

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

November 10, 2016

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

**Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11,
Chapter 200, Hawaii Administrative Rules**

**Kikiaola Light Draft Harbor Maintenance Dredging
Kekaha, Kaua'i, Hawaii**

The U.S. Army Corps of Engineers, Civil and Public Works Branch (ACOE), is planning to dredge the entrance channel and a portion of the harbor basin at Kikiaola Light Draft Harbor, Kaua'i, Hawaii. This dredging project is necessary to remove accumulated sand/sediment that is currently posing a navigation and safety hazard. Federal funds have been secured to implement the project.

The Division of Boating and Ocean Recreation (DOBOR) is requesting that the Board of Land and Natural Resources (Board) declare the subject project exempt from the requirements of Hawaii Revised Statutes, Chapter 343 to prepare an Environmental Assessment (EA), due to the use of State land and funds. State lands are being used by ACOE to conduct dredging operations and State funds are necessary to temporarily lease land adjacent to the harbor currently owned by Kikiaola Land Company, Limited, for use as the contractor's work, storage, and dredge material dewatering site.

In accordance with the "Project Cooperative Agreement (PCA) Between the Department of the Army and the State of Hawaii for Construction of the Kikiaola Light Draft Harbor Navigation Improvements, Island of Kauai, Hawaii, dated August 8, 2005," DOBOR is responsible to provide a dredge material dewatering site for maintenance dredging projects implemented by ACOE. The dredged material, after dewatering, will be hauled and properly disposed of at the nearby Kekaha Landfill.

In accordance with Hawaii Administrative Rule (HAR) Section 11-200-8(A) and the Exemption List for the Department of Land and Natural Resources (DLNR), Approved by the Environmental Council, on June 5, 2015, this project is exempt from the preparation of an EA pursuant to the following exemptions:

Item No. 6 of Exemption Class 1: "Maintenance dredging of small quantities of material from existing launching ramps, navigation channels, and berthing areas, not to exceed their originally designed depths and as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 35 (Maintenance Dredging of Basins), with disposal of dredged material at approved landfill sites or the placement of sand on adjacent areas in accordance with HRS 205A-44."

Pursuant to Chapter 343, HRS, and Chapter 11-200, HAR, the attached Exemption Notification labeled Exhibit A was prepared. Also attached is a Site Plan, labeled Exhibit B, showing the dredging boundaries and contractor's work/storage/dewatering area. The ACOE's "Record of Environmental Consideration (REC)" is also attached, labeled Exhibit C, in which it was determined that the project qualifies under a Categorical Exclusion from the National Environmental Policy Act and therefore does not require that an Environmental Assessment or Environmental Impact Statement be prepared. The REC also determined that a permit from the ACOE Regulatory Program is not required as the proposed project is being implemented by the ACOE Civil and Public Works Branch and all necessary Federal Agency consultations have been completed as part of the REC environmental review process.

RECOMMENDATION:

Declare that, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,



EDWARD R. UNDERWOOD
Administrator

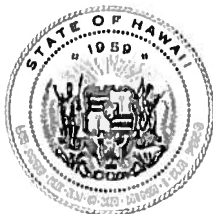
Approved For Submittal:



SUZANNE D. CASE
Chairperson

Attachments: Exhibit A – Exemption Notification
Exhibit B – Site Plan
Exhibit C – Federal Record of Environmental Consideration

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENFORCEMENT
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 10, 2016

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR).

Project Title:	Kikiaola Light Draft Harbor Maintenance Dredging, Kauai, Hawaii
Project Number:	To be determined
Project Description:	This project consists of maintenance dredging of the harbor entrance channel and a portion of the harbor basin, including dewatering of dredged material on land adjacent to the harbor with final disposal at a landfill.
Chapter 343 Trigger(s)	Use of State Funds and Lands
Exemption Class & Description:	Exemption Authority: Exemption List for the Department of Land and Natural Resources approved by the Environmental Council on June 5, 2015. Scope of Work: Maintenance dredging of existing harbor entrance channel and basin. Exemption Class 1: Operations, repairs or maintenance of existing structure, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing.
Exemption Item Number and Description:	Item No. 6 of Class 1 – Maintenance dredging of small quantities of material from existing launching ramps, navigation channels, and berthing areas, not to exceed their originally designed depths and as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 35 (Maintenance Dredging of Basins), with disposal of dredged material at approved landfill sites or the placement of sand on adjacent areas in accordance with HRS 205A-44.
Recommendation:	It is anticipated this project will have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment


Suzanne D. Case, Chairperson

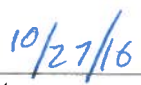

Date

EXHIBIT C

REC-Kikiaola Light Draft Harbor Maintenance Dredging, Kekaha, Island of Kauai, Hawaii

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Date: 07 October 2016

Proponent: US Army Corps of Engineers, Honolulu District
CEPOH-PP-C, Building 230
Fort Shafter, Hawaii 96858-5440

Purpose of REC:

To satisfy the requirements for environmental review as required by the National Environmental Policy Act, 42 U.S.C. 4321, et seq. (NEPA); Council on Environmental Quality Regulations, 40 CFR 1500-1508; and the Civil Works Program of the U.S. Army Corps of Engineers, Procedures for Implementing NEPA, 33 CFR 230.

1. Official Project Title: Kikiaola Light Draft Harbor Maintenance Dredging, Kekaha, Island of Kauai, Hawaii

2. Date of Proposed Action (approx.): FY 2017

3. Description of Proposed Action:

3.1 The US Army Corps of Engineers, Honolulu District (USACE) through the Civil and Public Works Branch under the Operations and Maintenance (O&M) program proposes to conduct maintenance dredging of the entrance and access channels at Kikiaola Light Draft Harbor (KLDH) located along the southwest coast of the island of Kauai between the towns of Kekaha and Waimea (See Appendix 1 for drawings of project site location).

3.2 KLDH was originally constructed by the State of Hawaii in 1959. A federal project authorized under Section 101 of the River and Harbors Act of 1968 modified the state harbor to provide navigational improvements designed to reduce the occurrence of dangerous breaking wave conditions within the entrance channel and allow for the safe passage of vessels entering the basin harbor. The federal project features consisted of a dredged 725-foot-long entrance channel varying in width from 105 to 205 feet to a depth of 11 feet, a dredged 320-foot-long access channel varying in width from 70 to 105 feet to a depth of 7 feet, removal of an existing 150 feet outer east breakwater stub, raising the crest elevation and flattening the seaward slope of approximately 764 feet of the existing east breakwater, removing and reconstructing the 71-foot-long inner east breakwater, and modifying 245 feet of the seaward portion of the existing west breakwater. The project was completed in 2009 which rendered KLDH to be a federal harbor supported by the USACE O&M program.

3.3 Purpose and Need. The overall purpose of the proposed action is to maintain safe navigation at KLDH. Accumulation of sediments within KLDH has resulted in shoaling within the

harbor's entrance and access channels which presents a hazard to safe navigation. This maintenance dredging project is needed to restore KLDH to its designed depths and ensure continued safe vessel navigation.

Since initial construction of the federal improvements at KLDH in 2009, approximately 16,000 cubic yards of material has shoaled into the entrance and access channels based on hydrographic survey data collected on September 18, 2009 and April 1, 2013. Projecting volume requirements through the anticipated contract performance period, it is estimated that approximately 20,000 cubic yards of material would need to be dredged from the KLDH entrance and access channels in order to restore the harbor's designed depth and to ensure continued safe vessel navigation.

The proposed maintenance dredging would be executed through the use of either hydraulic or mechanical dredging methods. The dredged material would be dewatered within an earthen bermed portion of an undeveloped parcel adjacent to KLDH. The dewatered material would then be transported to the existing Kekaha Landfill for disposal and potential beneficial reuse as landfill cover material. The project drawings provide a graphical representation of the work that would be involved (See Appendix 1). The project is anticipated to take 1 1/2 years to complete following contract award. In-water dredging work is anticipated to last 45 days.

3.4 Scope of Work. The major elements of the scope of work include: premobilization activities which include the development and approval of work plans, site safety and health plans, logistics; mobilization which includes development of temporary construction staging and dewatering areas; dredging of accumulated sediments at KLDH through either hydraulic or mechanical dredging methods; dewatering of the dredged material; transportation of the dewatered spoils to the existing Kekaha Landfill as the upland disposal site; and, demobilization which includes the restoration of the temporary construction staging and dewatering areas to their original condition.

