



PUBLIC NOTICE

US Army Corps of Engineers, Honolulu District

Regulatory Office (CEPOH-RO)
Building 230
Fort Shafter, Hawaii 96858-5440

Public Notice Date: May 9, 2018
Expiration Date: June 8, 2018
Permit File Number: POH-2013-173

FEDERAL PUBLIC NOTICE

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached drawings.

APPLICANT:

Robert Peyton, Refuge Manager
Midway Atoll National Wildlife Refuge
1082 Makepono St
Honolulu, HI 96819

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located in the Pacific Ocean at the Midway Atoll National Wildlife Refuge adjacent to Henderson Airfield, on the southeast side of Sand Island, Midway Atoll.

PROPOSED PROJECT: The U.S. Fish and Wildlife Service (USFWS) proposes to repair and replace damaged sections of the south seawall on Midway Atoll National Wildlife Refuge (NWR) within the Papahānaumokuākea Marine National Monument. The proposed action will replace a maximum of 5,720 feet of seawall damaged by erosion on the southern end of Midway Atoll's Sand Island. Under the proposed action, the USFWS and Federal Aviation Administration will repair and replace sections of Midway Atoll's seawall over a 10-year period of time as needed.

The proposed repairs would be an armor rock revetment, with approximately 50 feet of rock placed in uplands, extending a maximum of 50 feet into marine waters. A "keyed in" toe will consist of a shallow trench excavated to 1-foot depth and filled with granular fill. Geotextile fabric would be placed over the base layer and the entire footprint of the revetment to keep the finer materials in place. An approximately 2-foot-thick layer of under-layer medium-sized rock (about 150 pounds each) would be placed directly on the geotextile fabric. An approximately 4-foot-thick layer of larger armor rock (about 1,500 pounds each and roughly two feet square) would be placed over the medium-sized rock layer. If the total length of the 5,720-foot seawall is replaced, total fill below the high tide line would be 101,100 cubic yards covering 6.63 acres.

A silt containment boom would be placed to enclose any in-water work. Construction materials would be brought from existing quarries outside the NWR via barges following

all NWR and Monument BMPs. Materials will be stockpiled at a designated location and brought to the project area via designated routes. All water-resistant materials will be steam-cleaned to remove dirt, insects, and seeds prior to leaving Honolulu. Pre-work monitoring will examine each project area for any protected species. To avoid impacts to breeding birds, construction and repairs would take place annually during mid-August and October when seabird populations are at their lowest. An Implementation Plan containing construction-related measures to minimize impacts to the environment will be implemented. The proposed action would remove existing coral habitat provided by the aging seawall sheet pile and associated debris piles. To minimize impacts to corals, a Coral Mitigation and Translocation Plan will be implemented.

Project drawings, showing an example of sections to be replaced, are attached.

PURPOSE AND NEED: The action is needed because the existing seawall, constructed in 1957-58, is aging and failing. The soils behind the seawall consist of unconsolidated fill that has rapidly eroded after previous seawall breaches. The purpose of the action is to control this erosion and to protect Midway Atoll NWR resources, including Henderson Field taxiway, runway, and Runway Safety Area (RSA). The airport at Henderson Field is critical to providing access for government administration and research operations at Midway Atoll NWR and the western portions of Papahānaumokuākea Marine National Monument. It also serves a critical role as an FAA-approved emergency landing field that is essential to trans-Pacific airborne transportation.

AUTHORITY: A Department of the Army permit is required pursuant to:

- ☒ Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) - To perform work in or affecting navigable waters of the United States.
- ☒ Section 404 of the Clean Water Act (33 U.S.C. 1344) - Discharge dredged or fill material into waters of the United States. The Corps' public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

WATER QUALITY CERTIFICATION: The proposed action will result in a discharge of fill material into a water of the U.S. and will require authorization from the Corps in accordance with Section 404 of the Clean Water Act of 1972 (CWA). Under Section 401 of the CWA (Public Law 95-217), the Corps may not issue a permit for the described work until the applicant obtains a certification, or waiver of certification, from the U.S. Environmental Protection Agency (EPA). On April 18, 2016, the EPA waived the Clean Water Act 401 certification for this project.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Under Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), the Corps shall provide a consistency determination to the relevant State agency designated under section 1455(d)(6) of this title. Since Midway Atoll does not have a State agency that can implement the coastal zone management program, this law is not applicable in Midway Atoll.

