.1-17(c), HAR.

Other general types of minor actions that should meet the exemption criteria under the 10 general types of actions, but are not specifically identified on this list, would be evaluated by DCR for applicability and processing under Part 1 or 2 Actions and procedures.

All exemptions under Title 11, Chapter 200.1, Subchapter 8, HAR are inapplicable when DCR determines 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.

Pursuant to HAR Title 11, Chapter 200.1, the State DCR has determined that the following types of actions, where they fall within the two classes of action (Part 1 and 2), shall generally be exempt from the preparation of an Environmental Assessment.

EXEMPTION LIST FOR THE
STATE DEPARTMENT OF CORRECTIONS AND REHABILITATION

PART 1 ACTIONS (DE MINIMIS ACTIVITIES)

Pursuant to §11-200.1-16, HAR, DCR considers the following activities listed under Part I Actions to be routine and ordinary functions or minor actions within their jurisdiction or expertise that by their nature do not have the potential to adversely affect the environment more than negligibly individually or cumulatively. Examples of such routine activities and ordinary functions may include, among others:

- Routine repair and routine maintenance activities of facilities;
- Purchase of supplies, and continuing administrative activities involving personnel;
- Nondestructive data collection, installation of signs and markers;
- Financial transactions, personnel-related matters; and
- Construction or placement of minor structures accessory to existing facilities; interior alterations involving things such as partitions, plumbing, and electrical conveyances.

Other types of activities include, but are not limited to, the following listed by the general types of actions eligible for the exemption.

Type 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, including but not limited to:

1. Buildings and Structures:
    a. Secure housing and custody spaces: housing units, cell blocks, cells, special housing units, intake and booking areas, inmate dayrooms and common areas, inmate visiting rooms.
    b. Administrative and staff areas: offices, workrooms, conference and training rooms, staff lockers and restrooms.
    c. Medical facilities: medical services offices, exam rooms, treatment rooms, mental health and counseling rooms, pharmacy or medical storage rooms, medical support spaces.
    d. Transportation and site support facilities: access roads and internal roadways, parking areas and structures, loading and service areas, fencing and gates, perimeter facility infrastructure, utility yards and service courts.
    e. Facilities support services: facilities support building, maintenance shops, mechanical, electrical, and plumbing rooms, IT and communications room, emergency generator buildings, fuel storage and dispensing areas (gas station, tanks).
    f. Educational facilities: educational buildings, classrooms, vocational training rooms, computer labs, program rooms, libraries.

g. Food service facilities: kitchens, food service buildings, food preparation areas, food storage areas, serving lines, dishwashing areas, inmate dining areas
h. Laundry facilities: laundry buildings and rooms, equipment rooms for washers and dryers, linen storage rooms.
i. Security and Operations Infrastructure: control rooms, security monitoring rooms, armories, ammunition storage, equipment storage, surveillance and access control system spaces.
j. Ancillary and miscellaneous support spaces: temporary structures, modular buildings, pavilions, storage buildings, general storage rooms, janitorial closets, trash and recycling enclosures, restrooms, shower and hygiene rooms.
k. Retaining walls and other slope stabilization structures.

2. Equipment:
   a. Equipment installations, including but not limited to, pumps, motors, electrical transformers, cabinets, panels, and vaults.
   b. Air conditioning (HVAC), heating, and ventilation systems and odor control systems.
   c. Refrigeration equipment and enclosures.
   d. Elevators, lifts provided for handicapped accessibility, and other conveyor systems.
   e. Emergency electrical generators and equipment.
   f. Exterior lighting, streetlights and utility poles, parking lot lights, security lighting, ball field and play court lighting, and bollards.
   g. Recreational and community facilities and play equipment, fitness equipment, and trash compactors.
   h. Plumbing systems.
   i. Communication and telecommunication systems, antennas, and towers.
   j. Irrigation systems, control panel sheds, and equipment.
   k. Security systems including but not limited to: cameras, motion detection, detection equipment, alarms, panels, and civil defense warning sirens, walls, windows, and security or other fences.
3. Site Improvements:
   a. Roadways, driveways, and parking lots.
   b. Loading areas, curbs, and traffic calming improvements.
   c. Sidewalks, exterior steps, ramps, walkways (open and covered), pedestrian bridges, and handrails.
   d. Landscaping of trees and vegetation, irrigation, gardens and nurseries, planter boxes, pedestrian trails, and site maintenance.
   e. Signage, gates, fencing, and mailboxes.

f. Recreational facilities including, but not limited to, courts, fields, benches, tables, bike racks and paths, and irrigation lines.
g. Temporary construction staging areas and storage of construction equipment and materials within correctional facility boundaries.

