



U.S. Army Corps of Engineers  
Honolulu District

# PUBLIC NOTICE

Public Notice No.  
**SPGP 2001-01**

Date:  
27 April 2005

Reply to:  
District Engineer  
U.S. Army Corps of Engineers  
Building 230  
Fort Shafter, Hawaii 96858-5440

Respond by:  
N/A

## SPECIAL PUBLIC NOTICE

### **Approval of State Programmatic General Permit for Beach Nourishment, Restoration and Enhancement in the State of Hawaii**

1. Interested parties are hereby notified that a general permit allowing the placement of up to a maximum of 10,000 cubic yards of sand for the purposes of enhancing, nourishing and restoring public and private beachfront property in the State of Hawaii is being issued.
2. A copy of the general permit is enclosed. The specific conditions under which work can be performed are listed in the general permit.
3. If you would like to apply for authorization under this general permit, you must submit the attached General Application for Small-Scale Beach Nourishment. The guidelines to filling out the application is included. All applications will be submitted to the State Department of Land and Natural Resources, Office of Conservation and Coastal Lands for initial processing.
4. Interested parties are invited to submit any additional comments and suggestions to help us improve this and other general permits. Written comments should be sent to the address listed above or by fax to (808) 438-4060. Comments can also be sent by email to CEPOH-EC-R@usace.army.mil. A copy of this Public Notice is posted on the Honolulu District's Internet home page at <http://www.poh.usace.army.mil/news/PublicNotices.html>

**DEPARTMENT OF THE ARMY  
STATE PROGRAMMATIC GENERAL PERMIT**

**BEACH NOURISHMENT, RESTORATION AND ENHANCEMENT  
IN THE STATE OF HAWAII**

Effective Date: 25 April 2005

Expiration Date: 25 April 2010

Permit Number: SPGP 2001-01

**1. TO WHOM IT MAY CONCERN:** The District Engineer, Honolulu District, U.S. Army Corps of Engineers, hereby issues this State Programmatic General Permit (SPGP) 2001-01 under provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. 403). This permit authorizes the general public, groups, and public agencies to restore and enhance beach areas in waters of the United States, under the jurisdiction of the Honolulu District. Authorization under this SPGP allows the placement of up to 10,000 cubic yards of sand below the high tide line. The intent of the SPGP is to minimize duplication of regulatory efforts between the Corps and the State of Hawaii Department of Land and Natural Resources (DLNR) for work located in waters of the U.S., including navigable waters.

**2. COORDINATION AGREEMENT:** An agreement has been signed by both the Corps and the State DLNR which outlines the steps each agency will take during the process of an application under this SPGP. A Panel of Technical Experts (PTE) composed of professional and technical experts will review applications received concerning any beach nourishment and restoration projects to ensure consistency with the provisions of the SPGP and to maintain a high level of environmental quality. The PTE acts in an advisory capacity to the DLNR and the Corps. The DLNR and the Corps remain the decision makers on the final decision on any applications under the SPGP.

**3. EXCLUDED AREAS:** The following areas are excluded from coverage under this permit:

a. No activity may occur in known turtle nesting areas during egg-laying and hatching periods.

b. No activity may occur in designated endangered species critical habitat, sanctuaries and refuges, or essential fish habitats, without the written consent of the National Marine Fisheries Service, the U.S. Fish and Wildlife Service and/or facility manager.

c. No activity that may affect historic properties listed, or eligible for listing, in the National Register of Historic Places may be authorized without the written consent of the State Historic Preservation Officer.

d. No activity in areas of recognized biological importance such as coral reefs, mud flats, vegetated shallows, fish spawning grounds and areas of concentrated shellfish production may be

authorized without the consent of the National Marine Fisheries Service, the Division of Aquatic Resources and the U.S. Fish and Wildlife Service.

e. No activity may be authorized in the following water bodies:

(1) Natural freshwater lakes, saline lakes and anchialine pools as identified in the Hawaii Administrative Rules (HAR) 11-54-05.2(a).

(2) Inland Waters: Class 1 (including 1.a. and 1.b.) as identified in HAR 11-54-03(b)(1) and 11-54-05.1.

(3) Estuaries as identified in HAR 11-54-03(b)(2), 11-54-05.1(b) and 11-54-05.2(d).

(4) Marine Waters: Class AA as identified in HAR 11-54-03(c)(1) and 11-54-06.

(5) Embayments as identified in HAR 11-54-03(c)(1) and (2) and 11-54-06.

(6) Marine Bottom Ecosystems other than Class II Sand Beached as identified in HAR 11-54-03(d)(2) and 11-54-07(a).

(7) Water quality limited segments listed by the Hawaii State Department of Health according to Section 303(d) of the Federal Clean Water Act.

**4. SCOPE OF AUTHORIZED WORK:** The following work is authorized under this SPGP:

a. The placement of up to a maximum of 10,000 cubic yards of sand below the high tide for the purposes of beach nourishment, restoration and/or enhancement.

b. Construction, installation and removal of erosion protection, including, but not limited to appropriate and effective silt containment devices.

c. Small scale sand retention devices such as sand filled bags are permissible under certain situations where the effects of the structures on coastal processes, marine organisms, mauka property and public access, can be shown to be negligible or otherwise benign due to existing conditions.

d. Dredging or excavation of sand from a boat harbor, stream mouth or channel-clearing project where the sand is placed in the same littoral cell or on adjacent beaches.

e. Pumping or excavation of sand from the nearshore area to adjacent beaches to nourish an erosion hot spot or pumping sand into a porous geotextile bag which is used for shore protection on the adjacent beaches, under the condition that the extraction of the nearshore sand source will not cause adverse effects to the beach profile.

**5. LIMITATIONS OF AUTHORIZED WORK:** Limitations to the scope of work are as follows:

a. Testing of the sand by a laboratory will be required when there is probable cause to believe that the material is unsuitable or contaminated by a terrestrial source or as determined by the CLP and/or DOH.

b. The grain size distribution of the sand shall be compatible with that of the pre-project native beach, to be determined as follows:

1. Grain size distribution of at least one typical, dry sample of the beach fill sediment shall be measured by laboratory sieves<sup>1</sup>. For this purpose, at least six (6) sieves shall be used, distributed more or less uniformly in size between, and inclusive of, the U.S. Standard #4 sieve and the #200 sieve. [Note: Physical sand size distribution is measured by shaking the oven-dried sand sample through a "nest" of sieves; coarsest on top, finest at the bottom, with a solid pan at the bottom. The sieves are shaken and the sand grains are distributed by size, the larger particles staying in the upper sieves (as in #4 sieve) and the finer particles falling into the bottom sieves (as in #200 sieve), and finally the pan. The mass retained in each sieve, and the pan, is expressed as a percentage of the total mass of material.]

2. The beach fill sediment shall contain not more than 6 percent fine sediments, defined as the #200 sieve (0.074 mm). [Note: This number may be adjusted where native beach sediments display a higher than normal percentage of fines. However, the percentage of fines shall never be higher than 9 percent.]

3. The beach fill sediments shall contain not more than 10 percent coarse sediments, defined as the #4 sieve (4.76 mm), excepting those native beaches that naturally exhibit greater than 10 percent coarse sediments.

c. The grain size distribution of the typical dried native beach sand shall be measured as described in 5(b)(1). The grain size distribution of the beach fill sediment shall fall within 20 percent of the native beach sediment, as measured by cumulative percent-finer-than (or percent-coarser-than) values. (For example, if the native beach sand contains 45 percent grain size finer-than the #100 sieve, the beach fill must contain between 25 percent and 65 percent grain size finer-than the #100 sieve). Alternatively, and for cases where the beach fill grain size distribution curve is uniformly finer than the native beach, the overall fill ratio of the fill sediment relative to the native beach shall not exceed 1.5.

d. Activities or work authorized under this SPGP shall not be used to improve and increase private property or move the certified shoreline seaward.

**6. CATEGORIES OF ACTIVITIES:** The following categories define the level of work covered by this SPGP:

a. Category I - Placement of up to 500 cubic yards of sand below the high tide line.

b. Category II - Placement of more than 500 and up to 10,000 cubic yards of sand below the high tide line.

---

<sup>1</sup> A sieve is a device with meshes or perforations through which particles of various sizes are passed to separate them from either finer or more course.

**NOTE:** Any placement of sand over 10,000 cubic yards below the high tide line is excluded by this SPGP and requires individual consultation with the Corps and DLNR.

**7. STATE AND LOCAL APPROVALS:**

a. The Clean Water Branch (CWB), Environmental Management Division, State Department of Health has issued a conditional Section 401 Water Quality Certification covering activities to be authorized under SPGP 2001-01.

b. The Office of Planning, Coastal Zone Management (CZM) Program Office has concurred with the Corps' determination of consistency with the Hawaii Coastal Zone Management Program. CZM consistency does not obviate the need to obtain approvals from the applicable County authority for activities occurring in the Special Management Area and Shoreline Area, nor is it an endorsement for County approvals.

c. The State Board of Land and Natural Resources has issued a statewide authorization under Conservation District Use Application ST-3000b, covering activities to be authorized under SPGP 2001-01.

**8. PROCEDURES FOR WORK AUTHORIZATION:** The applicant or authorized representative will submit an application to the State Department of Land and Natural Resources, Office of Conservation and Coastal Lands at least 60 days prior to the planned date of work. The following information along with the required documents must be submitted to the DLNR:

a. Name, address and telephone number(s) of the party responsible for the work and the owner(s) of the affected land, if other than the responsible party.

b. An explanation of the project purpose and the need for the work.

c. Location maps to include an island map, vicinity and parcel map and photograph of the coastline at the project site. A valid shoreline survey and composite maps showing erosion rates relative to current shoreline is required.

d. An assessment of the causes of beach erosion and sand loss and the ability of the project to correct the problem as well as an analysis of the longevity of the project.

e. Scaled drawings showing the shoreline, aerial and linear extent of the area to be filled and/or excavated and details of the proposed work, cross-sectional views with elevations and dimensions for the project site.

f. Description of the source, type, composition, quantity of the sand to be used as described under 5 b(1),(2),(3) and c, the method of placement, the length of time and frequency of placement, extraction and delivery methods employed, as well as evidence that sand meets CLP and DOH Clean Water Act requirements. A sample of the sand shall be submitted. Also, the application shall

include a sample analysis of the sand at the proposed nourishment site. For offshore sand borrowing, the PTE shall establish sampling parameters on a case-by-case basis.

g. If temporary retention structures are proposed the following information is required:

- 1) Type and dimensions of the retention structure.
- 2) Location of where the structure will be placed.
- 3) A description of the potential affects of the structure on coastal processes and marine substrate.
- 4) Length of time the retention structure will remain in place.
- 5) Proof of liability insurance.

h. Range of water depths adjacent to the proposed nourishment site.

i. Brief description of major topographic features (e.g., slope, ledges, holes, reefs - or relevant section of hydrographic chart).

j. Description of bottom types to include percent of surface area covered (e.g., 10% rock, 20% sand, 5% sand and rubble, 25% coral colonies, 2% limu, etc.).

k. The seal of a professional engineer (PE) is required on all applications submitted for authorization under Category II. [Note: If a question arises regarding the fulfillment of this requirement, the PTE shall determine whether the seal shall be required.]

l. The type(s) of equipment being used, methods of work or construction, the installation and removal of any temporary structures or access ways necessary for the construction activity.

m. Any other pertinent or supporting data, including best management practices to be employed during project implementation, in particular those which will insure protection of water quality.

n. Date activity expected to commence.

o. Name of the contractor performing the work.

p. Projects proposed under this permit should include engineering design information. [DLNR staff, in consultation with the PTE and the applicant, will decide what specific information, in addition to the information required above, shall be included in the application].

q. Description of water quality monitoring program [if required by the DLNR].

r. When the DLNR receives sufficient information from the applicant, the DLNR will meet with the PTE to determine what additional specific information will be required and/or considered. Procedures are as follows:

1) Projects determined to be Category I will be processed by the DLNR. Comments will be solicited from the Department of Health, Office of Planning Coastal Zone Management, U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Other agencies may also review the Category I applications when requested or required. The DLNR will issue a letter of authorization to the applicant with the concurrence of the resource agencies.