CULTURAL RESOURCES:

The USFWS Section 106 National Historic Preservation Act review shows that, although numerous structures on Sand Island are eligible for listing on the National Register of Historic, no historic properties or resources would be affected by the proposed action, as defined under Section 106 of the National Historic Preservation Act. Pursuant to Section 106 of the National Historic Preservation Act (NHPA), the USFWS consulted with the State Historic Preservation Officer (SHPO) for the State of Hawaii, Department of Land & Natural Resources, Historic Preservation Division. In a letter dated December 11, 2015, the SHPO responded that the project will have no adverse effect on historic properties within the area of potential effects for the Henderson Field seawall project.

ENDANGERED SPECIES: Pursuant to Section 7 of the Endangered Species Act (ESA), federal agencies must consult with the National Marine Fisheries Service (NMFS) and USFWS on any action that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The USFWS has made a determination that the project may affect, but is not likely to adversely affect listed species and critical habitat in the action area. The USFWS will complete consultation in accordance with the requirements of Section 7. A permit for the proposed activity will not be issued until the consultation process is completed.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for effects to Essential Fish Habitat (EFH) pursuant to The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), which requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat. The USFWS determined the proposed action may adversely affect EFH, and will consult with the National Marine Fisheries Service pursuant to Section 305(b) of the MSA. A permit for the proposed activity will not be issued until the consultation process is completed.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to evaluate the direct, indirect, and cumulative impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

PUBLIC HEARING: Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state clearly and concisely, the reasons and rationale for holding a public hearing. The District Commander will then decide if a hearing should be held.

COMMENT AND REVIEW PERIOD: Comments on this public notice should be made in writing via conventional mail or e-mail. Comments will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. Conventional mail comments should be sent to
Honolulu District, U.S. Army Corps of Engineers
Regulatory Office, Attn: Karen Urelus
Building 230
Fort Shafter, Hawaii 96858-5440.

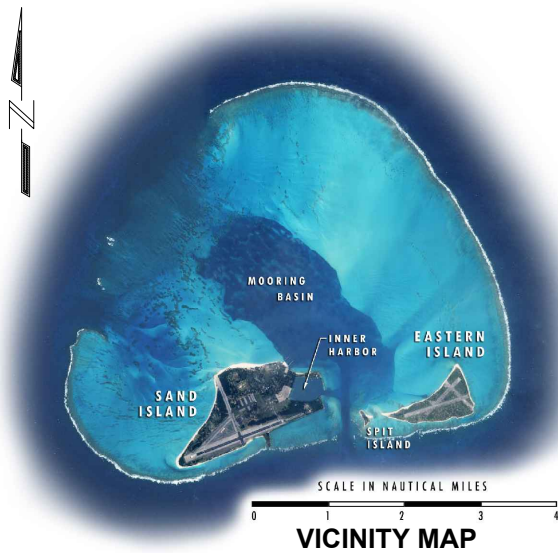
Alternatively, comments may be emailed to: karen.m.urelius@usace.army.mil. In order to be accepted, e-mail comments must originate from the author's e-mail account. Reference POH-2017-173 in the subject heading of the email.

Both conventional mail and e-mail comments must include the DA permit number POH-2013-173, and the commenter's name, address, and phone number. **All comments whether conventional mail or e-mail should be received by the close of business on June 8, 2018.**

In addition to this public notice pertaining to the Department of the Army permit application, the U.S. Fish and Wildlife Service and the Federal Aviation Administration are seeking public comments on the draft *Environmental Assessment Seawall Long-Term Maintenance Project* dated for their proposed action. The 30-day public comment period is open from May 2nd to May 31st, 2018. The document is available for review at: https://www.fws.gov/refuge/Midway_Atoll/.

PRIVACY & CONFIDENTIALITY: It should be noted that materials submitted as part of the permit application become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Submissions should not include any information that the submitter seeks to preserve as confidential.

If you have any questions about this project or the permit process, please contact Karen Urelus via email at karen.m.urelius@usace.army.mil or by telephone at (808) 835-4403.



