

NOTICE OF PUBLIC HEARING
OFFICE OF PLANNING
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
PROPOSED AMENDMENTS TO CHAPTER 15-150
HAWAII ADMINISTRATIVE RULES

Notice is hereby given that the Office of Planning, Department of Business, Economic Development and Tourism, pursuant to Hawaii Revised Statutes (HRS) Chapter 91 and in accordance with social distancing guidelines in response to the COVID-19 situation, will hold a public hearing via Zoom and in person as follows:

DATE: **August 24, 2021**

TIME: **9:30 a.m.**

Zoom Meeting:

<https://zoom.us/j/93257515769?pwd=ZGk0ck1RSXZlU200cTNqdTB4bko0QT09>

Meeting ID: 932 5751 5769 Passcode: 535313

PLACE: Leiopapa A Kamehameha Building, 235 S. Beretania Street, Honolulu, Hawaii,
6th Floor Conference Room

The purpose of the public hearing is to receive testimony relating to the adoption of the proposed amendments to Hawaii Administrative Rules (HAR), Title 15, Chapter 150, entitled, "Rules Governing Special Management Areas and Shoreline Areas within Community Development Districts and Practice and Procedures before the Office of Planning." The proposed amendments are summarized as follows:

HAR §15-150-2 Definitions. The proposed amendment to §15-150-2 is a housekeeping measure to comply with the definitions of "Beach", and "Coastal hazards" in HRS §205A-1, and comply with the list of excluded "Development" amended in HRS §205A-22, as amended, enacted by Act 16, Session Laws of Hawaii (SLH) 2020.

HAR §15-150-6 Review guidelines. The proposed amendment to §15-150-6 is a housekeeping measure to comply with HRS §205A-26, as amended, enacted by Act 16, SLH 2020, for special management area guidelines.

HAR §15-150-9 Filing requirements. The proposed amendment to §15-150-9 replaces "which" with "that" for a grammatical correction.

HAR §15-150-13 Public hearings. The proposed amendment to HAR §15-150-13 is a housekeeping measure to comply with HRS §205A-29, as amended, enacted by Act 16, SLH 2020, for SMA use permit procedure.

HAR §15-150-23 Prohibited removal. The proposed amendment to §15-150-23 is a housekeeping measure to comply with HRS §205A-44, as amended, enacted by Act 120, SLH 2013, for prohibited removal, including mining or taking of sand, coral rubble, or other beach or marine deposits from the shoreline area.

HAR §15-150-25 Permitted structures. The proposed amendment to §15-150-25 is a housekeeping measure to comply with HRS §205A-44, as amended, enacted by Act 16, SLH 2020, by excluding structures that will be "rebuilt or replaced" from permitted structures within the shoreline area.

HAR §15-150-26 Variances. The proposed amendment to §15-150-26 is a housekeeping measure to comply with HRS §205A-46, as amended, enacted by Act 16, SLH 2020, for a shoreline setback variance that may be granted only for certain structures or activities within the shoreline area.

HAR §15-150-30 Public hearing. The proposed amendment to §15-150-30 is a housekeeping measure to comply with HRS §205A-43.5, as amended, enacted by Act 16, SLH 2020, for the potential waiver of a public hearing prior to action on a shoreline setback variance application.

The hearing is open to the public. Those who desire to testify are required to indicate so at the beginning of the public hearing, and provide their names, email addresses and affiliation. They are encouraged to submit a copy of the testimony in writing. Written testimony should be submitted before or at the time of the public hearing. Testimony may be mailed to the Office of Planning, P.O. Box 2359, Honolulu, Hawaii 96804, or emailed to shichao.li@hawaii.gov. Persons who need special accommodations at the hearing are invited to contact Shichao Li at (808)287-2841 of the Office of Planning by August 17, 2021, seven days prior to the hearing or sooner.

A digital copy of the proposed amendments to HAR Chapter 15-150 is available for review at <http://planning.hawaii.gov/czm/special-management-area-permits/>.

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Department of Business, Economic Development & Tourism
State of Hawaii