

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

August 13, 2021

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

Oahu

Issuance of Right-of-Entry Permit to Department of Health, Clean Water Branch for the Water Quality Monitoring Project in Keehi Lagoon; Moanalua, Honolulu, Oahu; Tax Map Key: (1) 1-1-070:seaward and vicinity.

APPLICANT:

State of Hawaii, Department of Health, Clean Water Branch.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of submerged lands situated at Keehi Lagoon, Oahu as shown on the attached maps labeled **Exhibit A-1, A-2, and A-3**.

AREA:

Applicant is requesting to temporarily place three Seabird + ECOFLNTUS water quality monitoring instruments (see **Exhibit A-4 and A-5**) in Keehi Lagoon near Keehi Lagoon Beach Park.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

The devices will be anchored to submerged lands at 3 locations. Sites “A” and “B” are unencumbered, while site “C” is encumbered by EO 3202 to the Department of Transportation for airport and harbor related purposes (see Exhibit A-3).

CHARACTER OF USE:

For purposes of construction, maintenance, and removal of 3 temporary water quality monitoring instrument structures (Seabird + ECOFLNTUS)) to collect data on the State’s water quality.

TERM OF RIGHT-OF-ENTRY:

To run concurrent with the Office of Conservation and Coastal Land’s (OCCL) Site Plan Approval SPA OA-21-52 approval letter. According to the Applicant, the study will be for approximately 1 year.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR), and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, Part 1, Item 1, which states, “Conduct surveys or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc.)”. See **Exhibit B**.

DCCA VERIFICATION:

Not applicable.

REMARKS:

The Applicant, Department of Health – Clean Water Branch, is requesting the issuance of a right-of-entry permit (ROE) to set-up, conduct off-shore water quality data collection, and remove scientific equipment within Keehi Lagoon (see Exhibit A2). According to the Applicant, the study will consist of placing 3 Seabird + ECOFLNTUS water quality monitoring instruments to collect water quality data on temperature, conductivity/salinity, pressure/depth, chlorophyll-a, and turbidity at 3 locations in Keehi Lagoon.

The proposed locations are at the mouths of the Kalihi and Moanalua streams, and at the south end of Keehi Lagoon Beach Park, as shown in Exhibits A-2 and A-3. The measuring instruments will be mounted to buoy structures and placed at a depth of about 1-2 meters

below the low-low tide mark in all 3 locations. This is to ensure the buoys do not interfere with canoes or other ocean uses. Two different structures will be used for the project (see Exhibits A-4 and A-5). The structure for sites “A” and “B” will be rectangular in shape, while site “C” structure will be linear. The duration of the project is approximately 1 year. The Applicant states that the sites will be visited every 3 months to check on the physical condition and location of the equipment. The equipment will be removed at the end of the 1-year period. The reportable data gathered is required by the federal Clean Water Act, sections 303(d) and 305(b) on the State’s water quality submitted every 2 years. The data will be used to determine whether state water quality standards are being met and to determine if water quality is changing over time.

The Applicant has received an Office of Conservation and Coastal Lands (OCCL) SPA OA-21-52 approval letter (see **Exhibit C**). Since site “C” is located in submerged land encumbered by Executive Order 3202, the Department of Transportation, Airports Division has reviewed the project scope and approved the study. The Applicant has also received Army Corps of Engineers (ACOE) Permit POH-2021-00081 (see **Exhibit D**). The Division of Aquatic Resources (DAR) has reviewed the application and determined no Special Activity Permit is required for the study.

Applicant’s proposal has been reviewed by the relevant government agencies and Applicant has obtained the necessary approvals. Accordingly, staff is requesting approval for the right-of-entry (ROE) permit to allow the Applicant to construct, maintain, and remove the 3 temporary water quality monitoring structures at the identified locations in Keehi Lagoon. Staff sent a copy of this submittal to OCCL and DAR for their review and comment. The OCCL had no comments. The DAR submitted 2 comments that were addressed with the Applicant. In short, DAR recommended that the Applicant:

1. Minimize potential entanglement risks to turtles by placing wire or plastic mesh to the frame structure.
2. Install secure anchoring to prevent/avoid any potential dragging or dislodgement of the anchors.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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.
2. Authorize the issuance of a right-of-entry permit to the Applicant covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
- B. Require the Applicant to follow all terms and conditions set forth in ACOE permit POH-2021-00081 and the OCCL's Site Plan Approval SPA OA-21-52 approval letter;
- C. Minimize potential entanglement risks to turtles by placing wire or plastic mesh to the frame structure.
- D. Install secure anchoring to prevent/avoid any potential dragging or dislodgement of the anchors.
- E. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
- F. Authorize the Chairperson to extend the right of entry permit for good cause.

