PUBLIC NOTICE

US Army Corps of Engineers, Honolulu District

Regulatory Office (CEPOH-RO)
Guam Field Office
Naval Base Guam
PSC 455, Box 188
FPO AP 96540

Public Notice Date: February 15, 2022
Expiration Date: **March 17, 2022**
Permit File Number: POH-2019-00162

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: Mr. Edward Moon, Naval Base Guam, PSC 455, Box 195, FPO AP 96540

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located below the mean high water line of the Pacific Ocean in Outer Apra Harbor with a terrestrial landing site near 13.4459, 144.6692, Polaris Point, Santa Rita, Guam.

Guam Ocean Dredged Material Disposal Site, also referred as Guam Deep Ocean Disposal Site (G-DODS): 3 nautical mile (nm) boundary diameter located 11 nm west of Apra Harbor, Guam (13.591667°, 144.478883°).

PROPOSED PROJECT PURPOSE:

The applicant's stated purpose is to provide the local capability for vessels to measure their electromagnetic signature.

PROPOSED PROJECT DESCRIPTION:

U.S. Naval Base Guam (Navy) proposes to construct a subsea sensor array to meet mission essential requirements. The project would include the installation of the sensor array, transmission cables, and disposal of dredged material.

Subsea Sensor Array:
The underwater electromagnetic measurement system (UEMMS) would require the excavation of approximately 1,200 cubic yards of material over 7,900 square feet of the sea floor which would be transported to the designated Guam Deep Ocean Disposal Site (G-DODS). The structure would consist of 22 individual sensors spaced over a 420-foot by 35-foot wide section on the ocean bottom and connected to the shore via

individual cables. Each cable would require a guide stake installed approximately 10 feet from its sensor position. Once installed the area would be backfilled with 1,000 cubic yards of non-magnetic material to match the existing depth using. The final structure would result in depths between -49 and -53 feet below mean lower low water.

Divers would install the sensor tubes and guide stakes using a handheld water jetting system, a process that uses a high-pressure water stream to create a void into which the sensor tube is pushed by a large steel pipe. If water jetting cannot successfully embed the sensor tubes due to seafloor characteristics, approximately 12-inch diameter pilot holes would be drilled into the seafloor and marine grout would be applied to secure the tubes. The sensor tube would then be installed within the cored hole and grouted in position with non-shrink grout using a tremie pour method in which a small amount of grout is placed at the bottom of the hole and a grout hose would be placed in the grout. The poured grout from the hose would displace water as grout fills the hole. The sensors would then be installed in the tubes, along with their individual cables.

The barge mooring or anchor type and locations for the 19 mooring systems would be void of protected resources and sensitive habitats. Anchors for vessels and silt curtains would be set on hard or soft-sand bottom void of corals and seagrass and anchor locations would take into consideration damage that could occur from the anchor chain if the vessel swings due to currents or tides. The “stop and slow” method would be utilized with a closed bucket excavator to limit suspension of sediments in the water column and silt curtains would be installed immediately adjacent to the dredge barge.

Transmission Cables:
Each of the 22 sensors would have an associated transmission cable which would extend from the sensor to a common path parallel to and on the southeast side of the array. The cables would then be bundled together and run approximately 3,150 feet to the shore at Polaris Point. The bundle of cables would be secured to the sea floor every 100 feet using 2-inch polypropylene webbing wrapped around the cables and attached to a concrete disc anchor measuring 4-feet in diameter and 2-feet high. Up to five additional PVC guide stakes would be installed at either end of the cable route to secure the cable bundles at steeply sloped areas.

The cables would enter a 28-inch diameter HDPE conduit approximately 125 feet seaward of the shore at approximately -35 feet in depth. A stainless steel anchor band would span the top half of the HDPE duct and be secured to the seafloor by approximately five pairs of earth anchors, which have an expandable splay (or similar) that rotates and locks into position after being driven about eight feet into the substrate.

The shoreward end of the conduit would be installed below ground starting at -15 feet below MLLW and running approximately 80 linear feet to an upland transition vault. The subterranean installation would require the temporary removal of 225 cubic yards of subbase material and 60 cubic yards of existing revetment material over 3500 square feet. The subbase material would be temporarily staged next to the construction site while the revetment material would be staged underwater near the construction site to preserve any benthic life. Once the installation is complete, the excavated material

would be used as back fill to cover the conduit and the site would be returned to its original configurations to the maximum extent practical.

The subsea cable bundle would be hand-laid by divers along a pre-established path to avoid areas with coral cover. The concrete anchor discs would then be lowered into place using a crane and barge, with contractor divers securing the cable bundle to the seafloor at the anchoring points. The earth anchors for the conduit would be installed from a barge using a pneumatically-driven jackhammer. For the cable landing, a land-based closed bucket excavator would excavate approximately 55-foot wide by 50-foot long by 10-foot deep trench from the below grade transition vault location to a water depth of -15 feet MLLW. The subbase material would be excavated and later used as backfill after being stored on shore in a lined dewatering facility. Prior to trench excavation, the 60 CY of existing shoreline revetment material—consisting of large, previously placed limestone blocks—would be removed by the shore-based excavator and stored under water adjacent to the project area in substrate devoid of protected resources.

Dredging and Disposal:
The construction of the sensor array would require the dredging of 1,200 cubic yards of sediment from the seafloor. This would be conducted by mechanical dredging using a closed bucket. Hydraulic dredging would not be permitted. The dredged material would be placed into a scow or barge and towed to the U.S. Environmental Protection Agency (USEPA) designated Guam Deep Ocean Disposal Site (G-DODS) west of Guam or offloaded and conveyed to a re-handling site on shore. A portion of the dredged material resulting from this project was considered for use as fill material for the sensor array site, but new fill will be required due to the technical nature of the array and possible interference issues. The estimated time of dredging would be approximately 4 weeks for the area in the vicinity of the sensor array and 2 weeks for the shore landing area.

The Navy has conducted characterization tests for sediments within the areas proposed for dredging under the proposed project. The characterization indicated dredged material from the sensor area would be suitable for ocean disposal at the Guam Deep Ocean Disposal Site (G-DODS).

Dredged material may be placed at the G-DODS only if beneficial use projects or upland capacity is not sufficient and it meets specific regulatory criteria for ocean disposal. Ocean disposal is being pursued to avoid using the limited upland disposal capacity available for the dredged materials that are unsuitable for ocean disposal. Disposal operations for the proposed project would be conducted in accordance with the requirements specified in the Guam ODMDS Site Management and Monitoring Plan (March 2010).

All work would be performed in accordance with the enclosed plan (10 sheets), dated July 2021. More detailed plans can be provided upon request.

Additional information regarding the G-DODS, including the USEPA, Final Environmental Impact Statement for Designation of an Ocean Dredged Material

Disposal Site Offshore of Guam, dated March 2010, is available at http://www.epa.gov/region9/water/dredging/gdods.

