

NOTICE OF APPROVAL
CHANGES TO THE HAWAI'I COASTAL ZONE MANAGEMENT PROGRAM

September 30, 2025

Pursuant to 15 CFR Part 923, the Hawai'i Coastal Zone Management (CZM) Program hereby gives notice that the National Oceanic and Atmospheric Administration's Office for Coastal Management (OCM) has issued its approval, dated September 26, 2025, on the request, which is subject to the qualifications, clarifications and exceptions, for the following changes to the Hawai'i CZM Program.

As of **September 26, 2025**, the enforceable policies identified in the **Table of Approved Changes** below shall be applicable in reviewing federal actions pursuant to the federal consistency requirements of the CZMA and its implementing regulations found at 15 CFR Part 930.

The NOAA OCM's concurrence and the notice of approval are available at the NOAA Program Change Website at <https://coast.noaa.gov/czmprogramchange/#/public/home>, and the Hawai'i CZM Program Website at <https://planning.hawaii.gov/czm/federal-consistency/>

For further information, please contact the Hawai'i CZM Program at (808) 587-2846.

Attachment: Table of Approved Changes HI-2025-1

TABLE OF APPROVED CHANGES TO THE HAWAII COASTAL ZONE MANAGEMENT PROGRAM (HI-2025-1)

Please reference the Office of Coastal Management September 26, 2025 decision letter for clarifications, exceptions and qualifications pertaining to this approval.

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state	Enforceable policy <i>Yes or No</i>	Enforceable mechanism citation
Act 35, Session Laws of Hawai'i (SLH) 2022, Relating to Aquatic Resources					
Hawai'i Revised Statutes (HRS) § 187A-12.5	General administrative penalties for violations of aquatic resources	Revised	7/1/2022	No	Not Applicable (NA)
HRS § 187A-13	General penalty; community service for violations of aquatic resources	Revised	7/1/2022	No	NA
HRS § 188-70	Penalties for violations of fishing rights and regulations	Revised	7/1/2022	No	NA
HRS § 189-4	Penalties for violations of commercial fishing	Revised	7/1/2022	No	NA
HRS § 190-5	Penalty for violations of marine life conservation program	Revised	7/1/2022	No	NA
Act 59, SLH 2023, Relating to Transportation					
HRS § 266-31	Restriction of use of facilities	New	6/5/2023	No	HRS § 266-30 General administrative penalties
Act 73, SLH 2020, Relating to Waste Management					
HRS § 183C-4	Zoning; amendments	Revised	9/15/2020	Yes	§ 183C-7 Penalty for violation
HRS § 342H-52	Prohibitions; buffer zones	Revised	9/15/2020	Yes	§ 342H-9 Penalties
Act 112, SLH 2008, Relating to Federal Fisheries Regulations					
HRS § 187A-5.5	Consistency of state and federal fisheries regulations	New	5/27/2008	No	NA

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Act 157, SLH 2022, Relating to Underground Storage Tanks					
HRS § 342L-4.2	Large capacity underground tank systems; prohibited	New	6/27/2022	Yes	HRS § 342L-8 Enforcement HRS § 342L-10 Penalties
Act 179, SLH 2016, Relating to Underground Storage Tanks					
HRS § 342L-4.5	Permits near shoreline prohibited; exception	New	7/1/2016	Yes	HRS § 342L-8 Enforcement HRS § 342L-10 Penalties
Act 212, SLH 2022, Relating to Historic Preservation					
HRS § 6E-11	Civil and administrative violations	Revised	6/27/2022	No	NA
HRS § 6E-11.5	Civil penalties	Revised	6/27/2022	No	NA
HRS § 6E-12	Reproductions, forgeries, and illegal sales	Revised	6/27/2022	Yes	HRS § 6E-11.5 Civil penalties
Act 213, SLH 2022, Relating to Abandoned Wells					
HRS § 174C-81	Definition of “Abandoned wells”	Revised	6/27/2022	Yes	§ 174C-15 Penalties and common law remedies HRS § 174C-87 Sealing of abandoned wells
HRS § 174C-87	Sealing of abandoned wells	Revised	6/27/2022	Yes	§ 174C-15 Penalties and common law remedies

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Marine Fisheries Management Areas, Kīpahulu, Maui					
Hawai'i Administrative Rules (HAR) Chapter 13-60.11	Kīpahulu Community-Based Subsistence Fishing Area, Maui	New	03/25/2024	Yes	HAR § 13-60.11-4 Permitted and prohibited activities HAR § 13-60.11-6 Penalty
HAR Chapter 13-74 License and Permit Provisions and Fees for Fishing, Fish, and Fish Products					
HAR Chapter 13-74, Subchapter 1, General Provisions					
§ 13-74-1	Definitions	Revised	05/02/2024	Yes	§ 13-74-4 Penalties, generally
§ 13-74-4	Penalties, generally	Revised	05/02/2024	Yes	§ 13-74-4 Penalties, generally
HAR Chapter 13-74, Subchapter 3, Commercial Fishing					
§ 13-74-20	Commercial marine license	Revised	05/02/2024	Yes	§ 13-74-3 Suspension, revocation, and non-issuance of licenses and permits § 13-74-4 Penalties, generally
§ 13-74-22	Bait license	Revised	05/02/2024	Yes	§ 13-74-3 Suspension, revocation, and non-issuance of licenses and permits § 13-74-4 Penalties, generally