4. Infrastructure and Utilities:
   a. Water collection and distribution systems, storage tanks/reservoirs, fire protection, and renewable energy systems.
   b. Waste treatment facilities.
   c. Sewer collection and distribution systems.
   d. Drainage collection and distribution systems.
   e. Agency maintained drainageways and channels, swales, berms.
   f. Fuel (gas, propane, etc.) storage, collection and distribution systems.

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, including but not limited to:

1. Buildings and Structures:
   a. Secure housing and custody spaces: housing units, cell blocks, cells, special housing units, intake and booking areas, inmate dayrooms and common areas, and inmate visiting rooms.
   b. Administrative and staff areas: offices, workrooms, conference and training rooms, staff lockers and restrooms.
   c. Medical facilities: medical services offices, exam rooms, treatment rooms, mental health and counseling rooms, pharmacy or medical storage rooms, and medical support spaces.
   d. Transportation and site support facilities: access roads and internal roadways, parking areas and structures, loading and service areas, fencing and gates, perimeter facility infrastructure, utility yards and service courts.
   e. Facilities support services: facilities support building, maintenance shops, mechanical, electrical, and plumbing rooms, IT and communications room, emergency generator buildings, fuel storage and dispensing areas (gas station, fuel tanks).
   f. Educational facilities: educational buildings, classrooms, vocational training rooms, computer labs, program rooms, and libraries.
   g. Food service facilities: kitchens, food service buildings, food preparation areas, food storage areas, serving lines, dishwashing areas, and inmate dining areas.
   h. Laundry facilities: laundry buildings and rooms, equipment rooms for washers and dryers, and linen storage rooms.

i. Security and Operations Infrastructure: control rooms, security monitoring rooms, armories, ammunition storage, equipment storage, surveillance and access control system spaces.
j. Ancillary and miscellaneous support spaces: temporary structures, modular buildings, pavilions, storage buildings, general storage rooms, janitorial closets, trash and recycling enclosures, restrooms, shower and hygiene rooms.
k. Retaining walls and other slope stabilization structures.
   - This work excludes the replacement or construction of new seawalls.

2. Equipment:
   a. Equipment installations, including but not limited to, pumps, motors, electrical transformers, cabinets, panels, and vaults.
   b. Air conditioning (HVAC), heating, and ventilation systems and odor control systems.
   c. Refrigeration equipment and enclosures.
   d. Elevators, lifts provided for handicapped accessibility, and other conveyor systems.
   e. Emergency electrical generators and equipment.
   f. Exterior lighting, including but not limited to, streetlights and utility poles, parking lot lights, security lighting, ball field and play court lighting, and bollards.
      - Exterior lighting shall comply with HRS §201-8.5, Night Sky Protection Strategy.
   g. Recreational and community facilities and play equipment, fitness equipment, and trash compactors.
   h. Plumbing systems.
   i. Communication and telecommunication systems, antennas, and towers.
   j. Irrigation systems, control panel sheds, and equipment.
   k. Security systems including, but not limited to, cameras, motion detection, detection equipment, alarms, panels, civil defense warning sirens, walls, windows, and security fences.
   l. Individual and cluster unit mailboxes.

3. Site Improvements:
   a. Roadways, driveways, and parking lots.
   b. Loading areas, curbs, and traffic calming improvements.
   c. Sidewalks, exterior steps, ramps, walkways (open and covered), pedestrian bridges, and handrails.
   d. Landscaping of trees and vegetation, irrigation, gardens and nurseries, planter boxes, pedestrian trails, and site maintenance.
   e. Signage, gates, fencing, guardrails, and mailboxes.

f. Recreational facilities including, but not limited to, courts, fields, benches, tables, bike racks and paths, and irrigation lines.
g. Temporary construction staging areas and storage of construction equipment and materials within correctional facility boundaries.

