



STATE OF HAWAII
KA MOKU 'ĀINA O HAWAII

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GOVERNOR
KE KIA'ĀINA

DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO

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**DOH ISSUES NOTICE OF VIOLATION AND ORDER FOR
UNAUTHORIZED CROSSING IN WAIHE'E STREAM**

25-078

FOR IMMEDIATE RELEASE

July 10, 2025

HONOLULU — The Hawai'i Department of Health (DOH) issued a Notice of Violation and Order (NOVO) to the property owners of 47-400 Waihe'e Road in Kāne'ohe, O'ahu, for allowing the unauthorized discharge of boulders, tree stumps, dirt and mulch into Waihe'e Stream and an associated 'auwai, a ditch or canal.

On April 3, 2025, DOH inspectors conducted a joint inspection with the staff from the Hawai'i Department of Land and Natural Resources, Commission on Water Resources Management and the U.S. Army Corps of Engineers to investigate a complaint of an unpermitted stream crossing located within Waihe'e Stream. Inspectors observed dirt, boulders, tree stumps and mulch placed into Waihe'e Stream and an 'auwai to construct a stream crossing. The property owners, referred to as respondents, constructed or approved construction of the stream crossing in March 2025. The construction was not authorized under a DOH permit or variance.

"Owners, contractors and consultants responsible for construction activities in or near our streams must comply with environmental laws that protect water quality," said Kathleen Ho,

Deputy Director of Environmental Health. “When they fail to do so, they will be held accountable.”

DOH ordered the respondents to prevent additional discharges, remove all unauthorized material from the stream and ‘auwai, and pay a monetary penalty of \$65,000. The respondents have 20 days to contest the NOVO and request a hearing.

[Click here to read the full NOVO.](#)

All persons, including business owners, government agencies and visitors must comply with environmental laws designed to protect Hawai‘i. Failure to comply with water pollution laws may subject violators to monetary penalties of up to \$60,000 per day, per violation.

The DOH Clean Water Branch works to prevent pollution in Hawai‘i’s streams, rivers and coastal waters. By enforcing laws that prohibit harmful discharges, the branch helps protect public health and preserve water quality for swimming, fishing and other uses. All residents, including private property owners, must follow environmental regulations designed to protect communities and ecosystems. Violations may lead to legal action by the state, federal agencies or members of the public.

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