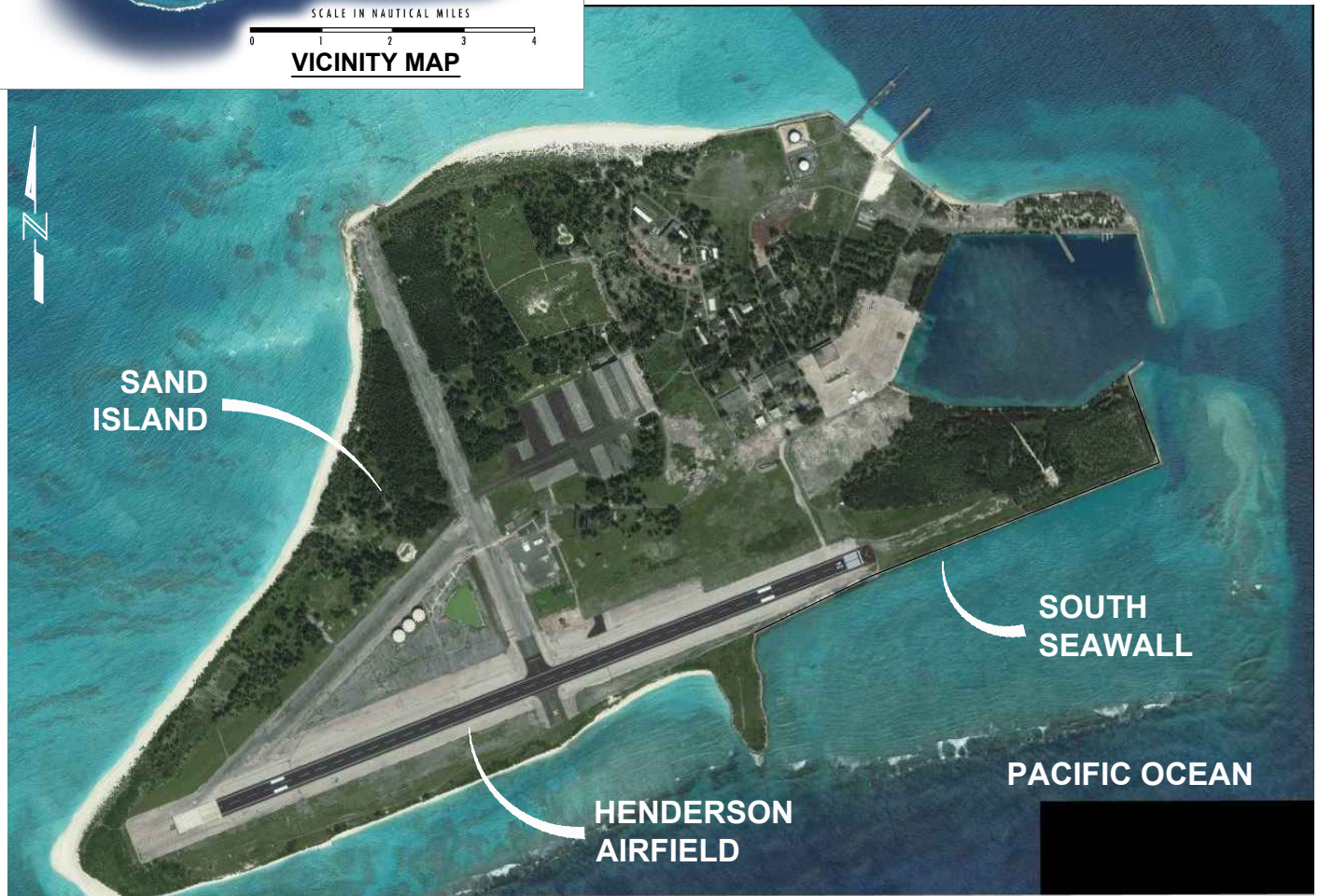
TIDAL INFO:

(STA. 1619910, SAND ISLAND)

HIGHEST ASTRONOMICAL TIDE (HAT) +1.66 ft.

MEAN HIGH WATER (MHW) +1.08 ft.

MEAN LOWER LOW WATER (MLLW) 00.00 ft.