4. Infrastructure and Utilities:
   a. Water collection and distribution systems, storage tanks/reservoirs, fire protection, and renewable energy systems.
   b. Waste treatment facilities.
   c. Sewer collection and distribution systems.
   d. Drainage collection and distribution systems (drainageways and channels, swales, berms, etc.) maintained by the agency.
   e. Fuel (gas, propane, etc.) storage, collection and distribution systems.

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:

1. Contraband detection equipment.
2. Works of art.
3. Window modifications.
4. Door modifications.
5. Exterior building modifications.
6. Furniture.
7. Electrical systems.
8. Communications systems.
9. Plumbing systems.
10. Fire protection systems.
11. Equipment installations including security and camera systems, motion detection, detection equipment, outdoor lighting, pumps, motors, electrical transformers, cabinets, panels, and vaults, power, light and telephone pole systems, heating, ventilation, and air conditioning (HVAC), irrigation controllers, telephone stations, emergency electrical generators, and lifts provided for handicapped accessibility.

Type 4. Minor alterations in the conditions of land, water, or vegetation.

1. Clearing and grubbing or grading in accordance with State Department of Health and County standards for work subject to the following:
   a. Impacts 1.0 acre or less (non-contiguous) of an existing facility.
2. Landscaping work including, but not limited to, laying topsoil; planting trees, shrubs and ground cover; and relocating or removing vegetation and trees that are not considered historical or significant (such as those on a County Exception Tree list) and subject to the following:
   a. Complies with setback requirements for applicable Federal, State and County laws, regulations, ordinances, codes, rules; and
   b. Impacts 1.0 acre or less (non-contiguous) of an existing facility.
3. Establish temporary or permanent vegetative cover including trees, shrubs, grasses, and sod for soil stabilization, watershed protection, native wildlife habitat, and native ecosystem restoration.
4. Installation of sprinkler or irrigation system for landscaping improvements that include water trees, shrubs, and grass.
5. Construction of berms, drainage ditches, and footpaths.
6. Construction of minor improvements to address surface water runoff, including installation of minor drainage ditches, dry wells, and implementation of other stormwater best management practices and low impact development techniques (e.g., bioretention areas, permeable pavers, etc.).
7. Minor alteration of retaining walls and security or other types of fences.
   - This work excludes the replacement or construction of new seawalls.
8. Removal or filling of unused or unusable cesspools pursuant to federal and state regulations.
9. Conduct removal of unexploded ordnance encountered at existing correctional facilities in accordance with Department of Defense requirements.

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, including but not limited to:

1. Topographical, boundary, and location surveys.
2. Archaeological surveys, reconnaissance, and data recovery.
3. Exploratory soil borings and geotechnical testing.
4. Biological and ecological studies and surveys.
5. Chemical and bacteriological laboratory analysis.
6. Monitoring device installations.
7. Storm water runoff sampling and water quality analysis.

8. Stream studies and surveys.
9. Planning, engineering, architecture, or other resource-oriented data collection, assessments, or studies.
10. Planning and feasibility analysis, project planning, master planning updates, communication, and marketing studies.
11. Conduct appraisals of real property for real estate transactions.

Type 6. Demolition of structures, except those structures that are listed on the national register or Hawaii Register of Historic Places.

