

Section 1 –
Honolulu District U. S. Army Corps of Engineers
Nationwide Permit Pre-Construction Notification
(PCN) Template

Honolulu District

U.S. Army Corps of Engineers



Nationwide Permit Pre-Construction Notification (PCN)

This PCN template integrates requirements of the U.S. Army Corps of Engineers (Corps) Nationwide Permit (NWP) Program with the Honolulu District (POH) NWP Regional Conditions. Boxes 1-10 should be completed to include all information required by NWP General Condition 32. Boxes 11 and 12 (or other sufficient information to show compliance with all NWP General and POH Regional Conditions) is also recommended to be completed for proposed activities seeking verification under the NWP Program. If additional space is needed, please provide as a separate attachment. Please refer to the attached *Instructions for the Honolulu District Nationwide Permit Pre-Construction Notification (PCN)* (Instructions) for instructions on completing the PCN.

To be completed by the Corps – do not fill-in		
Application Number:	Date Received:	Date Complete:
1. Prospective Permittee and Agent Contact Information (see Instructions)		
a. Prospective Permittee		
First - _____ Middle - _____ Last - _____		
Company - _____ Email Address - _____		
Address - _____ City - _____ State/Territory - _____ Zip - _____		
Phone (Residence/Mobile) - _____ Phone (Business) - _____		
b. Agent (if applicable)		
First - _____ Middle - _____ Last - _____		
Company - _____ Email Address - _____		
Address - _____ City - _____ State/Territory - _____ Zip - _____		
Phone (Residence/Mobile) - _____ Phone (Business) - _____		
c. Statement of Authorization: I hereby authorize _____, to act on my behalf as my agent for the proposed activity. (Optional, see instructions)		
_____ Signature of Applicant		_____ Date
2. Name and Location of the Proposed Activity (see Instructions)		
<input type="checkbox"/> The proposed work would involve multiple-single and complete projects. See attachment for the information required in Boxes 2 through 12, as applicable.		
a. Project Name or Title:	b. City, County, Island, State/Territory:	
c. Name of Impacted Waterbody(ies):		
d. Coordinates (in decimal format):		
Latitude - _____ Longitude - _____		
<input type="checkbox"/> Unknown (please provide other location descriptions below)		
e. Other Location Description (optional, see instructions):		

f. Directions to the site (optional, see instructions):

3. Specific NWP(s) you want to use to authorize the proposed activity (see Instructions)

4. Description of the Proposed Activity (see Instructions)

a. Complete description of the Proposed Activity:

Impact Quantifications:

For discharges of dredged/fill material (if more than 3 fill activities proposed, include extended table as an attachment):

☐ N/A, no discharge of dredged or fill material in waters of the U.S. proposed.

Impacted Water Name (e.g. Aloha Stream)	Impacted Water Type (T-Tributary, W-Wetland, N-Navigable water)	Fill Activity (e.g. sandbag berm, temp access, bank stabilization, etc.)	Fill Dimensions in Waters of the U.S. <i>Note: Only record fill placed below Ordinary High Water Mark (OHWM) for Stream/Tributary, Wetland Boundary or High Tide Line (HTL) for Navigable Waters</i>				Impact Duration (T-Temporary, P-Permanent, L-Loss)	Fill Material Type (e.g. boulder, sand, sandbag, soil, etc.)
			Length (ft)	Width (ft)	Area (sq ft)	Volume (cy)		
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N						<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L	
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N						<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L	
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N						<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L	

For structures (if more than 3 structures proposed, include extended table as an attachment):

☐ N/A, no structures in navigable waters proposed.

Impacted Navigable Water Name (e.g. Mahalo Bay)	Impacted Water Type (T/W/N)	Type of Structure and Material (e.g. HDPE pipeline, concrete pier, steel cofferdam, etc.)	Structure's Position (I-In/O-Over/ U-Under nav water)	Structure's Dimensions in Navigable Waters			Impact Duration (T-Temporary, P-Permanent, L-Loss)
				Length (ft)	Width (ft)	Area (sq ft)	
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N		<input type="checkbox"/> I <input type="checkbox"/> O <input type="checkbox"/> U				<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N		<input type="checkbox"/> I <input type="checkbox"/> O <input type="checkbox"/> U				<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N		<input type="checkbox"/> I <input type="checkbox"/> O <input type="checkbox"/> U				<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L

For dredging activities (if more than 3 dredge activities proposed, include extended table as an attachment):

☐ New dredging ☐ Maintenance dredging ☐ N/A, no dredging in navigable waters proposed.

Impacted Navigable Water Name (e.g. Lei Harbor)	Impacted Water Type (T/W/N)	Dredge/Removal Dimensions in Navigable Waters				Impact Duration (T-Temporary, P-Permanent, L-Loss)	Dredged Material Type (e.g. sand, mud, rock, etc.)
		Dredged Area Length (ft)	Dredged Area Width (ft)	Dredged Area (sq ft)	Dredged Volume (cy)		
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N					<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L	
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N					<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L	
	<input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> N					<input type="checkbox"/> T <input type="checkbox"/> P <input type="checkbox"/> L	

b. Purpose of the Proposed Activity:

c. Direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure:

d. Description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity:

e. Any other NWP(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed activity or any related activity including other separate and distant crossings for linear projects that require Department of the Army authorization:

f. Have sketches been provided containing sufficient detail to show that the activity complies with the terms of the NWP and provide an illustrative description of the proposed activity? ☐ Yes, Attached ☐ No

5. Aquatic Resource Delineation (see Instructions)

a. Has a delineation of aquatic resources(wetlands, other special aquatic sites, and other waters, such as perennial, intermittent, ephemeral streams and navigable waters i.e. harbors, shoreline, ocean) been conducted in accordance with the current method required by the Corps? ☐ Yes ☐ No ☐ N/A, project located entirely in marine waters with no associated upland activities (e.g. buoy, marine bore, etc.)