Respectfully Submitted,

Cal Miyahara

Cal Miyahara
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:

Suzanne D. Case

RT

Suzanne D. Case, Chairperson

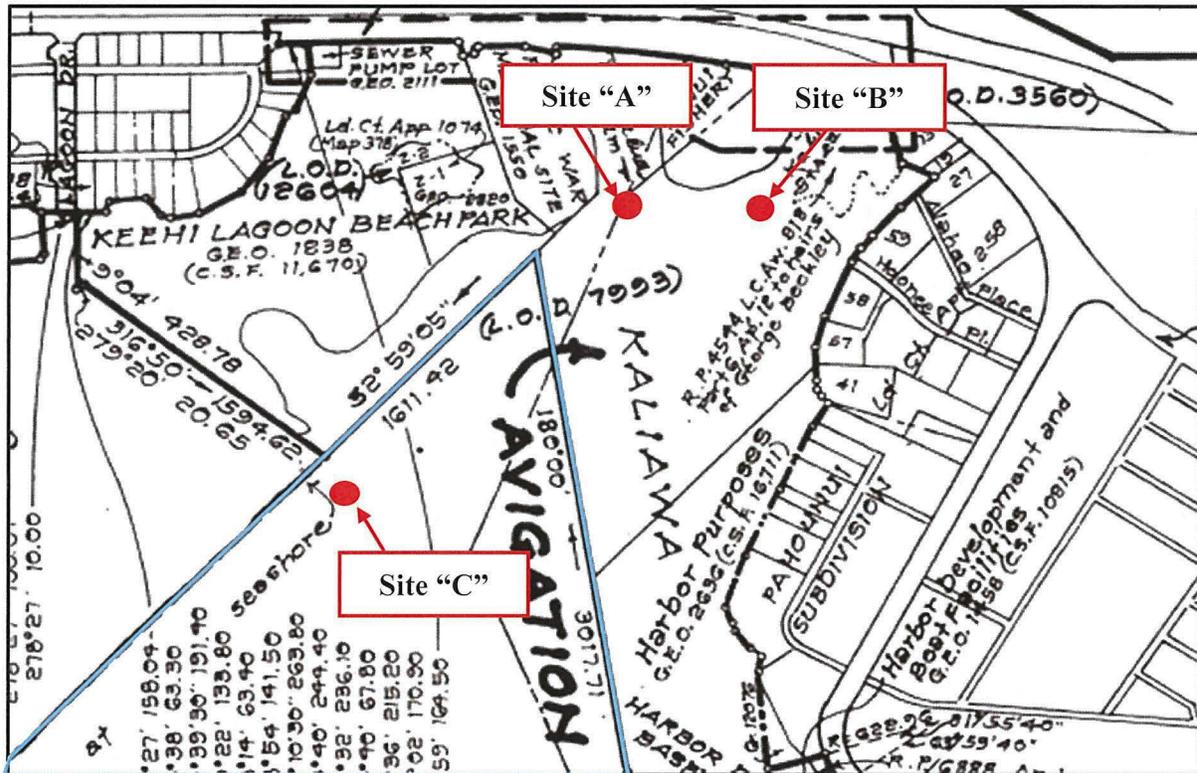


Note: Approximate vicinity of TMK: (1) 1-1-070:seaward (Keehi Lagoon).



Note: Location of the 3 water quality monitoring buoy structures. At the mouths of the Kalihi and Moanalua streams, and at the south end of Keahi Lagoon Beach Park.

