



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): [8/12/2021](#)

ORM Number: [POH-2021-00132](#)

Associated JDs: [N/A](#)

Review Area Location¹: State/Territory: [Hawaii](#) City: [Honolulu](#) County/Parish/Borough: [Honolulu](#)

Center Coordinates of Review Area: Latitude [21.305356](#) Longitude [-157.916477](#)

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: [The HNL Reef Runway Project involves activities located on approximately 82 acres of land owned by State of Hawaii, Department of Transportation and is located in an Industrial District. The Corps inspected the Project site to confirm the “Request for Approved Jurisdictional Determination, Daniel K. Inouye International Airport Reef Runway, Island of Oahu, Hawaii TMK: \(1\) 1-1-003:001, May, 2021 Report” provided by AECOM on June 29, 2021. Additional desktop references including aerial photographs, streamstats.usgs.gov, and USFWS NWI, NRCS SSURGO, EPA Waters and USGS topographic quad data layers in Google Earth were used to determine if potentially jurisdictional waters were present on the project site. According to the USFWS NWI, the study area has been classified as fresh water emergent wetland and fresh water pond. The Corps did not observe any streams, wetlands, or ditches in the study area. The features identified by NWI were non-existent when verifying the sampled points in the AECOM report. Vegetation was homogeneous throughout most of the parcel with koa haole \(*Leucaena leucocephala*-UPL\) trees and buffel grass \(*Cenchrus ciliaris*-FACU\) as the dominant species. Sample point 2 in the AECOM report documented an area covered by Sourbush \(*Pluchea carolinensis*-FACW\) as the dominant species. This location did not have indicators for hydric soil or hydrology per the report and confirmed in the field by the Corps. Sample points 3 and 5 in the AECOM report documented hydrology secondary indicators of surface soil crack. During the site visit, this indicator was only observed at sample point 5. Hydric soil was not identified at sample point 3 or 5 in the AECOM report or during the site visit conducted by the Corps. The terrain of the study area is relatively flat and dry. The study area is degraded land that has been highly disturbed and was constructed on fill material in the 1960’s. Pieces of concrete and debris are scattered throughout the entire parcel. The study area located south of the runway has been previously used for the disposal of various types of material, as evident by the presence of asphalt concrete grindings and other concrete and construction debris, as well an identified location with hazardous materials. Natural Resources Conservation Service \(NRCS\) soil survey identifies the following soil type in the study area—Fill land \(Fd\). The NRCS National List of Hydric Soils for Oahu Island includes 13 hydric soils for the island. The soil units mapped by NRCS in the study area are not listed as hydric soils. During the site visit, the Corps determined there were no hydric soils present on the project site. The Corps determined the HNL Reef Runway site consists entirely of dry land.](#)
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.



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- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
N/A.	N/A.	N/A.	N/A.
	N/A.	N/A.	N/A.
		N/A.	N/A.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: [Request for Approved Jurisdictional Determination, Daniel K. Inouye International Airport Reef Runway, Island of Oahu, Hawaii TMK: \(1\) 1-1-003:001, May, 2021 Report](#)

This information is sufficient for purposes of this AJD.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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Rationale: [NA](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).
- Photographs: [Other: From the Corps site visit and the consultant in the MFR dated August 13, 2021](#)
- Corps site visit(s) conducted on: [8/5/2021](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [SoilWeb Layer for Google Earth Pro \(USDA, 2019\)](#)
- USFWS NWI maps: [FWS Wetlands and Riparian Layer for Google Earth Pro \(USFWS, 2019\)](#)
- USGS topographic maps: [Earth Point Topo Layer for Google Earth Pro \(USGS, 2020\)](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [The Anticident Precipitation Tool \(APT\) was used on August 12, 2021 for the August 5, 2021 site visit which showed the review area was “drier than normal conditions” when compared to a Typical Year as defined in 33CFR328\(c\)\(13\). The Anticident Precipitation Tool \(APT\) was used on August 12, 2021 for the March 30, 2021 site visit for the AECOM data which showed the review area was “wetter than normal conditions” when compared to a Typical Year as defined in 33CFR328\(c\)\(13\).](#)

C. Additional comments to support AJD: [NA](#)