1. Buildings and Structures:
    a. Secure housing and custody spaces: housing units, cell blocks, cells, special housing units, intake and booking areas, inmate dayrooms and common areas, and inmate visiting rooms.
    b. Administrative and staff areas: offices, workrooms, conference and training rooms, staff lockers and restrooms.
    c. Medical facilities: medical services offices, exam rooms, treatment rooms, mental health and counseling rooms, pharmacy or medical storage rooms, and medical support spaces.
    d. Transportation and site support facilities: access roads and internal roadways, parking areas and structures, loading and service areas, fencing and gates, perimeter facility infrastructure, utility yards and service courts.
    e. Facilities support services: facilities support building, maintenance shops, mechanical, electrical, and plumbing rooms, IT and communications room, emergency generator buildings, fuel storage and dispensing areas (gas station, tanks).
    f. Educational facilities: educational buildings, classrooms, vocational training rooms, computer labs, program rooms, and libraries.
    g. Food service facilities: kitchens, food service buildings, food preparation areas, food storage areas, serving lines, dishwashing areas, and inmate dining areas.
    h. Laundry facilities: laundry buildings and rooms, equipment rooms for washers and dryers, and linen storage rooms.
    i. Security and Operations Infrastructure: control rooms, security monitoring rooms, armories, equipment storage, surveillance and access control system spaces.
    j. Ancillary and miscellaneous support spaces: temporary structures, modular buildings, pavilions, storage buildings, general storage rooms, janitorial closets, trash and recycling enclosures, restrooms, shower and hygiene rooms.
    k. Retaining walls and other slope stabilization structures.

2. Equipment:
    a. Exterior lighting, streetlights and utility poles, parking lot lights, security lighting, ball field and play court lighting, and bollards.
    b. Recreational and community facilities and play equipment, fitness equipment, and trash compactors.
    c. Communication and telecommunication systems, antennas, and towers.
3. Site Improvements:
    a. Roadways, driveways, and parking lots.
    b. Loading areas, curbs, and traffic calming improvements.
    c. Sidewalks, exterior steps, ramps, walkways (open and covered), pedestrian bridges, and handrails.
    a. Gates, fencing, and mailboxes.
    b. Recreational facilities including, but not limited to, courts, fields, benches, tables, bike racks and paths, and irrigation lines.
4. Infrastructure and Utilities:
    a. Water collection and distribution systems, storage tanks/reservoirs, fire protection, and renewable energy systems.
    b. Waste treatment facilities.
    c. Sewer collection and distribution systems.
    d. Drainage collection and distribution systems.
    e. Agency maintained drainageways and channels, swales, and berms.
    f. Fuel (gas, propane, etc.) storage, collection and distribution systems.

Type 7. Zoning variances except shoreline setback variances.

1. Zoning variances for buildings and structures.
2. Zoning variances for site improvements.

Type 8. Continuing administrative activities, including but not limited to:

1. Transfer of title to real property.
2. Creation or termination of easements, covenants, or other rights in real property.
3. Disposal of land and any improvements thereon.
4. Subdivision or consolidation of real property without change to existing land use.
5. Leasing of land and any improvements thereon.
6. Purchase of supplies, services, and equipment required to support operations and personnel-related actions.
7. Requests and/or administration of federal, state, county, or private assistance grants and/or resource allocations to support ongoing operations or implement programs.

8. Acquisition of public or private real property and interests, including easements, quitclaim, fee simple, and leaseholds, in real property.
9. Continuing government administrative activities.

PART 2 ACTIONS

DCR has determined that the following types of activities include, but are not limited to, those that fall within one or more of the ten (10) general types of actions established under §11-200.1-15(c), HAR are to be exempt from preparation of an EA, provided that DCR fulfills the exemption notice requirements under §11-200.1-17, HAR.

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.

1. Rehabilitation of buildings and improvements when the density is not increased beyond four units, the land use is not changed, and the building footprint is not increased in a floodplain or wetland.
2. Rehabilitation of non-residential structures that would not: 1) result in a change in size or capacity by more than 20 percent; and 2) involve changes in land use that include, but are not limited to, the following:
    a. Administrative and staff areas: offices, workrooms, conference and training rooms, staff lockers and restrooms.
    b. Medical facilities: medical services offices, exam rooms, treatment rooms, mental health and counseling rooms, pharmacy or medical storage rooms, and medical support spaces.