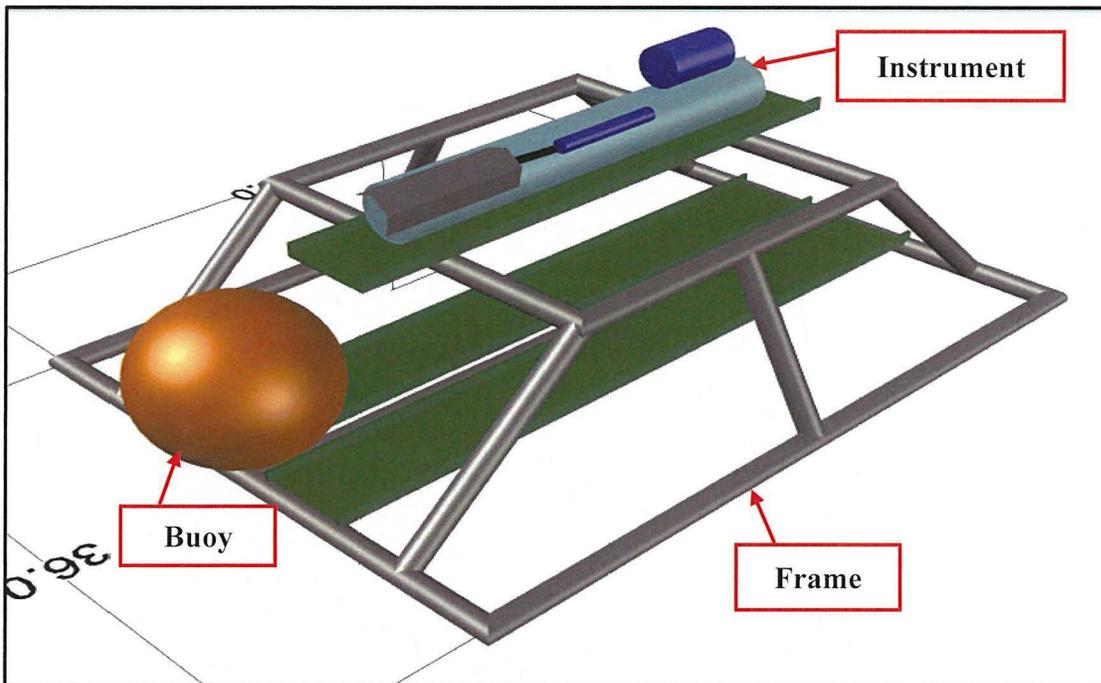
Exhibit A-2



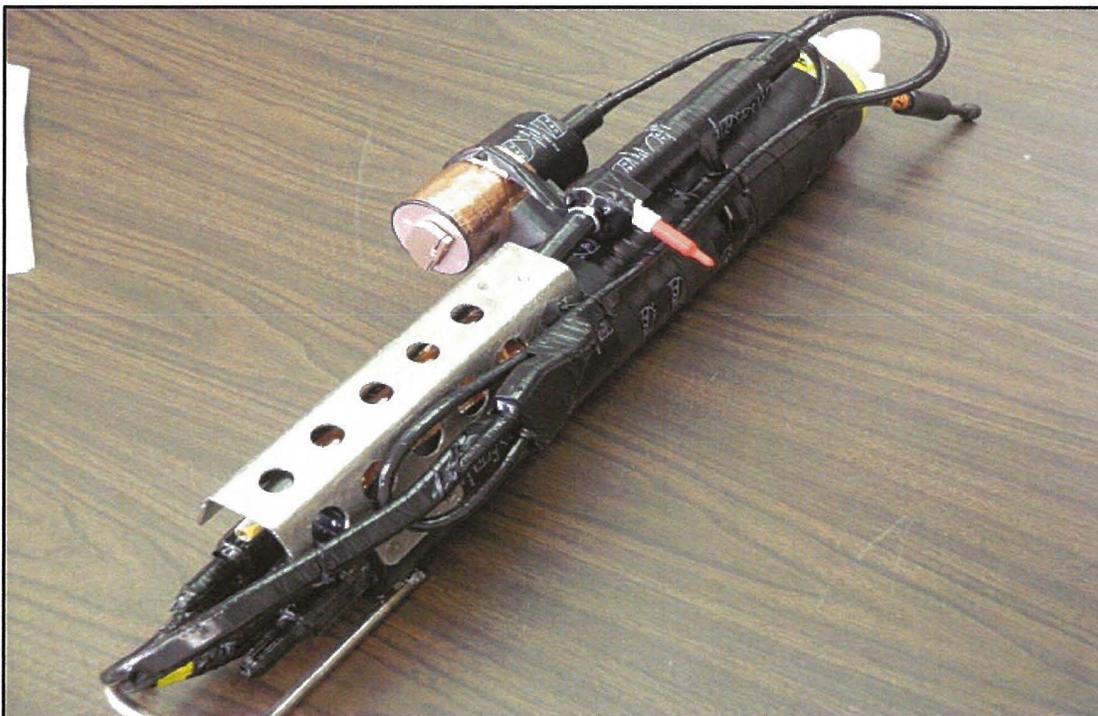
Note: Site "C" is located on submerged lands encumbered by EO 3201 and 3202, under the jurisdiction of the Department of Transportation, Airports Division. Sites "A" and "B" are on unencumbered State lands.