If yes, please attach a copy of the delineation **See Supplemental Information 4c**

Note: If no, your PCN is not complete. In accordance with General Condition 32, you may request the Corps delineate the special aquatic sites and other waters on the project site, but there may be a delay. In addition, the PCN will not be considered complete until the delineation has either been submitted to or completed by the Corps, as appropriate.

b. If a delineation has been submitted, would you like the Corps to conduct a jurisdictional determination (preliminary or approved)? ☐ Yes ☐ No

If yes, please complete, sign and return the attached *Appendix 1 – Request for Corps Jurisdictional Determination (JD)* sheet or provide a separate attachment with the information identified in Appendix 1.

6. Compensatory Mitigation (see Instructions)

a. Will the proposed activity result in the loss of greater than 1/10-acre of wetlands? ☐ Yes ☐ No

Note: In accordance with Regional Condition 3, permanent losses of waters of the U.S. greater than 1/10-acre are prohibited.

If yes, describe how you propose to compensate for the loss of each type of wetland:

Note: For the loss of less than 1/10 acre of wetlands, or if no compensatory mitigation is proposed, the Corps may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in no more than minimal adverse environmental effects.

b. Will the proposed activity result in the loss of streams or other open waters of the U.S.? ☐ Yes ☐ No

Note: In accordance with Regional Condition 7.2, your PCN must you must provide a written discussion of the on-site design configurations considered to demonstrate avoidance and minimization of impacts was evaluated and that the proposed permanent loss is unavoidable. See Box 12, below.

If yes, provide a description of any proposed compensatory mitigation for the loss of each type of stream or other open water:

Note: If no compensatory mitigation is proposed, the Corps may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in no more than minimal adverse environmental effects.

7. Endangered Species Act (ESA) Compliance (see Instructions)

a. For non-Federal permittees (if Federal permittee, check N/A and skip to 7(b)): ☐ N/A

(1) Are there any Federally-listed or proposed endangered or threatened species known or likely to occur within or near the project area? ☐ Yes, see species list below ☐ No (If unknown, contact your local U.S. Fish & Wildlife Service office and/or National Marine Fisheries Service office.)

(2) Is the activity located in designated critical habitat for Federally-listed endangered or threatened species? ☐ Yes, see species list below ☐ No (If unknown, contact your local U.S. Fish & Wildlife Service office and/or National Marine Fisheries Service office.)

If yes to either (1) or (2), include the name(s) of those endangered or threatened species below:

- | | |
|----|-----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |
| 7. | 8. |
| 9. | 10. |

If no to both (1) and (2), proceed to Box 8.

Note: If yes to either (1) or (2), note per General Condition 18(c), you shall not begin work on the activity until notified by the Corps that the requirements of the ESA have been satisfied and that the activity is authorized.

b. For Federal permittees, you must provide documentation demonstrating compliance with ESA as a separate attachment. ☐ Enclosed See Attachment E, Attachment 5, Endangered Species Act Section 7 Consultation

8. Historic Properties (see Instructions)

a. For non-Federal permittees (if Federal permittee, check N/A and skip to 8(b)): ☐ N/A

(1) Is there a known historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places within or near the project area? ☐ Yes ☐ No (If unknown, contact your local State Historic Preservation Officer.)

If yes to (1), include the name(s) of historic property(ies) below:

- | | |
|----|----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |

OR

☐ A vicinity map indicating the location of the historic property is enclosed

(2) If no to (1), describe the potential for the proposed work to affect a previously unidentified historic property:

Note: If yes to (1), note per General Condition 20(c), you shall not begin the activity until notified by the Corps that the activity has no potential to cause effects or that consultation under Section 106 of the National Historic Preservation Act (NHPA) has been completed.

b. For Federal permittees, you must provide documentation demonstrating compliance with NHPA in a separate attachment. ☐ Enclosed See Attachment E, Attachment 7, National Historic Preservation Act Section 106

9. National Wild and Scenic Rivers

N/A. There are no designated Wild and Scenic Rivers in any state or territory of the Honolulu District

10. Section 408 Permissions (see Instructions)

a. Will the proposed activity also require permissions from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a Corps federally authorized Civil Works project? ☐ Yes ☐ No

If yes, have you received Section 408 permission to alter, occupy, or use the Corps project? ☐ Yes ☐ No

If yes, please attach the Section 408 permission

Note: If yes, note per General Condition 31, an activity that requires Section 408 permission is not authorized by NWP until the Corps issues the Section 408 permission to alter, occupy, or use the Corps project, and the Corps issues a written NWP verification.

11. Compliance with NWP General Conditions (required)

Instructions: To qualify for NWP authorization, your project must comply with the NWP General Conditions. Read the General Conditions. Indicate below your rationale for compliance with each general condition. Conditions are listed below to reflect each corresponding NWP General Condition number.

General Condition	Rationale for Compliance with General Condition
1. Navigation	
2. Aquatic Life Movements	
3. Spawning Areas	
4. Migratory Bird Breeding Areas	
5. Shellfish Beds	
6. Suitable Material	
7. Water Supply Intakes	
8. Adverse Effects from Impoundments	
9. Management of Water Flows	
10. Fills Within 100-Year Floodplains	
11. Equipment	
12. Soil Erosion and Sediment Controls	
13. Removal of Temporary Fills	
14. Proper Maintenance	
15. Single and Complete Project	
16. Wild and Scenic Rivers	N/A
17. Tribal Rights	N/A

