



US Army Corps  
of Engineers  
Honolulu District

# Public Notice of Application for Permit

Regulatory Branch (1145b)  
Building 230  
Fort Shafter, Hawaii 96858-5440

Public Notice Date: 12 April 2012  
Expiration Date: 12 May 2012  
Permit File Number: POH-2011-00080

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:** Samoa Tuna Processors Inc. (STP), P.O. Box 957, Pago Pago, American Samoa 96799 (Contact: Ian S. Boatwood, 684-644-1206)

**AGENT:** Peter Swan Limited, P.O. Box 90053, Auckland 1142, New Zealand (Contact: Paul McHardy, 464-09-373-5880)

**LOCATION:** Pago Pago Harbor, Island of Tutuila, American Samoa (Latitude 14.27477 degrees S, Longitude 170.69435 degrees W).

**PROPOSED WORK:** As shown in the applicant's attached project drawings (Sheets P60 thru P64), perform remedial and redevelopment work at the Samoa Tuna Processors (STP) cannery site in inner Pago Pago Harbor. The site presently has failing sheet-pile sea walls which are corroded and collapsing. The proposed work includes filling of water area to create additional dry land needed for construction and plant operations, incorporating construction of sloping, un-grouted rock revetment walls to stabilize the shoreline. The proposed work also includes excavation of the seabed in the vicinity of the new revetment to form a navigable basin for the local fishing fleet, and construction of a new pile-supported concrete wharf approximately 27 feet wide and 115 feet long. As part of the project the new stone revetment would extend around the eroding shoreline at Traders Point.

The total area of the seabed (waters of the U.S.) affected by construction of the proposed project would be approximately 68,600 square feet (1.58 acres). This includes excavation (dredging) of approximately 1,500 cubic yards of material from an approximately 12,000 square foot (0.28 acres) area for the basin and filling of approximately 56,600 square feet (1.30 acres) for the land portion. All excavated material would be disposed of at an approved landfill area. Fill operations would proceed from shore, behind a bund (embankment) constructed from clean rock material, and would extend seaward from the existing sheet piles, which would be left in place. A layer of geotextile, then a 0.2 meter (8-inch) layer of gravel, and finally a 0.6 meter (32 inch) layer of armor rock would be placed over the fill. All rock materials would remain ungrouted. The estimated total volume of the new fill is 18,000 cubic yards. In addition, 24 cylindrical piles would be driven to support the proposed new wharf. These precast concrete or steel cased piles for the wharf would be 16 inches in diameter and the duration of the pile driving operation to install these piles is expected to be less than 14 work days.

The Corps has determined that the proposed activity requires issuance of a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) (Section 10) and Section 404 of the Clean Water Act (33 USC 1344) (Section 404). All work or structures in or affecting the course, condition, location or capacity of navigable waters, including tidal wetlands, require DA authorization pursuant to Section 10. In addition, activities involving the discharge of dredged or fill material into waters of the United States, including adjacent wetlands, require a DA permit pursuant to Section 404.

**PURPOSE:** Re-establish cannery operations, including construction of new Fish Meal, Waste Water Treatment and Biofilter Plants, and commence new fresh/frozen processing in order to add employment opportunities, stimulate the local economy, and improve movement of incoming and outgoing goods. The proposed new dock is intended to facilitate provisioning and receiving fish from the shallow-draft vessels of the Alia fishing fleet, which is vital to the local economy.

**ADDITIONAL INFORMATION:** The applicant notes that the site is currently fully developed and constrained to the North by the existing road and that the additional land area is required to meet the project purpose.

**MITIGATION:** The applicant has proposed the following mitigation efforts to reduce impacts to the aquatic environment:

The proposed project would involve construction of an ungrouted rock revetment rather than driving of new sheet piles to stabilize the new shoreline, which would avoid the potential effects of this additional in-water noise on protected marine species. Driving of the 24 cylindrical 16-inch piles for the proposed wharf would be undertaken from a barge in order to speed construction. During driving of these cylindrical piles, the applicant proposes to use a bubble curtain around the work area to reduce noise transfer into Pago Pago Bay.

The applicant states that silt curtains are not considered practical for this work, but will use clean rock fill and restrict dredging work to periods of calm seas in order to minimize water quality (turbidity) effects.

To prevent further erosion of the shoreline around Trader's Point, the applicant proposes to extend the planned new rock revetment around the point and plant the upland area to enhance the visual impact of this feature in the landscape.

Existing manmade debris within the project water area would be removed for upland disposal during construction.