2) Projects under Category II require review by resource agencies. The DLNR, Corps and resource agencies will meet to discuss the project.

3) For projects greater than 10,000 cubic yards, the DLNR and the Corps will review the project separately.

If the proposed work does not qualify for authorization under Category I or II of the SPGP, the DLNR will notify the applicant that the project must be processed under both the DLNR and Corps individual permit procedures. The Corps would then initiate permit processing under its individual permit procedures, as would the DLNR.

**NOTE:** The length of time required to process each request under this SPGP will be directly related to the adequacy and completeness of the information submitted by the applicant.

**9. SPECIAL CONDITIONS FOR USE OF THIS SPGP:** In addition to the conditions specified in the general conditions, the following special conditions apply to all projects authorized under this SPGP.

a. The District Engineer retains discretionary authority to require review for an individual permit based on concerns for the aquatic environment or for any other factor of the public interest. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant individual review based on the concerns stated above. This authority may be invoked on projects with cumulative environmental impacts that are more than minimal or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the SPGP and that warrants greater review.

b. When the DLNR is notified by the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the applicant or the public that an individual activity or activities is adversely affecting fish or wildlife resources or their harvest, the State DLNR Coastal Lands Program (CLP) Chairperson will direct the permittee(s) to undertake corrective measures to address the condition affecting these resources. The permittee(s) must suspend or modify the activity to the extent necessary to mitigate or eliminate the adverse effect.

c. The applicant must submit written compliance reports for any work authorized under Category I and II to the DLNR CLP, including a final report within two months of completion of the authorized project. The report must include, as appropriate, descriptions of the construction activities, discussion(s) of any deviations from the proposed project design and the cause of these deviations, results of environmental monitoring, discussion(s) of any necessary corrective action(s),

and photographs documenting the progress of the permitted work. The applicant shall take photographs of the site/project before, during and after construction. If a temporary sand retention device is approved and constructed as part of the project, it shall also be documented by taking photos immediately after the completion of the retention device and at least twice annually for two (2) consecutive years. Photographs shall be submitted to the DLNR CLP. In some cases, post project beach profiling may be required for larger scale sand placement projects that occur in the vicinity of coral reefs or fish habitat. The National Marine Fisheries Service's input will be sought as to what projects should be required to conduct post project profiling.

d. The General conditions attached hereto are made a part of this permit and must be attached to all authorizations processed under this permit.

e. On a case-by-case basis the Corps or DLNR may impose special conditions which are deemed necessary to minimize adverse environmental impacts.

f. Failure to comply with all conditions of the Federal authorizations under this SPGP would constitute a violation of the Federal authorization.

g. If adverse impacts or non-compliance with the general or special conditions of the SPGP are detected, corrective action, including removal of structures and restoration of the site to pre-project conditions shall be taken as determined by the Corps with input from resource agencies.

h. The work shall be initiated within six (6) months of authorization and shall be completed in one (1) year. Any request for an extension to the authorization under GP2001-01 will be considered as a new application.

i. If the SPGP expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence under this permit will remain in effect, provided the activity is completed within 12 months of the date the SPGP expired or was revoked.

j. This SPGP will be valid for 5 years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The DLNR and Corps in conjunction with the Federal resource agencies will conduct periodic reviews to determine that the continuation of the permit is not contrary to the public interest. If revocation occurs, any future applications for activities covered by the SPGP will be evaluated by the Corps.

k. The Panel of Technical Experts (PTE) composed of professional and technical experts shall include a Native Hawaiian or a representative from a Native Hawaiian organization knowledgeable of beach nourishment areas in the State of Hawaii (also included in the Coordination Agreement between the Corps and DLNR).

l. The attached Best Management Practices and Monitoring Procedures shall be fully implemented on all projects.

m. You must comply with the conditions specified in the Water Quality Certification 0000536 dated February 7, 2003 and the Coastal Zone Management Federal Consistency Determination dated February 14, 2003.

n. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause reasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



\_\_\_\_\_  
DAVID E. ANDERSON  
Lieutenant Colonel, U.S. Army  
District Engineer

25 April 2005  
Date

## **BEST MANAGEMENT PRACTICES AND MONITORING PROCEDURES DEPARTMENT OF THE ARMY SPGP 2001-01**

The Best Management Practices (BMPs) and Monitoring procedures is to ensure that no adverse water quality or other environmental impacts occur as a result of activities authorized by this SPGP and will be prescribed on a case-by-case basis. The applicant shall be responsible for implementing all applicable BMPs and shall be responsible for complying with State Water Quality Standards.

The following checked BMPs have been determined to be applicable for this project.

- ❑ An individual, designated responsible for environmental monitoring, shall be on-site during all in-water work. This individual will conduct visual inspections, perform water quality sampling and other environmental monitoring, and report all results to the DLNR and Corps. The designated person may be the applicant or agent, but may not be employed by the contractor performing the work. The individual's name and a contact telephone number must be included in the application.
- ❑ Appropriate and effective silt mitigation measures shall be used to minimize the spread of turbidity that results from activities authorized by SPGP 2001-01. Mitigation measures include but are not limited to use of low silt sand, conducting work in appropriate environmental conditions or silt containment devices. All silt mitigation measures shall be implemented prior to the start of in-water work and will remain in effect until the in-water work is completed and the water quality in the affected area has returned to its preconstruction condition.
- ❑ Fueling, repair and other activities with any potential to release pollutants must occur far enough above the upper reaches of the water and in such a manner as to ensure that they have no effect on waters of the U.S.
- ❑ The design, construction and maintenance of permitted activities will not disrupt the migration or other movement of aquatic life inhabiting the water body.
- ❑ If a visible turbidity plume is observed outside of the containment area (defined as the extent of the silt containment devices) during in-water work, the following measures must be taken:
  - a. The permittee or contractor will inform the Corps immediately; the Corps will consult with the Department of Health and other appropriate agencies.
  - b. The site shall be inspected to ascertain the source of the plume.
  - c. Control measures will be refurbished, modified, and/or improved, e.g., silt containment devices will be repaired.
  - d. Work shall continue only after the plume or oil is no longer visible.
- ❑ If floating petroleum products are observed during in-water work, all work will cease. The site shall be inspected to ascertain the source of the pollutant and repair or removal of the source will be done immediately. Work shall continue after the pollutant is removed.
- ❑ At a minimum, water quality monitoring will consist of visual inspection of the project site(s) and will be documented daily with photographs and written descriptions. Photographs should be taken prior to, during and after reconstruction activities, as well as (if possible) before and after unusual events, such as large storms.

**GENERAL CONDITIONS FOR FEDERAL AUTHORIZATION  
SPGP 2001-01**

**General Conditions:**

1. The time limit for completing the work ends one year after the issued date of the authorization under the SPGP. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. The permittee must ensure that any sand retention device authorized by this permit be maintained in good condition and in conformance with the terms and conditions of this permit. The permittee is not relieved of this requirement if the permitted activity is abandoned, although a good faith transfer to a third party in compliance with General Condition 3 below is allowed. Should the permittee wish to cease to maintain the authorized activity or desires to abandon the permitted activity without a good faith transfer, a modification of this permit from this office must be obtained.
3. If the permittee sells the property associated with this permit, he/she must obtain the signature and mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization. If the structure or work authorized by this permit is still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property.
4. The permittee must allow representative(s) from the Corps of Engineers to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
5. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify the DLNR and/or Corps of what you have found. Coordination with state agencies will be conducted to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.
7. Single and Complete Projects. This general permit shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project and/or all planned phases of multi-phased projects shall be treated together as constituting one single and complete project. This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required.

## **Further Information:**

### **1. Limits of this authorization**

- a. This permit does not relieve the permittee of the obligation to obtain any other Federal, State or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

### **2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:**

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by SPGP 2001-01.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of SPGP 2001-01 or any individual authorization.

### **3. Reliance on Applicants Data: The determination of this office that issuing an authorization for an individual project under this SPGP is not contrary to the public interest was made in reliance of the information you provided.**

### **4. Reevaluation of Permit Decision: This office may reevaluate its decision on this SPGP or any individual authorization at any time the circumstance warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:**

- a. You fail to comply with the terms and conditions of this permit.
- b. The information you provided in connection with the request for work authorization proves to be false, incomplete or inaccurate (see 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification or revocation procedures contained in 33 CFR 325.7 or to use enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

\_\_\_\_\_  
TRANSFEEE SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
NAME (Printed)

\_\_\_\_\_  
ADDRESS



Revised  
June, 2004

**SSBN  
General Application**

**General Application  
For  
Small-Scale Beach Nourishment Projects  
(SSBN)**

**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Office of Conservation and Coastal Lands  
P.O. Box 621  
HONOLULU, HAWAII 96809**



**PETER T. YOUNG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

**DAN DAVIDSON**  
DEPUTY DIRECTOR FOR LAND

**YVONNE Y IZU**  
DEPUTY DIRECTOR FOR  
THE COMMISSION ON WATER  
RESOURCE MANAGEMENT

<b>Before completing this form, read the Guidelines and Instructions for SSBN application.</b>	<b>DLNR USE ONLY</b> Permit No.: _____ Planner: _____ Date Received: _____
<b>Start date of proposed work: _____.</b>	
<b>PROJECT NAME: _____.</b>	
<b>For State of Hawaii, small-scale beach nourishment projects less than 10,000 yd<sup>3</sup> total volume.</b>	

1) **Property Owner(s) Information** (see Guidelines for SSBN Application - Note 1)

Is this a community association or partnership project? Yes \_\_\_ No \_\_\_

Attach additional owners information as needed.

Legal Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

Legal Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

2) **Primary Contractor Information** (see Guidelines - Note 2)

Name: \_\_\_\_\_

Scope of Work: \_\_\_\_\_

Street Address: \_\_\_\_\_

Contact Person & Position Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_

Scope of Work: \_\_\_\_\_

Street Address: \_\_\_\_\_

Contact Person & Position Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_

Scope of Work: \_\_\_\_\_

Street Address: \_\_\_\_\_

Contact Person & Position Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_

Scope of Work: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

3) **Emergency Contact Information** (see Guidelines - Note 3)

Company/Organization Name: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Phone No.: (\_\_\_\_) \_\_\_\_\_

Company/Organization Name: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Phone No.: (\_\_\_\_) \_\_\_\_\_

4) **Project Site Information** (see Guidelines - Note 4)

Project or community association name: \_\_\_\_\_

Government Project/Job No. (as applicable): \_\_\_\_\_

State/County Zoning. (as applicable): \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

Tax Map Key Number(s)							
Zone	Section	Plat	Parcel(s)	Ownership	Total Area (sq. ft)	Eroded Area (sq. ft)	Zoning

5) **Location Map and Shoreline Survey** (see Guidelines - Note 5)

Provide and attach a regional, vicinity and parcel map of project area and include recent photograph(s) of relevant coast and shoreline:

a. Maps submitted: \_\_\_\_\_

b. Photos submitted: \_\_\_\_\_

c. Shoreline Survey: (Date & Contractor)

Shoreline Delineation: \_\_\_\_\_

State Certification Map (If Applicable) : \_\_\_\_\_

d. Other surveys (Specify): \_\_\_\_\_

6) **Receiving State Water Information** (see Guidelines - Note 6)

a. Regional Name: \_\_\_\_\_

b. Classification: (check and explain appropriately)

1. Marine Waters: Class A \_\_\_\_\_ Type: \_\_\_\_\_

2. Marine Bottom Ecosystem: Class II \_\_\_\_\_ Type: \_\_\_\_\_

3. Water-Quality-Limited Segment:: Yes \_\_\_\_\_ No \_\_\_\_\_

c. Explain any "other" classifications:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7) **Project Description** (see Guidelines - Note 7)  
Project Classification (Category I or II)

*Note: Category II projects may require a seal from a certified civil engineer.  
(Attach separate sheets as needed):*

Primary Contractor and Type: \_\_\_\_\_

Attached Documents (If Applicable): \_\_\_\_\_

a. Project Category (I or II): \_\_\_\_\_

b. *Extraction* Site Street Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Tax Map Key (TMK): \_\_\_\_\_

Terrestrial extraction site is a permitted commercial quarry Company \_\_\_\_\_

Offshore Coordinates: Lat: \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " Lon: \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ "

UTM: North: \_\_\_\_\_ East: \_\_\_\_\_

c. *Nourishment* Site Street Address: \_\_\_\_\_

City, State and Zip+4 Code: \_\_\_\_\_

Tax Map Key (TMK): \_\_\_\_\_

d. Describe the overall project scope and purpose and evidence of need for proposed activities.  
(Attach separate sheets as needed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



- g. Provide scale drawings or photographs (with scale bar) of area to be excavated and filled. Include an estimate of the area (ft<sup>2</sup>) to be nourished. Delineate property boundaries, certified shoreline (if available), location and cross-section of beach profiles, existing and proposed temporary structures with cross-sectional views of any proposed temporary structures. Provide an estimate of the elevations and dimensions of the project area and a range of water depths of proposed activities.