LOCATION MAP

PURPOSE:

PROTECT REFUGE
AIRFIELD RESOURCES
FROM EROSION

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

USFWS

LOCATION:

LATITUDE: 28° 12' 17.71"N

LONGITUDE: 177° 22' 09.55"W

**HENDERSON FIELD
SEAWALL LONG-TERM
MAINTENANCE PROJECT
VICINITY AND
LOCATION MAPS**

USFWS MIDWAY ATOLL NWR
1082 MAKEPONO ST.
HONOLULU, HI 96819

PROPOSED:

REPLACE FAILING SECTIONS
OF SEAWALL W/ REVETMENT

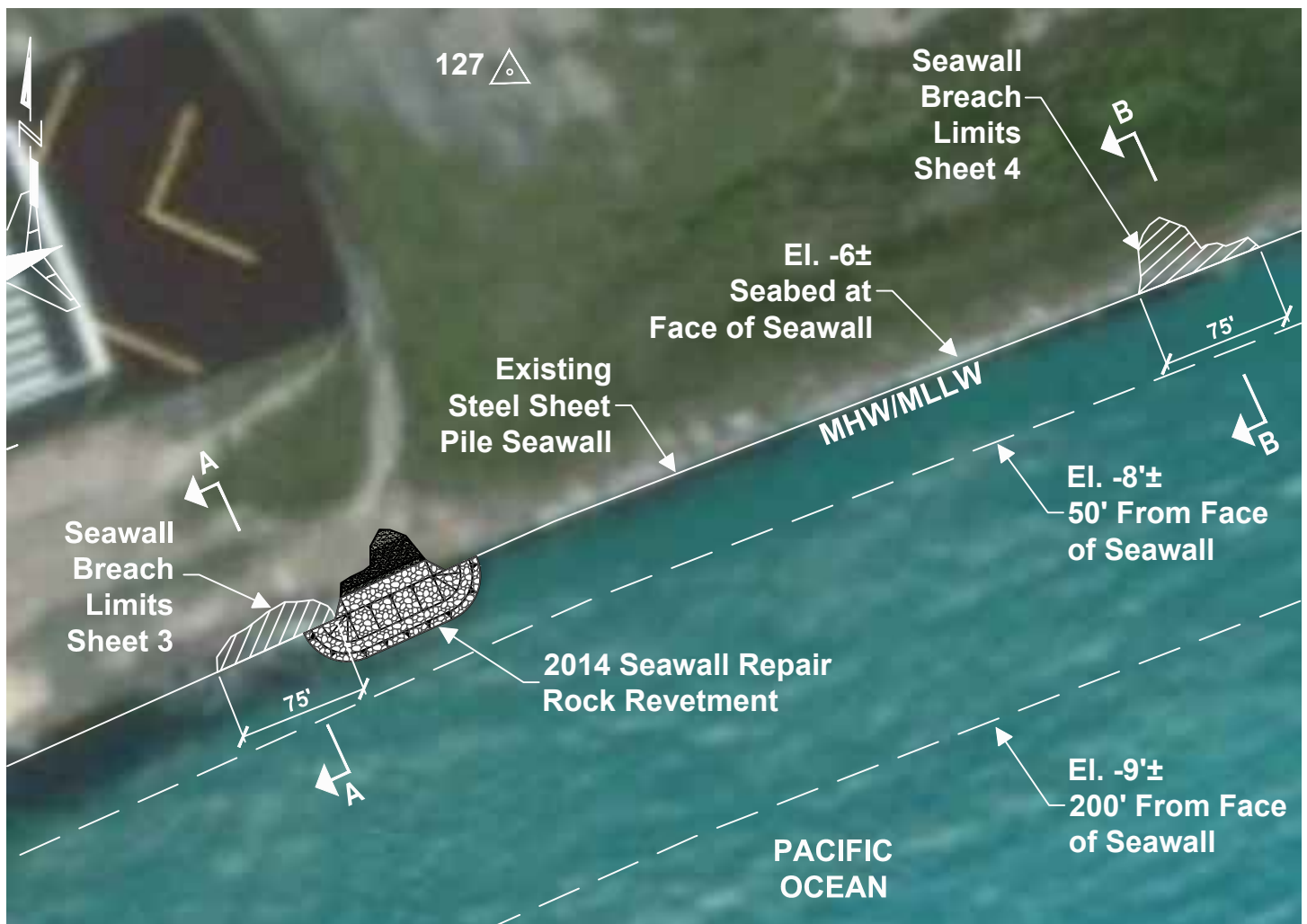
IN: PACIFIC OCEAN

AT: SAND ISLAND, MIDWAY ATOLL
NATIONAL WILDLIFE REFUGE

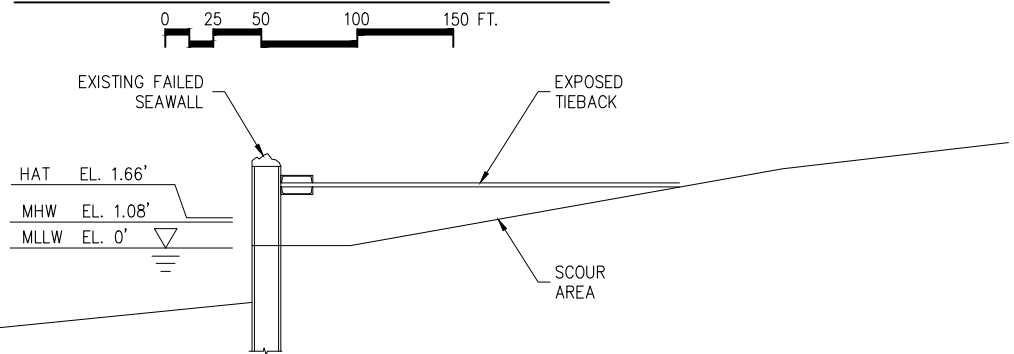
APPLICATION BY:

USFWS MIDWAY ATOLL NWR