The applicant states that the proposed fill area is the minimum required to undertake the STP redevelopment plan. The applicant also notes that the project will eliminate the current dangerous practices of unloading trucks while parked on the edge of the main road; that planned in-ground rain water storage tanks will conserve fresh water and relieve the Pago water supply; that the biofilter treatment of air from the Fish Meal plant will improve air quality for Pago; and that the reestablishment of a viable cannery operation extended to include a fresh/frozen operation will provide significant stimulus to the American Samoan economy.

**WATER QUALITY CERTIFICATION:** A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been issued by the American Samoa Environmental Protection Agency.

**COASTAL ZONE MANAGEMENT ACT CERTIFICATION:** Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the American Samoa Coastal Zone Management Program. A permit will not be issued until the American Samoa Department of Commerce has issued Federal Consistency determination.

**CULTURAL RESOURCES:** The Corps has determined that the proposed work has no potential to cause effect to any historic property listed, or eligible for listing, in the National Register of Historic Places because the National Register of Historic Places does not list any historic properties within the area of potential effect (APE) for the project.

The Corps also requests consultation with American Samoan organizations and individuals to gather information regarding historic properties as well as the ethnographic and historic uses in the proposed permit area.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat.

The Corps has assessed potential impacts to Federally-listed and proposed species in the project area. Listed species that occur or have potential to occur within the project include the threatened green sea turtle (*Chelonia mydas*) and the endangered hawksbill sea turtle (*Eretmochelys imbricata*). No suitable potential haul-out or nesting areas are present in or near the project area, hence potential effects to sea turtles are limited to water areas. Underwater videography indicates the absence of significant foraging resources within the project site. The proposed construction activity and vessel (barge) movements have the potential to directly injure individual sea turtles, but normal NMFS-recommended best management practices (BMPs) for vessel operations would be included in any issued DA permit to minimize this risk. Because the proposed work will involve the discharge of clean rock and will avoid substantial disturbance of the existing shoreline material, potential exposure of turtles to elevated turbidity, wastes, and discharges is expected to be minimal. However, based on evaluation of previous pile driving work in Pago Pago Harbor, the Corps has determined that in-water noise generated by the planned driving of 24 sixteen-inch diameter pre-cast concrete or steel-cased piles for the proposed wharf may affect, and is likely to adversely affect, green and hawksbill sea turtles. Therefore, the Corps will submit a biological assessment to the NMFS to initiate formal Section 7 consultation.

**ESSENTIAL FISH HABITAT:** The proposed work has been evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq.* and associated federal regulations found at 50 CFR 600 Subpart K. The American Samoa Department of Marine and Wildlife Resources has conducted inspection of the project site using underwater videography, which reveals the presence of substantial silt and manmade debris (including concrete, metal, tires, and coils of cable or line) and absence of corals and coral reef habitat in the area of the proposed work. Some small schools of jacks (family Carangidae) are visible in the record. Construction-related turbidity is expected to be temporary and would be minimized by use of clean fill material and by working only during calm sea conditions. The new rock revetment is expected to minimize future shoreline erosion. In accordance with the Essential Fish Habitat (EFH) requirements of the Magnuson-Stevens Fishery Conservation and Management Act, the Corps has determined that the proposal would not adversely affect EFH.

**SPECIAL AREA DESIGNATION:** None.

**AUTHORITY:** This permit application will be reviewed under the following authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). The Corps' public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

( ) Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). 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.

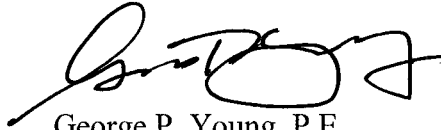
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 U.S. Army Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. 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. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

**COMMENT AND REVIEW PERIOD:** Conventional mail or e-mail comments on this public notice 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. 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 and reference number as shown below. All e-mail comments should be sent to [Peter.C.Galloway@usace.army.mil](mailto:Peter.C.Galloway@usace.army.mil). Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Building 230, Fort Shafter, HI 96848. Both conventional mail and e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments, whether conventional mail or e-mail, must reach this office no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number: **Samoa Tuna Processors (STP) Redevelopment, POH-2011-00080**. Please contact Mr. Peter Galloway at (808) 438-8416 if further information is desired concerning this notice.

**PUBLIC HEARING:** 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.

Project drawings (6 sheets) are attached to this Public Notice.