Reference Diagram:

---

---

---

---

- h. Provide photographs of area to be excavated and filled before, during and after the nourishment project.

Dates of photos submitted with this application:

---

---

Additional survey work scheduled:

---

---

---

---

---

- i. Provide a description and engineering design of any proposed temporary structures including all retention or offshore structures. Include a design analysis of any offshore sand extraction.

---

---

---

---

---

---

---

---

---

---





---

---

---

---

---

- n. Describe the current recreational use of the project site and describe the potential impacts the proposed project might have. (ie. Impacts on swimming, surfing, canoe clubs, diving, fishing, tourism, ect.) Briefly identify the development style and land use of the project area, (undeveloped, urban, residential, condominium, agricultural, commercial, ect..)

---

---

---

---

---

---

---

---

---

---

- o. Identify and describe any known historic properties within or near the proposed project area and any mitigation commitments made to protect, restore, or data recover any of the identified properties. This could include properties such as stone features, fishponds, burial sites, cultural deposits, and traditional places.

---

---

---

---

---

---

---

---

p. Check Yes or No for the following items. Provide a detailed explanation for any "yes" answers. <small>(see Instructional Guidelines)</small>	<u>Yes</u>	<u>No</u>	<u>Contacted?</u>
Is any proposed work within the shoreline setback area? <sup>1</sup>	_____	_____	_____
Is any portion of this project within a Special Management Area? <sup>1</sup>	_____	_____	_____
Is any portion of this project within an endangered species habitat? <sup>2,3</sup>	_____	_____	_____
Is any portion of this project within a wetlands or estuary? <sup>2,3</sup>	_____	_____	_____
Is any portion of this project within a Marine Life Conservation District? <sup>4</sup>	_____	_____	_____
Is any portion of this project within a historical or cultural site? <sup>5</sup>	_____	_____	_____
Letter of Public Notice of Proposed Action submitted to the Office of Environmental Quality Control (OEQC)? <sup>6</sup>	_____	_____	
Date OEQC Contacted: _____ Authorizations attached:	_____	_____	

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Agencies Contacted: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8) **Description of the Native Sedimentary Environment and Compatibility of Proposed Nourishment Sediment.** (see Guidelines - Note 8)

a. Describe the existing **native** sediment type including size, composition and quality. Include grain size distribution, percent fines and color.

---

---

---

---

---

---

---

---

---

---

b. Describe the **proposed fill** sediment type including size, composition and quality. Include grain size distribution, percent fines and color.

---

---

---

---

---

---

---

---

---

---

c. Give an estimate of compatibility to fill site and evidence that proposed fill sediment meets the requirements for grain size ranges as specified in the Guidelines Section 8c. Provide justification for a lack of laboratory analysis if applicable. (For example fill sediment source is in the immediate area). Indicate an overfill ratio and method of calculation (if applicable).

---

---

---

---

---

---

---

---

---

---

- d. Provide one separate, bagged and labeled (~0.5 lb) sediment sample of both the extraction site and nourishment site to the DLNR Lands Division. (see Guidelines Note 8)

Sample sent or delivered (Date): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- e. List name and contact numbers for laboratory to be used for sediment analysis:

Lab name, contact name and phone number. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9) **Project Schedule** (see Guidelines - Note 9)

- a. Provide the estimated date or dates on which the activity will begin and end:<sup>1</sup>

<sup>1</sup> See Article V.22 TERMS of the Guidelines

\_\_\_\_\_  
\_\_\_\_\_

- b. Provide the date or dates that the excavation and or nourishment(s) will take place:

\_\_\_\_\_  
\_\_\_\_\_

10) **Site-Specific Best Management Practices (BMP) Plan** (see Guidelines - Note 10)

- a. Separate maps are attached \_\_\_Yes Using existing map\_\_\_\_\_ (Indicate which)

- b. Project monitoring and oversight responsibility (If different than Section 3 Emergency Contact).

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Contact number(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

c. Construction sequence and duration.

---

---

---

---

---

---

d. Construction or nourishment materials and equipment to be used and the anticipated dates of installation/mobilization and removal.

---

---

---

---

---

---

e. Characteristics of potential pollutants associated with the proposed nourishment or construction activity.

Source	Composition	Potential Pollutant	Quantity	Duration





12) **Summary of Supporting Documents** (see Guidelines - Note 12)

List and submit applicable maps, photos, plans, specifications, copies of associated permits or licenses, federal applications, Environmental Assessments or Environmental Impact Statements, as applicable, etc.

	<u>Document Title</u>	<u>Page Referenced</u>	<u>Document Date</u>
a)	_____	_____	_____
b)	_____	_____	_____
c)	_____	_____	_____
d)	_____	_____	_____
e)	_____	_____	_____
f)	_____	_____	_____
g)	_____	_____	_____
h)	_____	_____	_____
i)	_____	_____	_____
j)	_____	_____	_____
k)	_____	_____	_____
l)	_____	_____	_____
m)	_____	_____	_____
n)	_____	_____	_____
o)	_____	_____	_____
p)	_____	_____	_____
q)	_____	_____	_____
r)	_____	_____	_____
s)	_____	_____	_____
t)	_____	_____	_____
u)	_____	_____	_____
v)	_____	_____	_____



14) **Authorization of Representative** (see Guidelines - Note 14)

Check one and complete the appropriate space(s). Alteration of this item will result in the invalidation of the authorization statement(s).

- a. This statement authorizes the named individual (s) or any individual occupying the named position of the company/organization listed below to act as our representative to process the following General Application for Small-Scale Beach Nourishment for the subject project. The Owner hereby agrees to comply with and be responsible for all permit terms and conditions.

Said representative is further authorized to fulfill all terms and conditions of this application:  
Yes \_\_\_\_\_ No \_\_\_\_\_

1. Company/Organization Name: \_\_\_\_\_

Street Address : \_\_\_\_\_

City, State and Zip Code+4: \_\_\_\_\_

Authorized Person & Title: \_\_\_\_\_

Phone No.: ( ) \_\_\_\_\_ Fax No.: ( ) \_\_\_\_\_

Effective date(s): (m/d/y) \_\_\_\_\_

- b. A separate statement is attached. Yes \_\_\_\_\_ No \_\_\_\_\_

15) **Certification** (see Guidelines - Note 15)

Alteration of this item will result in the invalidation of this application.

\_\_\_\_\_ I certify that for a municipal agency, I am a principal executive officer or ranking elected official.

\_\_\_\_\_ I certify that for a state agency, I am a principal executive officer or ranking elected official.

\_\_\_\_\_ I certify that for a federal or other non-federal public agency, I am a principal executive officer or ranking elected official.

\_\_\_\_\_ I certify that for a federal agency, I am the chief executive officer of the agency, or I am the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

\_\_\_\_\_ I certify that I am a general partner for a partnership or association.

\_\_\_\_\_ I certify that I am the proprietor for a sole proprietorship.

\_\_\_\_\_ I certify that I am the legal owner of a private residence or property.

\_\_\_\_\_ I certify that for a corporation or association, I am the President, Vice President, Secretary, or Treasurer of the corporation or association and in charge of a principal business function, or I perform similar policy or decision-making functions for the corporation or association:

\_\_\_\_\_ I certify that for a corporation, I am the Manager of one or more operating facilities and have the authority to sign documents has been assigned or delegated to me in accordance with corporate procedures.

\_\_\_\_\_ I certify that for a trust, I am a trustee.

In accordance with all applicable State of Hawaii and federal statues there is reasonable assurance that the proposed activity will be conducted in such a manner which will not violate basic water quality criteria applicable to all waters and in a manner consistent with the DLNR, COE, DOH and CZM programs where the proposed nourishment would take place.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

Company/Organization Name: \_\_\_\_\_

Phone No.: ( ) \_\_\_\_\_ Fax No.: ( ) \_\_\_\_\_

16). **Filing Fee** (see Guidelines - Note 18)

Check one and complete the appropriate space(s). Non-refundable filing fee.

Check # \_\_\_\_\_

- \_\_\_\_\_ Category I Project (\$50)  
\_\_\_\_\_ Category II Project (\$250)  
\_\_\_\_\_ Attached to application

Payable to: *State of Hawaii*

Inquiries and Submittals:

SSBN inquiries and submittals shall be directed to the street or mailing address listed below: <http://www.state.hi.us/dlnr/lmd/>

(1) *Street Address*

State of Hawaii  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
1151 Punchbowl Street, Room 220  
Honolulu, Hawai`i 96813

(2) *Mailing Address*

State of Hawaii  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
P.O. Box 621  
Honolulu, Hawaii 96809

Questions should be directed to the DLNR Coastal Lands Division at (808) 587-0381, 587-0439 or fax number (808) 587-0455.

Note: The length of time required to process this permit will be directly related to the complexity of the project and the adequacy and completeness of the information submitted by the applicant (see Section V.4 of the Guidelines manual).

**SSBN Application Checklist**

If any item is listed as "no," attach a sheet with the reason for its exclusion from the application.  
 Sections 10g, 12, 14 and 15 may be omitted (with a "N/A" answer ) if applicable.

Item Number	Description	Item addressed? (yes/no)
1.	Owner Information .....	_____
2.	General Contractor Information .....	_____
3.	Emergency Contact Information .....	_____
4.	Project Site Information .....	_____
5.	Location Map and Survey Information .....	_____
6.	Receiving State Water Information .....	_____
7.	Project Description.....	_____
	Proof of \$1,000,000 Liability Insurance (attached) .....	_____
8.	Description of the Native Sedimentary Environment and Compatibility of Proposed Nourishment Sediment.....	_____
9.	Project Schedule.....	_____
10.	Site-Specific BMP Plan.....	_____
	10.g Letter to Environmental Notice (Draft attached) .....	_____
11.	Applicable Monitoring and Assessment Plan.....	_____
12.	Supporting Documents .....	_____
13.	Additional Information .....	_____
14.	Authorization of Representative.....	_____
15.	Certification .....	_____
16.	Filing Fee (\$50 Category I; \$250 Category II) is attached .....	_____
17.	Number of copies with supporting documents submitted	
	b) One (1) copy for projects on Oahu with owner's original signature .....	_____
	c) Two (2) copies for projects on islands other than Oahu (one with owner's original signature) .....	_____

LINDA LINGLE  
GOVERNOR



PETER T. YOUNG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DAN DAVIDSON  
DEPUTY DIRECTOR FOR LAND

YVONNE Y IZU  
DEPUTY DIRECTOR FOR  
THE COMMISSION ON WATER  
RESOURCE MANAGEMENT

# Instructional Guidelines for General Application For Small-Scale Beach Nourishment Projects (SSBN)



Revised  
June, 2004

**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
P.O. Box 621  
HONOLULU, HAWAII 96809

**SSBN**  
**General Application**  
**Guidelines**

## TABLE OF CONTENTS

<u>Note</u>	<u>Page</u>
Article I PURPOSE.....	3
Article II SCOPE and JURISDICTION .....	3
Article III EXCLUSIONS.....	5
Article IV LIMITATIONS.....	5
Article V TERMS.....	7
Article VI GENERAL APPLICATION REQUIREMENTS.....	11
Article VII APPLICATION PROCESS AT A GLANCE.....	12

## Instructions for Completion of General Application

1. Owner Information.....	14
2. General Contractor Information.....	14
3. Emergency Contact Information.....	14
4. Project Site Information.....	14
5. Location Map and Shoreline Survey.....	14
6. Receiving State Water Information.....	15
7. Project Description.....	16
7B. Resource Agency Contact Information .....	20
8. Description of Existing Sedimentary Environment and Compatibility of Sediment.....	22
9. Project Schedule.....	24
10. Site-Specific Best Management Practices (BMPs) Plan.....	24