Applicant Proposed Mitigation:
The applicant proposes several Best Management Practices (BMP) to avoid and minimize impacts to the aquatic environment, including real time water quality monitoring, shut down procedures, sediment control structures and silt curtains to fully contain dredge and construction footprints. The applicant would also incorporate NMFS approved BMPs to avoid and minimize impacts to endangered species and essential fish habitat. Finally, the applicant is proposing to translocate 6300 coral colonies from the project area, remove anthropogenic debris, stabilize substrate, and deploy limestone boulders at Mound 9 (an established coral relocation and mitigation site). The applicant plans to stabilize 13,304 (0.31) square feet of rubble at Mound 9, and place 615 limestone boulders that would provide 21,978 square feet (0.50) of new surface area.

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).

☒ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413) - Transport dredged material for the purpose of dumping it into ocean waters. The Corps' public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

WATER QUALITY CERTIFICATION: The proposed action will result in a discharge of dredged or fill material into a water of the U.S. and will require authorization from the Corps in accordance to 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 Guam Environmental Protection Agency. The applicant submitted an application for Water Quality Certificate on December 29, 2021.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: The proposed project may have coastal effects to Guam's defined coastal zone, in accordance with Section 307(c)(3) of the Coastal Zone Management Act of 1972 (Public Law 92-583), as amended (16 U.S.C. 1456(c)(3)). The Navy shall be responsible for complying with the CZMA's directive for ensuring that federal agency activities are undertaken in a manner which is consistent, to the maximum extent practicable, with approved CZMA Programs. The Corps may not issue a permit for the described work until the applicant receives a consistency determination. On October 12, 2021, the applicant submitted their CZM consistency determination to Guam Bureau of Statistics and Plans, Guam Coastal Management Program.

HISTORIC PROPERTIES: The Navy determined that "No Historic Properties Affected" by the proposed project and submitted it on June 6, 2019. The Guam SHPO concurred with this determination on July 5, 2019.

The Corps has reviewed the Navy's Section 106 documentation and concurs with their findings and determinations.

ENDANGERED SPECIES: The Navy, on June 15, 2021, conducted informal consultation under Section 7 of the Endangered Species Act with the National Marine Fisheries Service (NMFS) for their determination of "not likely to adversely affect" the green sea turtle (*Chelonia mydas*), the endangered hawksbill sea turtle (*Eretmochelys imbricata*) and the threatened scalloped hammerhead shark (*Sphyrna lewini*). The NMFS provided a letter of concurrence to the Navy dated, October 6, 2021 (PIRO-2021-02037).

The Corps has reviewed the Navy's ESA documentation and concurs with their findings and determinations.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). On June 15, 2021 the Navy determined that the proposed project would adversely affect EFH and requested consultation with NMFS-Habitat Conservation (HCD). HCD agreed with the Navy's determination and provided three Conservation Recommendation (CR) on July 21, 2021. The Navy accepted the CRs on August 18, 2021.

The Corps has reviewed the Navy's EFH documentation and concurs with their findings and determinations.

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. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(l) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be

granted unless the District Commander determines that it would be contrary to the public interest.

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: Conventional mail or e-mail comments on this public notice received during the comment period will be made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name (Naval Base Guam) and Corps file number **POH-2019-00162**.

All e-mail comments should be sent to:

Frank.J.Winter@usace.army.mil

Conventional mail comments should be sent to:

U.S. Army Corps of Engineers, Honolulu District
Regulatory Office, Attn: Frank Winter
Building 230
Fort Shafter, HI 96858-5440

Both conventional e-mail and mail comments must reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Mr. Frank Winter at (808) 835-4107 if further information is desired concerning this notice.

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.

This Public Notice is issued by the Chief, Regulatory Office

File Number: POH-2019-00162
Waterway Name: Outer Apra Harbor

APPLICANT: Edward Moon, Naval Base Guam

AGENT: Bert Uyenco, NAVFAC Pacific, Environmental Business Line

ADJACENT PROPERTY OWNERS:
Marianas Yacht Club
P.O. Box 2297
Hagatna, GU 96932
United States of America

Commodre@marianasyachtclub.org (Commodore, Catherine D Gayle)

CONGRESSIONAL OFFICE:
Michael F.Q. San Nicolas
330 Hernan Cortez Avenue
Suite 300
Hagåtña, GU 96910

Guam Public Notice Distribution List:

Kirstina.m.gauthier@uscg.mil (Kirstina Gauthier)

Robin.hirano@navy.mil (Robin Hirano)

Tobias.koehler@koehlerenterprises.com (Tobias Koehler)

Jeff_Miller@treated-wood.org (Jeffrey Miller)

Rebecca.walker@noaa.gov (Rebecca Walker)