18. Endangered Species	See Box 7 above.
19. Migratory Bird and Bald and Golden Eagle Permits	
20. Historic Properties	See Box 8 above.
21. Discovery of Previously Unknown Remains and Artifacts	
22. Designated Critical Resource Waters	
23. Mitigation	See Boxes 4(d) and 6 above.
24. Safety of Impoundment Structures	
25. Water Quality	<p>State certifying agency contacted? <input type="checkbox"/> Yes <input type="checkbox"/> No See Attachment E, Attachment 1</p> <p>Water quality certification (WQC) status: <input type="checkbox"/> Pending; application submitted on _____</p> <p><input type="checkbox"/> Issued on _____; attached to PCN. <input type="checkbox"/> Waived on _____; attached to PCN</p> <p>Note: Only the state has the authority to determine whether a WQC is required for your project. You are responsible for obtaining WQC, if required by the state. Contact the appropriate state certifying agency as early as possible. The Corps cannot proceed with NWP authorization without a WQC or waiver.</p>
26. Coastal Zone Management (CZM)	<p>State certifying agency contacted? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>CZM consistency determination status: <input type="checkbox"/> Pending; application submitted on _____</p> <p><input type="checkbox"/> Issued on _____; consistency concurrence attached to PCN.</p> <p>Note: Only the state has the authority to determine whether your project is consistent with the state's CZM plan. It is your responsibility to obtain a CZM consistency determination, if required. Contact the appropriate state agency as early as possible. The Corps cannot proceed with NWP authorization without a CZM consistency concurrence.</p>
27. Regional and Case-by-Case Conditions	
28. Use of Multiple Nationwide Permits	
29. Transfer of Nationwide Permit Verifications	N/A
30. Compliance Certification	N/A
30. Activities Affecting Structures or Works Built by the U.S.	See Box 10 above.
32. Pre-Construction Notification	Completion of this template complies with this condition and RC 6.

12. Compliance with NWP Regional Conditions (required)

Instructions: To qualify for NWP authorization, your project must comply with the POH NWP Regional Conditions. Read the Regional Conditions. Complete the sections below to indicate your compliance with each Regional Condition. Conditions are listed below to reflect each corresponding POH NWP Regional Condition number.

Regional Condition	Rationale for Compliance with Regional Condition
1. Revoked Permits	<input type="checkbox"/> The NWP(s) specified in Box 3, above is/are not revoked from use in the Honolulu District.
2. Limited Use Areas	<input type="checkbox"/> There are no limited use areas present within or in the vicinity of the project. <input type="checkbox"/> The following limited use areas are present within or in the vicinity of the project: _____ _____
3. Acreage Limitation	<input type="checkbox"/> No permanent discharge of dredged or fill material into waters of the U.S. greater than 0.10 acres proposed
4. Stream Channelization and Impoundment Restriction	<input type="checkbox"/> No permanent stream channelization proposed. <input type="checkbox"/> No permanent construction of a dam to impound waters of the U.S. proposed
5. NWP Verification	Submission of this template initiates the process to obtain NWP Verification, per RC 5.
6. PCN	Completion of this template complies with RC 6

7. Additional PCN Information	<p>For Federal permittees, you must provide documentation demonstrating EFH compliance as a separate attachment. <input type="checkbox"/> Enclosed <small>See Attachment E, Attachment 5, Endangered Species Act Section 7 Consultation</small></p> <p>For non-Federal permittees, please complete Sections 7.1 (a-c), below.</p>
	<p>7.1(a) <input type="checkbox"/> N/A, no listed species known or likely to occur (see box 7(a)(1), above); skip to 7.1(b).</p> <p>i. See species list: <input type="checkbox"/> at box 7(a)(2), above; OR <input type="checkbox"/> attached <small>See Supplemental Information 4c & 4d</small></p> <p>ii. <input type="checkbox"/> Proposed BMPs to avoid/minimize impacts to listed species are attached. <input type="checkbox"/> No BMPs to avoid/minimize impacts to listed species proposed.</p>
	<p>7.1(b) <input type="checkbox"/> N/A, No activity in tidal waters proposed; skip to 7.1(c).</p> <p>i. EFH occurs in the project area for the following Management Unit Species: <input type="checkbox"/> Bottomfish <input type="checkbox"/> Crustaceans <input type="checkbox"/> Pelagics <input type="checkbox"/> Coral Reef Ecosystem <input type="checkbox"/> Seamount Groundfish <input type="checkbox"/> Precious Corals (PC) (If unknown, contact your local National Marine Fisheries Service office)</p> <p>ii. Existing environment: Bottom substrate (sand, cobbles, silt, etc.): _____ Water depth: _____ feet Distance from shore: _____ feet Tidal Range: <input type="checkbox"/> Intertidal <input type="checkbox"/> Subtidal <input type="checkbox"/> Submerged Water Quality (clear, brackish, murky, etc.): _____</p> <p>iii. <input type="checkbox"/> Proposed BMPs to avoid/minimize impacts to EFH are attached. <input type="checkbox"/> No BMPs to avoid/minimize impacts to EFH proposed. <small>See Supplemental Information 4c & 4d</small></p>
	<p>7.1(c) <input type="checkbox"/> N/A, no historic properties (see box 8(a)(1), above); skip to 7.2.</p> <p>i. Associated upland activities proposed (staging, stockpiling, temporary access, entry/exit pits, etc.): _____</p> <p><input type="checkbox"/> No activities in uplands associated with this project proposed.</p> <p>ii. See historic property(ies) list <input type="checkbox"/> at box 8(a), above OR <input type="checkbox"/> attached <small>See Supplemental Information 8a</small></p> <p>iii. The following NHOs, community members or other parties may want to provide comment on this project: _____</p> <p><input type="checkbox"/> No knowledge of any NHOs, community members or others interested in providing comment.</p> <p>iv. <input type="checkbox"/> Correspondence with <input type="checkbox"/> SHPO, <input type="checkbox"/> NHO, <input type="checkbox"/> Other _____, attached. <input type="checkbox"/> No parties consulted prior to PCN submittal.</p> <p>v. To meet RC 7.1(c), the following documents, libraries or databases were searched: _____</p> <p>vi. <input type="checkbox"/> Proposed BMPs to avoid/minimize/mitigate impacts to historic properties are attached <input type="checkbox"/> No BMPs to avoid/minimize/mitigate impacts to historic properties proposed.</p> <p>7.2 <input type="checkbox"/> N/A, No permanent loss of waters of the U.S. proposed; skip to 8.1(a).</p> <p><input type="checkbox"/> The proposed permanent loss of waters of the U.S. is unavoidable. The following on-site design configurations were considered and deemed infeasible (rationale provided): _____</p> <p>_____</p> <p><input type="checkbox"/> See attached sketch depicting other configuration(s) considered (<i>optional</i>)</p>
8. Best Management Practices	<p>8.1 (a) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> Not applicable</p> <p>8.2 (a) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A (b) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A (c) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A (d) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A (e) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A (f) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A</p>
	<p>8.3 (a) <input type="checkbox"/> Applicable, will implement or <input type="checkbox"/> N/A</p>
9. Bank Stabilization	<p>9.1 <input type="checkbox"/> N/A, No stream bank stabilization proposed.</p> <p><input type="checkbox"/> An environmentally-sensitive stabilization technique is proposed. See box 4, above.</p> <p><input type="checkbox"/> An environmentally-sensitive stabilization technique is not proposed. The following techniques were considered and deemed not practicable (rationale provided): _____</p> <p>_____</p>
	<p>9.2 <input type="checkbox"/> N/A, I am not proposing shoreline stabilization</p> <p><input type="checkbox"/> I am proposing an environmentally-sensitive stabilization technique. See box 4, above.</p> <p><input type="checkbox"/> I am not proposing an environmentally-sensitive stabilization technique because I determined the following techniques I considered below, not practicable: _____</p> <p>_____</p>

