



US Army Corps
of Engineers®

SPECIAL PUBLIC NOTICE

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Honolulu District

SPECIAL PUBLIC NOTICE

ANNOUNCING THE HONOLULU DISTRICT REGIONAL CONDITIONS TO THE 2026 NATIONWIDE PERMITS

On January 8, 2026, the U.S. Army Corps of Engineers (Corps) published a final action in the *Federal Register* (91 FR 768) announcing the reissuance of 56 existing nationwide permits (NWP) and one new NWP, as well as the reissuance of NWP general conditions and definitions with some modifications. These 57 NWP will go into effect on March 15, 2026, and will expire on March 15, 2031.

Nationwide Permits

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Oil or Natural Gas Pipeline Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. U.S. Coast Guard Approved Bridges
16. Return Water from Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
21. Surface Coal Mining Activities

22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
26. [Reserved]
27. Aquatic Ecosystem Restoration, Establishment, and Enhancement Activities
28. Modifications of Existing Marinas
29. Residential Developments
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access, and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
47. [Reserved]
48. Commercial Shellfish Mariculture Activities
49. Coal Remining Activities
50. Underground Coal Mining Activities
51. Land-Based Renewable Energy Generation Facilities
52. Water-Based Renewable Energy Generation Pilot Projects
53. Removal of Low-Head Dams
54. Living Shorelines
55. Seaweed Mariculture Activities
56. [Reserved]
57. Electric Utility Line and Telecommunications Activities
58. Utility Line Activities for Water and Other Substances
59. Water Reclamation and Reuse Facilities
60. Activities to Improve Passage of Fish and Other Aquatic Organisms

Subsequent to the January 8, 2026, *Federal Register* notice, the Honolulu District finalized regional conditions for the new and reissued NWP's. The regional conditions provide additional protection for the aquatic environment and will help ensure that the NWP's authorize only those activities with no more than minimal adverse environmental effects in the Honolulu District. Regional conditions will help ensure protection of high value waters within the Honolulu District. The Honolulu District prepared supplemental decision documents to the Corps' final decision documents for the new and reissued NWP's. These supplemental decision documents address regional conditioning of the NWP's. This special public notice announces the approval of six regional conditions by the Pacific Ocean Division Commander.

REGIONAL CONDITION 1 – Revoked Permits

The following NWP's are revoked within the Honolulu District's AOR:

NWP 21 - Surface Coal Mining Activities

NWP 24 - Indian Tribe or State Administered Section 404 Programs

NWP 30 - Moist Soil Management for Wildlife

NWP 34 - Cranberry Production Activities

NWP 44 - Mining Activities

NWP 49 - Coal Remining Activities

NWP 50 - Underground Coal Mining Activities

NWP 52 - Water-Based Renewable Energy Generation Pilot Projects

REGIONAL CONDITION 2 – Acreage Limit

The maximum acreage of permanent loss to special aquatic sites for a new project (excludes NWP 3 and NWP 27 activities) may not exceed 0.10-acre resulting from any discharge of dredged or fill material. Special aquatic sites include wetlands, coral reefs, riffle and pool complexes, vegetated shallows, mud flats, sanctuaries and refuges as defined in 40 CFR 230.3.

CONDITIONS APPLICABLE TO CERTAIN ACTIVITIES:

REGIONAL CONDITION 3 - Revegetation

Native plants appropriate for current site conditions must be used for re-vegetation for the purposes of restoring areas temporarily disturbed by the authorized work.