The proposed project will have less than significant impacts to the human and natural environment. Conditions and Best Management Practices (BMPs) for the proposed project that resulted from the consultation and coordination processes with the agencies/offices identified in the table in Section 4 of this REC shall be developed and/or executed during the project (See Appendices 2 through 5 for reference). These conditions and BMPs have been incorporated into the project's plans and specification, Section 01 57 20 Environmental Protection, for compliance by the selected contractor. Conditions and BMPs specific to this project that supplement the generalized text of Section 01 57 20 are presented below:

Prior to mobilization, the contractor shall develop and submit to USACE for acceptance as part of their overarching Environmental Protection Plan:

- A Water Quality Monitoring Plan that will address, at a minimum, sampling frequency and locations, sampling and analysis methodology, recordation and submission of analytical results, and the procedures to be taken when analytical results exceed

acceptable water quality criteria and conditions and procedures under which dredging work may resume.

- An Archaeological Monitoring Plan that, along with the name and resume of their archaeologist, will describe, at a minimum, the duties, responsibilities and procedures that the archaeological monitor will perform for archaeological monitoring during all on-shore ground disturbances, dealing with inadvertent discovery of artifacts, and notification and reporting procedures.
- The Contractor's environmental protection plan shall describe his scheme for minimizing construction-related turbidity in nearshore waters. Construction-related turbidity at the project sites shall be controlled so as to meet Hawaii State Water Quality Standards (WQS) (DOH HAR 11-54) for the type and class of waters in which the project is located. Effective silt containment devices shall be deployed to isolate the construction activity, to minimize the transport of potential pollutants, and to avoid the potential degradation of receiving water quality and the marine ecosystem. Periodic monitoring shall be conducted immediately outside the silt containment devices and at control stations to verify that WQS are not being exceeded due to project construction. In-water construction shall be curtailed during sea conditions that are sufficiently adverse to render the silt containment devices ineffective. If monitoring indicates that the turbidity standard is being exceeded due to construction activities, the Contractor shall suspend the operations or operations causing excessive turbidity levels until the condition is corrected.

During mobilization, the contractor shall:

- Provide an archaeological monitor who shall be present for all on-shore ground disturbance. If during excavation or other construction activities any previously unidentified or unanticipated historical, archaeological, and cultural resources are discovered or found, all activities that may damage or alter such resources will be temporarily suspended. Resources covered by this paragraph include but are not limited to: any human skeletal remains or burials; artifacts; shell, midden, bone, charcoal, or other deposits; rock or coral alignments, pavings, wall, or other constructed features; and any indication of agricultural or other human activities. Upon such discovery or find, immediately notify the Contracting Officer so that the appropriate authorities may be notified (State Historic Preservation Division, etc.). Artifacts will be left undisturbed, and Contractor shall cease all activities that may result in impact to or the destruction of these resources. Secure the area and prevent employees or other persons from trespassing on, removing, or otherwise disturbing such resources.
- Minimize interference with, disturbance to, and damage to fish, wildlife, and plants including their habitat.
- Be responsible for the protection of threatened and endangered animal and plant species including their habitat in accordance with Federal, State, Regional, and local laws and regulations.
- Train all personnel on terrestrial and marine protected species that may occur in the

project area and the protections afforded to these species.

- Not allow personnel to interact with any protected species. If any protected species are encountered in the work area, they shall not be disturbed and allowed to leave the work area on their own accord.

During dredging operations, the contractor shall:

- Designate a competent person to search/monitor the work site and areas adjacent to the authorized work for ESA-listed species. Searches and monitoring shall be made prior to the start of work each day, including prior to the resumption of work following any break of more than 30 minutes. Additional periodic searches and monitoring throughout the work day are strongly recommended.
- To the extent practicable, work in the aquatic environment will be scheduled to avoid coral spawning and recruitment periods (May through September) and sea turtle nesting and hatching periods.
- Dredging will be restricted to daylight hours. Lighting may be required for safety and/or security of the vessels and/or storage areas. All lighting will be downward shielded so as not to attract protected and migratory birds.
- Specific Best Management Practices (BMPs) to avoid and minimize disturbance and injury to marine protected species include the following:

BMPs for collision with vessels:

- ✓ Vessel operators shall alter course to remain at least 100 yards from whales, and at least 50 yards from other marine mammals and turtles.
- ✓ Vessel operators shall reduce vessel speed to 10 knots or less when piloting vessel in the proximity of marine mammals, and to 5 knots or less when piloting vessels in areas of known or suspected turtle activity.
- ✓ If approached by a marine mammal or turtle, the vessel operator shall put the engine in neutral and allow the animal to pass.
- ✓ Vessel operators shall not encircle or trap marine mammals or sea turtles between multiple vessels or between vessels and the shore.