**Instructions for the Honolulu District
Nationwide Permit Pre-Construction Notification (PCN):**

This PCN template integrates requirements of the U.S. Army Corps of Engineers (Corps) Nationwide Permit (NWP) Program with the Honolulu District (POH) NWP Regional Conditions for regulated activities located within POH's area of responsibility. The POH Regulatory Branch recommends this PCN template be used by prospective permittees who are seeking verification under the 2017 NWPs. Should you choose to submit your PCN using an alternate format, it must contain all information requirements identified at NWP General Condition 32(b) and Regional Conditions 2, 7 and 9 (Attachment 1).

Boxes 1-10 should be completed to include all information required by NWP General Condition 32. Boxes 11 and 12 (or other sufficient information to show compliance with all NWP General and POH Regional Conditions) should also be completed to facilitate efficient permit evaluation.

If additional space is needed, provide as an attachment to the PCN template.

Box 0: This box is to be completed by the Corps, skip. Continue to Box 1.

Box 1: Box 1 must be completed to provide the contact information of the prospective permittee, as required by General Condition 32.

Box 1(a): As identified in General Condition 32(b)(1), the PCN must contain the name, mailing address, and telephone number of the prospective permittee. The email address of the prospective permittee is not required, but is recommended.

Box 1(b): If the prospective permittee chooses to have an agent, the contact information for the agent may be provided here.

Box 1(c): If the prospective permittee would like to designate his or her agent, identified in Box 1(b), as the primary point of contact for the Corps and to act on his or her behalf in obtaining the NWP, the prospective permittee must fill out Box 1(c). If Box 1(c) is not completed, the Corps will only contact the prospective permittee. The individual identified in Box 1(c) must match the individual identified in Box 1(b)

Box 2: Box 2 must be completed to provide the location of the proposed activity, per General Condition 32(b)(2). If the proposed work would involve multiple single and complete projects, check the box, and provide the location information identified in Boxes 2-10, and 11-12, as applicable, in a separate attachment.

For multiple single and complete projects, a table identifying the location of each project is recommended. Submittal of the GIS shapefiles with the location of each project is recommended, but is not required. *Single and Complete Linear Project* and *Single and Complete Non-Linear Project* are defined in the *Definitions* section of the 2017 NWPs. For questions regarding the definition of single and complete project, please contact the POH Regulatory Branch.

Box 2(a): Provide the name of the proposed activity. For example: Makai Harbor Pier A Repair, Mauka Stream Bank Stabilization, Aina Residential Development Project.

Box 2(b): Provide the City, County, Island and State/Territory where the proposed activity is located.

Box 2(c): Provide the name of the nearest waterbody to the proposed activity or the waterbody proposed for impact, if known.

Box 2(d): Provide the coordinates of the proposed activity if known. The coordinates should be provided using NAD 83, and in decimal degrees.

Box 2(e): This box should be completed if the coordinates of the proposed activity are not known, and should be sufficient for the Corps to determine the location of the proposed activity. This may include the project physical address, TMK number, etc. If there is an existing Corps' file or identification number (e.g. POH-2017-00001 for the site, please provide that information here.

Box 2(f): This box should be completed if the coordinates of the proposed activity are not known, and should be sufficient for the Corps to determine the location of the proposed activity.

Box 3: Per General Condition 32(b)(3), the prospective permittee must identify the specific NWP(s) requested to authorize the proposed activity. You must read the NWP terms to ensure your proposed activity is eligible under your requested NWP, including any applicable general or regional conditions. Please note the Corps will make the final determination on the evaluation of the appropriate NWP to be used, whether the proposed activity meets the terms and conditions of the NWP, and whether the effects of the proposed activity would result in no more than minimal adverse environmental effects, individually and cumulatively. The NWP terms, general and regional conditions are on the Honolulu District Regulatory website at: <http://www.poh.usace.army.mil/missions/regulatory/>.

Box 4: General Condition 32(b)(4) requires the PCN contain the following:

a description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

If the proposed activity would involve multiple single and complete projects, provide the information identified in Boxes 4(a) – (e) for each single and complete project in a separate attachment. For multiple single and complete projects, a table identifying the impacts to waters of the U.S. for each single and complete linear project should be submitted, which may be done by creating a table or similar format. Single and Complete Linear Project and Single and Complete Non-Linear Project are defined in the *Definitions* section of the NWP(s). For questions regarding the definition of single and complete project, please contact your District regulatory office.