LINDA LINGLE  
GOVERNOR



PETER T. YOUNG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DAN DAVIDSON  
DEPUTY DIRECTOR FOR LAND

YVONNE Y IZU  
DEPUTY DIRECTOR FOR  
THE COMMISSION ON WATER  
RESOURCE MANAGEMENT

# Instructional Guidelines for General Application For Small-Scale Beach Nourishment Projects (SSBN)

**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

P.O. Box 621  
HONOLULU, HAWAII 96809



Revised  
June, 2004

**SSBN**  
**General Application**  
**Guidelines**

11. Applicable Monitoring and Assessment Plan.....26

12.	Supporting Documents.....	28
13.	Additional Information.....	28
14.	Authorization of Representative.....	29
15.	Certification.....	30
16.	Filing Fee.....	30
17.	General Processing Information	
	a. Availability of SSBN Applications .....	31
	b. Inquiries and Submittals.....	31
	c. Filing Fee.....	31
	d. Completeness of the SSBN Application.....	32
	e. Notification.....	32
	f. Public Notices.....	33
	g. SSBN Issuance.....	33
	h. Abbreviations.....	34
	Appendix A	
	General Monitoring Guideline for Section 401 Water Quality Certification Projects.....	35

## **Article I. PURPOSE:**

*To provide a viable alternative to shoreline hardening through the development and enhancement of a beach nourishment and restoration program, encouraging landowners to consider beach nourishment over hard shoreline armoring. Provide a streamlined application process for Small-Scale Beach Nourishment (SSBN) and restoration projects by consolidating the permit processing functions solely within the Department of Land and Natural Resources (DLNR). To integrate the following permits: the statewide DLNR, Conservation District Use Permit (CDUP), the Department of the Army (DA), State Programmatic General Permit (SPGP), the State of Hawaii Department of Health (DOH) Section 401 Water Quality Certification (WQC) and the Hawaii Coastal Zone Management (CZM) Federal Consistency Review into one application managed by the DLNR.*

## **Article II. SCOPE AND JURISDICTION:**

The general conditions, limitations and terms set forth below are and must be included and adhered to in all authorizations processed under this permit.

For the placement of up to 10,000 yd<sup>3</sup> of carbonate sand in the waters and land of the State of Hawaii as a viable alternative to shoreline hardening and beach loss. The DLNR will retain the authority to issue permits for the Small-Scale Beach Nourishment projects as outlined in this manual. The State of Hawaii, Board of Land and Natural Resources (BLNR) has delegated to the Chairperson of the BLNR, (hereafter referred to as the Chairperson), the authority to issue Category I Permits (< 500 yd<sup>3</sup> of sand seaward of the shoreline) without consultation of the BLNR. The BLNR further delegates to the Chairperson of the BLNR the authority to issue Category II Permits (500 to 10,000 yd<sup>3</sup> of sand) subject to the consent of the DLNR and/or the BLNR in conjunction with a review by a Panel of Technical Experts (PTE) and is subject to the following conditions:

- 1) The BLNR hereby delegates the authority to issue Category I and II permits for small-scale beach nourishment(s) under the conditions set forth in this guide.
- 2) This permit provides authorization for activities only within coastal lands within the jurisdiction of the State of Hawaii. This commonly occurs between the certified shoreline as the landward boundary and the 3-mile offshore limit as the State seaward boundary.
- 3) Additional permitting may be required for removal or access through county zoned lands as described in Section 7B.

- 4) Additionally, a Right of Entry Permit will be required in addition to this permit if accessing state land through county lands. Contact your respective agency for more information as outlined in Section 7.p.2
- 5) Category II permits shall be published in the Environmental Notice. See section V.8.
- 6) On a case by case basis, permits may be authorized for the installation of temporary, small-scale retention devices, such as geotextile bags. These structures are intended to retain the placed sand where the effects of structure(s) on coastal processes, marine organisms, abutting property, view planes and public access can be found to be negligible.
- 7) On a case by case basis, and as decided by the DLNR/BLNR or the PTE, permits may be denied if a beach nourishment project has/is been carried out in the immediate area or littoral cell so as the cumulative effects may exceed the scope of this application form.
- 8) Temporary installation and subsequent removal of construction-related erosion protection measures, including but not limited to appropriate and effective silt containment devices.
- 9) Dredging or excavation of sand from a boat harbor, stream mouth, channel-clearing project or the adjacent nearshore area where the sand is placed in the same littoral cell or on an adjacent beach, (within the same littoral cell) as determined by the DLNR, PTE and DOH.
- 10) Pumping or excavation of sand from the offshore area to adjacent beaches to counteract chronic erosion or pumping into a geotextile bag which is used for protection on the adjacent beach, shall be permissible only if accomplished in conjunction with sand placement for nourishment, restoration or enhancement on existing or recently lost sand beaches and under certain situations where the effects of the structures on coastal processes, marine organisms, mauka property and public access, can be shown to be negligible or otherwise benign due to existing conditions and under the condition that the extraction of the sand will not cause adverse effects to the beach profile and is subject to review and approval by the PTE.

### Article III. EXCLUSIONS:

- 1) Any placement of over 10,000 yd<sup>3</sup> of sediment is excluded in this permit and requires individual consultation with the COE, DOH and DLNR.
- 2) Coinciding projects within the same littoral cell that would have the collective or cumulative placement of more than 10,000 yd<sup>3</sup> of sand, within the 1 year permit period.
- 3) Activities that occur outside of the jurisdiction of the State of Hawaii, DLNR. *In this case the applicant will need to consult the relevant agencies including the ACOE and DOH for more information on individual shore water permits.*
- 4) No activity may be authorized in the following water bodies:
  - I. Natural Freshwater lakes, saline lakes and alkaline pools as identified in the Hawaii Administrative Rules (HAR) 11-54-05.2 (a).
  - II. Inland Waters: Class 1 as identified in HAR 11-54-03 (b) (1) and 11-54-05.1.
  - III. Estuaries as identified in HAR 11-54-03 (b) (2) and 11-54-05.1 (b) and 11-54-06.
  - IV. Marine Waters: Class AA as identified in HAR 11-54-03 (c) (1) and 11-54-06.
  - V. Embayments as identified in HAR 11-54-03 (c) (1) and 11-54-06.
  - VI. Marine Bottom Ecosystems other than Class II Sand Beaches as identified in HAR 11-54-03 (d) (2) and 11-54-07 (a).
  - VII. Water Quality Limited Segments listed by the Hawaii State Department of Health according to section 303 (d) of the Federal Clean Water Act. Visit <http://www.state.hi.us/doh/eh/cwb/wqmaps/wqstand.htm> for more information on Marine Water classifications.

#### Article IV. LIMITATIONS:

- 1) The grain size distribution and compatibility of sediment will be determined as follows:
  - I. Grain size distribution of at least one typical, sample of the beach fill and native sand shall be analyzed by a standard laboratory wet sieve technique (ASTM standard D-1140-92). Washing of the sand sample shall be carried out, the collected wash water filtered with a #200 filter and the silt and clay portions dried, weighed and expressed as a percentage of the total mass of sediment (ASTM Standard D-22-17-93). At least 6 sieves will be employed incorporating the U.S. Standard #4 to #200 sieves. Shaking the oven dried sand through a "nest" of these 6 sieves the final distribution of mass of each sieve sediment size is expressed as a percentage of the total mass of sediment. See section 8.c.
  - II. The proposed fill sand shall not contain more than six (6) percent fines, defined as the #200 sieve (0.074 mm). This may be adjusted by the PTE or the Chairperson based on the analysis of the existing native beach sand.
  - III. The proposed beach fill sand shall not contain more than ten (10) percent coarse sediment, defined as the #4 sieve (4.76 mm). This may be adjusted by the PTE or the DLNR Chairperson based on the analysis of native beach sand.
  - IV. Compatibility of the existing native and proposed fill beach sands shall be demonstrated by the grain size distribution of the fill sand and shall fall within twenty (20) percent of the native sand, as measured by a percent finer than or percent coarser than value. For example, if the native sand has a 45% grain size finer than the #100 sieve, the proposed fill sand must contain between 25% and 65% grain size finer than the #100 sieve.

Alternatively, and for cases where the beach fill grain size distribution curve is uniformly finer than the existing beach, the overall fill ratio of the fill sand to native sand shall not exceed 1.5. Overfill factor shall be calculated using the U.S. Army Corps of Engineers method of overfill factor, RA, determined by comparing mean sediment diameter and sorting values of the native beach and borrow sediments (in phi,  $\phi$ , units). See Coastal Engineering Manual V-4.1.e.3 Sections h and I on sediment suitability and overfill factor.

<http://www.wes.army.mil/export/home/http/htdocs/chlc/PartV-Chap4.pdf>

- V. No more than 50 (fifty) % of the fill sand shall have a grain diameter less than 0.125 mm as measured by #120 Standard Sieve Mesh.

- VI. Beach fill shall be dominantly composed of naturally occurring carbonate beach or dune sand. Crushed limestone or other man made or non carbonate sands are unacceptable.
- VII. The applicant shall demonstrate that the proposed beach fill sand was obtained from an approved source and has been reviewed and authorized by the appropriate authority including but not limited to the Historic Preservation Division.
- VIII. All placed material shall be free of contaminants of any kind including: excessive silt, sludge, anoxic or decaying organic matter, turbidity, temperature or abnormal water chemistry, clay, dirt, organic material, oil, floating debris, grease or foam or any other pollutant that would produce an undesirable condition to the beach or water quality. Should the DLNR determine the sand quality inferior, the applicant may be asked to provide better quality sand or screen the existing sand for contaminants.

#### **Article V. TERMS:**

- 1) For projects authorized under this permit, the applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under projects authorized under this permit.
- 2) No activities or work authorized under this permit shall be used to increase the private property boundary or move the certified shoreline makai (seaward).
- 3) Beach nourishment permits will be granted on a case by case basis per location or littoral cell (as defined and decided by the DLNR or PTE). Each applicant is allowed (but not guaranteed) a total of 10,000 yd<sup>3</sup> per year, including re-nourishments. The DLNR will judge the appropriateness and need of additional or continued nourishment projects within each littoral system.
- 4) For additional re-nourishment projects within one year of the original work, the applicant shall re-apply with the SSBN application. Re-nourishment shall not exceed 10,000 yd<sup>3</sup> per year total including the original sand placement. For example 5,000 yd<sup>3</sup> as the first fill and 5,000 yd<sup>3</sup> for re-nourishment within a one year period is acceptable.
- 5) Abutting projects shall be considered collectively and with regard to the cumulative effect of the impact of the projects. For example two applicants (in

the same littoral cell) applying for 10,000 yd<sup>3</sup> each may exceed the intent of this application and will need to reduce the scope or apply separately to each regulatory agency out side of the coverage of this application.

- 6) The applicant shall be required to carry out a shoreline determination and submit the findings as soon as possible with the application. The DLNR reserves the right to require a shoreline certification from the applicant.
- 7) Abutting landowners will not be permitted to claim areas artificially nourished with sand under the State's accretion laws for projects authorized under this permit.
- 8) The applicant shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state and county governments for projects authorized under this permit. The applicant is shall comply with new laws and regulations that may take effect after the original SSBN permit is issued.
- 9) When the DLNR Chairperson is notified by the applicant or any state or federal agency or the public that an individual activity deviates from the scope of an application approved under this permit, or activities are adversely affecting fish or wildlife resources or their harvest, the Chairperson will direct the permittee to undertake corrective measures to address the condition affecting these resources. The permittee must immediately suspend or modify the activity in order to mitigate or eliminate the adverse effect, or risk having the permit revoked.
- 10) DLNR will direct the permit holder to suspend all work if historic properties, including burials, are uncovered during a SSBN project and to immediately contact SHPD or OCCL, DLNR. DLNR will also direct a permit holder to suspend all work if DLNR is notified by the public or another agency that historic properties or burials are being adversely affected by the project. If historic properties or burials are being affected, work will be suspended or modified to the extent necessary to mitigate any adverse effects. If human remains are discovered, the permit holder is to contact the SHPD immediately pursuant to section 6E-43.6, HRS.
- 11) No activity will be authorized under this permit which is likely to adversely affect a federally listed threatened or endangered species or a species proposed for such a designation, including the destruction or modification of its designated critical habitat, a recognized sanctuary or refuge.
- 12) No activity authorized by this permit may substantially disrupt the movement of those species of aquatic life indigenous to the area, including those species that normally migrate through the area.
- 13) No activity may occur in known turtle-nesting areas during egg-laying and hatching periods.