BMPs for direct physical contact:

- ✓ Before any equipment, anchor(s), or material enters the water, a responsibly party, i.e. permittee/site manager/project supervisor, shall verify that no ESA-listed species are in the area where the equipment, anchor(s), or materials are expected to contact the substrate. Equipment operators shall employ "soft starts" when initiating work that directly impacts the bottom. Buckets and other equipment shall be sent to the bottom in a slow and controlled manner for the first several cycles before achieving full operational impact strength or tempo.
- ✓ All objects lowered to the bottom shall be lowered in a controlled manner. This can be achieved by the use of buoyancy controls such as lift bags, or the use of cranes, winches, or other equipment that affect positive control over the rate of descent.
- ✓ Avoid moving the suction head through the water column while the pump is turned on.

BMPs for exposure to elevated noise levels:

- ✓ For any equipment used in undertaking the authorized work (i.e. dredging, minor excavation) a mandatory shut-down range of 50 meters will ensure that no ESA-listed marine animals are exposed to harmful sound levels.
- ✓ Maintenance dredging, in-water excavation, and benthic core sampling shall not be undertaken if any ESA-listed species is within 50 yards of the authorized work, and those operations shall immediately shut down if an ESA-listed species enters within 50 yards of the authorized work.
- ✓ Operation of buoy acoustic release systems shall cease when marine mammals are within 250 yards (safety zone). It is recommended that the Contractor survey of the safety zone around the vessel/buoy 30 minutes prior to activating the acoustic release, to 30 minutes following the end of transducer operations.

BMPs for maintenance dredging:

- ✓ With the exception of the actual dredging apparatus (e.g. clamshell buckets, or the scoop and articulated arm of a backhoe, hydraulic head, etc.) heavy equipment will be operated from above and out of the water
- ✓ Use of hydraulic dredging must include the installation of excluded devices adequate to prevent the entrainment or impingement of protected marine species, such as turtles
- ✓ The portions of the equipment that enter the water will be clean and free of pollutants
- ✓ Appropriate silt containment devices must be used and properly installed.
- ✓ Dredged material must be disposed of at upland sites or at an EPA designated ocean disposal site provided sediment standards are met.
- ✓ The use of trailing section hopper dredge, "dustpan", or "cutterhead" dredging is not authorized.
- ✓ If suction dredging is used, openings no larger than 36 inches in diameter and intake velocities of 4.6 meters at the source and 95 cm per second at 1 meter may be used. To avoid lethal entrainment or dismemberment of sea turtles or Hawaiian monk seals, suction head openings larger than 12 inches in diameter will either be screened, operated or monitored by a diver, or behind a barrier (e.g. coffer dams or silt curtains).

4. Environmental Resource Agency Coordination:

This action has been coordinated with the following agencies/offices:

	Agencies/Jurisdiction	
✓	Hawaii Coastal Zone Management. (<i>Coastal Zone Management Act</i>)	By letter dated August 11, 2016, the Hawaii CZM program concurred with the USACE federal consistency determination with conditions and BMPs (See Appendix 2 for correspondence).
✓	Hawaii State Historic Preservation Division (SHPD) (<i>National Historic Preservation Act</i>)	By letter dated July 22, 2016, SHPD concurred with USACE determination of “no adverse effect” with archeological monitoring for land-based activities (See Appendix 3 for correspondence).
✓	US National Marine Fishery Service (NMFS) [<i>Endangered Species Act (ESA)</i> , <i>Marine Mammal Protection Act (MMPA)</i> , <i>Magnusen-Stevens Act (MSA)</i>]	ESA: By letter dated July 6, 2016, NMFS concurred with USACE determination of “may affect but not likely to adversely affect” for consulted on protected species with BMPs (See Appendix 4 for correspondence). MMPA: Per NMFS, MMPA consultation was included within the ESA consultation. MSA: USACE made action agency determination of no effect.
✓	US Fish & Wildlife Service (FWS) [<i>Fish and Wildlife Coordination Act (FWCA)</i> , <i>ESA</i> , <i>Migratory Bird Treaty Act (MBTA)</i>]	FWCA: FWCA concluded with issuance of Final Phase 1 Planning Aid Report dated December 2014 with recommendations (See Appendix 5 for correspondence). ESA/MBTA: USACE made action agency determination of no effect.
✓	US Army Corps of Engineers Regulatory Program. Department of Army (DA) Permit. [<i>Section 10 Rivers and Harbors Act (RHA)</i> , <i>Section 103 of Marine Protection Research and Sanctuaries Act (MPRSA)</i> , <i>Section 404 of Clean Water Act (CWA)</i>]	Not Applicable. USACE Regulatory Office determined that a DA permit is not needed for this proposed action.
✓	HDOH Clean Water Branch (CWB) (<i>NPDES-Stormwater</i>)	USACE submission to CWB is in development. (see discussion of checklist item 5.b of this REC)

5. Environmental Impact Checklist and Analysis

The checklist table assesses potential impacts with respect to the construction and/or operational impacts of the proposed action. Discussion on the “yes” or “may” responses immediately follows the table.

Environmental Impact Checklist

Environmental Area	Checklist Questions	Yes	No	May
1. Air Quality	Will the proposal cause air emissions such as smoke, dust, suspended particles, or air pollutants during construction or operation?	✓		
2. Haz. Materials Haz. Waste Toxic Substances	a) Will the proposal result in the use, treatment, storage, and/or disposal of hazardous materials or wastes?		✓	
	b) Will the proposal result in alteration or disposal of existing facilities?		✓	
3. Solid Waste	Will the proposal result in the disposal of solid waste, which requires special handling such as lead based paint debris and asbestos containing materials?		✓	
4. Water Quality	Is there potential for accidental spills of hazardous or toxic substances?			✓
5. Topography and Soils	a) Will there be alterations to topography, i.e. site grading that could potentially increase soil erosion?	✓		
	b) Will the construction involve disturbance of one acre or more of ground surface?	✓		
6. Natural Resources	Will the proposal affect undeveloped areas, endangered or threatened species, a plant or animal critical habitat(s)?			✓
7. Archaeological & Historic Resources	a) Will the proposal alter or destroy any archaeological sites or buildings that are over 50 years old?		✓	
	b) Will the proposal require any excavation, trenching, or grading activity?	✓		
8. Land Use	Will the proposal alter the present land use of an area?		✓	
9. Noise	a) Will the proposal cause an increase in noise levels during implementation or construction?			✓
	b) Will the completed project increase noise levels during operating hours?		✓	

Item 1. Air Quality. Construction and dredging activities may cause slight increases in air emissions from equipment during these operations and may generate dust and particulates during earth moving activities. Air emissions from contractor equipment is not expected to raise the level of criteria pollutants above Federal and State ambient air quality standards. BMPs will be established and executed during the project to ensure that impacts from dusts and particulates will be minimized. Any impacts would be short term, lasting only through the duration of field activities, and will not significantly impact the human or natural environment.

Item 4. Water Quality. Dredging activities will cause the disturbance of bottom sediments within KLDH that may affect water quality. There may be the potential for accidental spills of petroleum and/or hazardous materials during field activities. BMPs and/or conditions to avoid and/or minimize water quality impacts developed through consultation and coordination with agencies described in Section 4 of this REC are included within the project's specifications. The selected contractor would be required to comply with these specifications and shall develop an Environmental Protection Plan that would detail how they intend to comply with the specifications.

Item 5.a. Topography and Soils. During construction, trenching and/or grading would be required for development of the staging/dewatering areas to support the maintenance dredging operation. Appropriate BMPs will be employed to minimize the potential for sedimentation and erosion. Any exposed soil during development of the staging/dewatering areas, dewatering operations and when returning the areas back to its original condition upon demobilization would be protected from erosion after exposure and stabilized as soon as practicable. The potential erosional impacts would last only through the period of field activities and will not significantly impact the human or natural environment.