Box 4(a): This box should include a complete description of the proposed activity, identifying especially those actions in waters of the U.S. that require authorization from the Corps (discharge of dredged or fill material in waters of the U.S.; work and/or structures in, over, under or affecting navigable waters). The Corps evaluates the proposed activity, to include the means and methods, the construction window and sequence, associated upland activities (staging, stockpiling, temporary access, dewatering, disposal and borrow sites, etc.) and any other information that identifies activities that require a permit.

You may complete the table in this box as is applicable to your proposed activity to document impact quantifications. The first table is for discharges of dredged or fill material in waters of the U.S., the second table is for structures in navigable waters and the third table is for dredging activities in navigable waters. For each impact you are proposing, fill out a corresponding row in the applicable table. For example, a tidally influenced streambank stabilization project may involve the following three activities: sandbag berm for stream diversion (temporary discharge of fill material in navigable waters of the U.S.), excavated revetment toe (dredging in navigable waters), boulder revetment (permanent discharge of fill material in navigable waters of the U.S.), therefore you would complete two separate entries in the first table for each fill activity and a single entry in the third table for the dredging work. For those tables that are not applicable because you are not proposing that type of regulated activity, do not complete and indicate by checking "N/A".

For the first table, you must identify the impacted water name and type, the activity resulting in the discharge of dredged or fill material, the dimensions of the fill within the jurisdictional limits of a water of the U.S., whether

the discharge is temporary or permanent, and if permanent, whether there is an anticipated loss of waters of the U.S. and the type of fill material being discharged.

For the second table, you must identify the impacted navigable water name and type, the type of structure and its material, the structures' position relative to the navigable water, either in, over or under, the dimensions of the structure within the jurisdictional limits of a navigable water, and whether the structure is temporary or permanent.

For the third table, you must identify whether your proposed action involves new dredging or maintenance dredging, the impacted navigable water name and type, the dimensions of the dredge removal area and the volume and type of material to be dredged.

Note for impacted water type, more than water type may describe the impacted water. For example, the tidally influenced mouth of Aloha Stream would be both a tributary and a navigable water and tidal wetlands would be both a wetland and a navigable water. Select all that apply.

Note for permanent losses of waters of the U.S., a loss of waters of the U.S. occurs when a discharge of dredged or fill material permanently converts a water of the U.S., or a portion of a water of the U.S. to a non-water of the U.S. i.e., upland). The activity results in permanent loss of that water of the U.S., in terms of area and function. Conversion of one AR type to another is not considered a "permanent loss". Temporary conversion of a water of the U.S. to uplands with removal and restoration back to a water of the U.S. is not considered a "permanent loss". An "impact" refers to a broader category of effects on or changes to waters of the U.S. Impacts may be permanent or temporary and do not necessarily convert an aquatic resource to uplands. Not all impacts are permanent losses. A temporary impact will never result in a permanent loss of waters of the U.S.; therefore, permanent losses will ONLY be associated with permanent impacts.

Box 4(b): This box should describe the purpose of the proposed activity. For example: The purpose of a culvert replacement may be to restore drainage or hydraulic capacity.

Box 4(c): This box should describe the direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of each type of water of the U.S. expected to result from the NWP activity. "Loss of waters of the U.S." and "loss of stream bed" are defined in the *Definitions* section of the 2017 NWPs. For questions regarding the definition "loss of waters of the U.S." or "loss of stream bed," please contact the POH Regulatory Branch. For activities that would result in the discharge of dredged and/or fill material into waters of the U.S. subject to Section 404 of the Clean Water Act, include in this box the acreage (and linear feet for streams or other linear aquatic resources) of each aquatic resource type that would be filled.

Your discussion of direct and indirect adverse environmental effects should reflect your consideration of the anticipated impacts the proposed activity could have on the impacted water and on the resources identified in Boxes 7, 8 and 12, Regional Conditions 2 and 7. If you are proposing measures to avoid and/or minimize impacts to such resources, you may discuss the avoided or minimized impacts in Box 4(d).

Identify for each discharge whether the fill would be permanent or temporary (i.e. fill would be removed following construction and the fill area would be restored to pre-activity contours and conditions). For temporary fills, identify when the fill in waters of the U.S. is proposed to be removed, and the methods proposed to remove the fill/restore the area to pre-activity contours and conditions. In addition, identify the adverse environmental effects outside of the direct impact area that would occur, including the acreage of each type of water.

For activities that would result in work or the placement of structures in, over, under or affecting a navigable water of the U.S. subject to Section 10 of the Rivers and Harbors Act, include a description of the proposed work and the adverse environmental effects, including the acreage of the navigable water(s) that would be directly affected and the adverse effects caused by this activity. Identify for each structure, whether use in navigable waters would be permanent or temporary (i.e. structure would be removed from navigable waters following construction or structure is permanent). In addition, identify the indirect effects that would occur to the navigable waterway outside of the direct impact area.

Box 4(d): Include in this box any proposed mitigation measures intended to reduce adverse environmental effects caused by the proposed activity. Measures may include, a description of any best management practices (BMPs) proposed to minimize effects to downstream waters of the U.S., avoidance and/or preservation of waters of the U.S. on the project site; installation and maintenance of erosion control measures; and any other measures proposed. Do not include compensatory mitigation proposed to compensate for the loss of waters of the U.S., as this will be identified in Box 6.

Box 4(e): Identify any other NWP(s), Regional/Programmatic General Permit(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed activity or any related activity. If the proposed activity is part of a larger overall project that would require authorization under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act, identify the other permits proposed to be used here. This includes other separate and distant crossings for linear projects that require DA authorization but do not require pre-construction notification.

Box 4(f): Identify if sketches have been provided containing sufficient detail to provide an illustrative description of the proposed activity. Please note that specific requirements for drawings are required by the POH and are available on the Honolulu District Regulatory Website.