c. Transportation and site support facilities: access roads and internal roadways, parking areas and structures, loading and service areas, fencing and gates, perimeter facility infrastructure, utility yards and service courts.
d. Facilities support services: facilities support building, maintenance shops, mechanical, electrical, and plumbing rooms, IT and communications room, emergency generator buildings, fuel storage and dispensing areas (gas station, tanks).
e. Educational facilities: educational buildings, classrooms, vocational training rooms, computer labs, program rooms, and libraries.
f. Food service facilities: kitchens, food service buildings, food preparation areas, food storage areas, serving lines, dishwashing areas, and inmate dining areas.
g. Laundry facilities: laundry buildings and rooms, equipment rooms for washers and dryers, and linen storage rooms.
h. Security and Operations Infrastructure: control rooms, security monitoring rooms, armories, ammunition storage, equipment storage, surveillance and access control system spaces.
i. Ancillary and miscellaneous support spaces: storage buildings, general storage rooms, janitorial closets, trash and recycling enclosures, restrooms, shower and hygiene rooms.
j. Retaining walls and other slope stabilization structures.
    - This work excludes the replacement or construction of new seawalls.

3. Improvement, reconstruction, or rehabilitation of public or community facilities, infrastructure and utilities that would not increase the capacity or size of existing facilities by more than 20 percent.
4. New offices, food service facilities, community facilities, and baseyard, or recreational facilities, if not in conjunction with the building of two (2) or more such structures.
5. Essential infrastructure and public utility services extensions to serve structures or facilities that include, but are not limited to, the following:
    a. Water collection and distribution systems.
    b. Fire protection systems.
    c. Power distribution, efficiency, and energy storage systems.
    d. Metering systems.
    e. Facility automation systems.
    f. Renewable energy systems.
    g. Waste treatment facilities.
    h. Sewer collection and distribution systems.
    i. Drainage collection and distribution systems.
    j. Agency maintained drainageways and channels, swales, and berms.

k. Fuel (gas, propane, etc.) storage, collection and distribution systems.
l. Electrical, communication, security, and telecommunication systems.
m. Interior roadways, driveways, curbs, and parking lots.

6. Construction of storage sheds, maintenance sheds, trash enclosures, electrical sheds, pump houses, athletic equipment storage sheds, and portable modular buildings.
7. Equipment installations including security and camera systems, motion detection, detection equipment, outdoor lighting, pumps, motors, electrical transformers, cabinets, panels, vaults, power distribution, efficiency and energy storage systems, metering systems, facility automation systems, renewable energy systems, light and telephone pole systems, heating, ventilation, and air conditioning (HVAC), irrigation controllers, telephone stations, emergency electrical generators, and lifts provided for handicapped accessibility.
   - Exterior lighting shall comply with HRS §201-8.5, Night Sky Protection Strategy.
8. Accessory or appurtenant structures including temporary structures, modular buildings, pavilions, garages, carports, patios, swimming pools, sidewalks, walls, fencing, and gates.
9. Appurtenant equipment and facilities for outdoor recreation including, but not limited to, playfields, pavilion, picnic tables, volleyball and basketball courts.

Type 4. Minor alterations in the conditions of land, water, or vegetation.

1. Clearing and grubbing or grading in accordance with State Department of Health and County standards for work subject to the following:
   a. Impacts more than 1.0 acre (non-contiguous) of an existing facility.
2. Landscaping work including, but not limited to, irrigation lines and equipment; laying topsoil; vegetation and tree trimming; planting, shrubs and ground cover; and relocating or removing vegetation and trees that are not considered historical or significant (such as those on a County Exception Tree list) and subject to the following:
   a. Complies with setback requirements for applicable Federal, State and County laws, regulations, ordinances, codes, rules; and
   b. Impacts more than 1.0 acre (non-contiguous) of an existing facility.
3. Construction of improvements within correctional facilities to address surface water runoff, including installation of drainage ditches, dry wells, and implementation of other stormwater best management practices and low impact development techniques (e.g., bioretention areas, permeable pavers, etc.).

4. Re-grading or paving of existing access roads, driveways, parking lot shoulders, or sidewalks within existing State or County rights-of-way to support connections to facilities.
5. Lining short sections of stream banks for erosion control and slope stability.
6. Construction of pedestrian/bike sidewalks and bike paths and walkways within facilities.
7. Alteration of retaining walls and fences.
    - This work excludes the replacement or construction of new seawalls.
8. Incidental clearing of land and preliminary site work for surveying, engineering design, and geologic and hydrologic studies.

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 authorized funding.

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).