
A BILL FOR AN ACT

RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Federal Aviation Administration permits and
2 licenses are identified on the National Oceanic and Atmospheric
3 Administration approved list of federal licenses and permits
4 subject to federal consistency certification, in accordance with
5 15 Code of Federal Regulations section 930.53. The Federal
6 Aviation Administration permits and licenses for construction
7 and operation of airports are subject to Hawaii coastal zone
8 management program federal consistency review.

9 The legislature recognizes that the requirements of the
10 National Environmental Policy Act and Hawaii's environmental
11 impact statement law apply to structures and improvements
12 relating to airports. The legislature further notes that the
13 office of planning, as the lead agency of the Hawaii coastal
14 zone management program, will continue to review and comment on
15 the National Environmental Policy Act and environmental impact
16 statement documents in that regard despite amendments to state
17 law regulating airports as contained in this Act.



1 The purpose of this Act is to provide the department of
2 transportation with sufficient authority to plan, design, and
3 construct airports, subject to the Hawaii coastal zone
4 management program federal consistency review, without
5 sacrificing special controls on developments within an area
6 along the shoreline to avoid permanent loss of valuable coastal
7 and ocean resources.

8 SECTION 2. Section 261-4, Hawaii Revised Statutes, is
9 amended by amending subsection (c) to read as follows:

10 "(c) Structures and improvements. [~~All~~] Notwithstanding
11 any law or provision to the contrary, all structures and
12 improvements to land, to be used for airport purposes[~~,-may~~]:

13 (1) May be planned, designed, and constructed by the
14 department[~~-~~]; and

15 (2) Shall be exempt from requirements to obtain a special
16 management area minor permit or special management
17 area use permit; provided that the structures and
18 improvements relating to airports are necessary to
19 comply with Federal Aviation Administration
20 regulations."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval,
2 and shall be repealed on June 30, 2013; provided that section
3 261-4(c), Hawaii Revised Statutes, shall be reenacted in the
4 form in which it read on the day before the effective date of
5 this Act.



Report Title:

Special Management Area; Federal Aviation Administration
Exception

Description:

Adds a temporary exemption from the Special Management Area Use
and Minor Permit requirements for airport development that is
necessary to comply with Federal Aviation Administration
regulations. (HB2154 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