- 14) The applicant shall discontinue work on the beach during storm, or high surf.
- 15) No activity that may affect historic properties listed, or eligible for listing, in the National Register of Historic Places may be authorized without the Army Corps and the Hawaii State Historic Preservation Officer entering into a Memorandum of Agreement to resolve these adverse effects pursuant to 36 CFR 800.6.
- 16) No activities that may disrupt or otherwise adversely affect organisms or habitats in areas of recognized biological importance such as coral reefs, mud flats, vegetated shallows, fish spawning grounds and areas of concentrated shellfish production without the consent of the National Marine Fisheries Service, the Division of Aquatic Resources and the U.S. Fish and Wildlife Service.
- 17) On a case-by-case basis, the DLNR in conjunction with other agencies or the PTE may impose special conditions and additional terms on projects authorized under this permit, which are deemed necessary to minimize any adverse environmental or social impacts.
- 18) To avoid encroachments upon areas nourished with sand, affected property owners realize the State may claim the sand added or accreted resulting from the proposed activities. To facilitate any future shoreline certifications, the affected shoreline property owners are encouraged to document their present shorelines with photographs or certified shoreline surveys before nourishment.
- 19) No significant or lasting contamination of the marine or shoreline environment (as determined by the DLNR, the PTE, DOH or other resource agency) shall result from any project-related activity associated with this permit. In the event of any petroleum spill on the beach or in the water, the operator shall take immediate steps to contain and remove the contaminant. During sand placement, care shall be taken to protect existing dune vegetation and other vegetation along the shoreline.
- 20) Additional analytical laboratory testing of the proposed fill sand will be required when there is probable cause to believe that the material is unsuitable for beach use or contaminated in any way.
- 21) All monitoring results shall be forwarded to the DLNR and Department of Health, Clean Water Branch (CWB) as soon as available see section 7.p.7. Field water quality monitoring data shall be forwarded daily to the CWB.
- 22) The DLNR and/or PTE reserves the right to request core(s) from the proposed sand fill source to ascertain the variation in sediment conditions.
- 23) Applicants must submit a final compliance report to the DLNR within two (2) months of completion of the authorized activities. The report must include, as

appropriate, a description of construction activities, discussion of any deviation from the proposed design and the cause of these deviations, discussion of any corrective actions necessary and photographs documenting the progress of the permitted work. Category II permits require additional results from environmental monitoring, including beach profiles before and after the nourishment.

- 24) Any work or construction authorized under this permit shall be initiated within six (6) months of the approval of such use, and shall be completed within one (1) year of the approval. The applicant shall notify the DLNR in writing 1 week before construction activity is initiated and when it is completed. Applicants shall:
- a. Invite the Department of Health (DOH) representative(s) to attend the pre-construction meeting, if applicable, established for the proposed sand placement activity;
  - b. Notify the DOH's Clean Water Branch (CWB) [ (808) 586-4309] and appropriate District Health Office (DHO) [Hawaii: (808) 933-0401, Maui: (808) 984-8234, Kauai: (808) 241-3323] at least three (3) working days before any work is to begin; and
  - c. Notify the CWB and appropriate DHO in writing within 14 days of the completion of the proposed sand placement related activities.
- 25) The applicant shall Implement Best Management Practices (BMP) and an appropriate monitoring and assessment plan, including the ability to contain and clean up fuel, fluid, or oil spills immediately for projects authorized under this permit and immediately report any spill(s) or other contamination(s) that occurs at the project site to the CWB and the appropriate DHO. The applicant shall review and update the adequacy of these plans as needed and update the DLNR of any changes to the original BMPs or monitoring program as stated in Section 10 Site-Specific Best Management Practices (BMP) Plan
- 26) Equipment must not be refueled in the shoreline area. The applicant shall ensure construction or other objectionable material is contained and prevented from entering state waters. Heavy equipment shall not be allowed to enter waters except to remove a sand plug from the stream mouth and/or during sand pumping activity while effective silt containment devices are properly deployed/maintained surround the equipment and the equipment is properly mounted on a barge or similar vessel.
- 27) If temporarily installed retention structures (including geotextile bags and geotubes) are found by the PTE or DLNR Chairperson to be ineffective or if the structures cause unanticipated impacts to the area, they shall be removed at the applicant's expense, within thirty (30) days upon written notification to the applicant by the DLNR.
- 28) Temporary soil stabilization shall be applied in vulnerable areas that will remain unfinished for more than 30 days.

- 29) The applicant, contractor, agent or duly authorized representative as identified in section 14 shall maintain a copy of the SSBN verification letter and a copy of the WQC/NPDES verification letter from the DOH authorizing work activities at the construction site or at a nearby field office.
- 30) The applicant is required to notify all abutting property owners and community organizations that may be affected by the proposed activities. In addition, each of these property owners or community organizations shall be notified of the time, place and date that the proposed activities are scheduled to commence.
- 31) Failure on the part of the applicants to comply with any conditions imposed on projects authorized under this permit shall render the permit null and void.
- 32) The applicant understands and agrees that, if future operations by the United States requires removal, relocation or other alteration, of the structure or work herein authorized, or if in the opinion of the DLNR or an authorized resource agency, the said structure shall cause reasonable obstruction to the free navigation of state or federal waters, the permittee will be required, upon notice from the DLNR to remove, relocate or alter the structure without expense to the state or federal governments. No claim shall be made against the United States or the State of Hawaii on account of any such removal or alteration.

## **Article VI. General Application Information:**

- 1) The length of time required to process this permit will be directly related to the complexity of the project and the adequacy and completeness of the information submitted by the applicant. Generally, Category I projects might be expected to be approved within 4 to 6 weeks. The DLNR, ACOE and DOH or any other reviewing agency, shall have at least 30 days to review and provide comment after receiving a copy of the Notification. The owner or duly authorized representative shall properly address these comments within 30 days of receiving the notification. Failure to properly address these comments or correct a deficiency in a timely manner shall be sufficient grounds for denial of a request for the permit. Category II permits require publication in the Environmental Notice which may add at least 6 (six) weeks and may be subject to further PTE and DLNR review. The applicant can expect approval or denial 60 (sixty) days from the date the application is completed.
- 2) The applicant shall take measures to ensure that the public is adequately informed of the project scope before construction and will submit a Public Notice of Proposed Action to the Office of Environmental Quality Control (OEQC) for publication in the Environmental Notice (Category II permits only). Submission to the OEQC may occur concurrently with the submission of this application to the DLNR. Provide a draft copy of the letter to the Environmental Notice to the DLNR. The public will have a 30 day comment period for any proposed projects as outlined in the OEQC bulletin policy. In the public notice, a brief description of the public safety and information plan shall be outlined as described in Section 10.g.
- 3) The applicant shall take measures to ensure the public is adequately informed of the project work once it is initiated and of the need to avoid the project area during these activities due to health or safety concerns see section 10.g Site-Specific Best Management Practices (BMP) Plan.
- 4) The SSBN permit will be valid for a period of one year from the date of issue and will be subject to (but not limited) to the terms set forth in Section V.22 of this document.

## Article VII. Application Process at a Glance: (6 Steps)

The length of time required to process this permit will be directly related to the complexity of the project and the adequacy and completeness of the information submitted by the applicant.

*Step 1:* Complete the General Application for Small-Scale Beach Nourishments (SSBN.doc). Provide all requested information. Follow this document, *Instructional Guidelines (SSBNGUIDE.doc)* for more detailed information. Questions regarding the General Application see footnote 2.

*Step 2:* For Category II projects (>500 yd<sup>3</sup> or extracting sand from offshore), the applicant shall submit a Public Notice of Proposed Action to the Office of Environmental Quality Control (OEQC)<sup>1</sup> for publication in the Environmental Notice concurrently with the General Application for Small-Scale Beach Nourishment in order to speed up the review process. Provide a draft copy of the letter of intent with the General Application form submitted to the DLNR<sup>2</sup>. The OEQC requires a 2-week deadline for publication as well as a 30-day period for public comment.

*Step 3:* The DLNR will review the General Application and may require an independent review by a Panel of Technical Experts (PTE) if the project is complex or requires offshore extraction of sand. Generally, an initial review of the application will be complete within 30 days and a notice will be sent to the applicant requesting more information if needed or if there are problems anticipated with the project.

*Step 4:* The DLNR will provide a confirmation letter to the applicant upon completion and approval or denial of the application within 60 (sixty) days. Note: Work must commence within 6 (six) months and be completed within one (1) year from the date of approval by the DLNR. Notify the DLNR at least 1 week before commencing construction and after completion.

*Step 5:* Additional county SMA permits may be required and the applicant should contact their county representative<sup>3</sup> to ensure adequate county permits have been completed. See section 7.p of this document for more information on other resource agencies that may be involved.

*Step 6:* A final completion report is due to the DLNR within two (2) months of completion of the approved activities.<sup>4</sup> Additionally, if retaining structures are left in place, then the applicant will provide photo-documentation of the structures two (2) times annually for two (2) years<sup>5</sup>

- <sup>1</sup> Office of Environmental Quality Control  
235 S. Beretania St., Suite 702  
Honolulu, Hawaii 96813  
Phone: (808) 586-4185 Fax: (808) 586-4186  
E-Mail: OEQC@mail.health.state.hi.us  
<http://www.state.hi.us/health/oeqc/submissions/publication-instructions.pdf>
- <sup>2</sup> State of Hawaii  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
P.O. Box 621  
Honolulu, Hawaii 96809  
(808) 587-0381, 587-0439  
(808) 587-0455 Fax
- <sup>3</sup> Oahu: Planning and Permitting (808) 523-4432  
Kauai: Planning Dept (808) 241-6677  
Maui: Planning Dept (808) 270-7735  
Hawaii: Planning Dept (808) 327-3510
- <sup>4</sup> See Section 11.b of this document.
- <sup>5</sup> See Section 7.h of this document.

# Instructions for Completion of General Application

## Guidelines and Additional Information

(Small-Scale Beach Nourishment General Application)

### 1. Owner Information

The owner is the organization or person(s) which/who is the legal owner of the abutting land. If this is a community association or partnership, list all legal partners and their contact information. Association information is required in Section 4.

### 2. General Contractor Information

List the organization(s) that is in charge of construction and management of the project. This information must be provided to the DLNR 30 days before any construction or nourishment is to begin. If there are multiple construction, engineering or other companies responsible for project management, provide a list of each and their responsibilities.

### 3. Emergency Contact Information

Provide the name and two phone numbers of at least two persons who may be contacted in case of emergency or complaint regarding the project.

### 4. Project Site Information

Provide the project or association name. Provide any government project or job numbers if applicable. Provide the physical street address of the project site and Tax Map Key numbers of any properties involved with the project along with the county zoning for each lot. Include the land area and estimated eroded area as applicable.

### 5. Location Map and Shoreline Survey

- a. Provide the DLNR with regional, vicinity and parcel maps of the project site. List maps submitted. Label geographical coordinates on map in latitude/longitude or UTM coordinates. Provide TMK numbers for property.
- b. Provide the DLNR with any relevant photographs, aerial or other, that show the position of the property and the current condition of the coast and shoreline. Identify the project site on photographs and list photographs submitted. Applicant may use the same photographs for section 7h for pre-nourishment conditions and Section 7.g maps.
- c. Provide a copy of a professional shoreline survey if available. A professional shoreline delineation is required at a minimum. If there is a current state certified shoreline provide a copy of the certification map. Provide copies of any other surveys conducted on the site.

**6. Receiving State Water Information** (See Article III for Exclusions.)

- a) Provide a regional name for the state waters of the project area.
- b) 1. Provide the current classification and type for the State Marine Waters. Embayment, Open Coastal or Oceanic waters.  
2. Marine Bottom Ecosystem of the project area.<sup>5</sup>  
3. List any Water Quality-limited segments in or near the project area.<sup>6</sup>
- c) Provide a detailed explanation and justification for any State Marine Waters or Marine Bottom Ecosystems classifications that are not listed above.