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§ 13-74-23	Commercial marine vessel license	New	05/02/2024	Yes	§ 13-74-3 Suspension, revocation, and non-issuance of licenses and permits § 13-74-4 Penalties, generally
HAR Chapter 13-74, Subchapter 4, Other Licenses and Permits					
§ 13-74-43	Aquaculture license	Revised	05/02/2024	Yes	§ 13-74-3 Suspension, revocation, and non-issuance of licenses and permits § 13-74-4 Penalties, generally
§ 13-74-45	Commercial marine dealer license	New	05/02/2024	Yes	§ 13-74-3 Suspension, revocation, and non-issuance of licenses and permits § 13-74-4 Penalties, generally
Ordinance No. 1134 (2022), An Ordinance to Amend Chapter 8, Article 12, Kauai County Code 1987, Relating to Constraint Districts					
Sec. 8-12.5	Sea Level Rise District (S-SLR)	Revised	10/14/2022	Yes	§ 8-12.5(b) General Provisions § 8-12.5(d) Design Standards
City and County of Honolulu, Ordinance No. 23-3 Relating to Shoreline Setbacks					
Revised Ordinances of Honolulu (ROH) Chapter 26	Shoreline Setbacks	Revised	07/01/2024	Yes	§ 26-1.13 Civil fines § 26-1.14 Enforcement
City and County of Honolulu, Ordinance No. 23-4 Relating to Special Management Area					

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ROH Chapter 25	Special Management Areas	Revised	03/09/2023	Yes	§ 25-2.3 Permits required for development § 25-8.1 Civil fine § 25-9.6 Involuntary renovation or modification of permits
County of Hawaii Rule 8. Shoreline Setback Variance Rules					
§ 8-3	Definitions	Revised	7/2/2023	Yes	§ 8-4 Variance Application and Content
§ 8-10	Waiver of Public Hearing and Action				
§ 8-11	Criteria for Approval of a Variance				
County of Hawaii Rule 9. Special Management Area Rules					
§ 9-4	Definitions	Revised	7/2/2023	Yes	§ 9-8 Permits Required for Development § 9-17 Penalties
§ 9-11	Special Management Area Use Permit Procedures				
County of Maui Planning Commission MC-12, Chapter 203, Shoreline Rules					
MC-12 Chapter 203, Subchapter 1 General Provisions					

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§ 12-203-4	Definitions	Revised	8/25/2024	Yes	§ 12-203-11 Prohibited activities within the shoreline area § 12-203-14 Variance application § 12-203-16 Enforcement
MC-12 Chapter 203, Subchapter 2 Shoreline Setback Lines; Shoreline Area					
§ 12-203-6	Establishment of shoreline setback lines	Revised	8/25/2024	Yes	§ 12-203-11 Prohibited activities within the shoreline area § 12-203-14 Variance application § 12-203-16 Enforcement
§ 12-203-7	Request for an amendment to a shoreline setback line established by the erosion hazard line or the approximate shoreline mapped by the department				
§ 12-203-8	Determination of the shoreline				
§ 12-203-9	Development plans				
§ 12-203-11	Prohibited activities within the shoreline area				
§ 12-203-12	Allowable structures and activities within the shoreline area				
§ 12-203-12.1	Abandoned structures or structures imminently threatened by erosion				
§ 12-203-13	Request for approval of structures and activities in the shoreline area				

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MC-12 Chapter 203, Subchapter 3 Variances					
§ 12-203-14	Variance application	Revised	8/25/2024	Yes	§ 12-203-11 Prohibited activities within the shoreline area § 12-203-14 Variance application § 12-203-16 Enforcement
§ 12-203-15	Criteria for approval of a variance				
MC-12 Chapter 203, Subchapter 4 Enforcement; Penalties					
§ 12-203-16	Enforcement	Revised	8/25/2024	Yes	§ 12-203-11 Prohibited activities within the shoreline area § 12-203-14 Variance application § 12-203-16 Enforcement
MC-12 Chapter 203, Subchapter 5 Appeals					
§ 12-203-18	Appeal of director’s decision; filing the notice of appeal	Revised	8/25/2024	Yes	§ 12-203-11 Prohibited activities within the shoreline area § 12-203-14 Variance application § 12-203-16 Enforcement
Floodplain Management Ordinances					
City and County of Honolulu, Ordinance No. 14-9 Relating to Flood Hazard Areas					

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ROH Chapter 21A	Flood Hazard Areas	New	5/22/2014	Yes	§ 21A-1.3 Administration § 21A-1.7 Floodway area § 21A-1.12 Flood variance
Ordinance No. 07-169 Amending Chapter 27, Flood Control, Hawai'i County Code 1983, As Amended, Relating to Stormwater Management; Ordinance No. 17-56 Amending Chapter 27, Flood Control, Hawai'i County Code 1983, As Amended, to Comply with National Flood Insurance Program Regulations					
Chapter 27	Floodplain Management	New	11/30/2007; amended 8/14/2017	Yes	§ 27-14 Director of public works approval § 27-28 Application for variance § 27-33 Notice of violation § 27-34 Administrative order § 27-36 Criminal enforcement
Ordinance No. 1091, A Bill for An Ordinance to Amend Chapter 15, Article 1, Kaua'i County Code 1987, As Amended, Relating to Floodplain Management					
Chapter 15	General Provisions Relating to Building and Construction Regulations Article 1. Floodplain Management	New	2/10/2021	Yes	§ 15-1.4 Administration § 15-1.7 Variance § 15-1.9 Penalties and Enforcement
Ordinance No. 5603, 2023, An Ordinance to Replace Chapter 19.62, Maui County Code, and Create a New Chapter 16.29, Maui County Code, Relating to Flood Hazard Areas					
Chapter 16.29	Flood Hazard Areas	New	9/1/2024	Yes	§ 16.29.050 Administration § 16.29.130 Enforcement § 16.29.140 Variances and appeals