Note: — Denotes boundary of EO area.

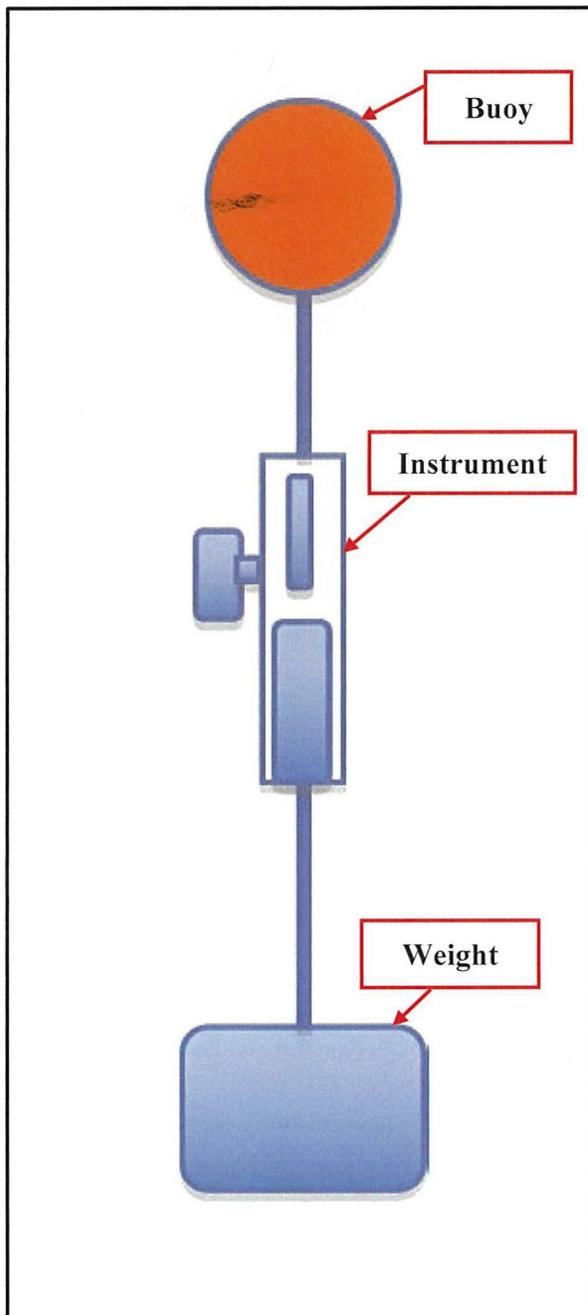
Exhibit A-3



Note: Diagram of water quality monitoring structure to be used at Sites “A” and “B”.



Note: Photo of Seabird + ECOFLNTUS water quality monitoring instrument.



Note: Diagram of water quality monitoring structure to be used at Site “C”.

Exhibit A-5

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title:	Issuance of Right-of-Entry Permit to Department of Health, Clean Water Branch for the Water Quality Monitoring Project in Keehi Lagoon; Moanalua, Honolulu, Oahu; Tax Map Key: (1) 1-1-070:seaward and vicinity.
Reference No.:	Not applicable.
Project Location:	Keehi Lagoon, Maunalua, Honolulu, Oahu; Tax Map Key: (1) 1-1-070:seaward and vicinity.
Project Description:	Water Quality Monitoring Project at Keehi Lagoon.
Chap. 343 Trigger(s):	Use of State Land.
Exemption Class No.:	In accordance with Section 11-200.1-15, HAR, and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, Part 1, Item 1, which states, “Conduct surveys or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc.).
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No, the request is a ROE for the purpose of placing 3 temporary water quality monitoring buoy structures in Keehi Lagoon to conduct water quality data collection at specific locations. At this time, there are no further future studies planned in the same location, as such, staff believes that there would be no significant cumulative impact to the submerged lands.
Action May Have Significant Impact on Particularly Sensitive Environment?	No, the equipment being used is relatively small and will be removed at the completion of the project. In addition, based on the analysis below, staff believes there would be no significant impact to sensitive environmental or ecological receptors.
Consulted Parties:	Consulted with Office of Conservation and Coastal Lands and the Division of Aquatic Resources. Both agencies concurred with the above cited exemption class.
Analysis:	Similar environmental study requests have been permitted in the past. The proposed activity is similar in type and scope.

Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. Staff also believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

<p>DAVID Y. IGE GOVERNOR OF HAWAII</p> 	 <p>STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES OFFICE OF CONSERVATION AND COASTAL LANDS POST OFFICE BOX 621 HONOLULU, HAWAII 96809</p>	<p>SUZANNE D. CASE CHAIRPERSON BOARD OF LAND AND NATURAL RESOURCES COMMISSION ON WATER RESOURCE MANAGEMENT</p> <p>ROBERT K. MASUDA FIRST DEPUTY</p> <p>M. KALEO MANUEL DEPUTY DIRECTOR - WATER</p> <p>AQUATIC RESOURCES BOATING AND OCEAN ACCESSATION BUREAU OF CONVEYANCES COMMISSION ON WATER RESOURCE MANAGEMENT CONSERVATION AND COASTAL LANDS CONSERVATION AND RESOURCES ENFORCEMENT SMOON PERIUS FORESTRY AND WILDLIFE HISTORIC PRESERVATION KAHOOLAWE ISLAND RESERVE COMMISSION LAND STATE PARKS</p>
<p>REF: OCCL: TF</p>		<p>SPA: OA 21-52</p>
<p>Myron Honda, Monitoring & Analysis Section Supervisor Hawaii Department of Health – Clean Water Branch 2827 Waimano Home Road, #223 Honolulu, HI 9782</p>		<p>MAY 26 2021</p>
<p>SUBJECT: Site Plan Approval (SPA) Application for Clean Water Branch Water Quality Monitoring in Keehi Lagoon. Located at Keehi Lagoon Honolulu International Airport & Harbor Facilities, Moanalua, Oahu TMK: (1) 1-1-003:005 & submerged lands</p>		
<p>Dear Mr. Honda:</p> <p>The Office of Conservation and Coastal Lands (OCCL) has reviewed your request regarding the subject matter. According to the information in your Site Plan Approval application, the Hawaii Department of Health (HDOH) is obligated by the federal Clean Water Act (CWA) and its sections 303(d) and 305(b) to report on the State's water quality on a two-year cycle. The purpose of the proposed Water Quality Monitoring project in Keehi Lagoon project is to gather scientific data to allow the HDOH Clean Water Branch (CWB) to assess the water quality off of Keehi Lagoon Beach Park to determine whether state water quality standards are being met and to provide that information as part of the CWA section 305(b) report to the Environmental Protection Agency (EPA).</p> <p>As part of the Keehi Lagoon Water Quality Monitoring project, the CWB is proposing to place three (3) SeaBird + ECOFLNTUS water quality monitoring instruments in the waters of Keehi Lagoon near Keehi Lagoon Beach Park. The SeaBird + ECOFLNTUS water quality monitoring instruments are self-contained battery run units with a size of approximately 36"x12"x5". The instruments will be measuring the following water quality parameters: temperature, conductivity/salinity, pressure/depth, chlorophyll-a, and turbidity. All three water quality monitoring instruments will be located in Keehi Lagoon and their locations are as follows:</p> <p>Site & Sensor A: 21°19'48.93"N, 157°53'36.71"W Sensor A will be located near the mouth of Moanalua Stream in Keehi Lagoon and at an approximate depth of 1-2 meters below the low-low tide mark.</p> <p>Site & Sensor B: 21°19'46.54"N, 157°53'33.17"W Sensor B will be located near the mouth of Kalihi Stream in Keehi Lagoon and at an approximate depth of 1-2 meters below the low-low tide mark.</p>		
<p>1</p>		

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Mr. Myron Honda, Monitoring & Analysis Section Supervisor
Hawaii Department of Health – Clean Water Branch

Site & Sensor C: 21°19'36.89"N, 157°53'55.36"W

Sensor C will be located to the south of Keehi Lagoon Beach Park and at an approximate depth of 1-2 meters below the low-low tide mark.

