Submittal of Federal Assistance Applications and Review Time Frame

The State of Hawaii does not participate in the intergovernmental review process authorized by Presidential Executive Order 12372. Therefore, applicant agencies shall submit applications for federal assistance from programs identified on the Hawaii list of federal assistance programs to the Hawaii CZM Program for federal consistency review pursuant to 15 CFR 930.94(b). In addition to the federal assistance application, an evaluation of the relationship of the proposed activity and any reasonably foreseeable coastal effects to the enforceable policies of the Hawaii CZM Program shall be provided pursuant to 15 CFR 930.94(c). The Hawaii CZM Program will issue its concurrence with or objection to the application for federal assistance within 60 days from receipt of the applicant agency’s federal assistance application and consistency evaluation; unless an extension period of 15 days or less is added to the review time by notification to the applicant agency. The review time may be extended for longer periods by agreement between the applicant agency and the Hawaii CZM Program.

Hawaii List of Federal Assistance Programs Subject to Federal Consistency Review

20.205 Highway Planning and Construction U.S. Department of Transportation, Federal Highway Administration (FHWA)

The following types of activities funded under this program are not subject to federal consistency review:

- Non-construction activities related to highway planning and construction
- Acquisition of real property and rights-of-way
- Feasibility, alternative analysis, technical studies and data collection
- Road maintenance and repairs including removal of existing pavement, resurfacing, pavement preventive maintenance, striping and markings, replacing signage, and repairs to sidewalks and curbs.
- Reconstruction, rehabilitation and widening of roadways within established rights-of-way.
- Installation of sidewalks within established rights-of-way, e.g., Safe Routes to School.
- Installation of ADA curbs and ramps.
- Roadway improvements including installation of lighting, traffic signals, signage, pedestrian signals and crosswalks, and traffic management devices.
- Installation of drainage improvements for existing roadways within established rights-of-way.
- Repairs and improvements to existing bridges, including seismic retrofitting of bridges.

Note: Construction of new bridges and widening of existing bridges requires federal consistency review.

Required Necessary Data and Information for Consistency Reviews of Activities Requiring a Federal License or Permit

Necessary data and information includes completed State or local government permit applications, identified below, which are required for the proposed activity.
<table>
<thead>
<tr>
<th>State or County Permit</th>
<th>Hawaii Revised Statutes (HRS)</th>
<th>Hawaii Administrative Rules (HAR)</th>
<th>County Rules or Ordinances</th>
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</table>
| Special Management Area Permit, County Governments and Office of Planning | Chapter 205A Coastal Zone Management, Part II Special Management Areas | Chapter 15-150 Rules Governing Special Management Areas and Shoreline Areas within Community Development Districts and Procedures Before the Office of Planning | Hawaii: Rule 9 for Hawaii County Planning Commission  
Honolulu: Revised Ordinance of Honolulu (ROH) Chapter 25  
Kauai: Special Management Area Rules and Regulations, County of Kauai  
Maui: Chapter 12-202, Maui County Code (MCC) SMA Rules for Maui Planning Commission; Chapter 12-302, MCC SMA Rules for Molokai Planning Commission; Chapter 12-402, MCC SMA Rules for Lanai Planning Commission |
| Shoreline Setback Variance, County Governments and State Office of Planning | Chapter 205A Coastal Zone Management, Part III Shoreline Setbacks | Chapter 15-150 Rules Governing Special Management Areas and Shoreline Areas Within Community Development Districts and Procedures Before the Office of Planning | Hawaii: Rule 8 for Hawaii County Planning Commission  
Honolulu: ROH Chapter 23  
Kauai: Chapter 8, Article 27, Kauai County Code 1987  
Maui: Chapter 12-203, MCC Shoreline Rules for Maui Planning Commission; Chapter 12-303, MCC Shoreline Rules for Molokai Planning Commission; Chapter 12-403, MCC Shoreline Rules for Lanai Planning Commission |
| Conservation District Use Permit, Department of Land and Natural Resources (DLNR) | Chapter 183C Conservation District | Chapter 13-5 Conservation District | Not Applicable |
| Stream Channel Alteration Permit, DLNR | Chapter 174C State Water Code | Chapter 13-169 Protection of Instream Uses of Water | Not Applicable |
| Ocean Recreation - Commercial Use Permit, DLNR | Chapter 200 Ocean Recreation and Coastal Areas Programs | Chapter 13-256 Ocean Recreation Management Rules and Areas | Not Applicable |
| Ocean Recreation - Day Use Mooring Permit, DLNR | Chapter 200 Ocean Recreation and Coastal Areas Programs | Chapter 13-257 Day Use Mooring Rules | Not Applicable |
| Section 401 Water Quality Certification, Department of Health (DOH) | Chapter 342D Water Pollution | Chapter 11-54 Water Quality Standards | Not Applicable |
| NPDES Permit, DOH | Chapter 342D Water Pollution | Chapter 11-55 Water Pollution Control | Not Applicable |