

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF
PUBLIC NOTICE

STATE OF HAWAII }
City and County of Honolulu } SS.

Doc. Date: FEB - 6 2013 # Pages: 1
 Notary Name: Patricia K. Reese First Judicial Circuit
 Doc. Description: Affidavit of Publication
 Notary Signature: *Patricia K. Reese* FEB - 6 2013 Date


Rose Rosales being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser and MidWeek, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the aforementioned newspapers as follows:

Honolulu Star-Advertiser 1 times on:
02/06/2013

Midweek Wed. 0 times on:

_____ times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Rose Rosales *Rose Rosales*

Subscribed to and sworn before me this 6th day

of Feb A.D. 2013

Patricia K. Reese, Notary Public of the First Judicial Circuit, State of Hawaii

My commission expires Oct 07 2014

Ad # 0000489389



PUBLIC NOTICE
STATE OF HAWAII OFFICE OF PLANNING
HAWAII COASTAL ZONE MANAGEMENT PROGRAM

To: Affected Parties and the Public
 From: Jesse K. Souki, Director, State of Hawaii Office of Planning
 Subject: Notice of Routine Program Changes to the Hawaii Coastal Zone Management (CZM) Program

On January 18, 2013, the federal Office of Ocean and Coastal Resource Management (OCRM), National Oceanic and Atmospheric Administration, issued its concurrence of Hawaii's CZM routine program changes submittal. The changes consist of additions and modifications to Hawaii Revised Statutes (HRS), Hawaii Administrative Rules (HAR), and County Administrative Rules. The summary of the submitted changes for request for incorporation into the Hawaii CZM Program was published in the *Honolulu Star-Advertiser*, *Hawaii Tribune-Herald*, *West Hawaii Today*, *The Maui News* and *The Garden Island* on October 22, 2012. Federal consistency to the approved changes will take effect on February 6, 2013.

States may not incorporate enforceable policies by reference for federal consistency. The copy of OCRM's concurrence is available for review at http://hawaii.gov/dbedt/czm/program/fed_con.php. For more information, call the Hawaii CZM Program at (808) 587-2846. Enclosure is the list of changes approved by OCRM for incorporation into the Hawaii CZM Program.

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
ADDED:			
Powers of board of land and natural resources, exemption for Division of Boating & Ocean Recreation from special management area permit requirements	HRS §171-6(19)	06/23/2011	07/01/2011
Limu Management Area	HRS §188-22.8	07/10/2006	12/31/2006
Special Management Areas, "development" does not include all civil defense warning or signal devices	HRS §205A-2(16)	05/17/2004	05/17/2004
State Building Code	HAR Chapter 3-180	10/13/2009	04/16/2010
Kahooli Herbivore Fisheries Management Area, Maui	HAR Chapter 13-60.7	04/29/2009	07/25/2009
Rules Regulating Wildlife Sanctuaries	HAR Chapter 13-126, with the exception of Ka'ula Island	12/11/2009	01/22/2010
Littering or Polluting Land Areas Prohibited	HAR §19-42-126	05/20/1982	05/20/1982
Littering or Polluting of Water Prohibited	HAR §19-42-127	05/20/1982	05/20/1982
Shoreline Setback and Coastal Protection	Kauai County Ordinance 863, Article 27, Chapter 8, Kauai County Code 1987	01/25/2008	02/25/2008
Submittal of Federal Assistance Applications and Review Time Frame	Submittal of Federal Assistance Applications and Review Time Frame, is available at http://hawaii.gov/dbedt/czm/program/fed_con.php	01/18/2013	02/06/2013
Completed State and county permit applications for activities requiring a federal license or permit are essential in evaluation of whether an activity is consistent with Hawaii CZM Program enforceable policies	Required Necessary Data and Information for Consistency Reviews of Activities Requiring a Federal License or Permit, is available at http://hawaii.gov/dbedt/czm/program/fed_con.php	01/18/2013	02/06/2013
MODIFIED:			
Shoreline Setback and Coastal Protection	Kauai County Ordinance 887, Article 27, Chapter 8, Kauai County Code 1987, §§8-27.1, 8-27.3, 8-27.7, 8-27.8 and 8-27.10	12/02/2009	01/01/2010
Powers of board and natural resource, fines related to public lands	HRS §§171-6(12) and 171-6(15)	07/07/2008	07/07/2008
Penalties for violations within the Conservation District	HRS §183C-7(b)	07/07/2008	07/07/2008
Special Management Areas, revisions and renumbering of "development" does not include the following"	HRS §205A-22	06/23/2011	7/01/2011
Water Quality Standards	HAR §§11-54-4(b)(3) and 11-54-8(b)	05/27/2009	06/15/2009
Conservation District Rules	HAR §§13-5-6, 13-5-22, 13-5-24, 13-5-39, and 13-5-41	8/12/2011	12/5/2011
Special Management Area Rules	Revised Ordinance of Honolulu 11-28, §§25-1.3 and 25-3.3(e)	10/20/2011	10/20/2011
Subdivision Code and Zoning Code regarding Storm Water Management	Hawaii County Ordinance 07-56, Hawaii County Code §§23-92 and 25-2-71(e), 25-2-72(3)	04/12/2007	04/12/2007
Special Management Area Rules and Regulations for the County of Kauai	Special Management Area Rules and Regulations of the County of Kauai §§1.4(F), (U) and (V)	11/05/2011	11/05/2011
20.205 Highway Planning and Construction, U.S. Department of Transportation, Federal Highway Administration - activities not subject to federal consistency review	Federal Assistance Programs Subject to Federal Consistency, 1990 Hawaii Coastal Zone Management Program Document, Appendix D, is available at http://hawaii.gov/dbedt/czm/program/doc/1990_czm_program_doc.pdf	01/18/2013	02/06/2013
DELETED:			
Water Pollution Control Rules, sections regarding historic and burial sites review	HAR §§11-55-38, and 11-55-04(f), 11-55-34.08(n)	05/27/2009	06/15/2009
Rules Regulating Wildlife Sanctuaries	HAR Chapter 13-125	12/11/2009	01/22/2010
The State of Hawaii discontinued participation in the intergovernmental review process authorized by E.O. 12372	Letter from the Governor to the Director of the Office of Management and Budget, Executive Office of the President, dated July 1, 1993; 1990 Hawaii Coastal Zone Management Program Documents, p.31	07/01/1993	07/01/1993