See Note 18.k. for definitions of “discharge,” “pollutant,” “discharge of a pollutant,” “discharge of pollutants,” “navigable waters,” and “waters of the United States.”

---

<sup>5</sup> Project must meet a sand beach classification (Class II Marine Bottom Ecosystem, HAR, Paragraph 11-54-03 (d) (2) and subsection 11-54-07 (a).

<sup>6</sup> Water Quality-limited segments listed by the DOH pursuant to CWA subsection 303 (d) are also restricted. A summary of impacted water-quality limited waters is available at: <http://www.hawaii.gov/health/environmental/water/cleanwater/wqsmaps/index.html>

## 7. Project Description

Provide general background information on the location, environment and scope of problem at the proposed project site. Include the engineering firm name (Category II Permits only). The PTE will review each project to determine if the proposed company or engineering firm is qualified to carry out the design and project management. In some cases the PTE may waive the requirement for a seal of an engineer.

- a) Provide the project classification as follows:  
**Category I** Placement of less than 500 yd<sup>3</sup> total sand volume.  
**Category II** Placement of 500 yd<sup>3</sup> to 10,000 yd<sup>3</sup> total sand volume.  
**Note:** Any placement of over 10,000 yd<sup>3</sup> is excluded from this application and requires individual consultation with the DLNR, COE/DA, DOH, CZM and County resource agencies.
- b) Provide the physical address or detailed location of the sand *extraction* site with TMK number. Terrestrial extraction sites must be permitted commercial quarries. Provide the geographical coordinates and descriptive photographs for section 7g. and h. If extraction site is offshore provide location coordinates. The Panel of Technical Experts (PTE) appointed by the DLNR will establish sediment sampling parameters and design analysis.
- c) Provide the physical address or detailed location of the sand fill or *nourishment* site. Provide the geographical coordinates and descriptive photographs for section 7g. and h.
- d) Describe the overall project scope and purpose. Is this a temporary emergency measure for a localized erosion problem or a planned regional nourishment with wide spread community benefits. Provide evidence for the need to carry out the proposed activities. Describe the long-term inter-annual projections of the beach state in the future and how will the project lifespan interact with the forecasted beach state. *Describe what alternative measures have been attempted or considered and the reason for their failure or rejection.*
- e) Provide an assessment of the primary cause(s) of the beach erosion or sand loss at the project site. If a claim is made that neighboring or nearby manmade structure(s) has affected the coastal process at the site give an exact location of the structure(s) and provide supporting evidence including a developmental history of the structure(s) (with pictures if available). Include and identify surrounding structure(s) in the scale drawings of section 7g. Describe how the proposed project will correct or reduce the existing erosion problem. Provide an estimate of the designed longevity of the proposed project and give any planned or anticipated

(re)nourishment dates. If a temporary sandbag structure is to be used provide a scheduled or estimated date of removal.

- f) Describe the method of sediment extraction and delivery. Provide details of the method of removal, transportation and delivery of extracted sediment. Give an estimate of the duration of these activities and proposed equipment to be utilized.
- g) Provide scaled drawings and/or photographs (aerial if possible) of the project site. Provide a scale bar, north arrow and legend where possible. Clearly label and delineate the property line, areas to be excavated and filled, certified shoreline, mean higher high water (MHHW), vegetation line, existing beach access ways, beach profile locations and existing and proposed structures. Clearly label any existing or proposed structures that are described in section 7e. above.

Provide cross-sectional views of the existing native beach profile from the back beach dune or land mauka of any shoreline structures, seaward as far as the first occurrence of hard bottom (reef or rock) or profile depth of closure. Show the designed beach fill (proposed beach shape) and label the existing structures, vegetation line, sea-level and hard bottom (reefs or rocks).

Provide cross-sectional views of any proposed structures with an estimate of site elevations, dimensions of the project area and the range of water depths of the proposed activities. Provide a map of the proposed transportation route for the excavated material. Permanent shoreline structures, Category II nourishments or excavation of offshore sand may require a seal of a certified coastal engineer as described in Section 7 above.

- h) Provide recent photographs of the excavation and fill sites before, during and after the proposed activities. Multiple photographs of the excavation and fill sites should be labeled with the location, date and time. The photographs should cover several hours of time or the duration of excavation and fill activities. If the excavation and fill are carried out over several days provide (at a minimum) a photograph from each day, preferably a sequence of time over each day. Provide dated and labeled additional photographs of any structures or sand retention devices during installation and immediately after installation.

If structures or sand retention devices are to be left in place beyond the initial nourishment activities provide photographs of these structures twice annually for two (2) consecutive years. In some cases, post-project beach profiling may be required for larger-scale nourishment projects that occur in the vicinity of coral reefs. Additional beach profiling surveys and coastal process assessments may be required on a case-by-case basis by the DLNR in conjunction with the DOH, COE, CZM, National Marine Fisheries (NMF) and a Panel of Technical Experts (PTE) as appropriate.

- i) Provide a description and engineering design of any proposed temporary structures including all retention structures, geo-textile bags or offshore structures. Provide a description of the type of materials to be used and an assessment of their durability and compatibility on the shoreline, the method of emplacement and the estimated date of removal. Include a design analysis of any offshore sand extraction. DLNR staff in consultation with the PTE may require additional design information as necessary.
- j) Provide a temporary construction plan including reference to a cross-section of structures as submitted in section 7g. Give details of temporary construction access and measures to reduce impact to the dune or beach system. Provide information on the location of equipment staging and storing area. If retention structures are proposed provide the following additional information:
  - 1. Describe the potential effects to the marine substrate and local littoral processes.
  - 2. Location, type and dimensions of proposed structure(s) (noted on drawings in section 7g).
  - 3. Length of time retention structures will remain in place including a timeline of installation and removal efforts.
  - 4. Proof of general liability insurance (\$1,000,000 minimum). Ensure adequate liability insurance for the duration of the project.
- k) Describe existing physical, chemical and biological environment of project site and any other pertinent characteristics of site. Identify any unique habitats, environments or processes in the area. Provide a brief description of the terrestrial and marine classifications. Include a description of major topographic/hydrographic features nearby such as slope, ledges, holes, reefs. Provide copies of a relevant hydrographic or nautical charts with site(s) highlighted. Give estimates on near-shore currents and submit additional supporting evidence if available.
- l) Describe the existing bottom type of the extraction and fill sites. Include percent coverage and type. (ie. 10% basalt rock, 50% carbonate sand, 10% coral rubble, 5% beach rock, 25% Coral colonies). Provide the type and distance of any coral or algal reef in the area. Describe the type of reef system if reef is present. (Live, damaged, dead or fossil coral and % dead or damaged and coral type). Give details of reef structures present.
- m) Describe the potential adverse physical, chemical, and biological environmental effects of proposed activity and what measures will be

taken to minimize or mitigate these effects. Refer to the construction plan in 7j. if applicable. Specifically address planned silt control measures such as sand quality, appropriate and effective silt containment devices such as a silt curtain or sand bag berm; upland retention basins, settling ponds or desilting procedures. If proposed fill sand does not meet the sediment size distribution standards set forth in section 8b. desilting and/or washing may be required and the applicant will be responsible for obtaining the appropriate permits including a NPDES and any other state, federal or county permits required to carry out this activity.

- n) Describe the current recreational uses at and around the project site and describe the potential impacts the proposed project might have. (ie. Impacts on swimming, surfing, canoe clubs, diving, fishing, tourism, etc.). Specify how the construction plan will address potential public access problems if not already stated in the section 7j. If structures are proposed, provide an assessment on their impact on beach access. If beach access is restricted due to the proposed activities provide a justification and an estimated date of removal. Briefly identify the land use and development style of the project area (undeveloped, conservation, urban, residential, condominium/rentals, agricultural, commercial, etc.).
- o) Describe any identified historic property within or near the proposed project area and any mitigation commitments made to protect, restore, or date recover any of the identified properties.
- p) Provide a detailed explanation and justification for any "yes" answers. If you marked yes to any of these questions you may need additional permits and will need to contact the following agencies as applicable:

<sup>1</sup> **County Planning Departments**

<sup>2</sup> **Division of Forestry and Wildlife**

<sup>3</sup> **National Marine Fisheries Service**

<sup>4</sup> **U.S. Fish & Wildlife Service / Division of Aquatic Resources**

<sup>5</sup> **State Historic Preservation Division**

<sup>6</sup> **Office of Environmental Quality Control**

## 7B. Resource Agency Contact Information

***Regardless of the scope of the project contact your county planning department to inform them of the proposed project and determine the need for further agency permitting and review.***

### **County Planning Departments**

Oahu: Planning and Permitting (808) 523-4432

Kauai: Planning Dept (808) 241-6677

Maui: Planning Dept (808) 270-7735

Hawaii: Planning Dept (808) 327-3510

Contact your respective county planning agency for a determination as to the need for a Special Management Area (SMA) use permit. DLNR authorization for shoreline nourishment does not cover county land. Lands mauka of the certified shoreline generally fall under the jurisdiction of the county agency.

### **DLNR, Division of Forestry and Wildlife**

1151 Punchbowl Street, Room 325

Honolulu, HI 96813

Phone: 808-587-0166 Fax: 808-587-016

<http://www.dofaw.net/>

Regulates activity within natural area reserves, watersheds, endangered species habitat and administers scientific collection permits for research on native wildlife.

### **National Marine Fisheries Service**

2570 Dole Street

Honolulu Hawaii, 96822-2396

Phone (Administration): 808-983-5300 Fax 808-983-2902

<http://www.nmfs.hawaii.edu>

The Pacific Islands Fisheries Science Center Mission is linked to the NOAA Strategic Plan to build sustainable fisheries, recover protected species, maintain healthy living marine resource habitats, manage international fisheries.

### **Office of Environmental Quality Control**

235 S. Beretania St., Suite 702

Honolulu, Hawaii 96813

Phone: (808) 586-4185 Fax: (808) 586-4186

E-Mail: [OEQC@mail.health.state.hi.us](mailto:OEQC@mail.health.state.hi.us)

<http://www.state.hi.us/health/oeqc/>

OEQC implements the Environmental Impact Statement law, Chapter 343, Hawaii Revised Statutes (HRS). Twice a month the OEQC publishes *The Environmental Notice*. This bulletin informs the public of all the projects being proposed in the State that are subject to public review and comment.

### **State of Hawaii Department of Health, Clean Water Branch**

Clean Water Branch

919 Ala Moana Blvd., Room 301

Honolulu, HI 96814-4920

Phone: Oahu:(808) 586-4309 Fax: (808) 586-4352

Kauai: 241-3323 Hawaii: 933-0401 Maui: 984-8234`

<http://www.state.hi.us/doh/eh/cwb/>

Performs statewide coastal water surveillance and watershed-based environmental management through a combination of permit issuance, monitoring, enforcement, sponsorship of polluted runoff control projects, and public education.

### **DLNR, Division of Aquatic Resources**

1151 Punchbowl Street, Room 330

Honolulu, HI 96813

Phone: 808-587-0100 FAX: 808-587-0115

<http://www.state.hi.us/dlnr/dar/contacts.htm>

Manages the State's aquatic resources and ecosystems through programs in commercial fisheries and resource enhancement; aquatic resources protection, habitat enhancement and education; and recreational fisheries.

### **DLNR, State Historic Preservation Division**

Mailing address: P.O. Box 621, Honolulu, Hawai'i 96809

Ph: (808) 692-8015 Fax: (808) 692-8020

<http://www.state.hi.us/dlnr/hpd/hpcontact.htm>

The State Historic Preservation Division of DLNR works to preserve and sustain historic properties for the education, inspiration, pleasure and enrichment of Hawai'i's citizens and visitors.

### **U.S. Fish & Wildlife Service**

Pacific Islands Office

300 Ala Moana Boulevard

Room 5-231, Box 50167

Honolulu, Hawai'i 96850

(808) 541-1201 (808) 541-1216

FAX <http://pacificislands.fws.gov/wnwr/nwrindex.html#hawaii>

Conserves endangered and threatened species and the ecosystems upon which they depend. Restores near-shore marine environments and resources.