SHEET 1 of 4 DATE: OCT 2017



EXAMPLE EXISTING CONDITIONS PLAN VIEW



EXISTING SEAWALL SECTION

PURPOSE:

PROTECT REFUGE
AIRFIELD RESOURCES
FROM EROSION

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

USFWS

LOCATION:

LATITUDE: 28° 12' 17.71"N
LONGITUDE: 177° 22' 09.55"W

**HENDERSON FIELD
SEAWALL LONG-TERM
MAINTENANCE PROJECT
EXISTING
CONDITIONS**

USFWS MIDWAY ATOLL NWR
1082 MAKEPONO ST.
HONOLULU, HI 96819

PROPOSED:

REPLACE FAILING SECTIONS
OF SEAWALL W/ REVETMENT

IN: PACIFIC OCEAN

AT: SAND ISLAND, MIDWAY ATOLL
NATIONAL WILDLIFE REFUGE

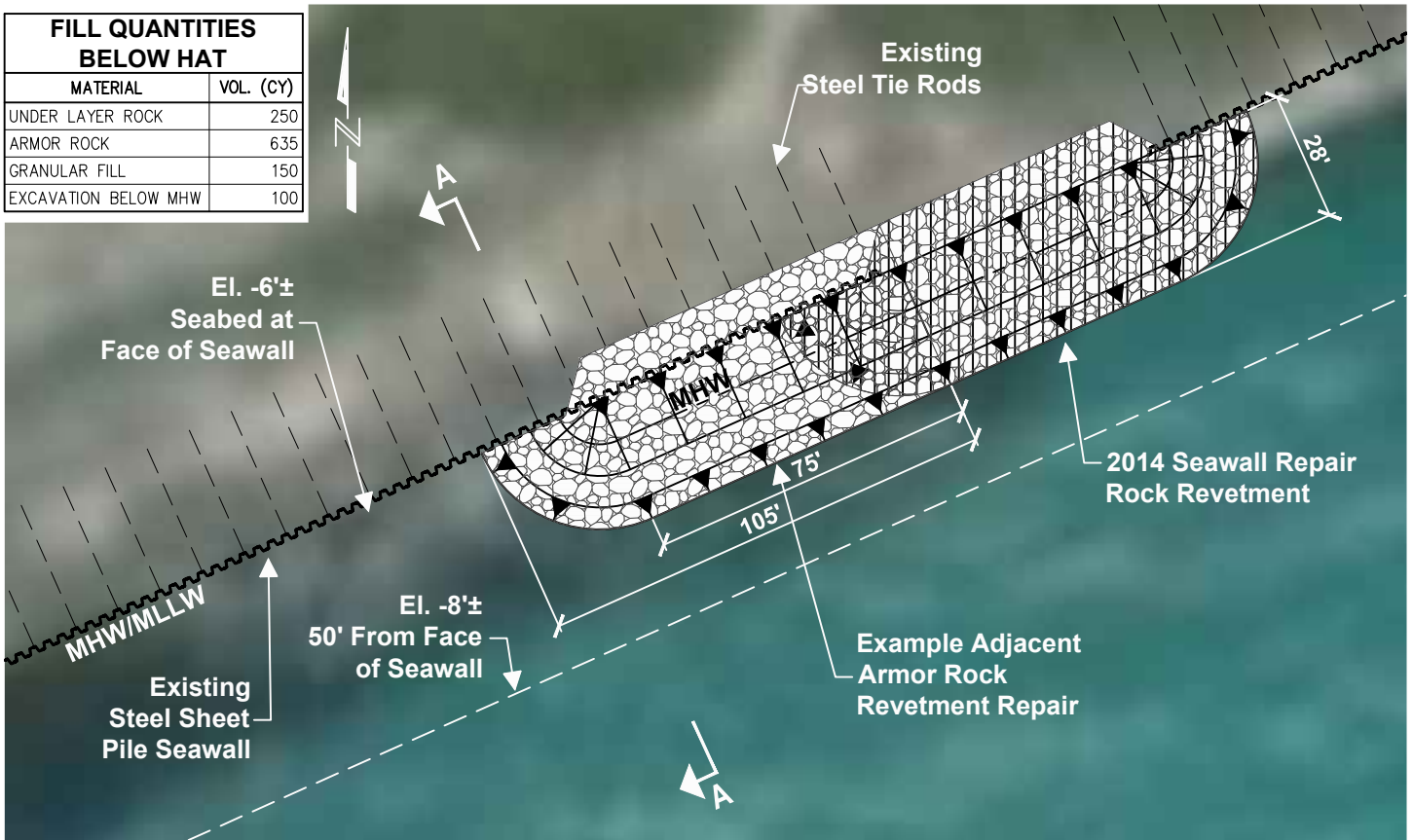
APPLICATION BY:

