US Army Corps of Engineers
Honolulu District
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Public Notice of Application for Permit

Regulatory Office
Building 230
Fort Shafter, Hawaii 96858-5440

Public Notice Date: April 27, 2017
Expiration Date: May 30, 2017
Corps File No.: **POH-2015-00249**

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

APPLICANT: Faleosina Voight, American Samoa Government, Department of Public Works, Tafuna Industrial Park, Pago Pago, AS 96799

AGENT: Not applicable

LOCATION: Shoreline along Pago Pago Harbor, Leloaloa Village, American Samoa (Latitude: -14.267648° N; Longitude -170.678493° W)

PROPOSED ACTIVITY: The applicant proposes to discharge dredged and fill material into waters of the United States (U.S.) and conduct work in navigable waters of the U.S. to construct approximately 2,140 linear feet of road embankment and shoreline protection below the high tide line, Pago Pago Harbor, Pacific Ocean.

AUTHORITY(S): This permit application will be reviewed under Section 404 of the Clean Water Act (33 USC § 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 USC § 403). The Corps' public interest review will consider the guidelines set forth under Section 404(b)(1) of the Clean Water Act (40 CFR part 230).

EVALUATION FACTORS: 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 Corps is soliciting comments from the public; Federal, State, Territorial, 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 (EA) and/or an Environmental Impact Statement (EIS) 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.

ADDITIONAL INFORMATION:

BACKGROUND: The American Samoa Government, Department of Public Works (AS, DPW) is the project proponent and applicant for the proposed project and the Federal Highway Administration (FHWA) is the lead Federal agency under the National Environmental Policy Act (NEPA). On January 8, 2016, the FHWA approved a Categorical Exclusion under NEPA for the proposed project that documents no significant environmental effects will result from the implementation of the proposed project. In addition to NEPA, as the lead Federal action agency, FHWA is responsible for conducting consultations, as applicable, with appropriate Federal and state/territorial agencies in order to comply with the requirements of Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, Section 106 of the National Historic Preservation Act (NHPA) of 1966, Section 307(c)(3)(A) of the Coastal Zone Management Act, Section 305(b)(2)-(4) of the Magnuson-Stevens Fishery Conservation Act (i.e., Essential Fish Habitat), as well as all other applicable federal laws, regulations and Presidential Executive Orders. FHWA's coordination and compliance with the aforementioned laws and regulations are summarized in the sections below.

PROJECT DESCRIPTION: The applicant proposes to construct improvements to a road embankment and rock revetment along 2,140 linear feet of shoreline in Pago Pago Harbor between Atu'u and Laulii (Leloaloa). The revetment would be constructed 1,840 feet west of the peninsula and 300 feet east of the peninsula, including the construction of concrete rubble masonry (CRM) tiebacks (see Attachment 1). The revetment would extend from the existing rock revetment 160 feet east of the eastern cannery building to the west side of the peninsula, and then from the east side of the peninsula to the western end of the existing revetment that is an U.S. Army Corps of Engineers authorized and constructed project. Construction of the revetment would entail

excavation of solid and loose rocks, cobbles, and sand (see Attachment 2). Some of the rock could be reused in the new revetment underlayer if it could be shown to meet the specifications and size requirements for stone. Unusable material would be disposed of offsite in uplands (i.e., sites not containing waters of the U.S.) and in accordance with American Samoa regulations. In addition to the rock revetment, the applicant proposes to construct a minimum 8-foot-wide road shoulder along the Route 1, which would include the modification of 10 existing storm water drain pipes and box drains to extend through the new revetment. Only two of the storm water drain pipes and box drains would outlet below the high tide line (as measured by the mean higher high water (MHHW) line). An additional two would have CRM around the extension that extends below the MHHW mark, while the other six would remain completely above the MHHW. Refer to the description of Alternative 2 on pages 5 and 6 below for a more detailed description of the applicant's proposed project.

Proposed Activity(s) Requiring DA Authorization. The applicant has applied for DA authorization to discharge dredged and fill material into waters of the U.S. and to conduct work in navigable waters of the U.S., affecting a total of approximately 0.73-acre of waters of the U.S. Of the total estimated acreage of waters of the U.S. to be impacted, all 0.73-acre would be permanently impacted by the placement of 3,001 cubic yards of rock along the shoreline below the high tide line (as measured by the MHHW) and 0.05-acre would be temporarily impacted by dredging (excavation) operations for the placement of the embankment toe. The temporary impacts associated with the footprint of excavation for the embankment toe would occur within the same footprint of disturbance for the placement of the armor rock (refer to Attachment 2).

Table 1 – Summary of Impacts to Waters of the U.S.