Box 5: Regional Condition 32(b)(5) requires the PCN include a delineation of wetlands, other special aquatic sites, and other waters.

Box 5(a): Identify whether a delineation of the jurisdictional limits and boundaries of aquatic resources has been conducted in accordance with the current method required by the Corps. Wetland delineations must be conducted in accordance with the technical procedures and guidance described in the 1987 *Corps of Engineers Wetlands Delineation Manual* (Technical Report Y-87-1) and the 2012 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Hawai'i and Pacific Islands Region*, Version 2.0. If a delineation of aquatic resources has been completed, a copy should be attached. If a delineation of aquatic resources has not been completed, the PCN is not complete. You may request the Corps delineate the special aquatic sites and other waters on the project site, but there may be a delay. In addition, the PCN will not be considered complete until the delineation has either been submitted to or completed by the Corps, as appropriate.

Note, the Corps' jurisdictional limits are as follows:

For Section 10 of the Rivers and Harbors Act of 1899: Mean High Water Mark elevation (33 CFR 329.12).

For Section 404 of the Clean Water Act: Ordinary High Water Mark for tributaries (streams, rivers), approved wetland boundary for wetlands, High Tide Line for navigable waters. The terms "Ordinary High Water Mark" and "High Tide Line" are defined in the *Definitions* section of the 2017 NWPs.

Note that the only exception to this requirement are those activities occurring entirely in the Pacific Ocean and that have no associated upland activities. Examples of such activities not requiring a delineation include deployment of buoys for vessel moorage, data collection or similar use, seafloor boring (not to include drilling activities that have an on-land entry or exit pit), or similar independent, marine activities or structures. For activities occurring along the shoreline, in marine waters of the Pacific Ocean, a delineation is required.

Box 5(b): If a delineation of aquatic resources has been submitted, identify whether you would like the Corps to conduct a jurisdictional determination (preliminary or approved). If yes, you must complete, sign, and return the enclosed *Appendix 1 – Request for Corps jurisdictional Determination (JD)* sheet, or provide a separate attachment with the information identified in Appendix 1 (Attachment 2). For questions regarding jurisdictional determinations, please contact the POH Regulatory Branch.

Note that a jurisdictional determination is not required to apply for and receive coverage under a NWP.

Box 6: General Condition 32(b)(6) requires, if the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee submit a statement describing how the mitigation requirements of General Condition 23 will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

If the proposed activity would involve multiple single and complete projects, provide the information identified in 6(a) and 6(b) for each single and complete project in a separate attachment. For multiple single and complete projects, a table identifying the proposed compensatory mitigation for each single and complete project should be submitted.

Box 6(a): Identify whether the proposed activity would result in the loss of greater than 1/10-acre of wetlands. The definition of "loss of waters of the U.S." may be found in the *Definitions* section of the 2017 NWPs.

Be advised, POH Regional Condition 3, Acreage Limitation prohibits permanent losses of waters of the U.S. greater than 1/10-acre resulting from the discharge of dredged or fill material. Note that for the loss of less than 1/10-acre of wetlands, or if no compensatory mitigation is proposed, the Corps may determine on a case-by-case

basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

Box 6(b): Identify whether the proposed activity would result in the loss of streams or other open waters of the U.S. The definition of “loss of waters of the U.S.” and “loss of stream bed” may be found in the *Definitions* section of the 2017 NWP. If the proposed activity would result in the loss of streams or other open waters of the U.S., provide a description of any proposed compensatory mitigation for the loss of each type of stream or other open water. This includes the type of compensatory mitigation (e.g. purchase of mitigation bank or in-lieu fee credits) or permittee responsible establishment, re-establishment, rehabilitation, enhancement or preservation for each stream or open water type (e.g. intermittent drainage, pond, lake). If preservation is proposed as compensatory mitigation, identify how the proposed preservation meets the 5 criteria listed in 33 CFR 332.3(h). Note that if no compensatory mitigation is proposed, the Corps may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in no more than minima adverse environmental effects.

Box 7: POH Regional Condition 7 requires non-Federal permittees to provide a list of Federally-listed or proposed endangered or threatened species known or likely to occur within or near the project area. Completion of Box 7 fulfills the requirement at General Condition 32(b)(7). Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act (ESA). For questions regarding federally-listed species, critical habitat, or ESA, please contact the local NOAA Fisheries office, U.S. Fish and Wildlife Service, or the POH Regulatory Office Branch.

If the proposed activity would involve multiple single and complete projects, provide the information identified in Boxes 7(a) – (d) (as applicable) for each single and complete project in a separate attachment.

Box 7(a): To be completed by non-Federal prospective permittees. Identify (1) Federally-listed or proposed endangered or threatened species known or likely to occur within or near the project area; (2) if the activity is located in designated critical habitat for Federally-listed endangered or threatened species; and if yes to (1) or (2), identify the name(s) of those endangered or threatened species known or likely to occur within or near the project area or that might utilize the designated critical habitat. If no to both (1) and (2), proceed to Box 8.

Note that if the answer to (1) or (2) is yes, per General Condition 18(c), the non-Federal permittee shall not begin work on the activity until notified by the Corps that the requirements of the ESA have been satisfied and that the activity is authorized.

Box 7(b): Federal permittees should provide documentation demonstrating compliance with ESA as a separate attachment. Per General Condition 32(b)(7), if documentation showing compliance with the ESA is not submitted by the federal permittee, the PCN will not be complete.

Box 8: POH Regional Condition 7 requires non-Federal permittees to provide a list of historic property(ies) listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places within or near the project area or include a vicinity map indicating the location of the historic property. Completion of Box 8 fulfills the requirement at General Condition 32(b)(7). Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act. For questions regarding historic properties, including cultural resources, please contact your State Historic Preservation Officer or the POH Regulatory Branch.