USFWS MIDWAY ATOLL NWR

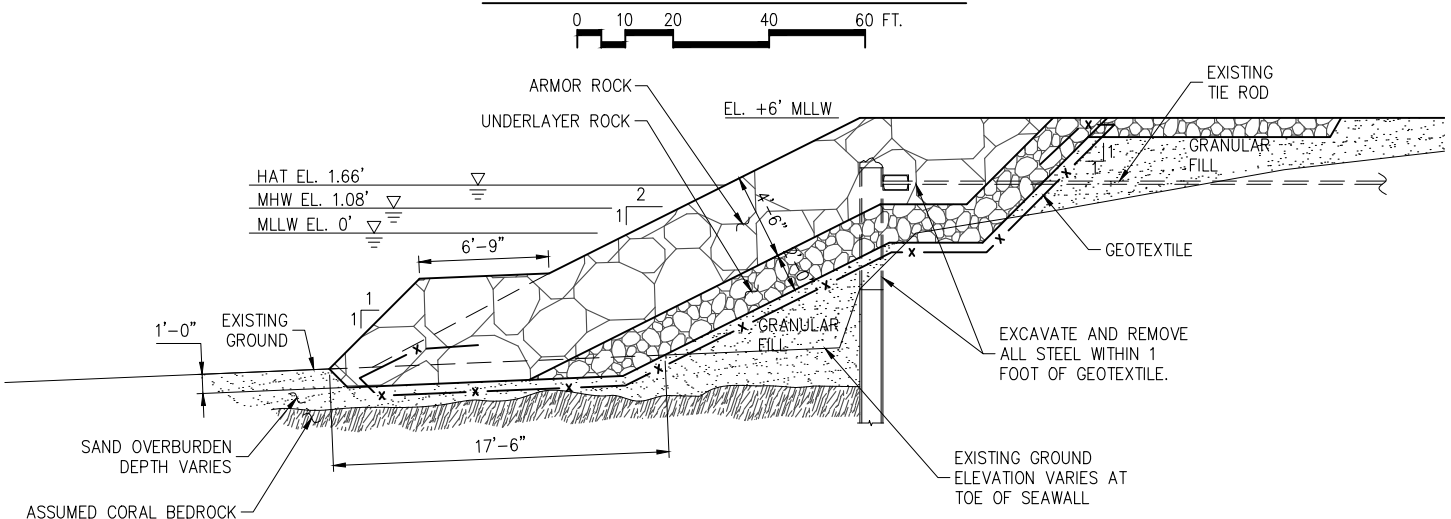
SHEET 2 of 4 DATE: OCT 2017

FILL QUANTITIES BELOW HAT

MATERIAL	VOL. (CY)
UNDER LAYER ROCK	250
ARMOR ROCK	635
GRANULAR FILL	150
EXCAVATION BELOW MHW	100



TYPICAL REVETMENT 'A' PLAN VIEW



**SECTION A-A
SEAWALL REPAIR TYPICAL SECTION**

PURPOSE:

PROTECT REFUGE
AIRFIELD RESOURCES
FROM EROSION

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

USFWS

LOCATION:

LATITUDE: 28° 12' 17.71"

LONGITUDE: 177° 22' 09.55"W

HENDERSON FIELD SEAWALL LONG-TERM MAINTENANCE PROJECT TYPICAL REVETMENT 'A' ADJACENT REPAIRS

USFWS MIDWAY ATOLL NWR

1082 MAKEPONO ST.

HONOLULU, HI 96819

PROPOSED:

REPLACE FAILING SECTIONS
OF SEAWALL W/ REVETMENT

IN: PACIFIC OCEAN

AT: SAND ISLAND, MIDWAY ATOLL
NATIONAL WILDLIFE REFUGE

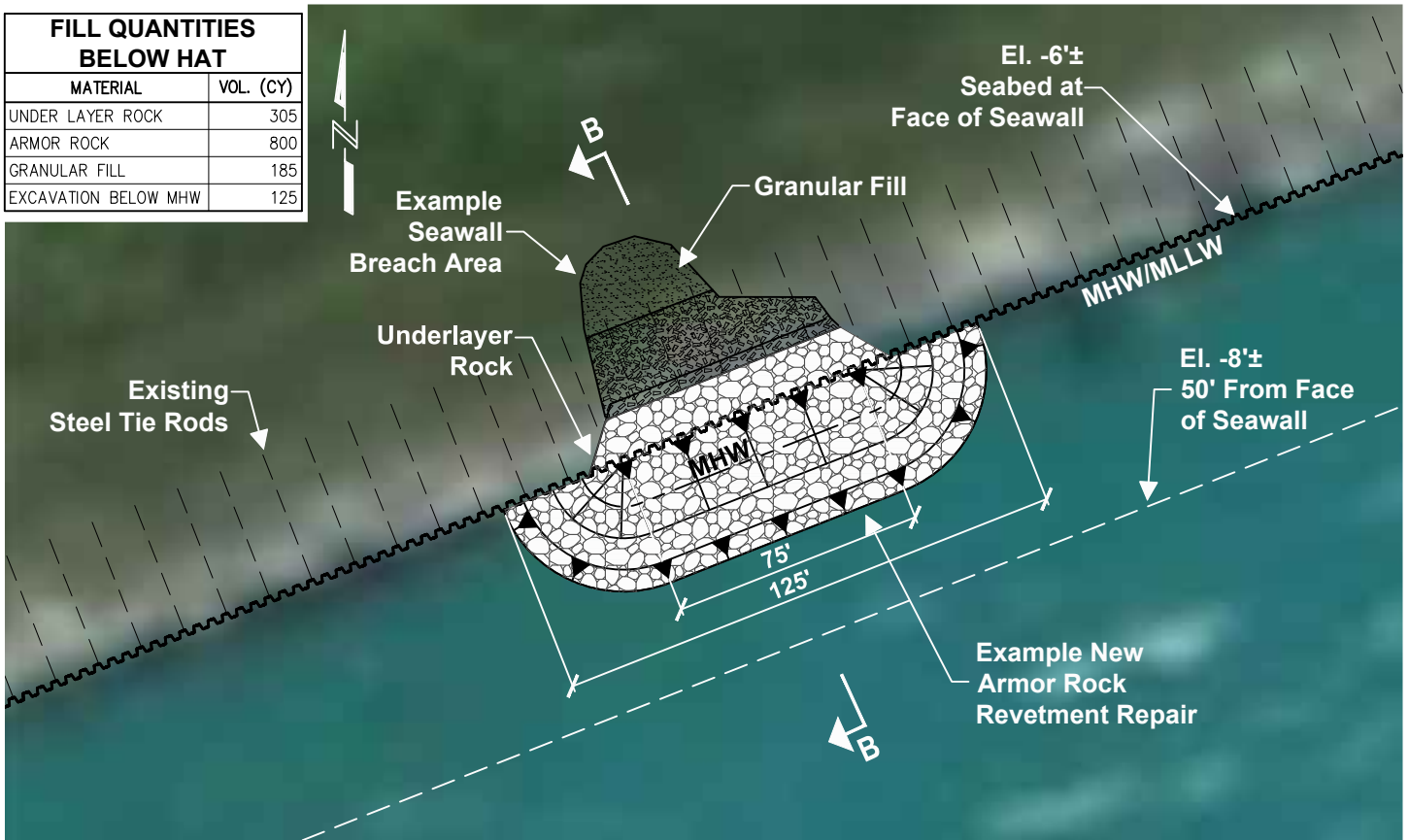
APPLICATION BY:

USFWS MIDWAY ATOLL NWR

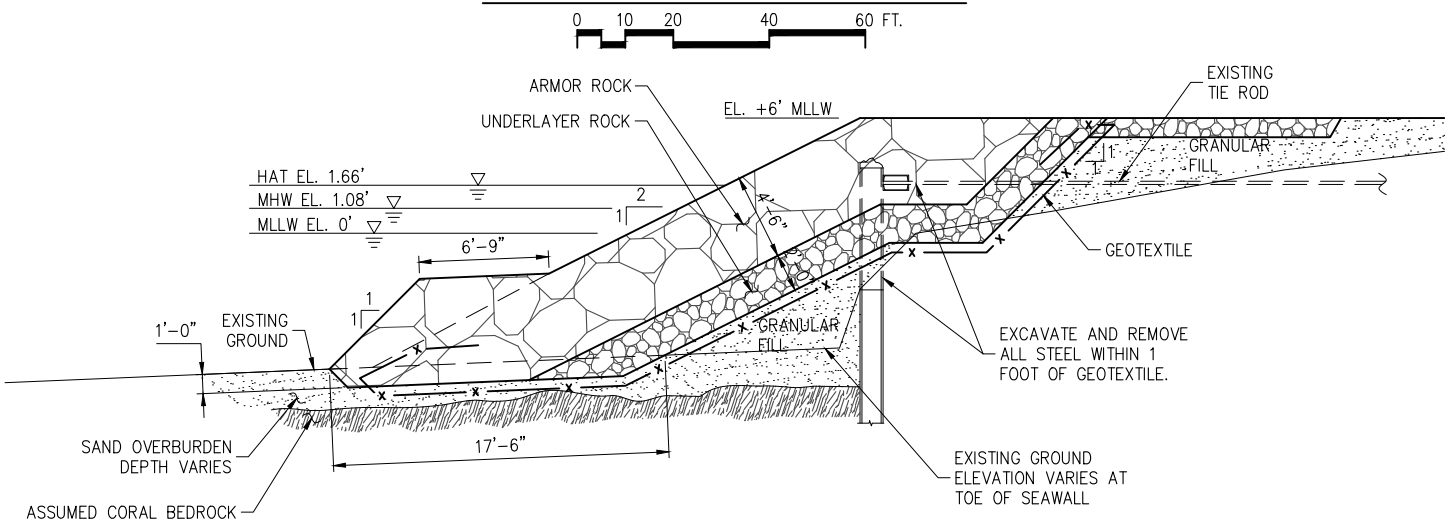
SHEET 3 of 4 DATE: OCT 2017

FILL QUANTITIES BELOW HAT

MATERIAL	VOL. (CY)
UNDER LAYER ROCK	305
ARMOR ROCK	800
GRANULAR FILL	185
EXCAVATION BELOW MHW	125



TYPICAL REVETMENT 'B' PLAN VIEW



**SECTION B-B
SEAWALL REPAIR TYPICAL SECTION**

PURPOSE:

PROTECT REFUGE
AIRPORT RESOURCES
FROM EROSION

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

USFWS

LOCATION:

LATITUDE: 28° 12' 17.71"N

LONGITUDE: 177° 22' 09.55"W

HENDERSON FIELD SEAWALL LONG-TERM MAINTENANCE PROJECT TYPICAL REVETMENT 'B' NEW REPAIRS

USFWS MIDWAY ATOLL NWR

1082 MAKEPONO ST.

HONOLULU, HI 96819

PROPOSED:

REPLACE FAILING SECTIONS
OF SEAWALL W/ REVETMENT

IN: PACIFIC OCEAN

AT: SAND ISLAND, MIDWAY ATOLL
NATIONAL WILDLIFE REFUGE

APPLICATION BY:

USFWS MIDWAY ATOLL NWR

SHEET 4 of 4 DATE: OCT 2017