



US Army Corps of Engineers
Honolulu District
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PUBLIC NOTICE

Civil and Public Works Branch
230 Otake Street, 3rd Floor
Fort Shafter, Hawaii 96858-5440

Public Notice Date: Friday, March 13, 2026 (ChST)
Expiration Date: Sunday, April 12, 2026 (ChST)
USACE Project: **Agat Small Boat Harbor, Guam**

Interested parties are hereby notified that the U.S. Army Corps of Engineers (USACE, Corps), Honolulu District is proposing discharge of dredged material into navigable waters of the U.S. (WOTUS) pursuant to Section 404 of the Clean Water Act of 1972 (Section 404, 33 U.S.C. §1344). USACE is undertaking maintenance dredging of the Agat Small Boat Harbor (SBH) and proposes to beneficially use the dredged material, i.e., sand, to reclaim the beach fronting the eroded shoreline of the nearby Nimitz Beach Park in Agat, Guam. USACE is authorized and funded to maintain the authorized project depths of federal navigation projects pursuant to Section 107 of the Rivers and Harbors Act of 1960 (Section 107). The non-federal sponsor for the harbor is the Government of Guam (GovGuam) Port Authority. USACE seeks input from the public on the proposed discharge described below.

WATERWAY AND LOCATION: Agat SBH at 13°22'3.37"N, 144°38'59.14"E (source of dredged material) and Nimitz Beach shoreline of Agat Bay at 13°21'53.40"N, 144°38'56.60"E (discharge location), Agat, Guam.

EXISTING CONDITIONS: Agat SBH was authorized for USACE construction in June 1986 under Section 107. Construction was completed in March 1989. The project general navigation features include an entrance channel (1000 feet long, 120 feet wide, 14 feet deep); a turning basin (200 feet long, 150 feet wide, 11 feet deep); a main access channel (500 feet long, 75 feet wide, 9 feet deep); two breakwaters and two revetted moles. The harbor was cut from what was once a shallow reef flat and provides berth for up to 150 recreational and fishing vessels. Based on recent survey, the harbor bottom is 98% coarse, carbonate sand with some scattered rubble and hard surface, remnants of the original construction.

Moving outward, the seafloor quickly shifts back to its natural reef-flat character, with areas of fossil limestone, sand patches, and small hard-bottom features. Near Nimitz Beach Park, the underwater environment becomes mostly loose, sandy bottom typical

of the shoreline. Dive surveys confirm the shoreline fronting Nimitz Beach Park is absent of coral and seagrass. Both Agat SBH and Nimitz Beach occur within Agat Bay, a territorial sea and navigable WOTUS per 33 CFR 328.3, subject to regulation under Section 404.

PROJECT PURPOSE: Shoaling has reduced depths in the entrance channel to –9 ft MLLW (5 ft delta), in the turning basin to –9 ft MLLW (2 ft delta), and in the access channel to –5 ft MLLW (4 ft delta). Maintenance dredging is required to restore authorized depths and ensure safe navigation of the completed Corps project. Due to low shoaling rates, this is the first maintenance dredging cycle since the harbor's completion in 1989. Based on historical trends, the next cycle is anticipated approximately 35 years from now.

As the project proponent, USACE is responsible for determining, managing, and carrying out the approved disposal or placement of the dredged material. As supported by GovGuam, USACE proposes beneficial use of dredged material (BUDM) at Nimitz Beach Park to preserve native sediment and provide coastal storm risk management benefits. Ongoing shoreline erosion at Nimitz Beach has damaged park infrastructure and caused mortality of coastal trees and vegetation. Placement of dredged material would restore eroded shoreline, protect park facilities, and help stabilize local littoral transport processes.

PROPOSED ACTION: USACE will remove approximately 8,300–9,000 cubic yards of accumulated sediment from the federal channel to restore authorized depths at Agat SBH. Dredging will be performed using a barge-mounted excavator equipped with a cutterhead and suction system that pumps a sand-water slurry through a floating pipeline to Nimitz Beach Park for beneficial use. Divers will help maintain safe pipeline alignment and avoid sensitive resources.

At Nimitz Beach, the slurry will be placed within a contained fill area constructed of filter-lined barriers and shaped into a 792-foot-long, 50-foot-wide beach reclamation area (approximately 1.5 acres). Temporary barriers will control turbidity and retain sand until the beach stabilizes. After dredging, equipment and barriers will be removed, and the restored shoreline will naturally adjust to local wave and sediment conditions. The proposed beach reclamation, i.e., discharge of dredged material, will convert 1 acre of intertidal and shallow subtidal nearshore navigable waters to uplands.

USACE will utilize the south parking lot at Nimitz Beach Park for staging of equipment and materials and will construct a single equipment ingress/egress from the parking lot to the shoreline. Prior to dredging and filling, USACE will remove all large debris including concrete slabs and tree stumps from the shoreline for GovGuam.

Site preparation work will begin April 15, 2026, and maintenance dredging will begin May 3, 2026. All work will be completed by May 31, 2026. Work hours are daytime only, Monday through Friday. For safety reasons, the beach and park will not be accessible

by the public during construction. Minimal impact to boaters and harbor users can be expected.

A robust description of the proposed action is provided in the attached Combined Biological Assessment and Essential Fish Habitat Assessment (Combined BA/EFHA, Attachment 1).

AVOIDANCE AND MINIMIZATION: In coordination with federal resource agencies, USACE has developed a comprehensive list of best management practices designed to avoid and minimize adverse impacts to the aquatic environment. These mitigative measures are a component of the proposed action.

The compiled BMP list is included as an attachment to this notice (Attachment 2).

COMPENSATORY MITIGATION: USACE has completed a Section 404(b)(1) analysis and determined the proposed discharge is compliant with Section 404, would not significantly degrade the aquatic resource, would result in no more than minimal impacts individually and cumulatively and no loss of special aquatic sites. Accordingly, USACE has determined compensatory mitigation is not warranted for the proposed discharge of dredged material into navigable WOTUS.

The Section 404(b)(1) analysis is included as an attachment to this notice (Attachment 3).

ENVIRONMENTAL COMPLIANCE: USACE has evaluated the potential effects of the proposed action on protected resources such as fish and wildlife resources, endangered and threatened species and critical habitat, essential fish habitat and historic properties. USACE consulted the U.S. Fish and Wildlife Service, National Marine Fisheries Service and the Guam Historic Preservation Division in accordance with the Fish and Wildlife Coordination Act, Section 7 of the Endangered Species Act, Section 305(b)(2) of the Magnuson Stevens Fishery Conservation and Management Act and Section 106 of the National Historic Preservation Act. The attached Combined BA/EFHA was sent to the Services under consultation and documents USACE full consideration for impacts to protected resources (Attachment 1).

USACE has not identified any extraordinary circumstances and determined that the proposed action is eligible for coverage under multiple Department of Defense Categorical Exclusions (CATEX) under the National Environmental Policy Act (NEPA), including: VIII. Civil Works Program of the USACE (2) minor maintenance dredging using existing disposal sites; VII. USACE (5) all applications which qualify as letters of permission; and I. Department of the Army (c)(1) wildlife habitat improvement activities not involving herbicides or more than one mile of road construction, and restoration of wetlands, streams, riparian areas, and other water bodies. USACE is preparing a record of environmental consideration to document compliance with NEPA.

USACE will ensure full compliance with all applicable federal environmental laws and regulations prior to construction.

WATER QUALITY CERTIFICATION: In March 2026, USACE applied for a Water Quality Certification pursuant to Section 401 of the Clean Water Act from the Guam Environmental Protection Agency (GEPA). USACE acknowledges that a Section 401 WQC from GEPA is required prior to construction.

COASTAL ZONE MANAGEMENT: Pursuant to Section 307(c) of the Coastal Zone Management Act, any federal agency proposing to conduct or support an activity within or outside the coastal zone that will affect any land or water use or natural resource of the coastal zone is required to do so in a manner consistent with the Coastal Management Program (CMP) to the maximum extent practicable. USACE has assessed the proposed action relative to the Guam CMP and determined that the proposed action is consistent with the enforceable policies of the Guam CMP to the extent practicable. In March 2026, USACE requested concurrence from the Guam Bureau of Statistics and Plans (BSP) on this determination. USACE acknowledges that a consistency determination from the Guam BSP is required prior to construction.

COMMENTS: The Corps is soliciting comments from the public; federal, territory, and local agencies and officials; and other Interested parties in order to consider and evaluate the impacts of the proposed action. Any comments received will be considered by the Corps prior to construction. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Honolulu District will receive written comments on the proposed work, as outlined above, until Sunday, April 12, 2026 (ChST). Comments should be submitted electronically by email to CEPOH-Planning@usace.army.mil. Alternatively, you may submit comments in writing to the address listed on this notice. Written comments must be postmarked prior to the expiration of this notice.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

This Public Notice is issued by the Chief, Civil and Public Works Branch.