Figure 1: Location Map

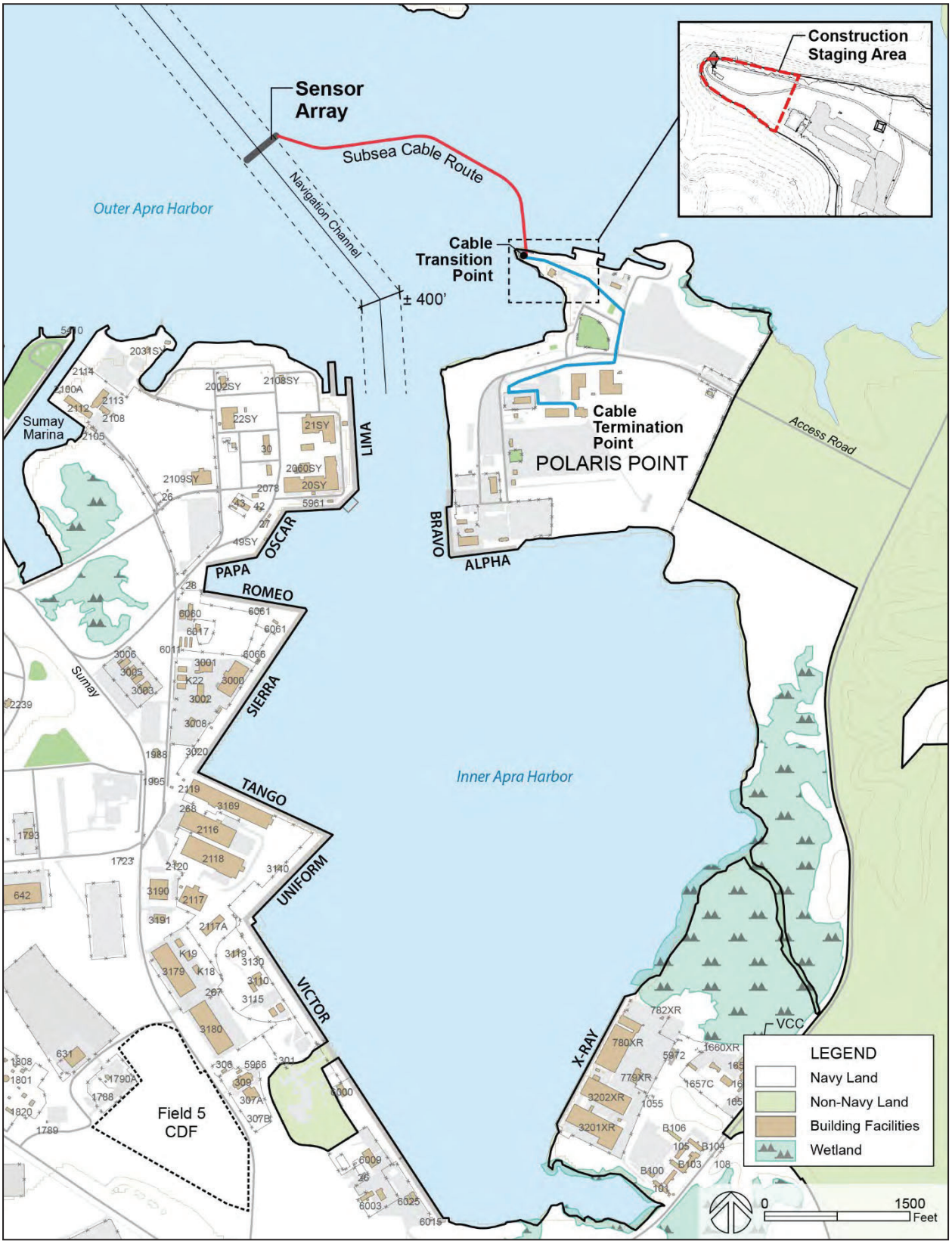
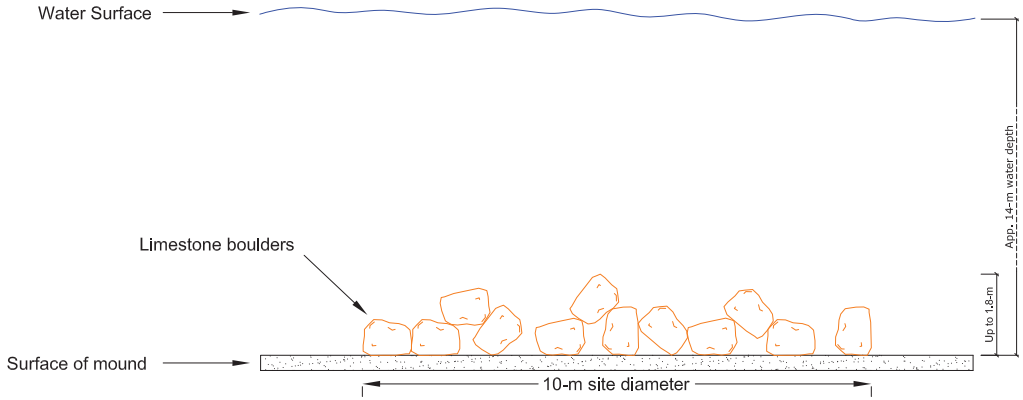
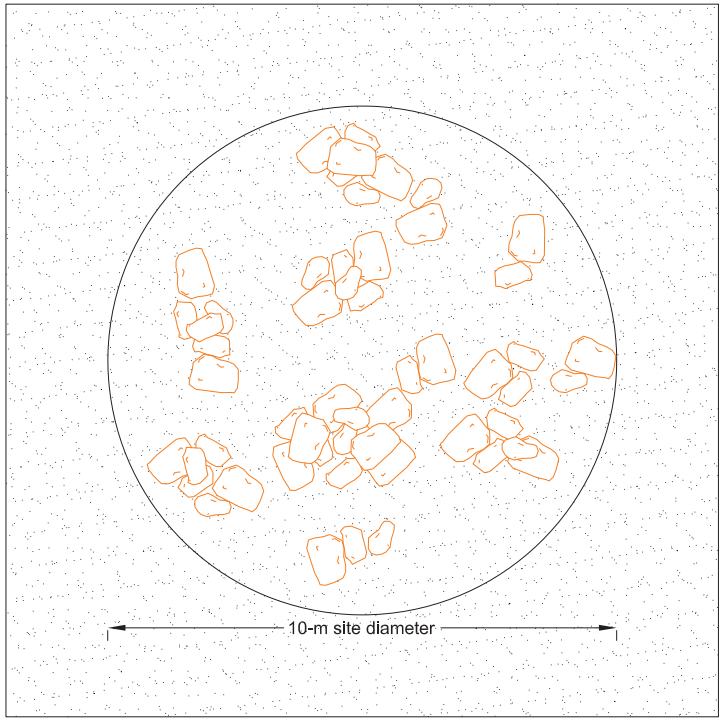


Figure 2: Vicinity Map



Typical Cross Section



Plan View

POH-2019-00162
Page 3 of 10
Feb-2022

NOTES	Scale: NA
Dimension: Meter 12 proposed sites App. 54 boulders per site 0.6 to 1.2-m diameter boulders Up to 15% of boulders on second layer – app. 8 out of 54 boulders on second layer App. 10-m diameter sites	Drawing: 3756_site_planning_01 Date: 20220119 Drawn By: TL Reviewed By: KS Revision: 02 Approved By: KS

Proposed Boulder Sites for Mound 9

Typical Plan View and Cross Section

A site reconnaissance survey will be conducted prior to the initiation of site stabilization and coral translocation activities. Based on the survey results the Team will determine the best locations and configuration for the stabilized areas. The individual habitat rehabilitation sites will include areas for the placement of carbonate boulders, adjacent spacing for the installation of limited amounts of polyethylene mesh and reinforcement rods, and surrounding space for the translocation of corals using the reinforcement rods, concrete, and rubble substrate.