If the proposed activity would involve multiple single and complete projects, provide the information identified in Boxes 8(a) – (d) (as applicable) for each single and complete project in a separate attachment.

Box 8(a): To be completed by non-Federal prospective permittees. Identify (1) if there is a known historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places that the NWP within or near the project area. If yes, state which historic property(s) occur within or near the project area, or check the box and provide a vicinity map of the location of the historic property. If no to (1), describe the potential for the proposed work to affect a previously unidentified historic property, if known.

Note that if the answer to (1) is yes, per General Condition 20(c), the non-Federal permittee shall not begin work on the activity until notified by the Corps that the activity has no potential to cause effects or that consultation under Section 106 of the National Historic Preservation Act (NHPA) has been completed.

Box 8(b): Federal permittees should provide documentation demonstrating compliance with NHPA as a separate attachment. Per General Condition 32(b)(8), if documentation showing compliance with the NHPA is not submitted by the federal permittee, the PCN will not be complete.

Box 9: General Condition 32(b)(9) requires that, for an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river.” However, there are no designated Wild and Scenic Rivers in any state or territory of the Honolulu District; accordingly, this condition is not applicable.

Box 10: General Condition 32(b)(10) requires that for an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the PCN must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that Corps project.

If the proposed activity would involve multiple single and complete projects, provide the information identified in 10(a) for each single and complete project in a separate attachment.

Box 10(a): Identify if the NWP will also require permissions from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a Corps federally authorized Civil Works project. If yes, identify if the prospective permittee has received Section 408 permission to alter, occupy, or use the Corps project, and attach the Section 408 permission.

Note per General Condition 31, an activity that requires Section 408 permission is not authorized by NWP until the Corps issues the Section 408 permission to alter, occupy, or use the Corps project, and the Corps issues a written NWP verification.

Box 11: To qualify for authorization under a NWP, your project must comply with all applicable NWP General Conditions. You must read the NWP General Conditions to ensure your project is compliant. Box 11 contains a list of each General Condition, numbered in accordance with the listing in the Federal Register. You must indicate your rationale for compliance with General Conditions 1 through 32 of the NWPs. This information, as applicable, may be provided through completion of Box 11, or as a separate attachment. Those general conditions that have no applicability in the Honolulu District or that are completed elsewhere on the PCN have been completed for you. All others may apply, depending on the proposed activity and should be filled out accordingly. Completion of this information may assist the District in determining whether the proposed activity meets the General Conditions of the NWP, would result in no more than minimal adverse environmental effects and is eligible for authorization under a NWP.

If the proposed work would involve multiple single and complete projects, provide the information identified in Box 11 for each single and complete project in a separate attachment.

Box 12: To qualify for authorization under a NWP, your project must comply with all applicable POH Regional Conditions. You must read the POH Regional Conditions to ensure your project is compliant. Box 12 contains a list of each Regional Condition, numbered in accordance with the listing of POH Regional Conditions. You must indicate your rationale for compliance with Regional Conditions 1 through 9 issued by the Pacific Ocean Division Commander, effective March 19, 2017. This information, as applicable, may be provided through completion of Box 12, or as a separate attachment. Those regional conditions that are completed elsewhere on the PCN have been completed for you. All others may apply, depending on the anticipated impacts of your proposed activity and should be filled out accordingly. Completion of this information may assist the District in determining whether the proposed activity meets the Regional Conditions of the NWP, would result in no more than minimal adverse environmental effects and is eligible for authorization under a NWP. Note Regional Conditions 2, 7 and 9 require additional information to be provided on the PCN; such information is required to constitute a complete PCN.

If the proposed work would involve multiple single and complete projects, provide the information identified in Box 12 for each single and complete project in a separate attachment.

**DEPARTMENT OF THE ARMY NATIONWIDE PERMIT (NWP)
PRE-CONSTRUCTION NOTIFICATION (PCN) REQUIREMENTS**

(Reference Volume 82, Page 2003, General Condition 32(b) of the Federal Register and the Honolulu District NWP Regional Conditions, effective March 19, 2017)

In order for this office to evaluate eligibility of your project for authorization under a NWP, your PCN must be in writing (electronic or paper format) and must contain the following information to be considered complete. The numbers used below correspond to the assigned general or regional condition number:

To comply with General Condition 32(b):

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;
- (3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;
- (4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);
- (5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;
- (6) If the proposed activity will result in the loss of greater than 1/10-acre² of wetlands and a PCN is required³, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan;
- (7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification³, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;
- (8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity

or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification³, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river”⁴ (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office⁵ having jurisdiction over that USACE project

To comply with NWP Regional Condition 2:

(2) You must identify in your PCN if any of these resources occur within or in the vicinity of your project area. In Honolulu District Area of Responsibility: National Wildlife Refuges, Hawaii Wildlife Sanctuaries, Hawaii Marine Life Conservation Districts, Guam Marine Preserve Areas and CNMI Marine Protected Areas. In Hawaii: Anchialine Pools, Montane Bogs, Natural Freshwater and Saline Lakes. In Guam: Aquatic areas containing Nipa palms (*Nypa fruticans*). In Guam, CNMI and American Samoa: Mangroves, Saline Lakes, Sea/Freshwater Caves (Allogenic Streams, Cenotes, Phreatic Zones, Sinkholes, Stream Caves, and Vadose Shafts).

To comply with NWP Regional Condition 7:

(7.1) For Federal permittees, your PCN must provide documentation demonstrating compliance with the Essential Fish Habitat provisions of the Magnuson-Stevens Fishery Management and Conservation Act. For non-Federal permittees, in addition to the requirements at GC #18, #20 and #32, your PCN must contain the following information to demonstrate your avoidance and minimization of adverse impacts to wetlands, other special aquatic sites and other waters, and if applicable, endangered species, essential fish habitat and historic properties, including cultural resources. The level of detail submitted in your PCN shall be commensurate with the anticipated degree of project-related impacts.

