

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.

	Hawaii CZM Program Enforceable Policies		
State or County Permit	Hawaii Revised Statutes (HRS)	Hawaii Administrative Rules (HAR)	County Rules or Ordinances
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