### **US Army Corps of Engineers**

Honolulu District

Building 230 CEPOH-EC-R

Ft Shafter, Hi 96858

(808) 438-9258

[CEPOH-EC-R@usace.army.mil](mailto:CEPOH-EC-R@usace.army.mil)

The Department of the Army regulatory program is one of the oldest in the Federal Government. Initially it served a fairly simple, straightforward purpose: to protect and maintain the navigable capacity of the nation's waters. Time, changing public needs, evolving policy, case law, and new statutory mandates have changed the complexion of the program, adding to its breadth, complexity, and authority.

## 8) Description of the Native Sedimentary Environment and Compatibility of Proposed Nourishment Sand.

The purpose of this section is to ensure there is an adequate match between the excavated sediment material and the native sand at the project site. Analysis of the fill and existing sand should be carried out by a qualified geotechnical laboratory and the results submitted in this application or forwarded as soon as available. Grain size analysis shall be carried out using a mechanical sieving process<sup>7</sup> using a representative composite sediment sample<sup>8</sup> for both the native and extracted sediment. (ASTM standards D-1140-92 & D-22-17-93).

*Provide justification why laboratory analysis is not necessary, (for example, fill sediment is the natural sediment source and is in the immediate area or bypassing a channel or groin).*

*Other wise:*

- a) Provide a qualified laboratory report including a wet sieve analysis of the grain size distribution of a representative (composite) sample of the *existing* native sand at the proposed nourishment site.
- b) Provide a qualified laboratory report including a wet sieve analysis of the grain size distribution of a representative dried (composite) wet sample of the excavated fill sediment.
- c) Provide a comparative analysis of the compatibility of the two sands based on the laboratory sieve results. The compatibility of the existing native and fill sands shall be further demonstrated by:
  - i. Beach fill sands shall not exceed six (6) percent fine sediment, defined as the #200 sieve (0.074 mm). This number may vary slightly where the native beach sediment display a higher than normal percentage of fines. The percentage of fine sediment is never to exceed nine (9) percent. Beach fill shall lack dissolvable coatings or aggregates of silt or other non-sand material.
  - ii. No more than 50% of the fill sand shall have a grain size diameter less than 0.125 mm as measured by the #120 standard Mesh Sieve. Beach fill sands shall not exceed ten (10) percent coarse sediment, defined as the #4 sieve (4.76 mm).

---

<sup>7</sup> See Limitations, Article IV for more detail on the grain size analysis methodology.

<sup>8</sup> See Section 8d below.

- iii. The grain size distribution of a typical dried composite sample of the native sand taken from the foreshore and subaerial portions of the profile shall be measured and described, as in Section 8a&b.
  - iv. The size distribution for the proposed fill sand shall fall within twenty (20) percent of the native beach sediment as measured by cumulative percent finer or coarser-than values. (For example, if the native beach sediment contains 45% grain size finer than the #100 sieve, the beach fill must contain between 25% and 65% finer than #100 sieve).
  - v. Alternatively, for cases where the beach fill grain size distribution curve is uniformly finer than the existing beach, the overall ratio of fill to existing sediment shall not exceed 1.5. The overfill shall be calculated using the U.S. Army Corps of Engineers method of overfill factor, RA, determined by comparing mean sediment diameter and sorting values of the native beach and borrow sediments (in  $\phi$ ,  $\phi$ , units). See Coastal Engineering Manual V-4.1.e.3 Sections h and l on sediment suitability and overfill factor. <http://www.wes.army.mil/export/home/http/htdocs/chlc/PartV-Chap4.pdf>
  - vi. Beach fill shall be dominantly composed of naturally occurring carbonate beach or dune sand. Crushed limestone or other man made or non-carbonate sands are unacceptable.
- d) Provide DLNR with one separate bagged and labeled sand sample (~0.5 lb) for both the extraction and nourishment sites (two composite samples total). Submit with the application to the DLNR. Each separate sample for the extraction and nourishment sites should be a mixed composite of several sections of each respective beach or site. (For example 25% dune or back beach, 25% foreshore, 25% berm or waterline and 25% near-shore). DO NOT MIX THE EXTRACTION AND FILL SITE SAMPLES TOGETHER. PROVIDE A SEPARATE COMPOSITE SAMPLE FOR THE EXTRACTION AND FILL SITE. Offshore sand extraction sites will require a review by the PTE to determine the appropriate sediment sampling and analysis procedures.
- e) List name and contact info for laboratory to be used for sediment analysis:
- Listed in phone book under:  
*Engineers-Coastal, Engineers-Geotechnical, Engineers-Foundation*

## 9) Project Schedule

- a) If the project construction schedule is not established, provide a best estimate of the project begin and end dates. An updated project construction schedule shall be submitted to the DLNR 30 calendar days before the start of construction activities.
- b) If the project excavation and/or construction schedule is not established, provide a best estimate of the date or dates that the nourishment will begin and end. Provide an exact nourishment date at least seven (7) working days prior to the commencement of the activity.

## 10) Site-Specific Best Management Practices (BMP) Plan

A site-specific BMP Plan shall be designed, implemented, operated, and maintained by the owner and/or its duly authorized representative in a manner to properly isolate, confine and control the excavation and fill activity(ies) and to contain and prevent any potential pollutant(s) discharges from adversely impacting the State waters. Any change(s) to the implemented site-specific BMPs Plan or Applicable Monitoring and Assessment Plan or correction(s) or modification(s) to information already on file with the Department shall be submitted to the CWB, for review and comment, as such change(s), correction(s) or modification(s) arise. The Permittee shall properly address all comment(s) and/or concern(s) to the Director's satisfaction before such change(s), correction(s) or modification(s) become effective." The BMP Plan shall include the following:

- a) Map(s) showing the location of the construction site (i.e., ocean, perennial stream, intermittent stream, wetlands, estuary, reservoir, etc.) and structural control measure(s) including typical sections, stockpiling site(s), settling basins, return flow discharge site(s), etc. May refer to maps submitted in Section 7.g, h or I (circle which one referring to):
  - i) Show the project site on a plat map or other appropriate map, including all of the required information.
  - ii) Also, if the project site(s) is located in a special aquatic site or in the immediate vicinity of a special aquatic site, include a delineation of the special aquatic site (including wetlands). Provide a Mitigation/Compensation Plan in Item 12 if fills or dredged/excavated material are to be placed in the special aquatic site, and/or if there will be any losses to the special aquatic site, in either function or acreage or both.

- iii) The BMPs Plan shall be designed, implemented, operated and maintained by the permittee in a manner to properly isolate and confine the construction activity(ies) and to contain and prevent any potential pollutant(s) discharges from adversely impacting the State waters. This may be achieved through a variety of DLNR approved silt containment devices and or measures.
- b) The contact person or project manager responsible for monitoring and oversight of the BMP (if different than Section 3).
- c) The construction sequence constitutes an important portion of the water pollution control plan. The construction sequence shall be arranged to minimize the potential adverse impact(s) resulting from the proposed construction activities. The construction schedule shall be clearly described, particularly, the schedule for any in-stream and/or in-water work. Selection of low tide periods to conduct the nourishment activities is preferred. A contingency plan is required to ensure that, even under the worst case scenario, the construction activity will have minimal adverse impact(s) on the state waters.

Identification of the specific construction method(s) to be applied with respect to each type of construction activity proposed including a description of the type of equipment involved and how, where and when this type of equipment would be employed. Provide the anticipated dates of installation/mobilization and removal of this equipment.

- d) A site-specific BMPs Plan shall also include a detailed Temporary Construction and Restoration Plan if temporary construction activities such as the installation and removal of silt containment device(s), the construction of sand filled geotextile bags acting as temporary small sand retention devices or as temporary shore erosion control measures, temporary construction access, temporary stream diversion (dewatering) measures, staging and storing areas, desilting and/or dewatering basins, or any other similar activities that are needed for the project construction. The plan shall include typical sections, locations, and analytical reports of materials to be used for temporary structures, duration for each of the temporary structures to be left in State waters and/or on land. Color photographs shall be taken of the project area before and after the construction activities. If restoring of the site to its' pre-construction condition is impractical or impossible, a written justification and a disturbed site stabilization plan shall be submitted to the DLNR for review and comment.
- e) The potential nourishment discharge shall be described. At a minimum, this description shall specify the source(s), quantity (in cubic yards, gallons per day, etc.), and duration (in hours, days, weeks, etc.) of the proposed "discharges" including:

- i) All materials placed or to be placed, both temporarily or permanently, into state waters:
  - ii) Materials that may enter State waters due to the proposed construction activities such as excess silt, soil erosion, discharges from the trenching activity, bedding materials, construction debris, removed vegetation and soil attached to the roots, construction dewatering effluent discharges, hydrotesting effluent discharges, storm water discharges associated with the construction activities, runoff from excessive construction site dust control process, runoff from stockpiling site, concrete truck washdowns, etc.;
  - iii) Materials that may re-enter State waters such as runoff or return flow from the dredged/excavated material dewatering site or runoff from the dredged/excavated material stockpiling site(s);
  - iv) Discharges associated with the operation and maintenance of the equipment involved, such as oil leak(s) from the equipment, spills from the equipment fueling operation, spills from the fuel storage facility, etc.; and
  - v) Temporary structure(s) construction, removal and restoration related discharges such as from the construction and removal of berm(s), dike(s), cofferdam(s), sheet piling(s), sandbag(s), silt curtain(s) etc.
- f) Proposed pollution control measures and monitoring:
- i) Description of type, composition, and quantity of any retention or settling basins or any sediment filtering techniques. *The primary pollution control should be adherence to the sand quality parameters described in section 8.c.* All fill sand shall be free from any objectionable sludge, oil, grease, scum, excessive silt, organic material or other floating material.
  - ii) If pumping sediment, an acceptable dewatering treatment and discharging plan shall be prepared and submitted; and
  - iii) Location(s) for dredged/excavated material stockpile site, dewatering treatment site, dredged/excavated material disposal site(s), and dewatering discharge point shall be identified on the map submitted above in section 10.a.
  - iv) The selection of the most appropriate and effective control measure(s) shall be based on the information obtained in Items 10.a., 10.c., 10.d., 10.e. and 10.f. In some cases, treatment may be required before the discharges can be permitted to enter or re-enter the state waters.

- v) Strict adherence to sand quality parameters in addition to retention basins or silt curtains shall be the primary form of silt control.
- vi) Water quality monitoring will be implemented as outlined in the monitoring guidelines for Section 401 Water Quality Certification (Appendix A) and as mentioned below.
- g) How will public safety be addressed? Describe the public safety and information program, (i.e. Signs posted on site, barriers, area cordoned off, onsite safety personnel during construction, etc).

## 11) Applicable Monitoring and Assessment Plan

An appropriate Monitoring and Assessment Plan shall be prepared. At a minimum, it shall include the following:

- a. Description of the methods and means being used or proposed to monitor the quality and characteristics of the discharge. In addition to the methods outlined in Appendix A, *monitoring guidelines for Section 401 Water Quality Certification* water quality monitoring shall be the observation and documentation of nearshore turbidity during nourishment activities<sup>9</sup>.

Provide cross-sectional views of the existing native beach profile (before and after nourishment) from the back beach dune or land mauka of any shoreline structures, seaward as far as the first occurrence of hard bottom (reef or rock) or profile depth of closure. Identify the pre and post nourishment profiles and label the existing structures, vegetation line, sea-level and hard bottom (reefs or rocks).

Provide photographs of the immediate nearshore water quality including larger-scale photographs (from an elevated position if possible) showing the surrounding nearshore waters including the extent of any turbidity plumes. Briefly describe the planned frequency and location of observation and photo-documentation of the nearshore turbidity levels. (see term vi below for limitations). Turbidity levels shall be monitored visually and documented with photographs daily during nourishment activities by the applicant and may be monitored visually by DLNR staff at any time.

After review of the project the DLNR, DOH, COE or PTE may require additional monitoring of the ambient water quality levels including but not limited to; background turbidity, temperature, pH, Dissolved Oxygen (DO), Total Suspended Solids (TSS) and Salinity levels according to and adhering to the following terms:

- i) Monitoring parameters (see General Monitoring Guideline for Section 401 Water Quality Certification Projects in Appendix A),
- ii) Describe the measure Type of sample (i.e. grab sample, composite sample, etc.),
- iii) Describe the sampling devices, units of measure and sampling frequency.
- iv) Describe the sampling method, sampling location(s) of the monitoring point(s) on a map.