- a. For activities where federally-listed or proposed threatened and endangered species or critical habitat, are known or likely to occur within the project area, the PCN must contain the following information:
 - i. A list of species, both listed and proposed for listing, and critical habitat, known to occur within and in the near vicinity of the project impact area. Information on the location of threatened and endangered species and their critical habitat and potential project-related impacts to these resources can be obtained directly from the Pacific Islands U.S. Fish & Wildlife Service Office and National Marine Fisheries Service Pacific Islands Regional Office.
 - ii. Best Management Practices (BMPs) proposed to be implemented throughout the duration of construction to avoid and/or minimize adverse impacts to threatened and endangered species.
- b. For activities occurring in tidally-influenced nearshore and marine environments, the PCN must contain the following information:
 - i. A list of Management Unit Species and associated Essential Fish Habitat (EFH) occurring within and in the near vicinity of the project impact area. Information on the location of EFH and potential project-related impacts to these resources can be obtained directly from your local National Marine Fisheries Service office.
 - ii. A description of the existing environment within and in the near vicinity of the project impact area: characterization of the benthic substrate (seafloor or stream bed e.g., sand, cobbles, silt, etc.), water depth, distance from shore, tidal range (intertidal, subtidal, submerged), general characterization of water quality (temperature range, salinity, water circulation, turbidity).
 - iii. Measures to avoid and/or minimize adverse impacts to EFH and proposed mitigation, if applicable.
- c. For activities that might have the potential to cause effect to historic properties, including cultural resources, listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties, the PCN must contain the following information:
 - i. A description of any associated upland activities proposed under the same project.
 - ii. A list of any known historic properties within the project area and in the near vicinity listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic places. Information on the location of historic properties including cultural resources and potential project-related impacts to these resources can be obtained directly from your local State Historic Preservation Officer.

iii. A list of any Native Hawaiian Organizations, community members, or other parties you think may have an interest in providing comment on the impact the proposed activity may have on cultural resources.

Any information you may have related to historic or current cultural use or importance at or near the project site.

iv. Copies of any correspondence from the State Historic Preservation Officer, any NHO, or other party consulted with regarding the potential impacts of the proposed activity on historic properties, including cultural resources.

v. A list of resources, (e.g. published documents, assessments, surveys, etc.) reviewed to provide response to items i-iii, above.

vi. BMP measures proposed to be implemented throughout the duration of construction to avoid and/or minimize adverse impacts to historic properties, including cultural resources.

(7.2) For non-Federal and Federal permittees, activities that would result in the permanent loss of wetlands, other special aquatic sites and other waters, you must provide a written discussion of the on-site design configurations that you considered to demonstrate avoidance and minimization of impacts was evaluated and that the proposed permanent loss is unavoidable. Submission of a plan-view sketch depicting the footprint of on-site design configurations overlaying such waters within the project area will assist in the Corps' review of your proposed activity.

To comply with NWP Regional Condition 9:

(9.1) 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 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: adequate 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 are 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 cribwalls and joint plantings.

(9.2) 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 also 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.

Notes:

¹Wetland delineations must be conducted in accordance with the technical procedures and guidance described in the 1987 *Corps of Engineers Wetlands Delineation Manual* (Technical Report Y-87-1) and the 2012 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Hawai'i and Pacific Islands Region*, Version 2.0

²Regional Condition 3 prohibits permanent losses of waters of the U.S. greater than 1/10-acre

³Regional Condition 6 requires any prospective permittee in the Honolulu District to submit a PCN for review in order to obtain authorization under a NWP.

⁴There are no designated Wild and Scenic Rivers in any state or territory of the Honolulu District.

⁵The Corps office having jurisdiction over USACE projects in the Honolulu District is the Civil and Public Works Branch. You may contact that office at (808) 835-

Appendix 1 - REQUEST FOR CORPS JURISDICTIONAL DETERMINATION (JD)

To: Honolulu District, U.S. Army Corps of Engineers (Corps) Regulatory Branch

- I am requesting a JD on property located at: _____
City: _____ County/Island: _____
State/Territory: ☐ HI ☐ AS ☐ GU ☐ CNMI Acreage of Parcel/Review Area for JD: _____ acres
Latitude (decimal degrees): _____ Longitude (decimal degrees): _____
(For linear projects, please include the center point of the proposed alignment.)
- Please attach a survey/plat map and vicinity map identifying location and review area for the JD.
- ☐ I currently own this property. ☐ I plan to purchase this property.
☐ I am an agent/consultant acting on behalf of the requestor.
☐ Other (please explain): _____
- Reason for request: (check as many as applicable)
☐ I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all aquatic resources.
☐ I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.
☐ I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.
☐ A Corps JD is required in order to obtain my local/state authorization.
☐ I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
☐ I believe that the site may be comprised entirely of dry land.
☐ Other: _____
- Type of determination being requested:
☐ I am requesting an approved JD.
☐ I am requesting a preliminary JD.
☐ I am requesting a "no permit required" letter as I believe my proposed activity is not regulated.
☐ I am unclear as to which JD I would like to request and require additional information to inform my decision.

By signing below, you are indicating that you have the authority, or are acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant Corps personnel right of entry to legally access the site if needed to perform the JD. Your signature shall be an affirmation that you possess the requisite property rights to request a JD on the subject property.

*Signature: _____ Date: _____

• Typed or printed name: _____

Company name: _____

Address: _____

Daytime phone no.: _____

Email address: _____

***Authorities:** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USAGE website.

Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an AJD cannot be evaluated nor can an AJD be issued.

Submit your JD request via email to CEPOH-RO@usace.army.mil or via postal mail to

Honolulu District, U.S. Army Corps of Engineers, Regulatory Branch, Building 230, Fort Shafter, Hawaii 96858-5440.

Please contact the Regulatory Branch at (808) 835-4303 or at the email above for any questions regarding this form.