Item 5.b. Topography and Soils. Construction of the temporary staging/dewatering area will involve the disturbance of approximately five acres of ground surface. USACE will be seeking a stormwater permit from the HDOH CWB that is currently in development. Any BMPs and/or conditions arising from this process will be incorporated into the project's plans and specifications, as applicable.

Item 6. Natural Resources. USACE completed informal consultation with NMFS and received their concurrence that the project may affect but not likely to adversely affect the Central North Pacific green sea turtle Distinct Population Segment, hawksbill sea turtle, Hawaiian monk seal and Hawaiian monk seal critical habitat with included BMPs. These BMPs and other BMPs and conditions that were developed during the consultation and coordination processes with other agencies and offices are incorporated into the project's plans and specifications that the selected contractor would be required to comply with (See Section 3.4 of this REC for discussion).

Item 7. b. Archaeological and Historic Resources. Excavation would be required to develop the temporary staging/dewatering areas. USACE consulted with the SHPD on the project and received their concurrence that the project would have no adverse effect with the inclusion of a precautionary measure to conduct archaeological monitoring during ground disturbing activities. This measure has been included in the project's plans and specification (See Section 3.4 of this REC for discussion) that the selected contractor would be required to comply with.

Item 9. Noise. There may be increases in ambient noise levels due to operation of dredging and support equipment during field activities. The project work area is distant from populated areas. These activities would be limited to daylight hours and are expected to be temporary and short term, lasting only through the period of dredging activities, and will not significantly

impact the human or natural environment.

6. Determination of Categorical Excluded Actions:

As defined in 40 CFR 1508.4 (CEQ Regulations), “Categorical exclusion” means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal Agency in implementation of these regulations (Sec. 1507.3) and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. A review of the proposed action and the independent analysis of environmental impacts (Section 5), indicate that the action as identified and described in this document does not individually or cumulatively have a significant effect on the human environment and qualifies as a categorical exclusion as provided for under Council on Environmental Quality (CEQ) Regulations at 40 CFR 1508.4 and the Civil Works Program of the U.S. Army Corps of Engineers, Procedures for Implementing NEPA, 33 CFR 230. In addition, technical analysis showed that the proposed action does not involve extraordinary circumstances (40 CFR 1508.4) that may significantly impact public health & safety, natural resources, and cultural resources. Therefore, it is determined that this action is categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement.

The Categorical Exclusion references are in 33 CFR 230.9(b) and 33 CFR 230.9(c):

33 CFR 230.9(b). “Activities at completed Corps projects which carry out the authorized project purposes. Examples include routine operation and maintenance actions, general administration, equipment purchases, custodial actions, erosion control, painting, repair, rehabilitation, replacement of existing structures and facilities such as buildings, roads, levees, groins and utilities, and installation of new buildings utilities, or roadways in developed areas.”

The proposed project at KLDH involves maintenance dredging of the entrance and access channels to remove accumulated sediments that has caused shoaling within KLDH that presents a hazard to safe navigation. Consultations and coordination with agencies and offices has been conducted. BMPs and conditions resulting from these processes have been incorporated into the project’s plans and specifications. Compliance with these BMPs and conditions will ensure that the project, individually or cumulatively, will not have a significant effect on the human environment. Furthermore, the proposed project does not involve extraordinary circumstances that may significantly impact public health & safety, natural resources, and cultural resources.

33 CFR 230.9(c). “Minor maintenance dredging using existing disposal sites.”

The proposed project at KLDH is a minor maintenance dredging project. The dewatered spoils will be taken to the existing Kekaha Landfill for potential beneficial reuse as landfill cover.

7. Requirements from Agency Coordination:

This REC does not relieve the proponent from compliance with other applicable Federal, State, and Local environmental requirements and other general or specific requirements, restrictions, and practices set forth as a result of resource agency coordination.

Prepared by:

**NISHIMURA.KEVIN.H.117954
9928**

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Kevin Nishimura
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Fort Shafter, HI 96858

Date

Reviewed by:



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Approved by:

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Dan Nakamura, P.E.
Chief
Environmental Programs Branch (CEPOH-PP-E)
U.S. Army Corps of Engineers, Honolulu District
Fort Shafter, HI 96858

Date