The three (3) SeaBird + ECOFLNTUS water quality monitoring instruments will be moored to the three (3) sites identified above in Keehi Lagoon where the bottom of the lagoon is predominantly mud. Due to the shallowness of Sites A and B, the moorings will be a rigid structure that will occupy approximately 12 sq ft but will have a lower profile in the water column (see Exhibit A). The mooring at Site C will be subsurface and an in-line design that will consist of a buoy, line with the water quality monitoring instrument attached, and a weight with a footprint of approximately 1 sq. ft (see Exhibit B). Each mooring design will sit upon but not disturb the substrate. All three (3) instruments and their associated moorings will be deployed and retrieved via boat without the need for diving/a diver. The application states that the instruments and associated moorings will be located at a depth that will not interfere with marine life, canoe traffic, and other ocean uses.

The application notes that the water quality monitoring devices will be deployed in Keehi Lagoon for approximately one (1) year. The CWB will visit all three (3) sites every three (3) months to check on the physical condition and location of the instruments during the year. Upon completion of the project, the CWB will remove all equipment parts including anchor weights.

ANALYSIS:

The project site is located in the Resource Subzone of the State Land Use Conservation District on TMK: (1) 1-1-003:005 owned by the Department of Transportation – Airports Division and State-owned submerged lands. The Department of Transportation – Airports Division has approved the use of TMK: (1) 1-1-003:005 for the proposed CWB Keehi Lagoon Water Quality Monitoring project. Based on the project description provided, the OCCL has determined that the proposed CWB Keehi Lagoon Water Quality Monitoring project is an identified land use pursuant to Hawaii Administrative Rules (HAR) §13-5-22, P-1 DATA COLLECTION (B-1) *Basic data collection, research, education, and resource evaluation that results in a minor disturbance to natural resources or land (e.g., corings, excavations, etc.)*. This use requires a site plan approval (SPA) issued by the OCCL. In addition to site plan approval, the OCCL requests that the CWB consult with the Oahu District Land Division Office (587-0433) regarding the need for a land disposition to occupy State-owned submerged lands in Keehi Lagoon.

Staff notes that the proposed CWB Keehi Lagoon Water Quality Monitoring project appears to be a Chapter 343 exempt action pursuant to HAR §11-200.1-15, General types of actions eligible for exemption (c) (5) *Basic data collection, research, education, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource*. Additionally, the CWB is proposing that the proposed project be exempted from the preparation of an environmental assessment and pursuant to the Environmental Health Administration, Department of Health exemption list – Exemption Class #5 *Basic data collection, research, education, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource*. The Exemption List for the Department of Land and Natural Resources would also appear to consider the proposed project exempt from the preparation of an environmental assessment under General Exemption Type 5 PART 1 No. 1 *Conduct surveys or collect data on existing environmental conditions (e.g, noise, air quality, water flow, water quality, etc.)*. The CWB has consulted with the OCCL regarding exemption of the proposed CWB Keehi Lagoon Water Quality Monitoring project from the preparation of an environmental assessment and the OCCL has concurred with the environmental assessment exemption.

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Mr. Myron Honda, Monitoring & Analysis Section Supervisor
Hawaii Department of Health – Clean Water Branch

Therefore, authorization is hereby granted to the CWB for the Keehi Lagoon Water Quality Monitoring project at Keehi Lagoon, Moanalua, Oahu on the parcel with the (1) 1-1-003:005 as well as State-owned submerged lands in Keehi Lagoon and is subject to the following conditions:

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
2. The permittee shall obtain a land disposition from the Oahu District Land Division Office ((808) 587-0433) for the use of State lands, if applicable;
3. The permittee shall comply with all applicable department of health administrative rules;
4. Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one (1) year of the approval of such use, in accordance with construction plans that have been signed by the chairperson, and shall be completed within three (3) years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
5. All representations relative to mitigation set forth in the site plan approval application are incorporated as conditions of the permit;
6. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
7. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
8. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
9. Obstruction of public roads, trails, lateral shoreline access, and pathways shall be avoided or minimized. If obstruction is unavoidable, the permittee shall provide alternative roads, trails, lateral beach access, or pathways acceptable to the department;
10. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
11. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;
12. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which

