

September 4, 2013

U. S Army Corps of Engineers
Honolulu District
Attn: Regulatory Branch

Please accept this letter as my formal complaint against The Hawaii Kai Marina Community Association for violating a condition of its Department of Army Permit POH-- by disposing of dredged materials in an area or location not listed in the permit.

More specifically, the Department of Army Permit identified and authorized five disposal sites where material dredged from the Hawaii Kai Marina could legally be disposed. The Hawaii Kai Marina and its contractor, American Marine Corporation, authorized SER Trucking company to transport and dispose dredged material in an upland location located at 85-1383 C Waianae Valley Road, Waianae, Hawaii, also described as TMK: 8-5-004:004.

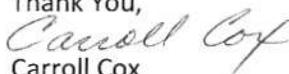
For your convenience I have listed the sites that are authorized by permit POH- 2010-00280.

1. Rim Island #1. latitude 21.2849N., longitude -157.70424 N., longitude 157.70792 W.
2. "Yacht Club" Area. latitude 21.2847 N., longitude -157. 16117 W.
3. Portlock Beach Park. latitude 21. 286 N., longitude -157.71117 W.
4. Maunalua Bay Beach Park. latitude 21.2813 N., longitude - 157.71301 W.
5. South Oahu Ocean Dredge Material Disposal Site(SOODMDS), latitude 21.25277 n. longitude-157.94722 W.

I request that your agency order the Hawaii Kai Marina Association to stop unlawfully dumping dredged materials at the Waianae site. We also believe that the Hawaii Kai Marina Community Association permit POH-2010-00280 should be reevaluated and revoked because the Hawaii Kai Marina Community Association failed to comply with a term and condition of its permit POH-2010-00280, as authorized by 33 CFR 326.4 and 326.5.

I am also providing photographs of the materials that were dumped and continued to be dumped as recent as today.

I reserve the right to amend this complaint, if necessary.

Thank You,

Carroll Cox
808-782-6627