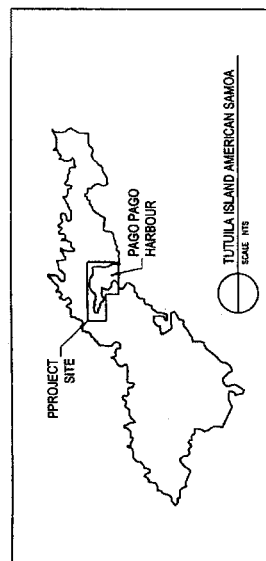
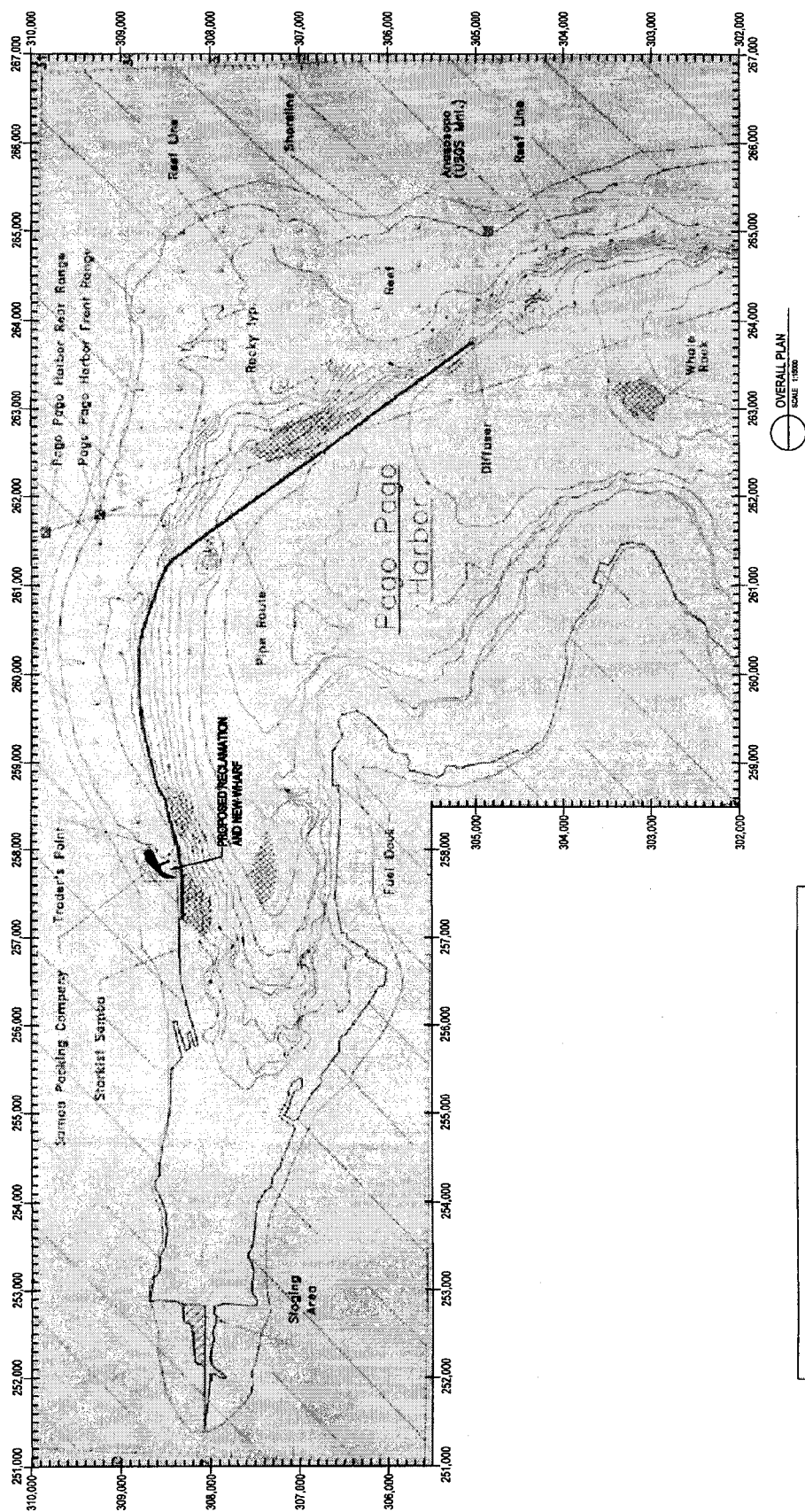
A handwritten signature in black ink, appearing to read 'G. Young', is positioned above the printed name and title.

George P. Young, P.E.  
Chief, Regulatory Branch

For and on behalf of:  
Douglas B. Guttormsen  
Lieutenant Colonel  
District Engineer

Attachments:

- P60. Location Plan
- P61. Site Plan (with the locations of typical sections indicated; see P63-P64 below)
- P62. Building Layout Plan
- P62a. Cut and Fill Plan
- P63. Sections - Sheet 1
- P64. Sections - Sheet 2



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**TUNA PROCESSING PLANT**  
 OR  
**STP / TRIMARINE**  
 AT  
**PAGO PAGO, AMERICAN SAMOA**

**RECLAMATION & NEW WHARF**  
**LOCATION PLAN**

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DATE: 03 - 1980    A1 - 12500

DRAWING: PS    APPROVED: [Signature]

BY: RCE    DATE: MAR 2011

FOR: [Signature]

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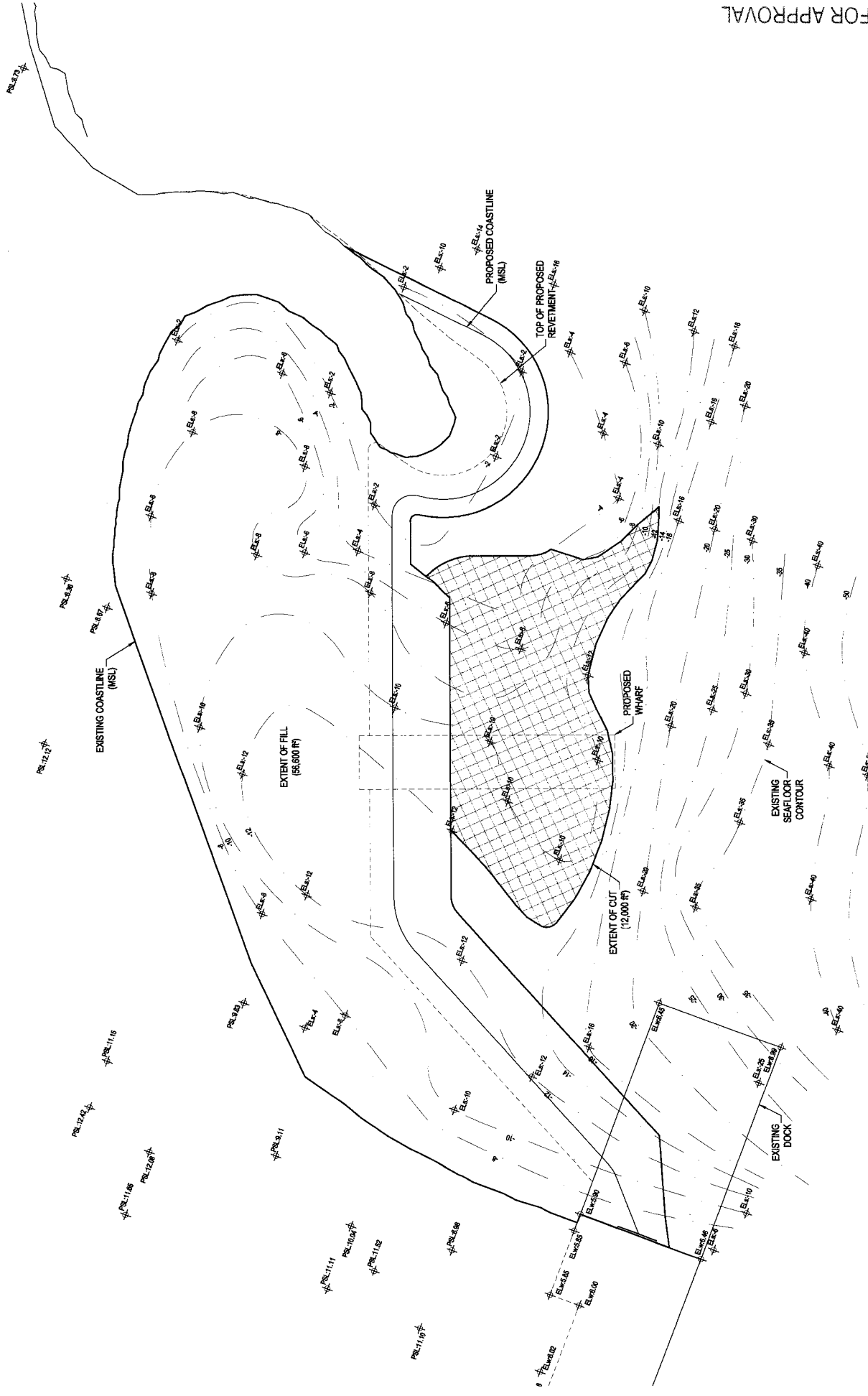
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PROJECT FILE		DRAWING FILE		DATE: MAY 2011		DATE: MAY 2011		DATE: MAY 2011		DATE: MAY 2011	
PROJECT NO.		DRAWING NO.		SCALE		SHEET NO.		SHEET TOTAL		SHEET TOTAL	
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