REGIONAL CONDITION 4 – Bank and Shoreline Stabilization Activities

- a. For new bank stabilization projects in streams with vegetated slopes and/or natural bed and bank, vegetative and environmentally sensitive stabilization practices must be used whenever practicable. Documentation of consideration of environmentally sensitive bank stabilization practices must be included in the Pre-Construction Notification (PCN) to demonstrate whether the use of environmentally sensitive stabilization techniques is practicable given site-specific circumstances. Environmentally sensitive stabilization techniques incorporate organic materials to

produce functional structure, provide wildlife habitat, and/or provide areas for re-vegetation. Examples of environmentally sensitive bank stabilization practices include, but are not limited to, the use of the following: adequately sized armoring keyed into the toe of the slope with native plantings, or other suitable vegetation, on the banks above; vegetated geogrids; coconut fiber coir logs; live woody vegetated cuttings; fascines or stumps; brush layering; soil lifts. In situations where the use of these stabilization techniques is not practicable (due to high stream flow velocities, for example) stream bank armoring should be designed to incorporate environmentally friendly natural features, if possible. Examples include vegetated gabions, vegetated gabion mattresses, live crib walls and joint plantings.

- b. For new shoreline stabilization projects, environmentally sensitive designs that provide wave dissipation, interstitial spaces for fish, crustacean and invertebrate habitat, and other environmental benefits must be used whenever practicable. Documentation of consideration of environmentally sensitive shoreline stabilization practices must be included in the PCN to demonstrate whether the use of environmentally sensitive stabilization techniques is practicable.

REGIONAL CONDITION 5 – Stream Modifications

Stream channelization and/or streambed hardening are not authorized under any NWP.

CONDITIONS APPLICABLE TO ALL ACTIVITIES:

REGIONAL CONDITION 6 – NWP Verification and PCN Requirement

A written NWP verification must be obtained from the Corps prior to conducting any activity authorized by a NWP. To obtain a NWP verification, all prospective permittees must submit a written PCN to the Corps that meets NWP General Condition (GC) #32 and to demonstrate compliance with GC #18, GC #20, and the Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Management and Conservation Act by providing supporting documentation.

A 'written PCN' includes submission of a Pre-Construction Notification (PCN), project plans and accompanying information by email to CEPOH-RO@usace.army.mil, or through our Regulatory Request System (RRS) at rrs.usace.army.mil. If your files are larger than 20MB, contact us by email at CEPOH-RO@usace.army.mil or by phone at (808) 835-4303 to request a link to our DoD Safe website. Due to security reasons, we are unable to access links to cloud storage, such as Dropbox or Google Drive.

ADDITIONAL INFORMATION: The Honolulu District has attached (Enclosure 1) a matrix for the Water Quality Certifications (WQC) and the Coastal Zone Management Act (CZMA) Consistency Determinations for the State of Hawaii, the U.S. Minor Outlying Islands, and the territories of Guam, Commonwealth of the Northern Marianas and American Samoa for the issuance of these NWPs. Conditions on the WQC and CZMA Consistency Determinations become conditions of these NWPs.

The January 8, 2026, Federal Register notice is available for viewing at:
<https://www.federalregister.gov/documents/2026/01/08/2026-00121/reissuance-and-modification-of-nationwide-permits/>

Interested parties can access the January 8, 2026, final action and related documents at: <https://www.usace.army.mil/Missions/Civil-Works/RegulatoryProgram-and-Permits/Nationwide-Permits/>

As an alternative, the final NWP, regional conditions, and the complete WQC and CZMA decisions for Honolulu District, issued by geographic region, may be found at: <https://www.poh.usace.army.mil/Missions/Regulatory/Permit-Types/Nationwide-Permits/>

ENCLOSURE 1.

POH CZMA Consistency for 2026 NWP				
Individual CZMA Concurrence Required?				
NWP #	Hawaii	Guam	CNMI	American Samoa
1	No	Maybe	Maybe	No
2	No	Maybe	Maybe	No
3	Maybe	Maybe	Maybe	No
4	No	Maybe	Maybe	No
5	No	Maybe	Maybe	No
6	No	Maybe	Maybe	No
7	Maybe	Maybe	Maybe	No
8	Yes	Yes	Yes	No
9	No	Maybe	Maybe	No
10	No	Maybe	Maybe	No
11	No	Maybe	Maybe	No
12	Maybe	Maybe	Yes	No
13	Maybe	Maybe	Yes	No
14	Maybe	Maybe	Maybe	No
15	No	Maybe	Maybe	No
16	No	Maybe	Maybe	No
17	No	Yes	Yes	No
18	Maybe	Maybe	Maybe	No
19	No	Maybe	Maybe	No
20	No	Maybe	Maybe	No
22	No	Maybe	Maybe	No
23	No	Maybe	Maybe	No
25	No	Maybe	Maybe	No
27	No	Maybe	Maybe	No
28	No	Maybe	Maybe	No
29	Maybe	Yes	Yes	No
31	No	Maybe	Maybe	No
32	No	Maybe	Maybe	No
33	No	Maybe	Maybe	No
35	No	Maybe	Maybe	No
36	Maybe	Maybe	Maybe	No
37	No	Maybe	Maybe	No
38	No	Maybe	Maybe	No
39	Maybe	Yes	Yes	No
40	Maybe	Maybe	Maybe	No
41	No	Maybe	Maybe	No
42	Maybe	Yes	Yes	No
43	Maybe	Maybe	Maybe	No
45	Maybe	Maybe	Maybe	No
46	No	Maybe	Maybe	No
48	Maybe	Maybe	Maybe	No
51	Maybe	Yes	Maybe	No
53	No	Maybe	Maybe	No
54	Yes	Maybe	Yes	No
55	Maybe	Yes	Maybe	No
57	Maybe	Maybe	Maybe	No
58	Maybe	Maybe	Maybe	No
59	Maybe	Yes	Maybe	No
60	Maybe	Maybe	Maybe	No

ENCLOSURE 1.

POH Water Quality Certifications for 2026 NWP's					
Individual WQC Required?					
NWP #	Hawaii	Guam	CNMI	American Samoa	U.S. Minor Outlying Islands
1	No	Maybe	Yes	No	No
2	No	No	Yes	No	No
3	No	Yes	No	No	Maybe
4	No	Maybe	Yes	No	No
5	No	No	No	No	No
6	No	Yes	No	No	No
7	No	Yes	Yes	No	Maybe
8	No	No	Yes	No	No
9	No	Maybe	No	No	No
10	No	Yes	No	No	No
11	No	Yes	No	No	No
12	No	Yes	Yes	No	Maybe
13	No	Yes	No	No	Maybe
14	No	Yes	No	No	Maybe
15	No	Maybe	Yes	No	Maybe
16	No	Yes	No	No	Maybe
17	No	Yes	Yes	No	Maybe
18	No	Yes	No	No	No
19	No	Yes	No	No	No
20	No	No	No	No	No
22	No	No	No	No	No
23	No	No	Yes	No	No
25	No	Maybe	Yes	No	No
27	No	Maybe	No	No	Maybe
28	No	No	No	No	No
29	No	Yes	Yes	No	Maybe
31	No	Maybe	Yes	No	Maybe
32	No	No	Yes	No	No
33	No	Yes	No	No	Maybe
35	No	Yes	No	No	No
36	No	Yes	Yes	No	No
37	No	No	Yes	No	No
38	No	Maybe	Yes	No	No
39	No	Maybe	Yes	No	Maybe
40	No	Yes	Yes	No	Maybe
41	No	Maybe	Yes	No	No
42	No	Maybe	Yes	No	Maybe
43	No	Yes	Yes	No	Maybe
45	No	No	Yes	No	No
46	No	Maybe	Yes	No	No
48	No	Yes	Yes	No	No
51	No	Yes	Yes	No	Maybe
53	No	Maybe	Yes	No	Maybe
54	No	Yes	Yes	No	No
55	No	No	Yes	No	No
57	No	Yes	No	No	Maybe
58	No	Yes	No	No	Maybe
59	No	Yes	Yes	No	No
60	No	Yes	Yes	No	Maybe