PREPARED BY:

CSA OCEAN SCIENCES INC.
8502 SW KANSAS AVE.
STUART, FL 34997, USA

PREPARED FOR:

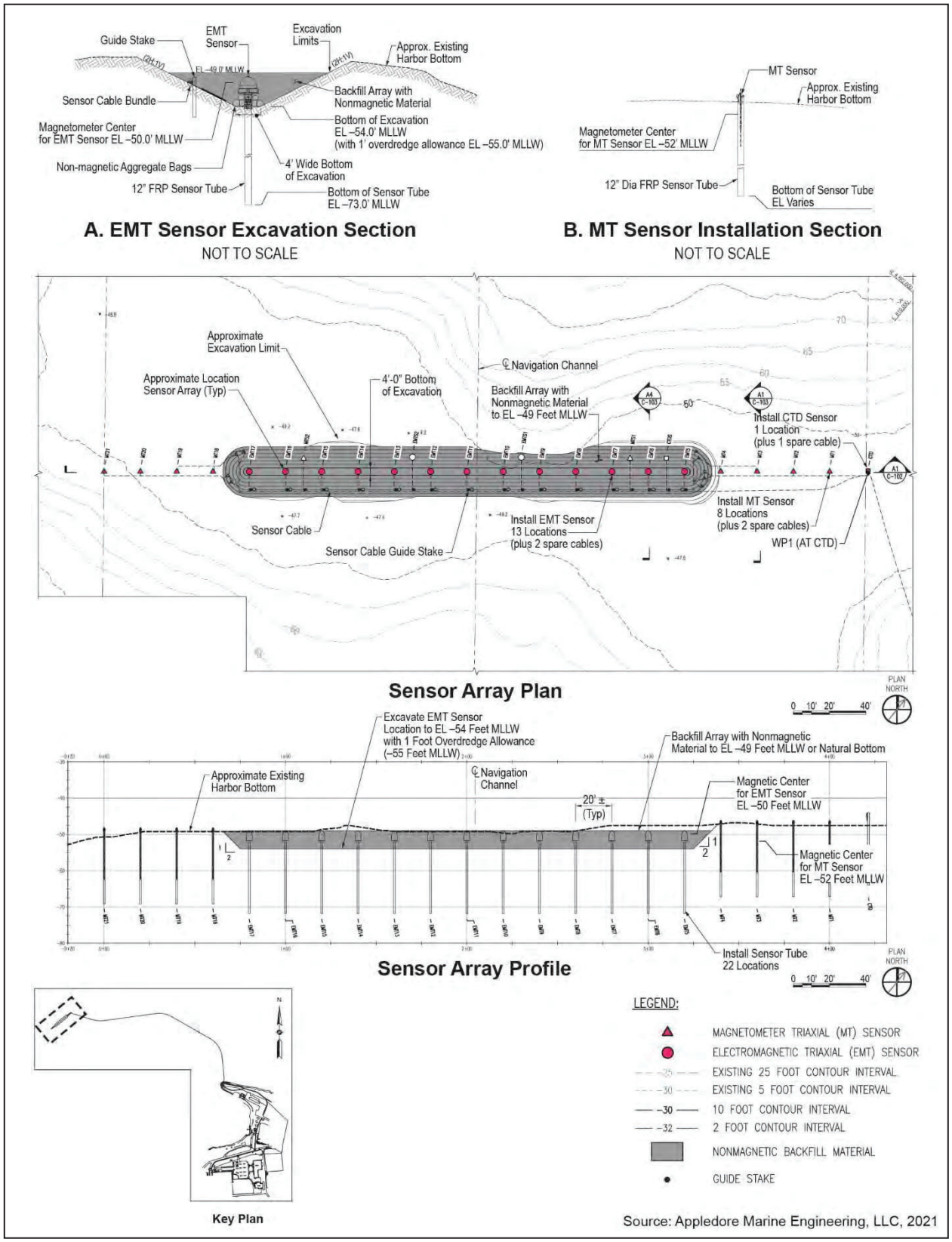


