



PUBLIC NOTICE

US Army Corps of Engineers, Honolulu District

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

Public Notice Date: September 22, 2015
Expiration Date: October 22, 2015
Permit File Number: POH-2013-120

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.

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

U.S. Army Corps of Engineers, Honolulu District
Regulatory Office, Attn: Kate Bliss
Building 230
Fort Shafter, Hawaii 96858-5440.

Alternatively, comments may be emailed to kate.m.bliss@usace.army.mil. Reference POH-2013-120 in the subject heading of the email. In order to be accepted, e-mail comments must originate from the author's e-mail account. All e-mail comments should be sent to kate.m.bliss@usace.army.mil.

Both conventional mail and e-mail comments must include the DA permit number POH-2013-120, and the commentor's name, address, and phone number. **All comments whether conventional mail or e-mail should be received by the close of business on October 21, 2015.**

APPLICANT:

American Samoa Government Department of Port Administration, PO Box 15396, Pago Pago, American Samoa, AS 96799

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located within the Pacific Ocean at Faleasao Harbor, Ta'u Island, American Samoa, located at Latitude 14.2247222 S, Longitude 169.5116667 W.

PROPOSED PROJECT AND PURPOSE: The proposed action would provide a new navigational draft depth of about -21' MSL (-19.68 MLLW), approximately 7' deeper than the original design depth. Approximately 10,000 cubic yards (CY) composed of sand

and some coral and rock rubble would be dredged using a long-reach excavator and barge over approximately 1.79 acres. The dredge material will be disposed of at an upland location for future beneficial reuse or permanent upland disposal.

The applicant's stated purpose for the project is to maintain safe depths of Faleasao Harbor for the safe entry and docking of vessels, particularly the ASG vessel M/V Sili, which is the main vessel providing transportation for people and goods to the Manu'a Islands.

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: It is the District's opinion that the project as proposed will not result in the discharge of a pollutant into a water of the U.S.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: The proposed activity has received a concurrence of the consistency determination from the American Samoa Department of Commerce pursuant to the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3).

CULTURAL RESOURCES: Pursuant to Section 106 of the National Historic Preservation Act (NHPA), our assessment of the project leads us to a preliminary determination that no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal.

ENDANGERED SPECIES: Pursuant to Section 7 of the Endangered Species Act (ESA), federal agencies must consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (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. Based on the project location, the following protected species have the potential to occur in or near the project location:

Green Sea Turtle (*Chelonia mydas*), Threatened
Hawksbill Turtle (*Eretmochelys imbricata*), Endangered
Acropora retus, Threatened

Acropora speciosa, Threatened
Acropora jacquelineae, Threatened
Euphyllia paradivisa, Threatened
Acropora globiceps, Threatened
Isopora crateriformis, Threatened

Preliminary determinations indicate that the described activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

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 (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 Honolulu District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, Western Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by NMFS. EFH consultation was initiated by the Corps on January 23, 2014. NMFS provided EFH recommendations on August 6, 2014. The Corps will incorporate the EFH recommendations as identified in the October 3, 2104 correspondence and they will be required as special conditions if the permit is issued.

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; 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.

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.

For more information or questions about this project or the permit process, please contact Kate Bliss via telephone at (808)835-4306 or via email at kate.m.bliss@usace.army.mil

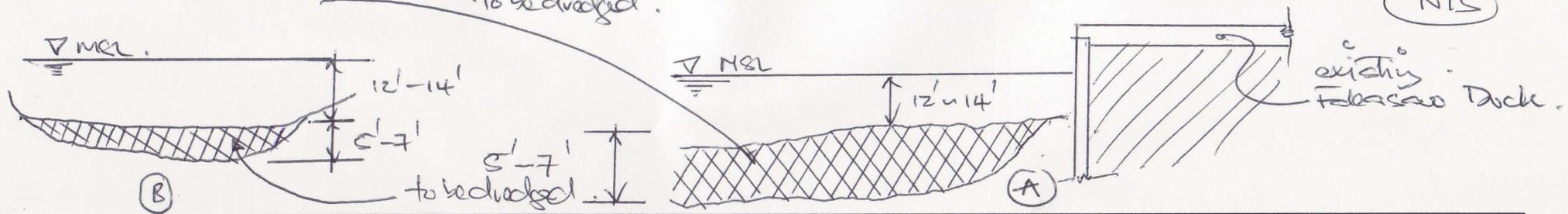


Figure 1: Location map of Faleasao wharf in relation to north-western Ta'u Island, Manu'a © Google Maps.

Sand of loose coral to be dredged.

CROSS-SECTION DIAGRAM FOR FALEASAO WHARF DIAGRAM:

(NTS)



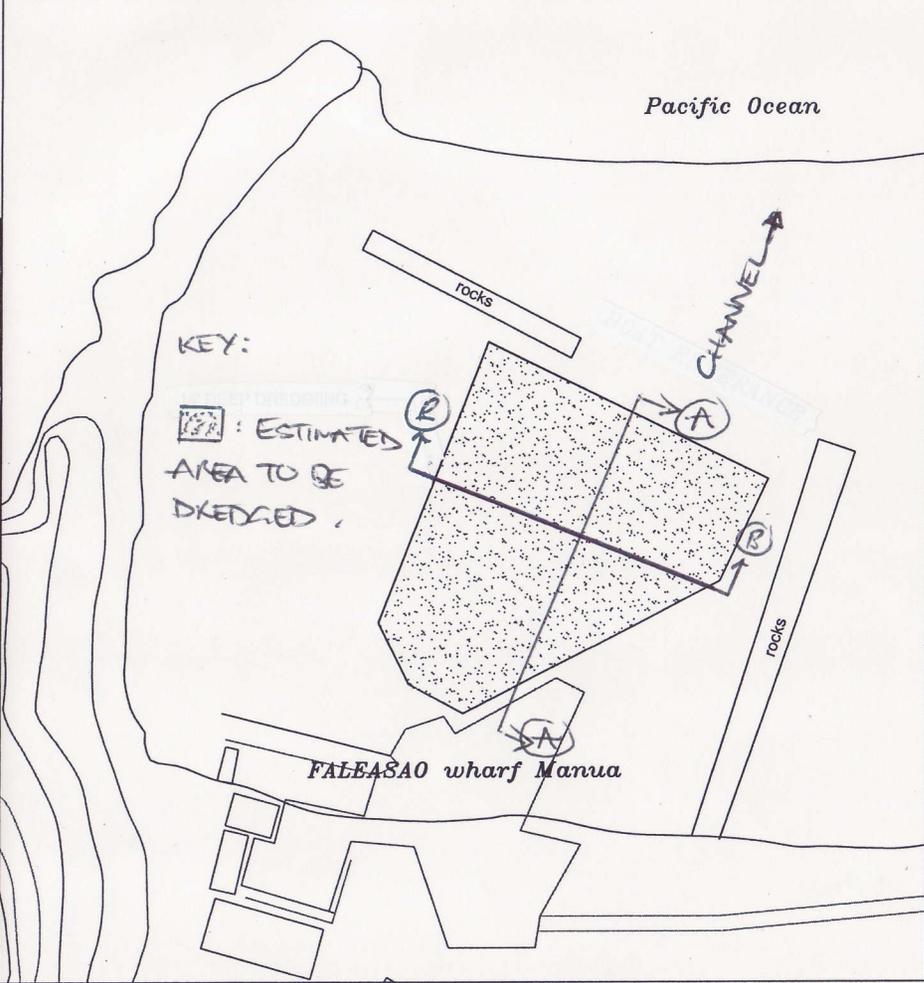
VICINITY MAP OF FALEASAO, MANUA

SCALE : 1: 200

SITE - PLAN

SCALE : 1: 40

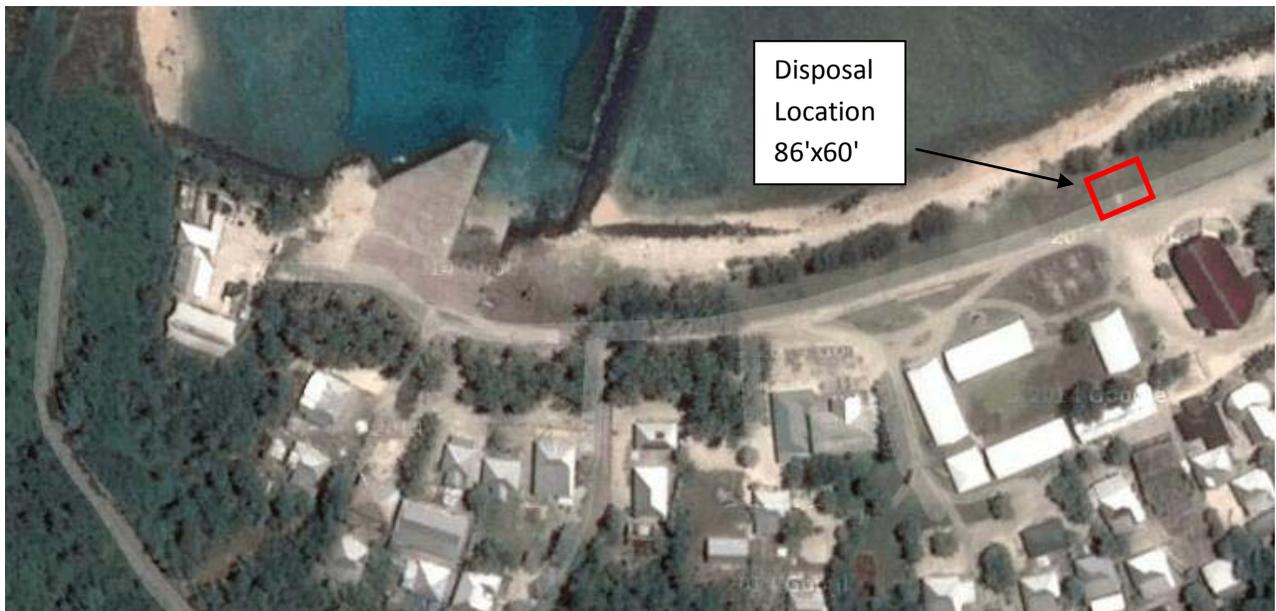
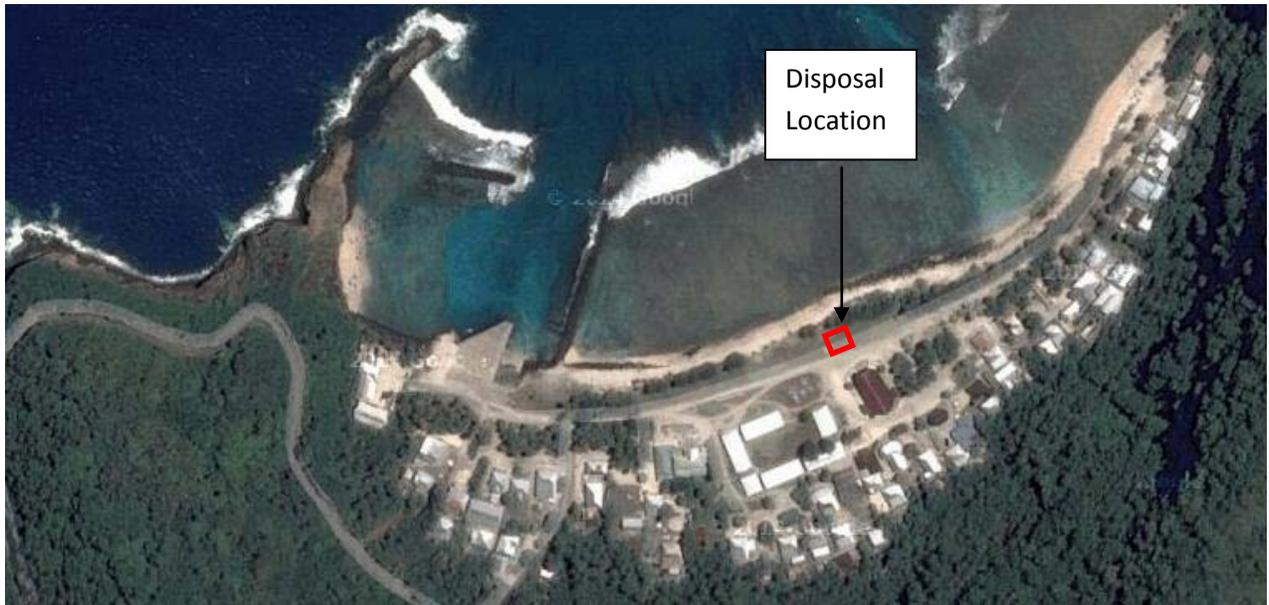
PROJECT LOCATION



DEPT. OF PORT APPLICANT : ADMINISTRATION	PHONE : 733-4548	DATE : 2013
COUNTY : FALEASAO	DISTRICT : MANUATELE	TOPO # : 66-70
COORD. X = 672788.30 Y = 372649.57	SCALE : AS SHOWN	PREP BY : DPW-AL

NOTE :
DEPT. OF PORT ADMINISTRATION REQUESTING DREDGING FALEASAO WHARF FOR LAND USE PERMIT.

Location of Dredged Material Disposal Site - Faleasao Harbor Dredging



A 4-foot fence or barrier made of geotextile material will be erected around the perimeter of the proposed dredged material 86' x 60' disposal location as shown above to allow the dredged material to dewater but remaining solid material remain within the barrier. All dredged material will be stored here until later usage by locals for road repairs etc.