Activity	**Impacts to Waters of the U.S.**			
	Permanent Impacts		**Temporary Impacts**	
	Acres/LF	Cubic Yards	Acres/LF	Cubic Yards
Excavation along toe of shoreline embankment	n/a	n/a	0.05 acre	--
Placement of armor rock	0.73 acre	3,000	--	--
Extension of 72" RCP at Sta 6+80	--	0.85	--	--
Extension of 24" drain pipe at Sta 18+00	--	0.30	--	--
TOTAL:	**0.73-ac**	**3,001 cy**	**0.05-ac**	**0**

Construction Sequencing and Methodology. The applicant's contractor would remove existing shoreline material, using heavy equipment staged from the landward side of the shoreline, as necessary to construct revetment to the lines and grades as shown on the drawings. Material that meets the specification for "stone" would be used as underlayer. Material not suitable for fill or stone would be disposed of by the contractor at an approved, Project Notification and Review System (PNRS)-compliant upland site. A trench for the armor stone revetment toe stone would be excavated into existing hard bottom to elevation -4.5' mean sea level (MSL). Loose material could be utilized as fill subject to the specification for "earthwork."

Construction Staging Area and Construction Site Access. A staging area outside of the project site boundaries is not identified in the plans. If the contractor elects to use land outside of the project site boundaries for a staging area, they will be required to obtain a separate PNRS Land Use Permit, and ensure impacts to aquatic resources are identified and avoided and minimized, if present.

PROJECT PURPOSE AND NEED:

Applicant's Proposed Project Purpose and Need: As a result of the September 29, 2009 magnitude 8.3 earthquake, multiple tsunami waves were generated that impacted various areas throughout American Samoa, including Route 1 in the vicinity of Leloaloa Village (between Pago Pago and Onenoa). In addition to the structural damage caused by the tsunami, the original rock revetment installed along Route 1 in the late 1970's is subjected to daily tidal action that is undermining the roadway and at some locations, has caused the road shoulder to collapse. Safe passage along this roadway is of high public concern because Route 1 is the only road that connects Pago Pago (capital of American Samoa) to Onenoa (the furthest village on the east coast). For these reasons, the purpose of the project is to rehabilitate the damaged road to ensure safe passage of vehicles and to provide storm damage protection against reasonably likely high wave events from causing future structural damage, overtopping, and backshore inundation.

Corps' Basic and Overall Project Purpose: The basic project purpose is defined by the Corps and is used to determine whether a project is "water dependent" and requires access or proximity to, or siting within, a special aquatic site in order to fulfill its basic purpose. An activity that is not water dependent may still be authorized as long as the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines ("404(b)(1) Guidelines") presumption against such discharges is successfully rebutted, the discharge meets other criteria of the 404(b)(1) Guidelines, the activity is not contrary to the public interest, and it satisfies all other statutory and regulatory requirements. For the proposed Route 1 (Atu'u to Laulii) Repair Project, the basic project purpose is "vehicular transportation and road safety", a non-water dependent activity that does not require siting in special aquatic sites.

The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose is used to evaluate less environmentally damaging practicable alternatives and applies to all waters of the U.S., not just special aquatic sites. The 404(b)(1) Guidelines state that an alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The Corps has generally concurred with applicant's stated project purpose (above) and as such, has determined the overall project purpose for evaluation of alternatives under the Section 404(b)(1) Guidelines is: "to repair Route 1 and stabilize the coastal

shoreline to ensure safe ridership, maintain access between Pago Pago and Onenoa, and protect the roadway from future erosion and flood damage."

ALTERNATIVES: Several design approaches and options to address the Route 1 damage and structural improvements to the existing rock revetment have been considered by the applicant, although no off-site alternatives were identified based on the nature of the activity and purpose of the project to repair the damaged transportation structures. Two build alternatives were considered for the subject project. The first design would include a traditional rock rubble mound revetment that is typical for the area, while the second design would use Samoa Stone (note: Samoa Stone has been developed by the U.S. Army Corps of Engineers for use in low wave energy locations in American Samoa, and has been used in the village of Vatia on the north shore of Tutuila).

Alternative 1 – Samoa Stone Concrete Armor Units. This alternative would utilize Samoa Stone armor by layers formed by interlocking the units. Adjacent units would be different sizes: there is a "Hi" unit and a "Lo" unit. Stability of the "Lo" unit is calculated from the Hudson formula. A ratio would be applied for the stable weight of the high unit, from which the rest of the unit dimensions would be calculated. Samoa Stone revetments are designed with a side slope of 1 vertical (v) to 2 horizontal (h) (i.e., 1:2). The Samoa Stone weights used for this project would be approximately 500 pounds (lbs.) for both the "Hi" and "Lo" units. The corresponding height of the "Hi" unit would be about 1.71 feet and the "Lo" unit would be about 1.37 feet. Underlayer stone size would be between 10 and 50 lbs. This design would require 17,600 armor units and 300 cubic yards (cy) of armor stone. The typical cross sectional area under the MHHW (elevation of +2.72') would be approximately 35.3 square feet. The total projected cost for construction of the Samoa Stone revetment alternative is $14,900,000.