Figure 3: Sensor Array Plan and Profile

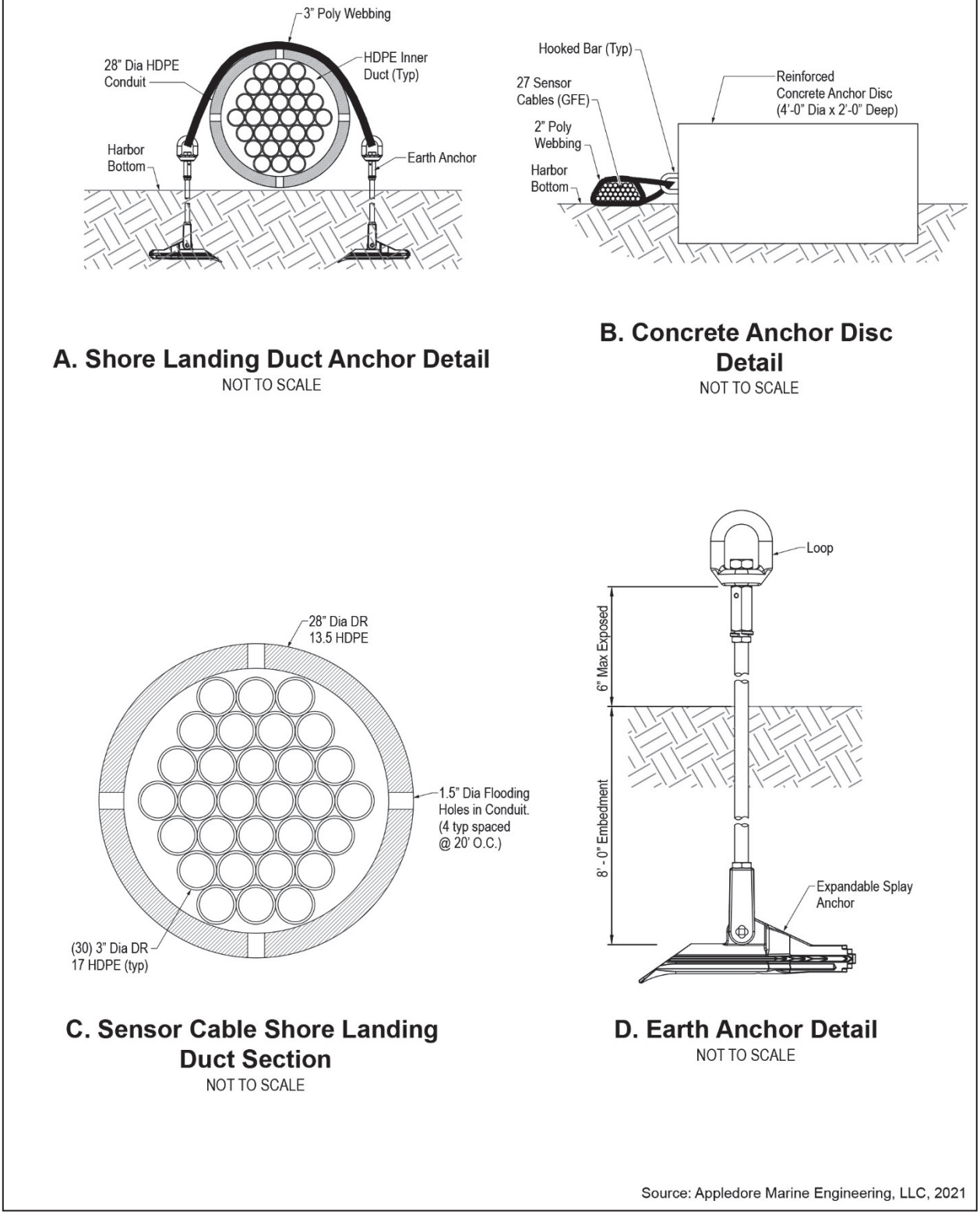
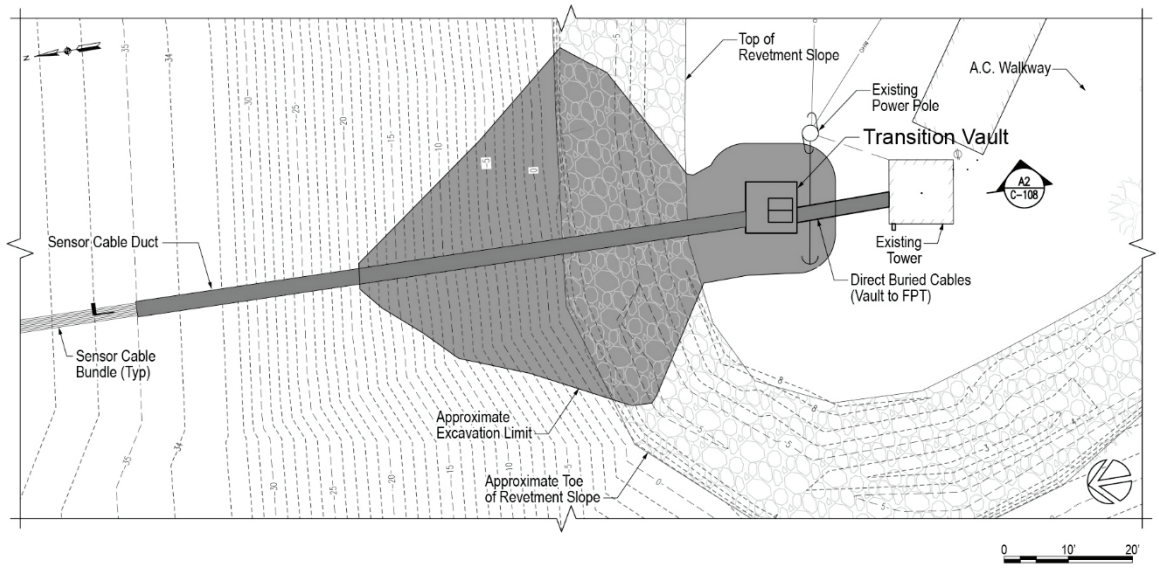
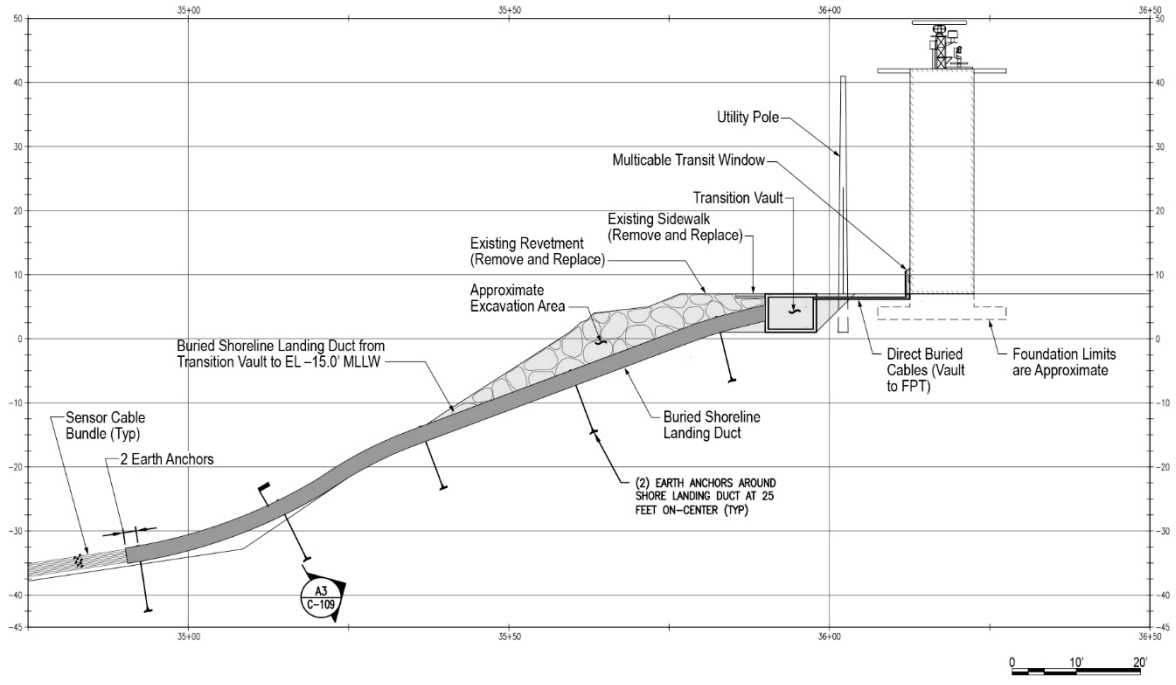


