



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

October 17, 2023

SUBJECT: Approved Jurisdictional Determination, [REDACTED] Building construction, Kii Rd. and Menehune Rd., Waimea, Island of Kauai, HI DA File No. POH-2023-00175

[REDACTED]

Dear [REDACTED]:

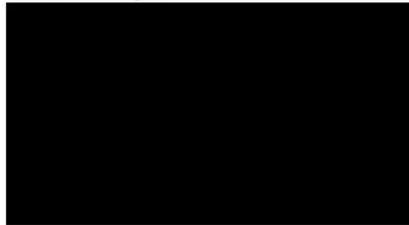
The U.S. Army Corps of Engineers - Honolulu District, Regulatory Office (Corps) has received your request dated October 12, 2023, for a Department of the Army (DA) approved jurisdictional determination (AJD) and clarification whether a DA permit is required for construction at the property located in on the northern corner of Kii Road and Menehune Road, Waimea, Island of Kauai, HI at 21.96318°, -159.65903°, TMK: (4) 1-6-002-009. Your request has been assigned DA file number POH-2023-00175. Please reference this number in all future correspondence with our office relating to this determination.

The review area for this AJD is an approximately 1.35-acre trapezoidal parcel and is shown on the enclosed map (Enclosure 1). Based on our review of the information you submitted to our office and other available information, the Corps has determined the subject property does not contain waters of the United States (U.S.) under Corps jurisdiction. Therefore, a DA permit under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899 is not required. The basis for this determination can be found in the enclosed AJD Memorandum for Record (MFR) (Enclosure 2).

This approved jurisdictional determination is valid for five (5) years from the date of the AJD MFR, unless new information supporting a revision is provided to us before the expiration date. Enclosed is a Notification of Administrative Appeal Options and Process and Request for Appeal form (see section titled "Approved Jurisdictional Determination") (Enclosure 3).

Thank you for your cooperation with the Honolulu District Regulatory Program. If you have any questions related to this determination, please contact the USACE Honolulu District, Regulatory Office at 808-835-4303 or via e-mail at CEPOH-RO@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at <https://regulatory.ops.usace.army.mil/ords/f?p=136:4>. For additional information about our Regulatory Program, please visit our web site at <https://www.poh.usace.army.mil/Missions/Regulatory.aspx>.

Sincerely,



Enclosures

cc:





Figure 2. Aana Property Project Site Map. Menehune Rd, Waimea, Kauai, Hawaii. TMK (4) 1-6-002-009 whose Latitude and Longitude are 21.963175°N and 159.659026°W.



Figure 3. Aana Property Tax Map Key Boundaries. Menehune Rd, Waimea, Kauai, Hawaii. TMK (4) 1-6-002-009 whose Latitude and Longitude are 21.963175°N and 159.659026°W.



Figure 4. September 23, 2023 aerial image of the Project Site. Menehune Road and the levee are to the right, Kii road along the bottom. Peekauai ditch is left of center.