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Mr. Myron Honda, Monitoring & Analysis Section Supervisor
Hawaii Department of Health – Clean Water Branch

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will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;

13. Should any unanticipated problems occur which may affect public health, safety or welfare, the department may require the immediate removal of all project components;
14. The permittee shall remove all project components upon completion or end of the project;
15. Other terms and conditions as prescribed by the OCCL; and
16. Failure to comply with any of these conditions may render this approval void as determined by the Department.

Please acknowledge receipt of this approval, with the above noted conditions, in the space provided below. Please sign two copies. Retain one and return the other within thirty (30) days. Should you have any questions, please feel free to contact Trevor Fitzpatrick of our Office of Conservation and Coastal Lands at (808) 798-6660.

Sincerely,

SAM LEMMO

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

Receipt acknowledged:

Applicant's signature

Date

CC: *Chairperson
Oahu Division Land Office
Department of Transportation – Airports Division
City and County of Honolulu, Department of Planning and Permitting*

REF: OCCL: TF

Mr. Myron Honda, Monitoring & Analysis Section Supervisor
Hawaii Department of Health – Clean Water Branch

SPA: OA 21-52

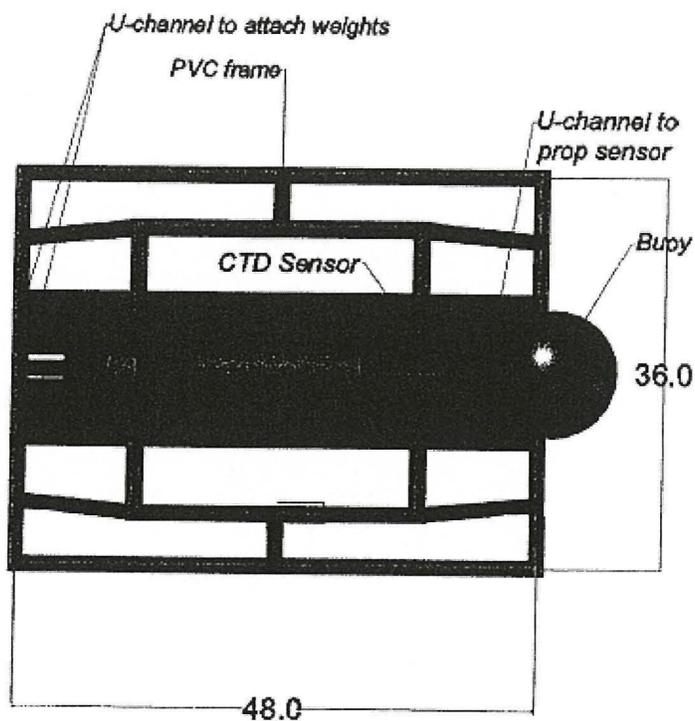


Exhibit A: Mooring Design for CWB Keehi Lagoon Water Quality Monitoring project at Site A and Site B

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Mr. Myron Honda, Monitoring & Analysis Section Supervisor
Hawaii Department of Health – Clean Water Branch

SPA: OA 21-52

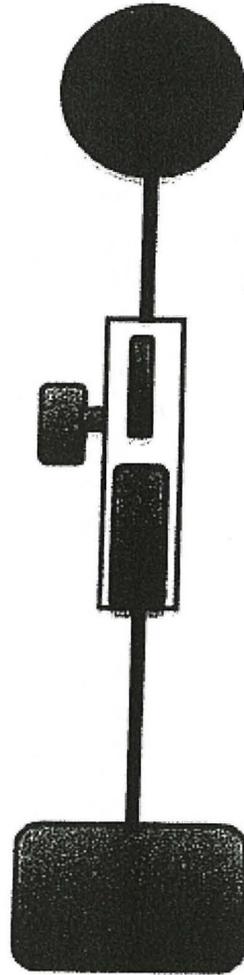


Exhibit B: Mooring Design for CWB Kechi Lagoon Water Quality Monitoring project at Site C



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT
FORT SHAFTER, HAWAII 96858-5440