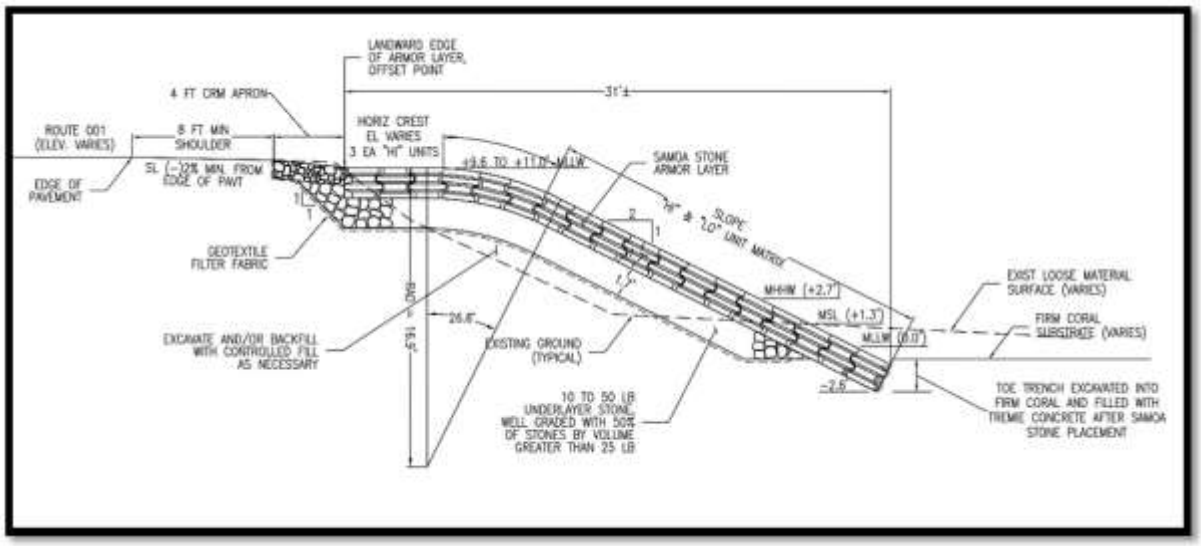


Figure 1 - Alternative 1 Samoa Stone Concrete Armor Units

Alternative 2 – Single-layer Armor Stone Revetment with Underlayer (Applicant's Preferred Alternative). This alternative is the applicant's preferred alternative and would

consist of a revetment that is designed as a rock rubble mound with a side slope of 1v:1.5h, which is the steepest slope recommended by the Coastal Engineering Manual (2006). The armor stone weight for the 50-year event would be approximately 800 lbs. with a corresponding nominal diameter of 1.7 feet. A range of approximately 25% of the median weight is typically utilized, which yields a stone weight range of 600 to 1,000 lbs. This design would require approximately 3,000 cy of armor stone. The typical cross sectional area under the MHHW (elevation of +2.72') is approximately 20.7 square feet. Underlayer stone would be sized at approximately 1/10 the armor stone weight, making the underlayer stone in this case between 60 and 100 lbs., which corresponds to stones of less than one foot in diameter. The total project cost for construction of the armor stone revetment alternative is $2,600,000.

