

Appendix A:

A.3 USACOE Letter for No Further Monitoring (March 1, 2021)

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

March 1, 2021

SUBJECT: Compensatory Mitigation Plan Monitoring Requirements; Department of the Army File No. POH-2011-00297

Mr. Christopher Lund
Gershman, Brickner & Batton, Inc.
8550 Arlington Boulevard, Suite 203
Fairfax, Virginia 22031

Dear Mr. Lund:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Office has completed review of the *Ordot Dump Closure Facility Year Three Wetland Monitoring Report* (Monitoring Report) dated June 26, 2020. The Corps issued a Nationwide Permit 32 verification letter dated November 19, 2013, authorizing you to conduct work in waters of the U.S. associated with the construction of a cover system, storm water management network, leachate collection system, gas management system, and monitoring features necessary to close the Ordot Dump in accordance with the U.S. District Court of Guam Consent Decree Order (Civil Case No. 02-00022, Document Number 55).

Pursuant to Special Condition No. 2 of your Department of Army (DA) permit, you were required to implement the approved compensatory mitigation plan (CMP) titled, *Compensatory Mitigation Plan - Ordot Dump Site, Ordot, Territory of Guam*, dated July 2, 2013, and prepared by Brown and Caldwell.

The Corps has reviewed the information contained in the most recent monitoring report, dated June 26, 2020, and conducted a site inspection on September 29, 2020, to determine if the project has met the performance standards listed on page(s) 1 and 2 of the CMP-Post Construction Monitoring plan. During the Corps inspection, it was noted that head cuts had been formed. The total observed thalweg had flowing water and stable geology. Multiple prawns were observed in the pool downstream of Cross Section 3 (CS). Two marbled eels were observed in the ripples of CS1. Natural woody debris within the stream created habitats for these and other invertebrates. Although there was little to no channel sinuosity, the structures (cross vanes, steps, etc.) are affectively reducing the speed and velocity of the water and creating additional habitat and points of oxygenation. The two head cuts appeared to be naturally stabilized and progression upstream has ceased. The Corps has determined the head cuts are stable and the stream is functioning as designed. Therefore, no remedial action is required to correct these head cuts. Based on the monitoring reports along with our site visit, the Corps has determined the project has met the performance standards and no further obligation to perform monitoring or reporting is required.

As the Permittee, you continue to remain responsible for ensuring the long-term sustainability of the aquatic resource(s) along with any requirements associated with the long-term site protection requirements stipulated in your DA permit POH-2011-00297 and the CMP.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this letter, please contact me at (808) 283-0549 or via e-mail at albert.p.williams@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 http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

A handwritten signature in black ink that reads "AP Williams". The signature is written in a cursive, slightly slanted style.

Albert Williams
Regulatory Project Manager

cc: Joel Sablan, ARC Environmental Services