PUBLIC NOTICE

Public Notice No. **POH-2005-375** Date: November 16, 2007

U.S. Army Corps of Engineers
Honolulu District

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

Respond by: December 17, 2007

WATERWAY NAME: Waimalu Drainage Canal, Waimalu Stream, Oahu Island

Interested parties are hereby notified that an application has been received for authorization of a Department of the Army Standard Permit for maintenance and dredging of the Waimalu Flood Control Canal and the disposal of suitable dredged material through the Pearl Harbor Defensive Sea Area at the South Oahu Ocean Dredged Material Disposal Site (SOODMDS) as described below and shown on the attached sheets.

1. APPLICANT: Department of Design & Construction, City and County of Honolulu, Honolulu HI 96813

2. AGENT: Engineers Surveyors Hawaii, Inc., 900 Halekauwila Street, Honolulu, HI 96814

3. APPLICABLE STATUTORY AUTHORITIES: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403); Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413); 40 CFR 220-227; and with due consideration of the public interest and potential environmental effects following the issuance of this Public Notice.

4. LOCATION OF THE PROPOSED ACTIVITY: Waimalu Flood Control Drainage Canal, Waimalu Stream, Oahu and South Oahu Ocean Dredged Material Disposal Site, Mamala Bay, Oahu.

5. PURPOSE AND PROJECT DESCRIPTION:

The purpose is to authorize the Department of Design and Construction, City and County of Honolulu to maintenance dredge the Waimalu Flood Control Drainage Canal to its original design depths and dispose suitable dredged spoils at the South Oahu Ocean Dredged Material Disposal Site (SOODMDS) by transit through the Pearl Harbor Defensive Sea Area. The proposed activity to remove accumulated sediments, gravels and boulders from jurisdictional waters of the United States is intended to facilitate the flow of storm water to the Pearl Harbor estuary and minimize the potential damage to structures and public safety from flooding events within the watershed (see attached sheets).

The proposed maintenance dredging project consists of two major activities: 1) the removal by conventional means of about 35,000 cubic yards of sediments and basalt material from about 3,700 lineal feet (or about 11 acres) of the Waimalu Stream flood control channel,

and, 2) the transport to, and disposal of suitable dredge spoils at the South Oahu Ocean Dredged Material Disposal Site (SOODMDS).

Activity 1 will involve the removal by conventional hydraulic suction dredging methods and/or mechanized excavation. Planned finished depths by plan view and cross-section are shown in Plates 6-8.

Activity 2 will involve the sealing of the 2 existing ocean intakes and the existing storm drain outlet into the lagoon. The location of the SODMODS is indicated in Sheet 10.

Construction is expected to take 4 to 24 months.

6. The following information is pertinent to the Applicant's proposed project for Section 103 (ocean dumping) activities which include the transport of dredged material to, and disposal at, the EPA designated South Oahu Dredged Material Ocean Disposal Site (SODMODS).

(i) The proposed disposal site is the SODMODS located about 10 miles south of the proposed project area, the center point of which is at latitude 21-degrees 15'10" North and longitude 157-degrees 56'50" West,

(ii) The SODMODS has been designated for use by the Administrator, EPA, pursuant to section 102(c) of the Act. The EIS for Hawaii Dredged Material Disposal Sites Designation was published by EPA in September 1980. The Site Management Plan (SMP) for the Hawaii Ocean Dredged Material Disposal Sites was developed by the Corps, Honolulu Engineer District, and EPA, Region IX and became effective on April 7, 1997;

(iii) The applicant has provided no estimates of the total days which would be required for the transport and disposal of about 35, 000 cubic yards of dredged material at the SODMODS; and

(iv) Available geotechnical data indicate that the bottom hardened Waimalu Stream flood control channel contains sediments, gravels, cobbles, boulders and miscellaneous debris. These sediments consist of: previously discharged upland sediments of very loose, fine to medium clay and silty clays with gravel-sized and larger basalt material; at the estuarine terminus, native, carbonate marine sediments consisting of fine to coarse sand, silty sand and clayey sand, some coralline gravels, sandy clay, and sandy silt layers; submerged volcanic substrates consisting of volcanic tuff, tuffaceous sand and sandy silt are likely to occur; unhardened substrates outside and downstream of project area also likely consist of alluvial deposits consisting of clayey silt to fine and coarse sandy silt with pebble inclusions as well as pleistocene lagoonal deposits consisting of very soft silt, sandy silt, silty sand with gravel inclusions to very loose silty gravels and submerged and emerged coral reef deposits consisting of weakly to well-cemented coral fragments with interstitial silt and gravel sized inclusions.

7. IMPACTS OF PROPOSED ACTIVITIES IF AUTHORIZED:

The proposed activity would permanently remove approximately 35,000 cubic yards of accumulated sediments, gravels, cobbles and boulders from the drainage way bottom; re-establish the open water area; re-establish water depths from -10MLLW to -1 feet MLLW, and re-establish the capacity of the flood control drainage way to carry peak discharges from 9,840cfs to 13,600cfs . Use of this area by the general public would be restricted during

construction through the placement of appropriate safety devices, structures, and signage. Water quality within the drainage way is expected to remain the same after construction, primarily as a result of improved water flow rates. The water quality of the receiving Pearl Harbor estuary waters that are accessible to the public is not expected to be significantly degraded during project dredging. Water quality monitoring during dredging operations of the proposed project may be required in compliance with the State Department of Health, Clean Water Branch's administrative rules. A Site-Specific Best Management Practices Plan (BMPP) will be required to minimize turbidity and the proper handling and disposal of excavated material. In addition, the BMPP will also contain measures to avoid, minimize or mitigate potential pollution events from equipment maintenance, leaks, and spills.

Short term impacts include temporary disruption to upland activities adjacent to the drainage way from construction equipment and material staging areas, increased noise and traffic, and temporary degradation to Waimalu Stream water quality during dredging operations.

Sessile, slow-moving, and fish biota inhabiting the flood control drainage way, or attached to the existing in-water culvert openings and bridge pilings will be destroyed or displaced. Noise-producing activities during construction (i.e. equipment operation) will be minimized by distance from residential areas and daylight hours of operation.

8. IMPACT ON HISTORIC PROPERTIES:

The areas of direct and indirect impact from construction activities and subsequent stream flow will not adversely impact the Peal Harbor Historic Landmark District, or any other adjacent historic properties listed, or eligible for listing, on the Hawaii and National Registers of Historic Places. Existing bottom surfaces within the project area are recent sediment fills atop a historic hardened channel and are unlikely to contain *in situ* Native Hawaiian cultural properties and burial remains.

This notice has been sent to the State Historic Preservation Officer, the State Office of Hawaiian Affairs, and Hui Malama I Na Kupuna. Any comments they have regarding historic properties and cultural resources will be considered before a final decision is made on the DA permit.

9. IMPACT ON ENDANGERED SPECIES, ESSENTIAL FISH HABITAT:

Green sea turtles, a federally listed threatened species, are known to occur within the estuarine areas of Pearl Harbor. There is no indication that the maintenance dredging of sediments from riparian waters will result in inadvertent entrapment of turtles or other larger biota. The receiving estuarine environment around the areas of proposed disturbance consists primarily of sediments, gravels, cobbles, and riprap revetment which supports minimal growth of marine algal species preferred by turtles. No significant impacts to federally listed species are therefore expected from the proposed project.

This notice has been sent to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they have on endangered or threatened species, threatened critical habitat or essential fish habitat, will be considered before a final decision is made on the permit.

10. OTHER GOVERNMENT AUTHORIZATIONS/CERTIFICATIONS:

Prior to the issuance of the Department of Army permit, the applicant is required to obtain a Coastal Zone Management (CZM) Program consistency determination, or waiver from the Office of Planning before the DA permit is valid. The requirements for a CZM consistency statement and accompanying information are available for public review at the Department of Business, Economic Development & Tourism, Office of Planning, CZM Program Office, 235 S. Beretania Street, 6th Floor, Honolulu, HI. 96813. Comments on the consistency statement should be submitted in writing to the Department of Business, Economic Development & Tourism, Office of Planning, CZM Program Office, P.O. Box 2359, Honolulu, HI 96804 no later than 30 days from the date of this notice.

The dredging area is located within and inland of the Pearl Harbor Defensive Sea Area maintained by the US Navy. The presence of dredging machinery and scow barges, including the routes and frequency of passage to and from the South Oahu Ocean Disposal Site for the transport of dredged material is proposed in, and through, the Pearl Harbor Defensive Sea Area. The Commander, Navy Region Hawaii, shall be consulted to determine the conditions under which the proposed work shall, or shall not take place, in these waters subject to their control and security.

The U.S. Environmental Protection Agency (USEPA) has reviewed and commented on the suitability of dredged spoils for disposal at their South Oahu Ocean Dredged Material Disposal Site (SOODMDS). Dredged gravels, cobbles and boulders larger than 10cm (4in) in any dimension are restricted from disposal into the SOODMDS and will be disposed at an authorized upland location. This restriction shall be a special condition of the DA permit authorization.

Other State and local approvals required include a Stream Channel Alteration Permit from the Commission on Water Resource Management, State Department of Land and Natural Resources. Additional approvals may require a National Pollution Discharge Elimination System (NPDES) permit, NPDES Stormwater Construction Permit and Community Noise Control Permit from the State Department of Health, and a Special Management Area Use Permit, Grading, Grubbing, Excavation & Stockpiling Permit, and Building Permit from the City and County of Honolulu Department of Planning and Permitting.

11. EVALUATION FACTORS:

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof. Among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety,

food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

12. COMMENTS AND INQUIRIES:

The U.S. Army Corps of Engineers (USACE) is soliciting comments from the public, Federal, State and local agencies and officials, native Hawaiian organizations and individuals and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

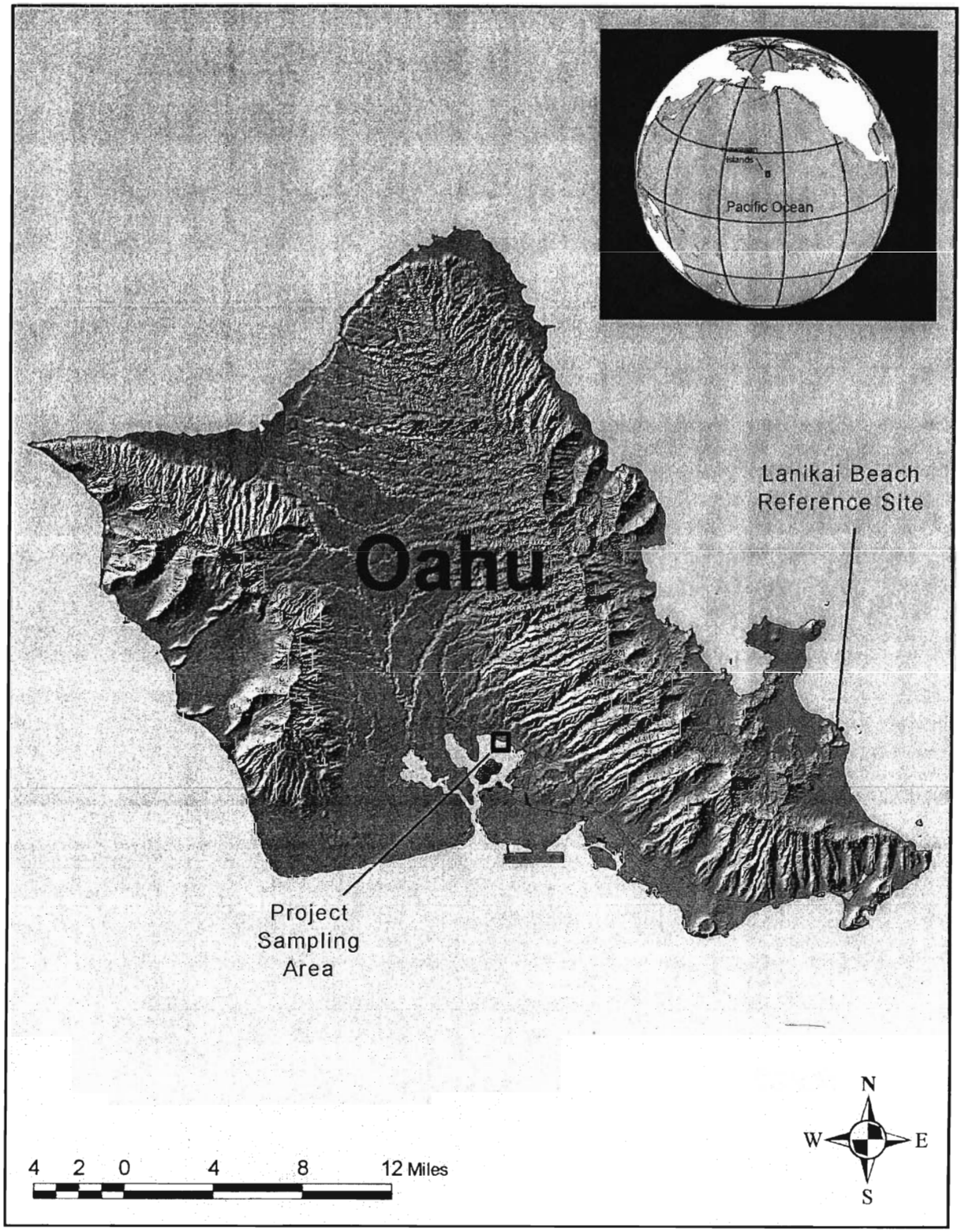
Interested parties may submit in writing any comments that they have on issuance of a permit for the proposed activity. Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Farley K. Watanabe at 808-438-7701 if further information is desired concerning this notice. Electronic comments by e-mail can be posted at CEPOH-EC-R@usace.army.mil. Facsimile comments can be sent to 808-438-4060.

It is Corps of Engineers policy that any objections will be forwarded to the applicant for comment or rebuttal before the objection is resolved. If the objecting party so requests, all personal information will be deleted from the forwarded letter, or the objections will be sent in paraphrased, summary form.

13. REQUEST FOR PUBLIC HEARING:

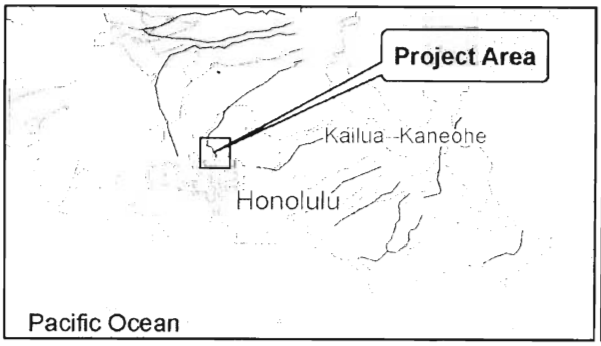
Any person may request, in writing, within 30 days from the date of this notice that a public hearing be held to consider issuance of a permit for the proposed project. Requests for public hearing must specifically state the reasons for holding a public hearing.

Attachments:
Sheet 1. General Location Map
Sheet 2. Project Dredging Map.
Sheet 3. Lower section dredging area
Sheet 4. Middle section dredging area
Sheet 5. Upper section dredging area
Sheet 6. Profile view: material to be dredged, Stn -9+00 to Stn 3+50
Sheet 7. Profile view: material to be dredged, Stn 4+00 to Stn 17+00
Sheet 8. Profile view: material to be dredged, Stn 18+00 to Stn 28+00
Sheet 9. Plan view: known location of oversized material to be disposed at UPLAND location
Sheet 10. General Location Map. South Oahu Ocean Disposal Site OD0912



POH-2005-375
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

Sheet 1. General Location Map
Adapted from Weston Solutions, Inc., Apr 2007, Final Report,
Dredged Material Evaluation for Ocean Disposal



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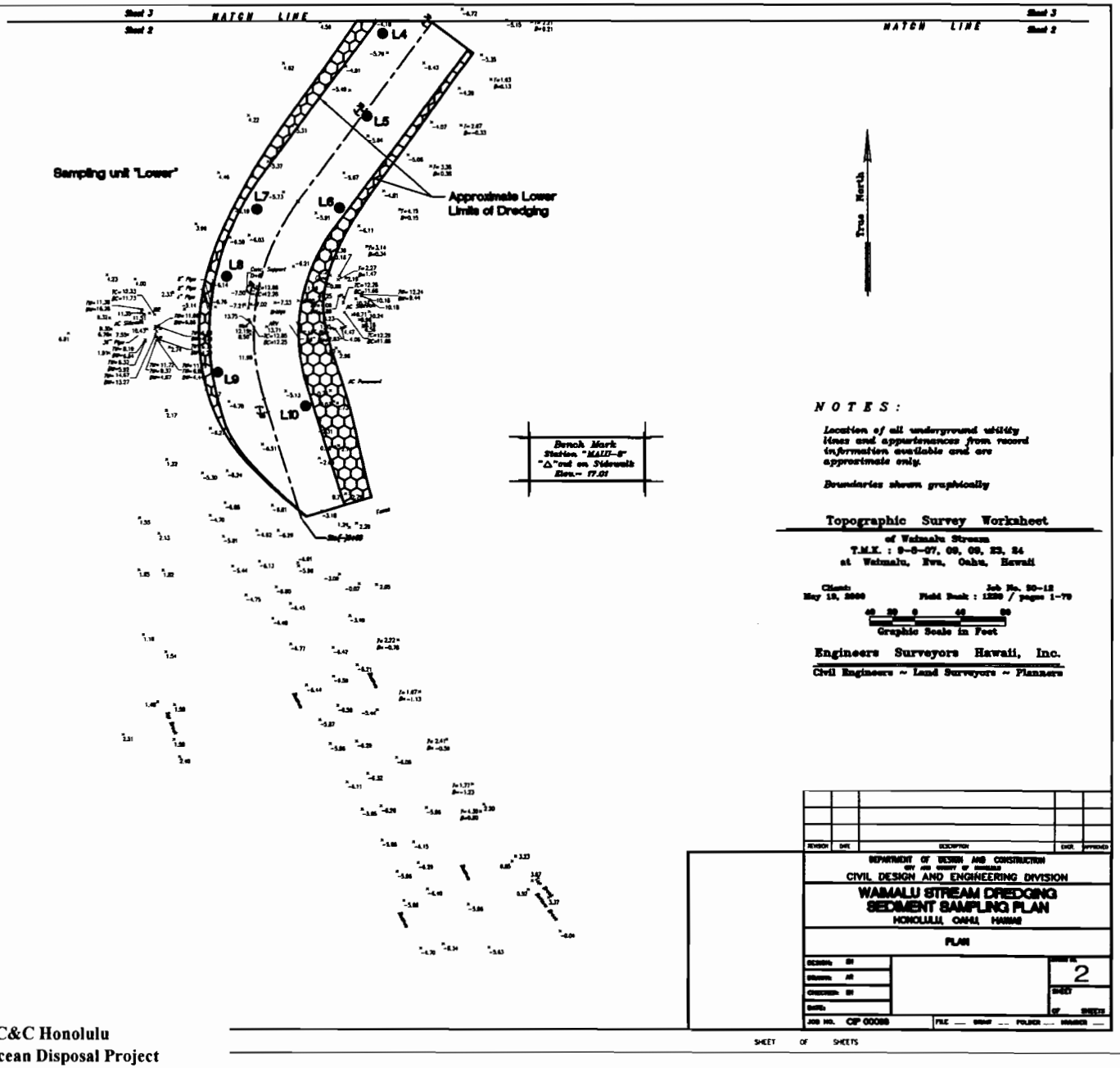
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

Sheet 2. Project Dredging Map
Adapted from Weston Solutions, Inc., Apr 2007, Final Report, Dredged Material Evaluation for Ocean Disposal



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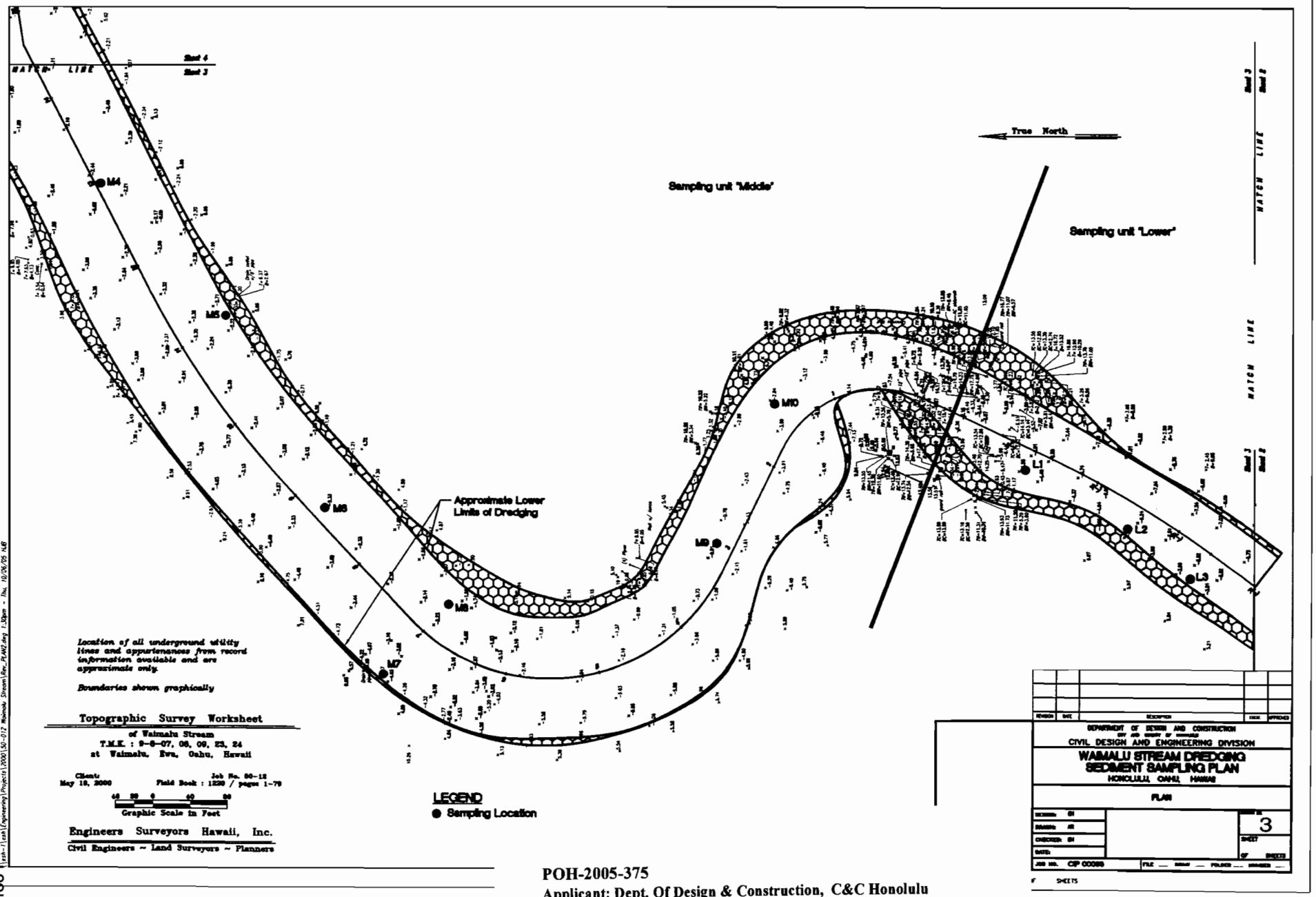
Sheet 3. Lower section dredging area w/ known depths



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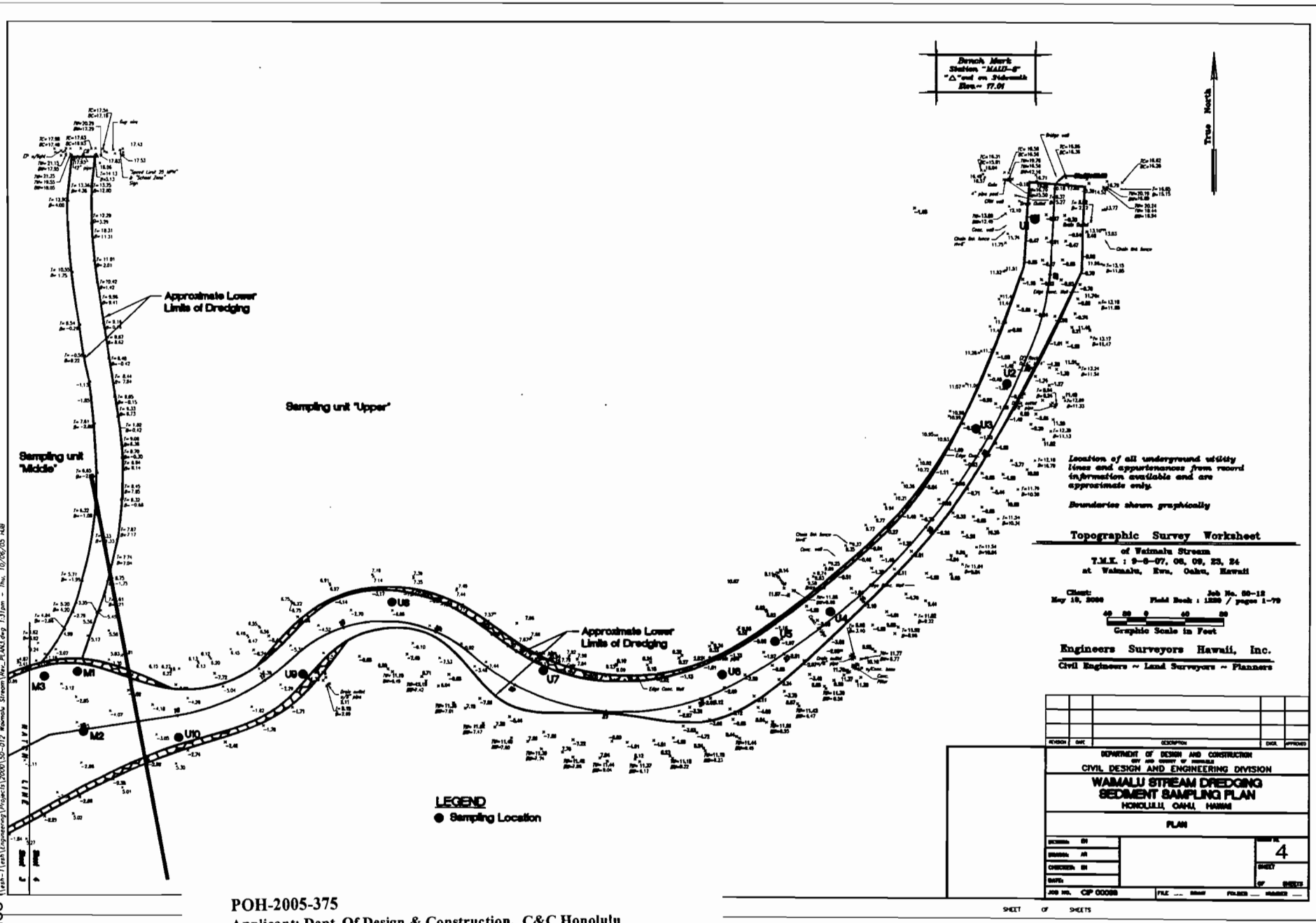
POH-2005-375
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

Sheet 4. Middle section dredging area w/ known depths



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Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

Sheet 5. Upper section dredging area w/ known depths

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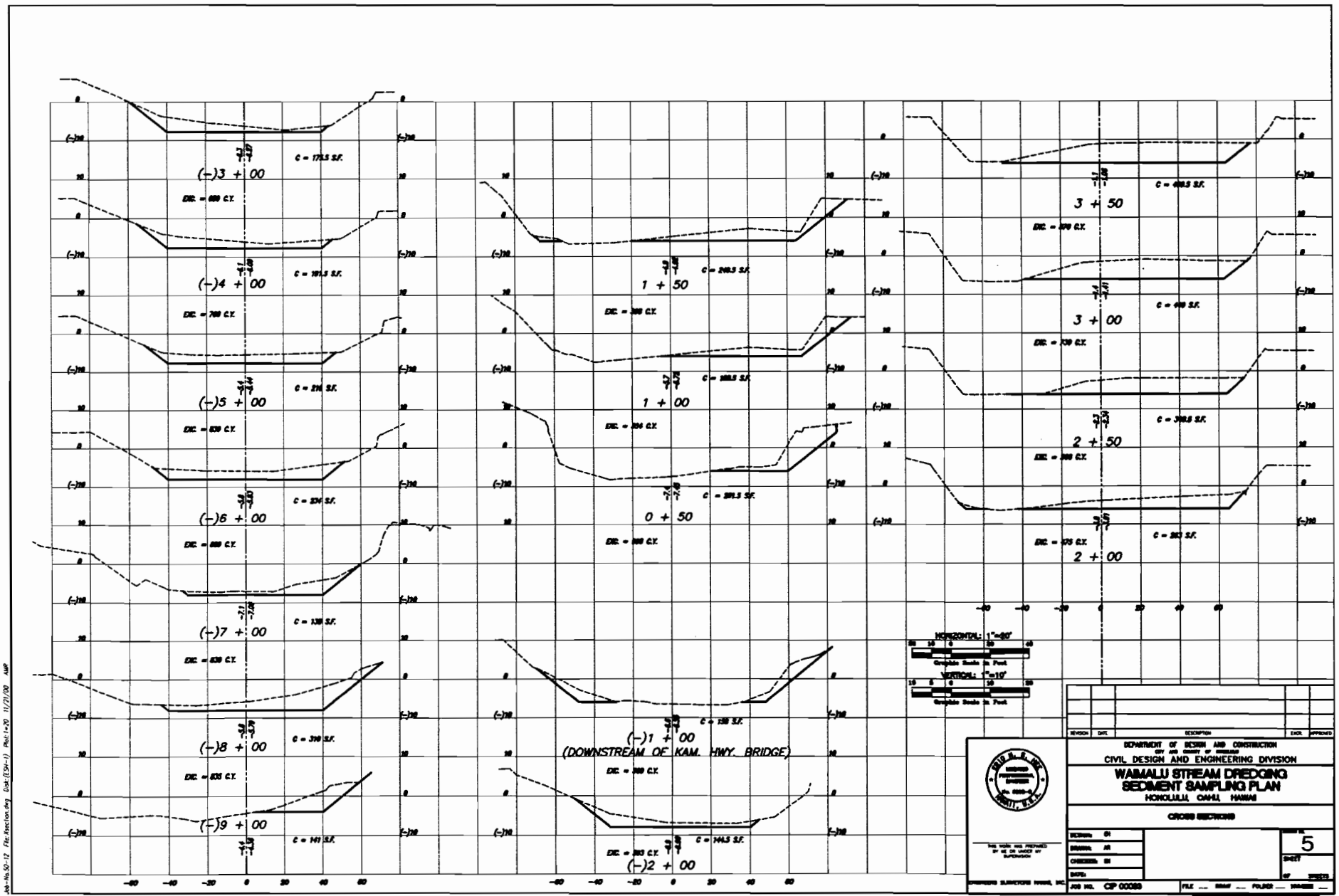
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

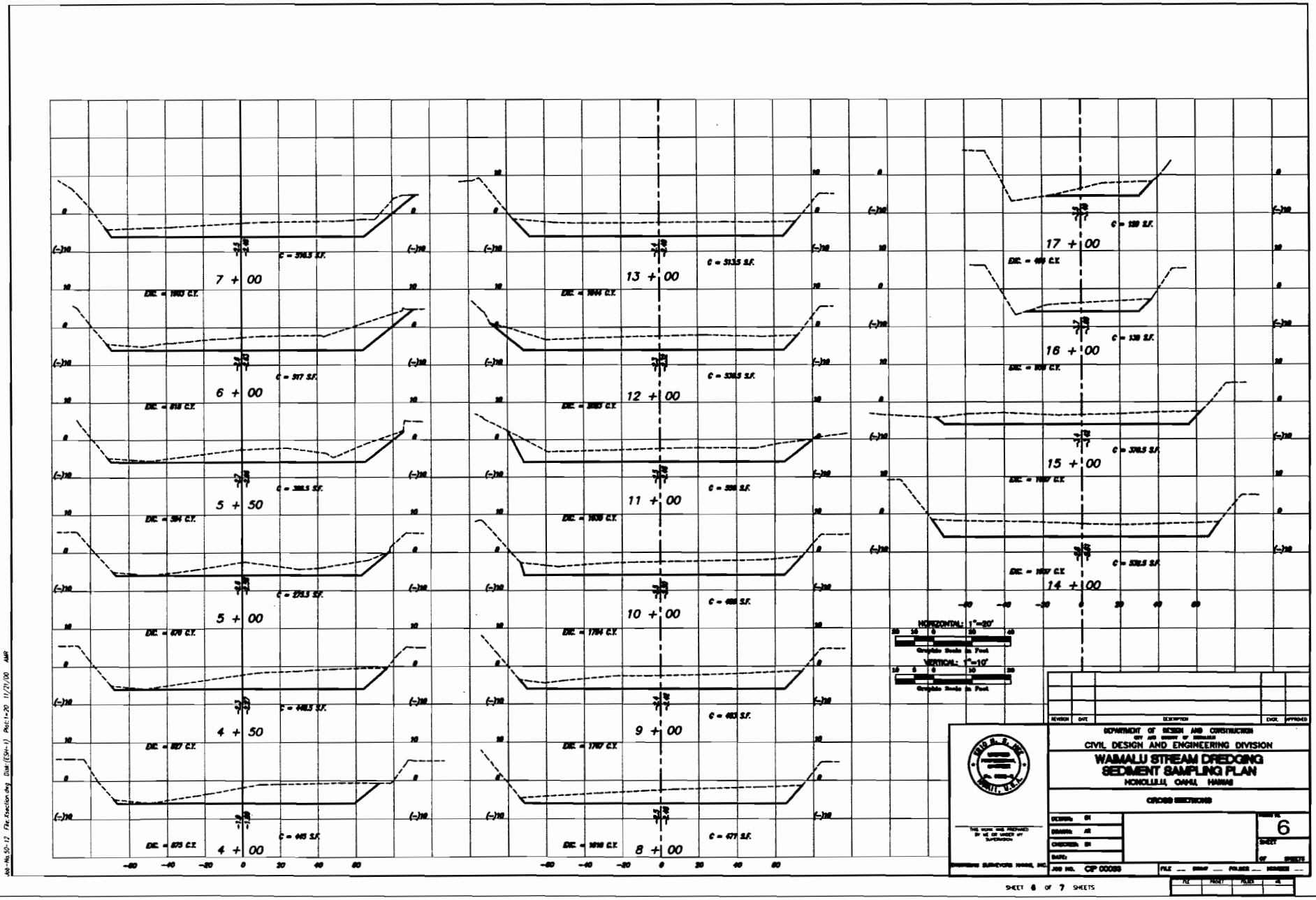
Sheet 6. Profile view: material to be dredged, Stn -9+00 to Stn 3+50



SHEET 5 OF 7 SHEETS

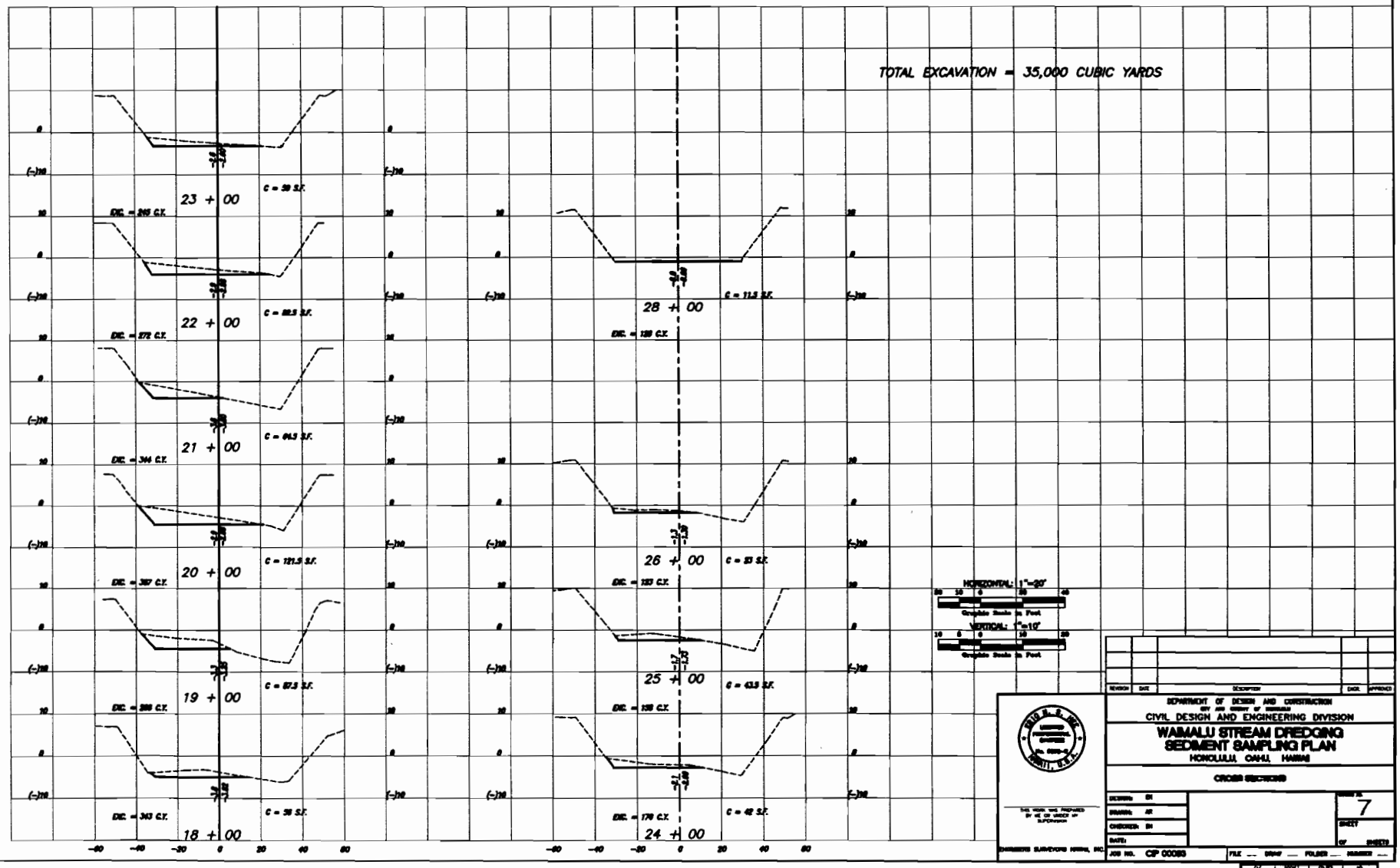
POH-2005-375
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

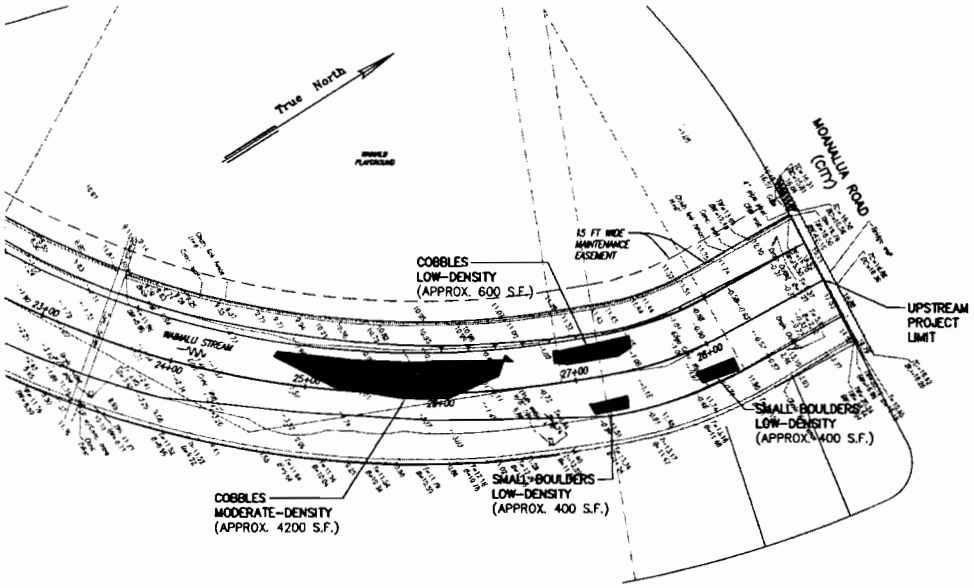
Sheet 7. Profile view: material to be dredged, Stn 4+00 to Stn 17+00



POH-2005-375
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

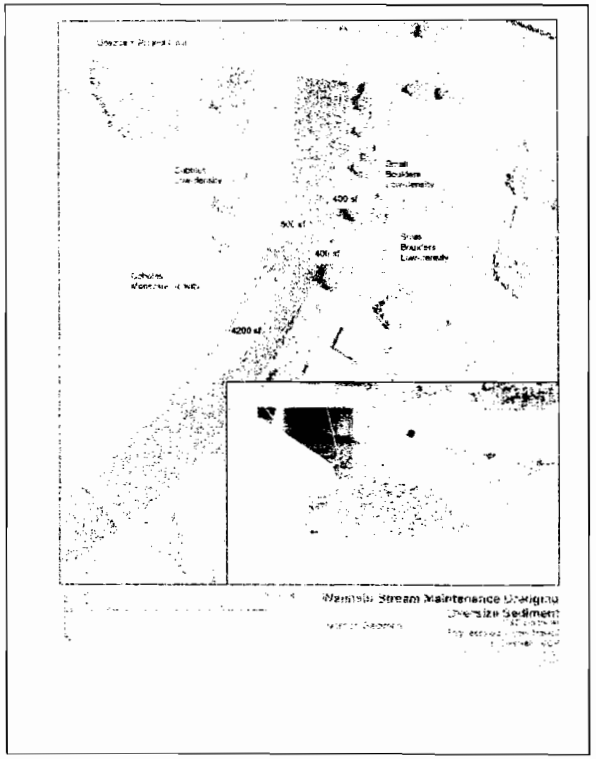
Sheet 8. Profile view: material to be dredged, Stn 18+00 to Stn 28+00





OVERSIZE SEDIMENT PLAN

SCALE: 1" = 40'



OVERSIZE SEDIMENT NOTE:

OVERSIZED SEDIMENT CONSISTS OF BOULDERS AND COBBLES AS DEFINED BY THE US ARMY CORPS OF ENGINEERS (USACE). THIS MATERIAL WILL NOT BE ALLOWED TO BE DISPOSED OF IN THE OCEAN. THE OVERSIZED SEDIMENT LOCATION IS AS SHOWN ON THE PLANS, NEAR MOANALUA ROAD. IT WAS LOCATED PER VISUAL INSPECTION OF THE SITE AT LOW TIDE. HOWEVER, THERE MAY ALSO BE OVERSIZED SEDIMENT UNDERWATER, WHICH IS NOT VISIBLE. THE REPORT "DREDGED MATERIAL EVALUATION FOR OCEAN DISPOSAL: MAINTENANCE DREDGING IN WAIMALU STREAM" ALSO REFERENCES LOCATION OF BOULDERS AND COBBLES IN THE UPPER REACH, NEAR MOANALUA ROAD. CONTRACTOR SHALL BE ALLOWED TO BREAK UP WITHIN THE STREAM, OVERSIZED SEDIMENT INTO MANAGEABLE SIZES. IT IS ANTICIPATED THAT OVERSIZED SEDIMENT MAY BE REMOVED BY HAND, WITHOUT THE NEED FOR DEWATERING. HOWEVER, CONTRACTOR SHALL SUBMIT TO THE ENGINEER FOR APPROVAL, HIS PLAN FOR REMOVAL OF OVERSIZED SEDIMENT AND HIS PROPOSED DISPOSAL SITE.

DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY AND COUNTY OF HONOLULU
CIVIL DIVISION

WAIMALU STREAM MAINTENANCE DREDGING
WAIMALU, EWA, OAHU, HAWAII

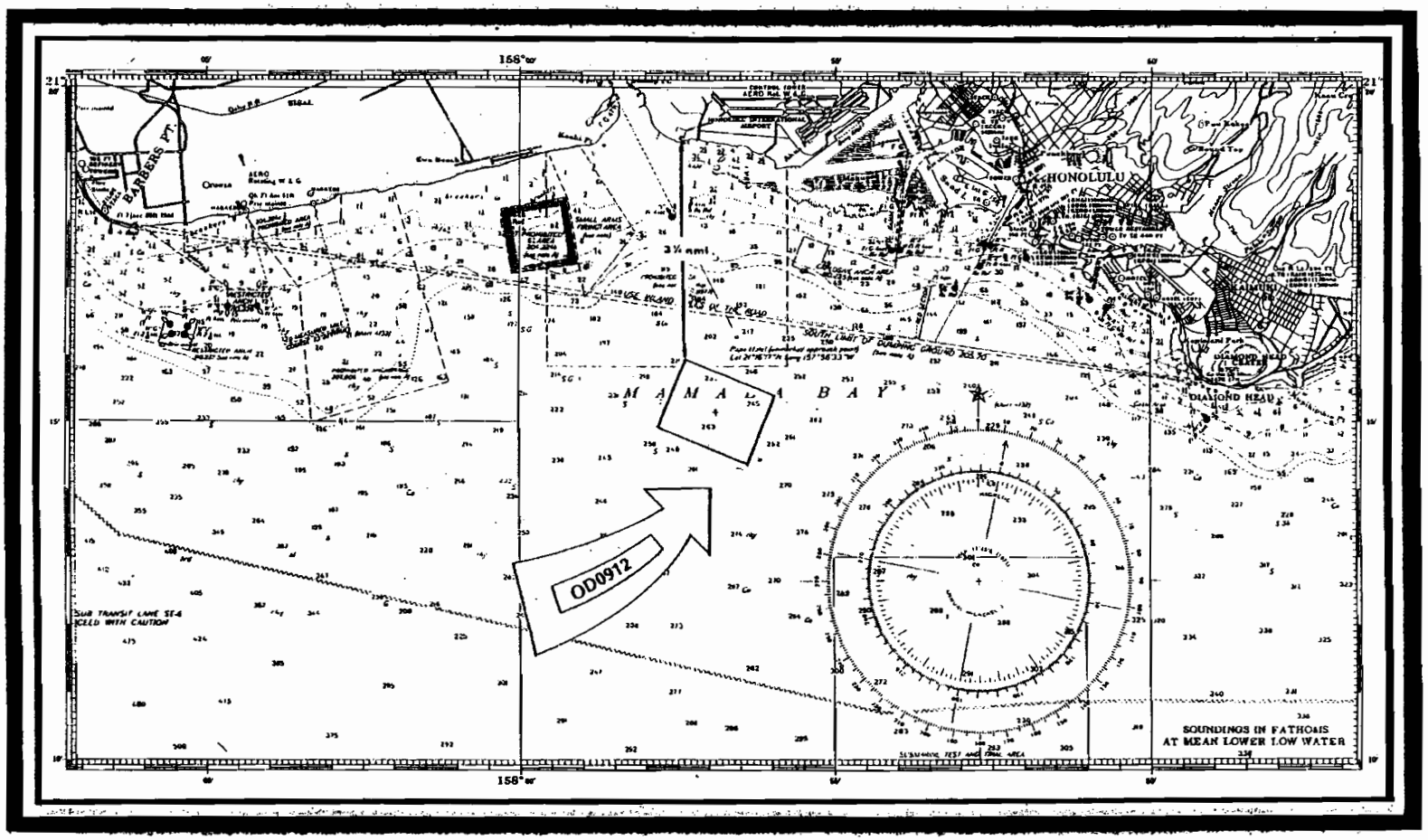
OVERSIZE SEDIMENT PLAN

DESIGN:
DRAWN:
CHECKED:
DATE: OCT 2007
APPROVED:
SHEET NO. 12
SHEET 12 OF 12 SHEETS
JOB NO. 30-07
FILE DRAW FOLDER NUMBER

ENGINEERS SURVEYORS HAWAII, INC.

POH-2005-375
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

Sheet 9. Plan view: known location of oversized material to be disposed at UPLAND location, Stn 24+00 to Stn 26+00



Boundary Coordinates	21°15'58"N., 157°57'20"W. 21°15'24"N., 157°55'58"W. 21°14'58"N., 157°57'48"W. 21°14'24"N., 157°56'22"W.
Center Coordinates	21°15'10"N., 157°56'50"W.

Navigation Chart No.	NOS 19357
Area	1.51 Square Nautical Miles
Local Navigational Aids	Loran C, Omega, RDF, Radar
Material Type	Dredged Material

OD0912
South Oahu Site, HI

September 1980

POH-2005-375
Applicant: Dept. Of Design & Construction, C&C Honolulu
Waimalu Stream Maintenance Dredging & Ocean Disposal Project

General Location Map. South Oahu Ocean Disposal Site
OD0912

Regulatory Branch (CEPOH-EC-R)
U.S. Army Engineer District, Honolulu
Building 230
Fort Shafter, HI 96858-5440