May 17, 2021

SUBJECT: Nationwide Permit Verification for DOH, Scientific Monitoring Buoys, Keehi Lagoon, Honolulu, Oahu, HI, Department of the Army File No. POH-2021-00081

Mr. Myron Honda
State of Hawaii, Department of Health
Clean Water Branch
2827 Waimano Home Road
Pearl City, Hawaii 96782

Dear Mr. Honda:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Office has completed review of your Pre-Construction Notification requesting authorization for the installation of structures below the Mean High Water mark in Keehi Lagoon at the mouths of Moanalua Stream at Site A 21.330456 °, -157.893256 °; Kalihi Stream at Site B 21.329864 °, -157.892161 °; an unnamed stream in Keehi Lagoon Beach Park at Site C 21.326914 °, -157.898711 °, in Honolulu, Island of Oahu, Hawaii. Please reference Department of the Army (DA) file number POH-2021-00081 in any future correspondence related to this permit.

This letter verifies your activity complies with the terms and conditions of Nationwide Permit (NWP) #5, (Scientific Measurement Devices) issued on March 19, 2017 (82 FR 1860, January 6, 2017). This NWP verification letter is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 for work or structures in, over, under or affecting navigable waters of the U.S.

This project will involve the installation of three buoys, all as described below and depicted on the enclosed drawings (Enclosure 1):

- The three water quality monitoring instruments attached to buoys will be installed for the duration of one year. Each buoy will consist of the 3-square-foot metal and plastic monitoring instrument attached by a section of ¼-inch rope to a 1-square-foot metal anchor and by a second section of ¼-inch rope to an 11-inch diameter buoy float. The upper and lower sections of rope for each buoy will be 12 inches and 24.5 inches for Site A at Moanalua Stream mouth, 10.5 inches and 19.8 inches for Site B at Kalihi Stream mouth, and 16 inches and 19.8 inches for Site C at the mouth of the unnamed stream in Keehi Lagoon Beach Park. The buoys will be installed in approximately one day.

Exhibit D

- 2 -

In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the *Nationwide Permit General Conditions* and the *Honolulu District Regional Conditions* (Enclosure 2) and the following special condition:

a. **Endangered Species Reporting.** Incidents where any individuals of green sea turtle (*Chelonia mydas*), hawksbill sea turtle (*Eretmochelys imbricata*), and Hawaiian monk seal (*Monachus schauinslandi*) listed by NOAA Fisheries as threatened or endangered under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the U.S. or structures or work in navigable waters of the U.S. authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Honolulu District, U.S. Army Corps of Engineers at (808) 835-4303. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measurements to ensure that evidence intrinsic to the specimen is preserved.

b. **Endangered Species Act, Section 7 Consultation Requirements.** You must comply with the attached Standard Local Operating Procedures for Endangered Species in the Central and Western Pacific Region (Pac-SLOPES) general conditions and best management practices (Enclosure 3).

Verification of your project under this NWP is valid until **March 19, 2022** unless this NWP is modified, reissued, or revoked prior to that date. It is incumbent upon you to remain informed of changes to the NWPs. If the Corps modifies, reissues, or revokes any NWP at an earlier date, we will issue a public notice announcing the changes. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of the Clean Water Act and/or Rivers and Harbors Act and subsequent enforcement action. This authorization does not relieve you of the responsibility to obtain any other federal, state, and/or local authorizations required by law.

Your project complies with the requirements of the Clean Water Act, Section 401 Blanket Water Quality Certification (WQC0901.FNL.20) issued for this Nationwide Permit by the State of Hawaii Department of Health, Clean Water Branch. You are responsible for complying with the attached General Conditions of this WQC (Enclosure 4).

- 3 -

Finally, General Condition #30 requires a signed certification be submitted to this office upon completion of work. Therefore, please sign, date, and return the enclosed *Compliance Certification* form (Enclosure 5) within 30 days of completion of work to the email address specified below or to the mailing address indicated on the letterhead above.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this authorization, please contact me Vera.B.Koskelo@usace.army.mil or via telephone at (808) 835-4031. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,



Vera Koskelo
Regulatory Project Manager

Enclosures

Electronic cc:

CleanWaterBranch@doh.hawaii.gov
darryl.lum@doh.hawaii.gov
john.d.nakagawa@hawaii.gov
sechonowaterways@uscg.mil