Figure 4: Subsea Cable Duct and Anchor Detail



A. Shoreline Landing Duct Detail



B. Shoreline Transition Profile

Source: Appledore Marine Engineering, LLC, 2021

Figure 5: Cable Shore Landing

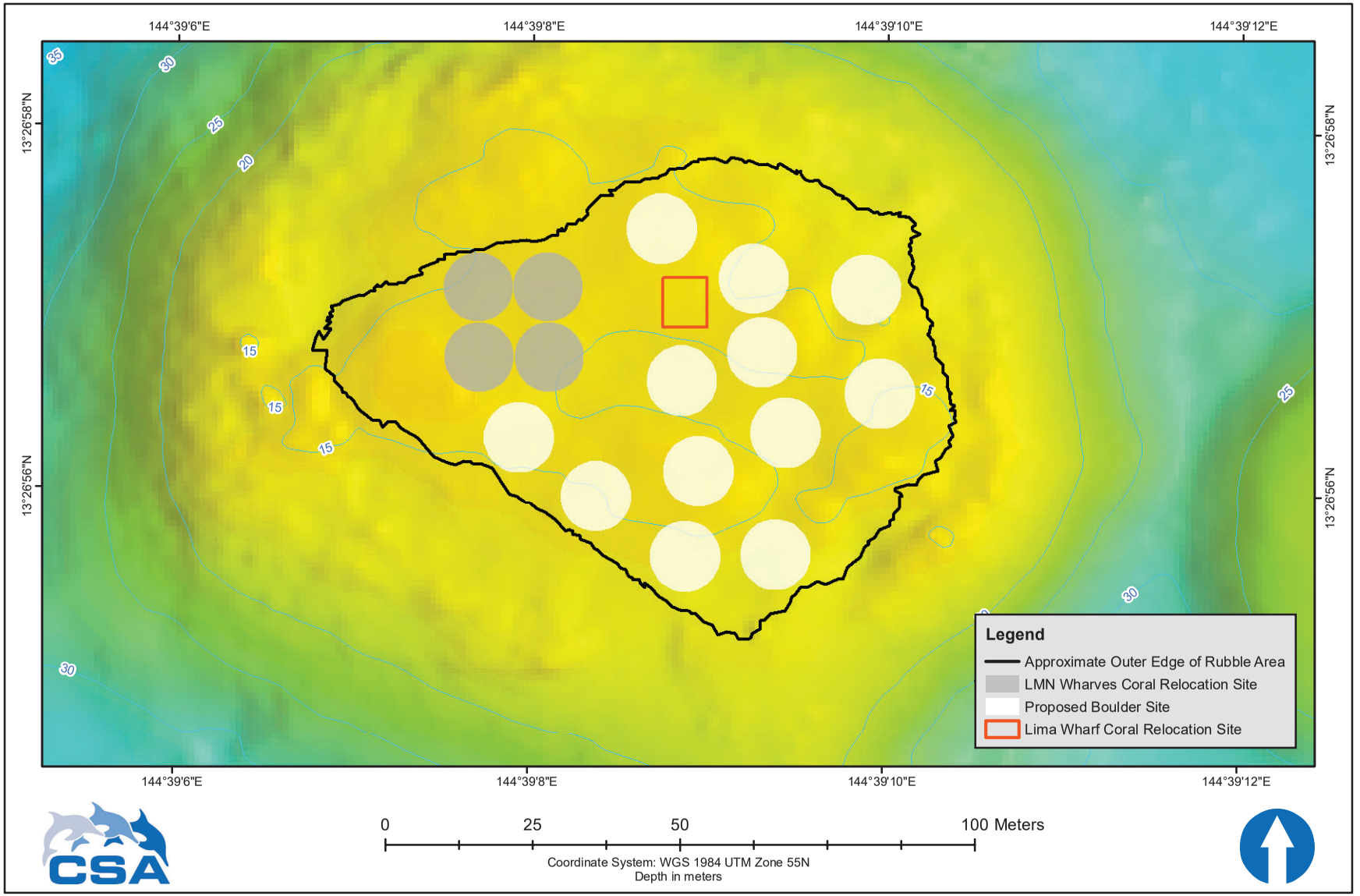
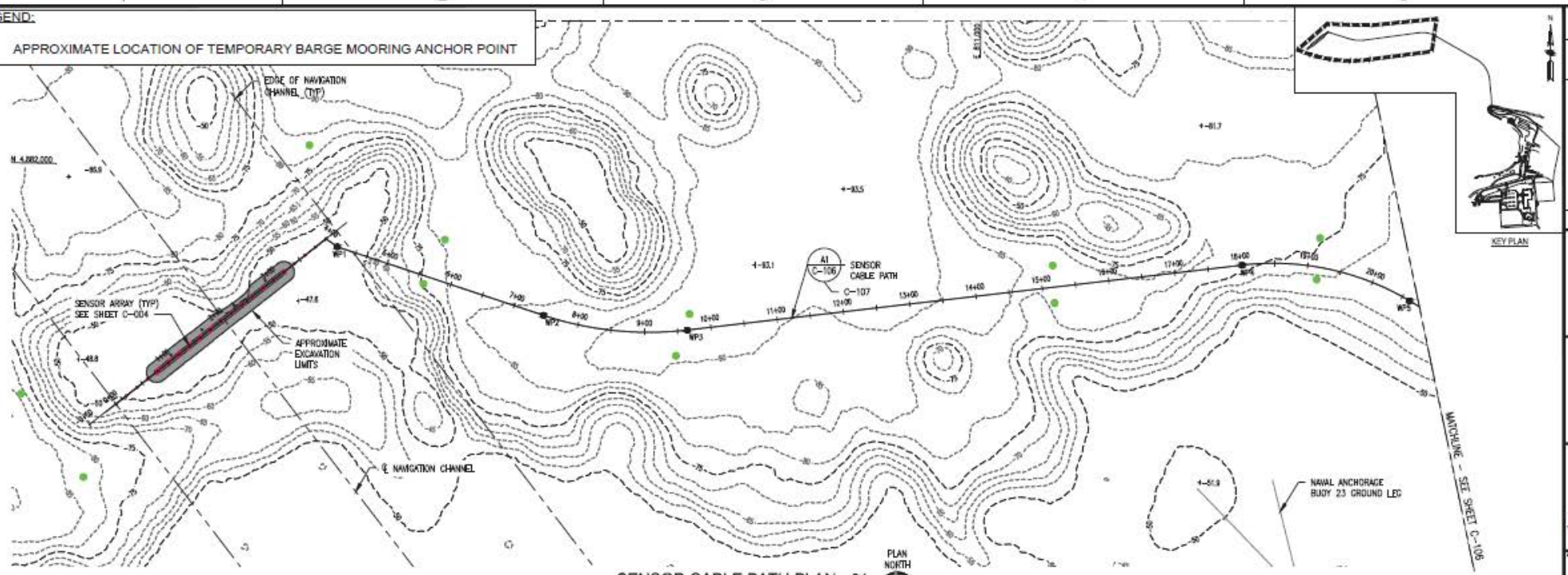


Figure 01. A site reconnaissance survey will be conducted prior to the initiation of site stabilization and coral translocation activities. Based on the survey results the Team will determine the best locations and configuration for the stabilized areas. The individual habitat rehabilitation sites will include areas for the placement of carbonate boulders, adjacent spacing for the installation of limited amounts of polyethylene mesh and reinforcement rods,and surrounding space for the translocation of corals using the reinforcement rods, concrete, and rubble substrate.

LEGEND:

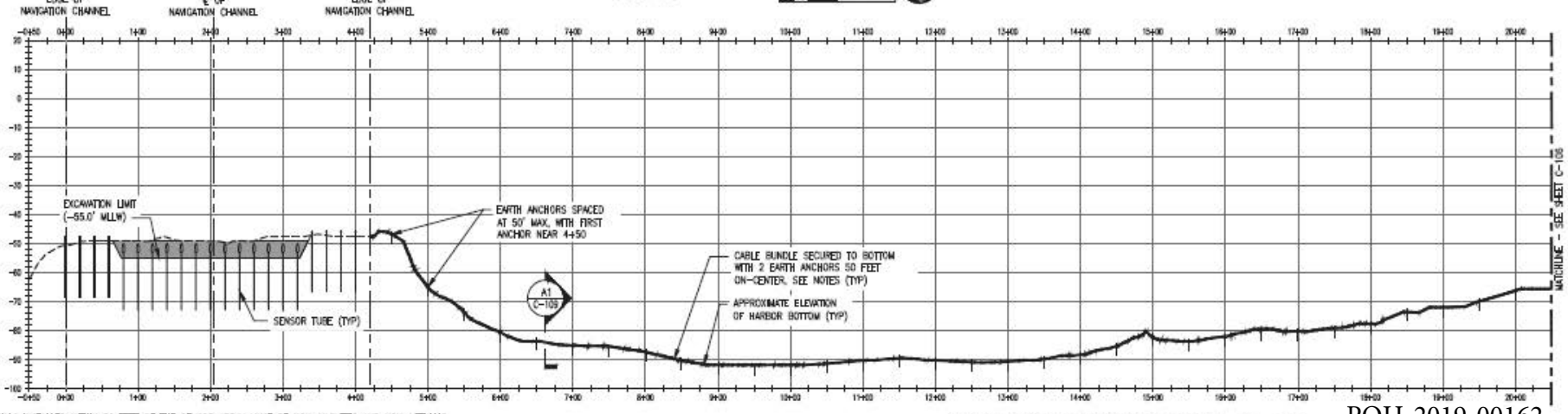
● APPROXIMATE LOCATION OF TEMPORARY BARGE MOORING ANCHOR POINT



SENSOR CABLE PATH PLAN - 01

SCALE: 1"=80'-0"

PLAN NORTH



SENSOR CABLE PATH PROFILE - 01

SCALE: 1"=80'-0"

VERTICAL SCALE: 1"=20'-0"

A1 C-106

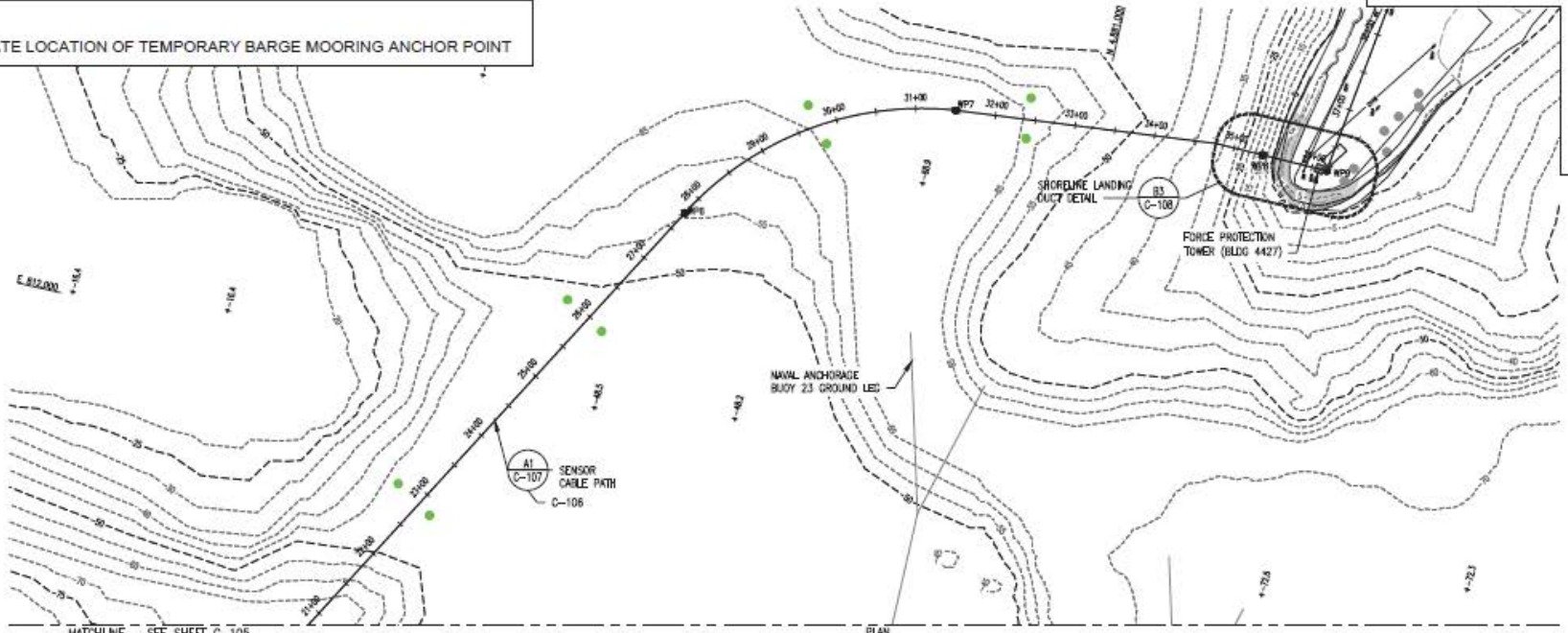
NOTES:

1. ALL MATERIALS INSTALLED WITHIN 50 FEET OF THE SENSOR ARRAY MUST BE NON-MAGNETIC AND NON-METALLIC.
2. CABLE BUNDLE MUST BE SECURED BY EARTH ANCHORS AT 50 FEET ON-CENTER FROM ARRAY TO SHORE LANDING DUCT. CONTRACTOR SHALL ASSUME 25 ADDITIONAL LOCATIONS REQUIRE EARTH ANCHORS TO SECURE CABLES AROUND CORAL HEADS. NOT SHOWN FOR DRAWING CLARITY.
3. IT IS A CONDITION OF THE PROJECT THAT THE CABLES BE DIVER PLACED/LOCATED TO AVOID AND MINIMIZE IMPACT TO EXISTING CORAL. PRIOR TO SENSOR INSTALLATION, ESTABLISH AND STAKEOUT CABLE PATH TO AVOID HIGH CORAL CONCENTRATIONS. CABLE PATH COORDINATES MUST BE RECORDED AND UPDATED ON AS-BUILT DRAWINGS.
4. ADJUST WORKING POINTS AS NEEDED TO AVOID CORAL AND PROVIDE TO THE GOVERNMENT THE ACTUAL WORKING POINT COORDINATES IN UTM55 NORTHINGS AND EASTINGS AS WELL AS GPS WGS84 LATITUDE AND LONGITUDE.
5. AS SENSORS ARE INSTALLED, BUNDLE SENSOR CABLE ALONG ESTABLISHED PATH TO MINIMIZE IMPACT TO CORAL. CABLES ARE NOT TO BE LEFT UNSECURED ALONG THE CABLE PATH.
6. WP1 WILL REQUIRE RELOCATION GIVEN THE AMMOUNT OF EXISTING CORAL COVERAGE DOCUMENTED IN THIS AREA. WP1 WILL REQUIRE ADJUSTMENT PRIOR TO ESTABLISHING THE CABLE PATH.

DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND - MARIANAS
COMNAVMARIANAS
POLARIS POINT, GUAM M.I.
UNDERWATER ELECTRO-MAGNETIC MEASUREMENT SYSTEM
CABLE PATH PLAN - 01
SCALE: AS NOTED
C-106

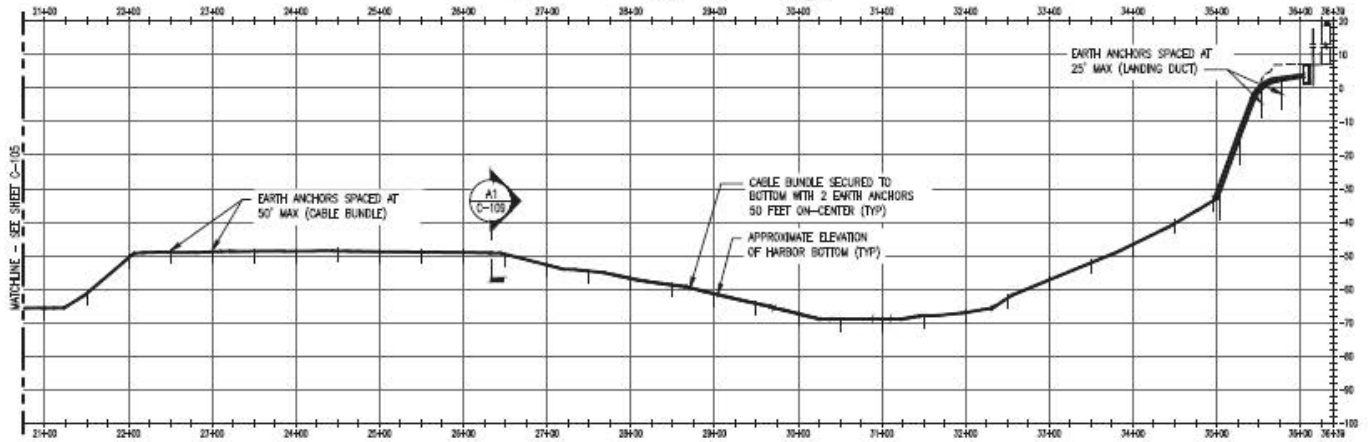
LEGEND:

● APPROXIMATE LOCATION OF TEMPORARY BARGE MOORING ANCHOR POINT



SENSOR CABLE PATH PLAN - 02

SCALE: 1"=80'-0"



SENSOR CABLE PATH PROFILE - 02 A1

SCALE: 1"=80'-0"

VERTICAL SCALE: 1"=20'-0"

C-107

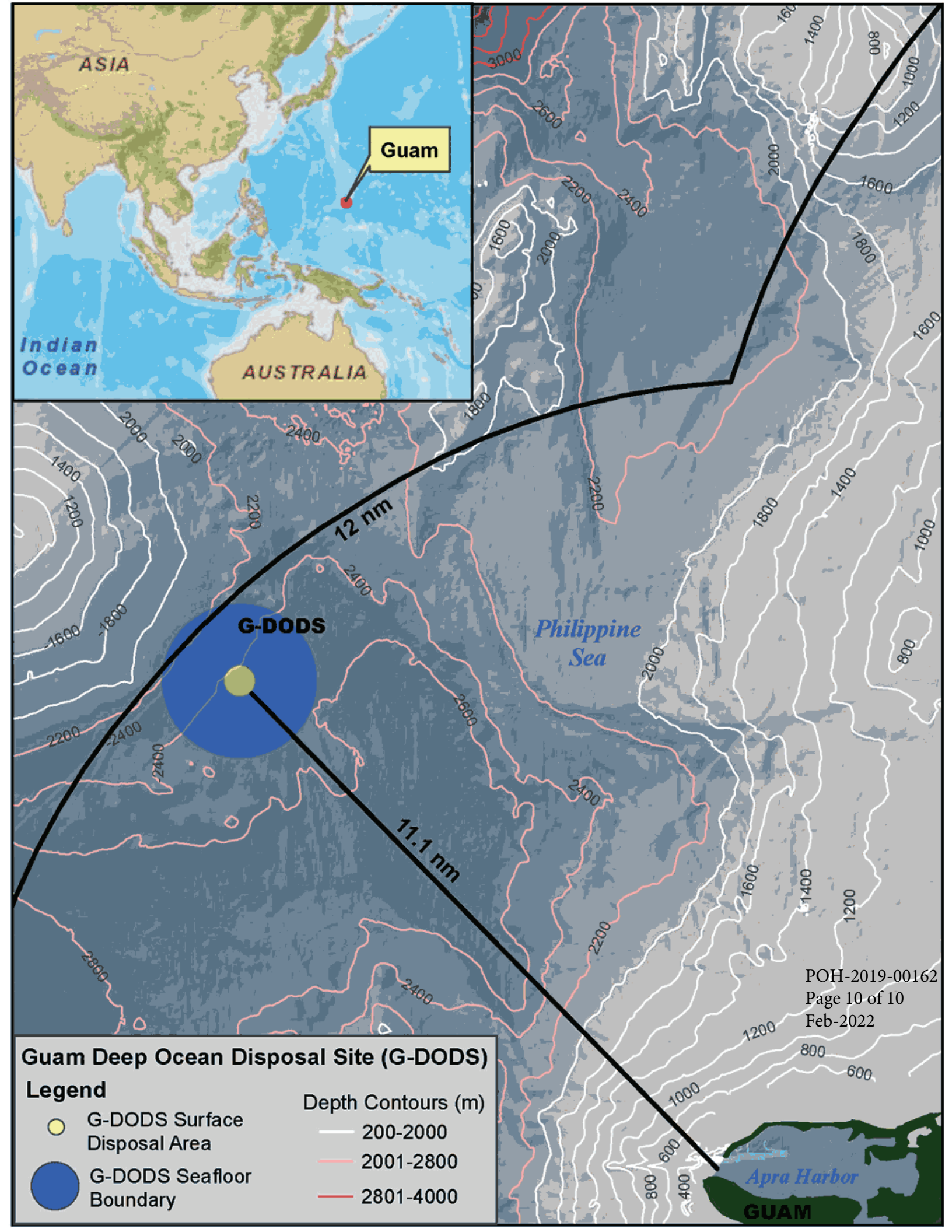
NOTES:

1. FOR SHEET C-106 FOR NOTES.

POH-2019-00162
Page 9 of 10
Feb-2022

DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
COMNAVMARIANAS
NAVFAC ASHORE
NAVAL FACILITIES ENGINEERING COMMAND – MARIANAS
POLARIS POINT, GUAM M.I.
UNDERWATER ELECTRO-MAGNETIC MEASUREMENT SYSTEM
CABLE PATH PLAN - 02
SCALE: AS NOTED
DRAWING NO.: C-107

1 2 3 4 5


ASIA
Guam
Indian Ocean
AUSTRALIA
12 nm
11.1 nm
G-DODS
Philippine Sea
Apra Harbor
GUAM
Guam Deep Ocean Disposal Site (G-DODS)
Legend
G-DODS Surface Disposal Area
G-DODS Seafloor Boundary
Depth Contours (m)
200-2000
2001-2800
2801-4000