---

<sup>9</sup> See Section 7.h for photo-documentation requirements. Include reference to these photos as evidence for the required water-monitoring program.

- v) The PTE may require a more detailed water-monitoring program (see General Monitoring Guideline for Section 401 Water Quality Certification Projects on page 31).
- b) Acknowledgement of required final report submitted to the DLNR within two (2) months of completion of authorized project. The final report shall include, as appropriate, descriptions of the construction or nourishment activities, discussion of any deviations from the proposed project design and the cause of these deviations, results from any additional environmental monitoring including sediment analysis, water quality parameters and discussion of any necessary corrective action(s) and photographs as required in section 7.h.
- c) Forward all water quality monitoring results to the DLNR and CWB as soon as available (see section 7b for contact info). Field monitoring results shall be sent to the CWB daily when possible.

## **12. Supporting Documents**

If reference is made to supporting documents, the reference document must be identified by title, date, publication and page number referenced in this application. In addition, a copy of each supporting document shall be submitted with this application. List all maps, photos, charts, drawings, diagrams or additional reports included with this report.

## **13. Additional Information**

- a) Indicate additional mailing addresses of the owner, general contractor, or project in this section, as applicable. Explain any irregularities or unique features of the project. Provide any additional site-specific information required specifically to justify the project's authorization. Additional sheets may be attached with reference to Item 13.

#### 14. Authorization of Representative

Alteration of this item will result in the invalidation of the authorization statement(s). This statement authorizes the named individual (s) or any individual occupying the named position of the company/organization listed below to act as our representative to process the following SGSP/CDUP Small-Scale Beach Nourishment Application for the subject project. The Owner hereby agrees to comply with and be responsible for all permit terms and conditions. Additional information will be requested from the authorized representative (with a copy to the owner) at the street or mailing address or phone or fax number provided for this item, as applicable.

- a) Provide the duly authorized representative's information in the applicable item(s). There shall be only one duly authorized representative at any time. The owner may change the designated duly authorized representative at any time during the processing of the SSBN form or the term of the permit. The duly authorized representative will no longer be authorized effective on the date of receipt of any new authorization statement from the owner.
- b) Provide a copy if a separate statement of authorization of representative is attached. Clearly indicate the person's title and responsibilities.

Additionally the HAR Section 11-55-07(b) states:

"A person is a duly authorized representative only if:

- (1) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.);
- (2) The authorization is made in writing by a person designated under subsection (a); and
- (3) The written authorization is submitted to the DLNR with this application."

HAR Chapter 11-55 may be downloaded from "[www.state.hi.us/doh/rules/emd/cwrule.html](http://www.state.hi.us/doh/rules/emd/cwrule.html)" in pdf format.

## 15) Certification

- a) Do not alter the statements in or format of this item. Alteration of this item will result in the invalidation of this submittal.
- b) The person certifying this SSBN Application must meet one of the descriptions as indicated in the form and is employed by the owner listed in Item 1.
- c) Statement of Assurance - The owner shall ensure that the State Water Quality Standards and the requirements outlined in this application shall be met.
- d) Original signature is needed.

## 16) Filing Fee

Fees for permit processing shall be submitted along with this application in the form of personal or cashier's check or Money Order. Please do not send cash. Non refundable fees are as follows:

**Category I Project      (\$50)**  
**Category II Project     (\$250)**

**Make payable to: *State of Hawaii***

## 17) General Processing Information

### a) Availability of SSBN Applications

The SSBN Application is a Word 9.0 document. Hard copies and electronic files are available. The SSBN Application and Guideline may be downloaded from “<http://www.state.hi.us/dlnr/lmd/occl/>” in pdf or Word 9.0 format. See Note 17.c.i. below for the addresses.

### b) Inquiries and Submittals

- i) SSBN inquiries and submittals shall be directed to the street or mailing address listed below: <http://www.state.hi.us/dlnr/lmd/>

#### (1) **Street Address**

State of Hawaii, Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
1151 Punchbowl Street, Room 220  
Honolulu, Hawai'i 96813  
(808) 587-0381, 587-0439 or fax (808) 587-0455.

#### (2) **Mailing Address**

State of Hawaii, Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
P.O. Box 621  
Honolulu, Hawaii 96809

- ii) The length of time required to process this permit will be directly related to the complexity of the project and the adequacy and completeness of the information submitted by the applicant.
- i) For projects on Oahu, submit the original SSBN Application with the owner's original signature and supporting documents.
- ii) For projects located on islands other than Oahu, submit two (2) copies of the SSBN Application and supporting documents. One copy of the SSBN application shall include the owner's original signature.
- iii) Retain a copy of the SSBN Application and supporting documents for the owner's or duly authorized representative's records.

### c) Filing Fee

- i) Every owner, including Federal, State, and County government agencies, who submits a SSBN application shall pay a filing fee of \$250.00 for Category II permits and \$50 for Category I permits.

- ii) The filing fee shall be submitted with the SSBN Application and shall be made payable to the "State of Hawaii" in the form of a personal check, cashier's check or money order.
  - iii) The filing fee shall not be refunded nor applied to any subsequent SSBN application following final action of a denial or termination of the submittal.
- d) Completeness of the SSBN Application
- i) The submittal will not be considered complete unless every item on the SSBN Application is appropriately addressed.
  - ii) A response must be provided for each item. If an item is not relevant to the proposed activity, indicate with "Not Applicable" or "N/A," to show that the item was considered.
  - iii) An incomplete SSBN Application will delay the determination of the SSBN. An incomplete SSBN Application may be returned to the owner or its duly authorized representative for more information. This could delay the processing of the certification application.
- e) Notification
- i) Acknowledgment of SSBN Application: The DLNR will notify the owner or operator or its duly authorized representative of receipt of the SSBN Application only if there is a problem or additional information is required.
  - ii) The DLNR shall notify the owner or its duly authorized representative, in writing, if the SSBN Application is incomplete or otherwise deficient. A description of the type of additional information necessary to complete the SSBN Application or correct the deficiency will be included with the written notice.
  - iii) Processing of the SSBN Application shall not be completed until such time as the owner or its duly authorized representative has supplied the missing information or otherwise corrected the deficiency. Failure to provide additional information or to correct a deficiency shall be sufficient grounds for denial of the SSBN permit.
  - iv) The owner or its duly authorized representative will be informed, in writing, by the DLNR when a SSBN Application is considered to be complete.
  - v) The owner or its duly authorized representative is required to notify the DLNR, in writing, of any changes that may affect the certification process.

- vi) See the “Section 401 Water Quality Certification Processing Flowchart” in Appendix A of this Guideline.
  - vii) For projects, which qualify for coverage under the DLNR conditional blanket certifications, the DLNR shall have 60 days to review and provide comment after receiving the required information. The owner or its duly authorized representative shall properly address the DLNR concern(s) and comment(s) within 15 days of the DLNR notification. Failure to properly address the DLNR concern(s) or comment(s) or correct a deficiency shall be sufficient grounds for denial of a SSBN without prejudice.
- f) Public Notices
- i) The applicant or duly authorized representative shall prepare all public notices for publication by the owner or its duly authorized representative. The owner or its duly authorized representative shall pay for the publication of the Public Notice of Proposed Action or Public Notice of Public Hearing, whichever is applicable. The owner or its duly authorized representative should review the public notice for accuracy to avoid delays and/or republication costs. The owner or its duly authorized representative shall submit a draft of the public notice to the DLNR within two (2) weeks of the publication date. The applicant may submit a letter of intent to the OEQC, Environmental Notice concurrent with this application, in which case the applicant shall submit a draft letter to the DLNR along with this application.
- g) SSBN Issuance
- i) If after publication of the Public Notice of Proposed Action, there are no significant adverse comments or justifiable request(s) for a public hearing during the thirty (30) day public participation comment period, the DLNR will make a final determination for issuance or denial of a SSBN.
  - ii) The DLNR may issue a SSBN for a term not to exceed one (1) year. Work shall commence within six (6) months of the SSBN approval.

## **h) Abbreviations**

- BLNR - State of Hawaii Board of Land and Natural Resources
- BMP - Best Management Practices
- CDUP - State of Hawaii Conservation District Use Permit
- COE - U.S. Army Corps of Engineers
- CWA - Clean Water Act
- CWB - Clean Water Branch of the State of Hawaii Department of Health Environmental Management Division
- CZM - Coastal Zone Management Certification (administered by State DBEDT/ Office of Planning)
- DBEDT - State of Hawaii Department of Business, Economic Development and Tourism
- DLNR - State of Hawaii Department of Land and Natural Resources
- DOFAW-State of Hawaii Department of Forestry and Wildlife
- DOH - State of Hawaii Department of Health
- EPA - Environmental Protection Agency
- HAR - Hawaii Administrative Rules
- HRS - Hawaii Revised Statutes
- NMF - National Marine Fisheries Service
- NPDES - National Pollutant Discharge Elimination System
- OCCL - DLNR- Office of Conservation and Coastal Lands
- PTE - Panel of Technical Experts
- SMA - Special Management Area
- SPGP - State Programmatic General Permit
- USF&W- United States Fish and Wildlife Service
- WQC - Water Quality Certification (issued by the Clean Water Branch - Section 401 of the CWA)

## Appendix A. General Monitoring Guideline for Section 401 Water Quality Certification Projects

Period of Construction	<1 to 4 Months					≥5 Months to ≤4 Year					Monitoring Frequency*		
	≤1	>1	2	3	4	≥5	1	2	3	≤4	Pre-	During	Post
Parameter to Monitor for "X" Months of "In-Water" Work													
Photo Documentation	-										-	-	-
pH	✓	-	-	-	-	-	-	-	-	-	-	-	✓
Turbidity	✓	-	-	-	-	-	-	-	-	-	-	-	✓
Total Suspended Solids (TSS)	✓	-	-	-	-	-	-	-	-	-	-	-	✓
Dissolved Oxygen (DO)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	✓
Salinity	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	✓
Temperature	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	✓
Secchi Disc or Light Extinction	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖
Biological Monitoring	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖
Nitrate + Nitrite Nitrogen (NO <sub>3</sub> NO <sub>2</sub> )	●	●	●	●	●	●	●	●	●	●	●	●	●
Total Kjeldahl Nitrogen (TKN)	●	●	●	●	●	●	●	●	●	●	●	●	●
Ammonia Nitrogen (NH <sub>4</sub> )	●	●	●	●	●	●	●	●	●	●	●	●	●
Total Nitrogen (TN)	●	●	●	●	●	●	●	●	●	●	●	●	●
Ortho-Phosphate (PO <sub>4</sub> )	●	●	●	●	●	●	●	●	●	●	●	●	●
Total Phosphorus (TP)	●	●	●	●	●	●	●	●	●	●	●	●	●
Chlorophyll <i>a</i>	●	●	●	●	●	●	●	●	●	●	●	●	●
Silicate	●	●	●	●	●	●	●	●	●	●	●	●	●
Pesticides, PAHs, metals, etc.	●	●	●	●	●	●	●	●	●	●	●	●	●
Other													
Monitoring Frequency	D	D	D	3W	3W	3W	2M	M	Q	Q	*	**	***

Symbol Legend	
-	Basic water quality monitoring parameters
✓	Included with dredging projects, if no habitat loss or modification
✓	Optional per data evaluation suggesting no significant impact
✖	Optional per dredging projects
✖	Photo documentation on dredging project with some habitat loss or modification
✖	Bio-monitoring on dredging projects with habitat loss or modification
●	To be determined on individual case
○	Optional per individual cases for dredging projects

\* Pre-construction sampling for TSS and Turbidity of TEN samples over TWO weeks for projects that impact bottom sediment.

\*\* During construction monitoring is limited to length of "in-water" work period.

\*\*\* Post-construction monitoring is limited to once per construction period.

**Shaded blocks represent basic or minimum requirement for most projects.**

D = Daily  
W = Weekly  
M = Monthly  
Q = Quarterly  
(i.e., 3W = three times per week)

Notes: