



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

July 19, 2023

**SUBJECT:** Nationwide Permit Verification for Alakoko Fish Pond Restoration, Hule'ia, Puna, Island of Kauai, HI Department of the Army File No. POH-2017-00195

Sara Bowen  
Malama Huleia  
PO Box 662092  
Lihue, HI 96766

Dear Ms. Bowen:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Branch has completed review of your Pre-Construction Notification dated June 28, 2022 requesting authorization for the proposed Alakoko Fishpond maintenance located at the Alakoko Fishpond off of Hulemalu Road, Lihue, Island of Kauai, Hawaii. Please reference Department of the Army (DA) file number POH-2017-00195 in any future correspondence related to this permit.

This letter verifies your activity complies with the terms and conditions of Nationwide Permit (NWP) #3, (Maintenance) issued on March 15, 2021. This NWP verification letter is being issued pursuant to Section 404 of the Clean Water Act for the discharge of dredged and/or fill material into waters of the U.S. and Section 10 of the Rivers and Harbors Act of 1899 for work or structures in, over, under or affecting navigable waters of the U.S. You are authorized to conduct the following work below the mean high water mark (MHWM) as described below and as depicted on the enclosed drawings (Enclosure 1):

- Dredging 10,344 cy of accumulated sediment on 2.1 acres below the Mean High Water Mark (MHWM) from the eastern portion of the pond utilizing an amphibious excavator and placing the material in an uplands stockpile area outside of the permit area.
- Dredging 2,500 cy of accumulated sediment along 2,060 linear feet of below the MHWM along the southern portion of fishpond wall. The sediment would then be discharged on the earthen bank of the fishpond wall. A mini excavator then would be utilized to shape the dredged material to stabilize the fishpond wall. Simultaneously, fallen pond wall rocks would be collected and placed back onto approximately 2,060 linear feet of the pond wall. Original rocks would be given priority for use. Additional rock material used would be obtained in collaboration with 'aina based organizations and from the rock quarry at halfway bridge.

- Dredging 1,300 cy of accumulated sediment below the MHW on the north portion to be redistributed on the earthen bank to restore and strengthen the bank.

Based upon the information and plans you provided, we hereby verify that the work described above, which would be performed in accordance with the enclosed plan (sheets 1), dated July 5, 2022, is authorized by Nationwide Permit (NWP) No. 3, Maintenance. NWP No. 3 and its associated Regional and General Conditions can be accessed at: <https://www.poh.usace.army.mil/Missions/Regulatory/Permits/Nationwide-Permits/>. You must comply with all terms and conditions associated with NWP No. 3.

Verification of your project under this NWP is valid until **March 14, 2026** unless this NWP is modified, reissued, or revoked prior to that date. It is incumbent upon you to remain informed of changes to the NWPs. If the Corps modifies, reissues, or revokes any NWP at an earlier date, we will issue a public notice announcing the changes. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of the Clean Water Act and/or Rivers and Harbors Act and subsequent enforcement action. This authorization does not relieve you of the responsibility to obtain any other federal, state, and/or local authorizations required by law.

Your project complies with the requirements of the Clean Water Act, Section 401 Blanket Water Quality Certification (WQC) WQC1092 issued for this Nationwide Permit by the State of Hawaii Department of Health, Clean Water Branch. You are responsible for complying with the attached General Conditions of this WQC (Enclosure 2).

Your project complies with the requirements of the Coastal Zone Management Consistency Concurrence for this Nationwide Permit issued by the State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning during the Nationwide Permit reissuance process in 2021.

Finally, General Condition #30 requires a signed certification be submitted to this office upon completion of work. Therefore, please sign, date and return the enclosed *Compliance Certification* form (Enclosure 3) within 30 days of completion of work to the email address specified below or to the mailing address indicated on the letterhead above.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this authorization, please contact me at 808-835-4307 or via e-mail at [Michael.A.Maaninen@usace.army.mil](mailto:Michael.A.Maaninen@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>.

Sincerely,



Michael Maaninen  
Project Manager, Regulatory Branch

Enclosures

Electronic cc:

State of Hawaii Department of Health, Clean Water Branch

Darryl C Lum [darryl.lum@doh.hawaii.gov](mailto:darryl.lum@doh.hawaii.gov)

State of Hawaii Office of Planning, Coastal Zone Management Program

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