

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

To: The General Public and Affected Parties
From: Jesse K. Souki, Director, State of Hawaii Office of Planning
Subject: Notice of Routine Program Change to the Hawaii Coastal Zone Management (CZM) Program and Availability of General Concurrence for Hawaiian Fishpond Restoration Activities

The purpose of this public notice is to inform the public of changes regarding how the Hawaii CZM Program will review CZM federal consistency determinations related to Hawaiian fishpond restoration. The federal permits, actions, and conditions described below are consistent with the intent of the CZM Act, while providing a streamlined approval process for Hawaiian fishpond restoration activities. This streamlining effort applies to CZM federal consistency reviews only, other permits and approvals may be required.

On April 23, 2013, the federal Office of Ocean and Coastal Resource Management (OCRM), National Oceanic and Atmospheric Administration, issued its concurrence with the Hawaii CZM Program issuance of a general concurrence for minor federal permit activities for Hawaiian fishpond restoration, repair, maintenance and reconstruction in the State of Hawaii as a routine program change. A public notice of the proposed general concurrence and request for inclusion in the Hawaii CZM Program as a routine program change was published in the *Honolulu Star-Advertiser*, *Hawaii Tribune-Herald*, *West Hawaii Today*, *The Maui News*, and *The Garden Island* on March 22, 2013.

Hawaii List of Federal Licenses and Permits Subject to Federal Consistency Review

U.S. Army Corps of Engineers permits required under:

- Rivers and Harbors Act of 1899, Sections 9, 10 and 11
- Marine Protection, Research and Sanctuaries Act of 1972, Section 103
- Federal Water Pollution Control Act of 1972 and amendments, Section 404

General Concurrence for Federal Permit Activities for Hawaiian Fishpond Restoration, Repair, Maintenance and Reconstruction

Federal permit activities which satisfy the conditions of the general concurrence are not subject to the consistency certification and review requirements of 15 CFR Part 930, Subpart D - Consistency for Activities Requiring a Federal License or Permit. CZM federal consistency general concurrence applies to Federal permit activities for the restoration, repair, maintenance and reconstruction of existing Hawaiian fishponds, as follows:

- (a) Restoration, reconstruction, repair and maintenance of fishpond walls and sluice gates, including but not limited to the placement, movement, manipulation and temporary stockpiling of necessary materials.
- (b) Placement, movement, manipulation and temporary stockpiling of small stones or rubble for interior wall fill (‘ili‘ili).
- (c) Silt removal by hand and/or mechanized equipment from within fishponds.
- (d) Vegetation removal by hand and/or mechanized equipment from within fishponds and from fishpond walls.
- (e) Periodic post-restoration maintenance activities required to facilitate the long-term use, management and operation of fishponds.
- (f) Use of hand and/or mechanized equipment to conduct fishpond restoration activities.
- (g) Placement of temporary structures within fishponds which are necessary to conduct restoration activities.
- (h) Placement and use of aquaculture pens, nets, and/or cages within fishponds.
- (i) Use of harvesting equipment within fishponds.

These permit activities are subject to the applicable geographic area and the relevant conditions outlined in the complete general concurrence, which is available at <http://planning.hawaii.gov/czm>.

The general concurrence will take effect and be available for use on May 3, 2013. OCRM’s concurrence letter and the complete general concurrence are available at <http://planning.hawaii.gov/czm>. For more information, please call John Nakagawa with the Hawaii CZM Program at (808) 587-2878.