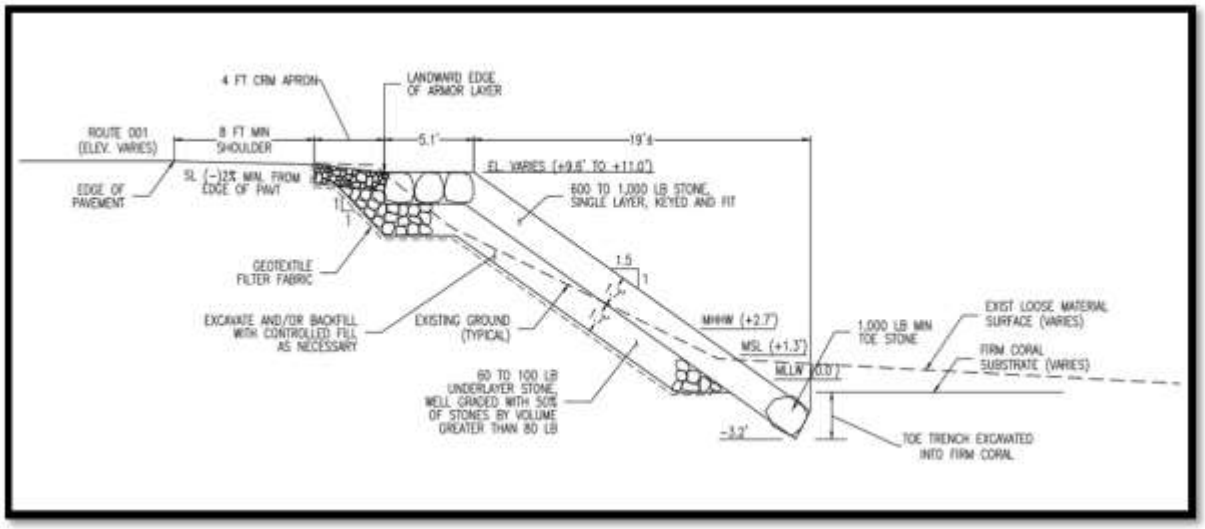


Figure 2 - Alternative 2 Single-layer Armor Stone Revetment with Underlayer

Alternative 3: No Build Alternative. The No Build alternative would allow waves to further undermine the existing Route 1 roadway, which is the only road that connects the village of Leloaloa to rest of American Samoa (both east and west). If the road is undermined such that it is unsafe for vehicular passage, then residents who live west of Leloaloa Village would be cut-off from receiving goods from the only seaport in Utulei Village and the Pago Pago International Airport in Tafuna. As well, access to the only hospital located in Fagaalu Village would be denied.

Other Alternatives Not Carried Forward For Analysis of Potential Environmental Impacts. Inland relocation of the road would have the lowest impact on the marine environment but it is not a feasible alternative because of limited space; the road is very close to houses and businesses. Relocating the road inland would require consensus from the adjacent land users and the *Matai* (chief or leader) and there is no public condemnation in American Samoa.

The construction of a seawall or retaining wall (sheet pile or concrete) was also considered. A seawall has a vertical slope so it would have a smaller in-water footprint; however, it does not dissipate wave energy as effectively as the rock revetment.

Furthermore, it would be expected that a seawall would result in a greater impact to the environment because the reflected wave action would likely result in the complete loss of the existing beach and/or accelerate erosion at adjacent beaches.

BASELINE INFORMATION:

General Site and Project Area Conditions. The marine habitat in the vicinity of the proposed project consists of two habitat zones: 1) shoreline intertidal and 2) reef flat, and two geomorphological structures: 1) pavement and 2) unconsolidated sediment. The unconsolidated sediment consists mostly of sand or sand with rubble/cobble combinations.

Nearshore Benthic Habitat Resources. The majority of the area within the proposed project footprint is considered terrestrial (land). The area below the MHHW that would be affected by both alternatives under consideration is characterized entirely as unconsolidated sediments. As documented in the July 2015 *Marine and Freshwaters Survey Tutuila Island, American Samoa Fish and Wildlife Coordination Act 2(b) Draft Report*, twenty invertebrate species were observed by U.S. Fish and Wildlife Service (USFWS) in the western section of the project while only four species were observed in the eastern section. Of these species, only three species of stony corals (*Pocillopora verrucosa*, *Porites* sp., and *Psammacora contigua*) were observed in the western section, with none being observed in the eastern section. Other invertebrate groups of importance such as zoanthids, soft corals, sea urchins (herbivorous and rock boring), sea cucumbers, crown-of-thorns seastars, lobsters, giant clams, anemones, and octopus were not observed. Some sponges were observed, but not identified, and none were noted by the USFWS as species of concern.

Observed algal communities consist of absent to rare/occasional abundance of macroalgae (frondose), absent to common abundance of crustose coralline algae, and absent to rare/occasional abundance of turf algae. No filamentous algae or cyanobacteria were observed within the project area. Additionally, no seagrass was observed within or adjacent to the project area.

MITIGATION: The applicant's proposed mitigation (i.e., avoidance, minimization, and compensation) may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the Section 404(b)(1) Guidelines and the public interest review factors. In consideration of the above, the proposed mitigation sequencing as applied to the proposed project is summarized below.

Avoidance and Minimization. To avoid and minimize impacts to green sea turtle, hawksbill sea turtle, Indo-West Pacific DPW of scalloped hammerhead shark, and other environmental resources, the applicant and FHWA, as the designated lead Federal action agency, have developed numerous best management practices (BMPs) that would be included in the contract documents and implemented during the life of the

proposed project. These BMPs are considered to be part of the applicant's proposed action and include, but are not limited to, the following measures:

- All workers associated with this project, irrespective of their employment arrangement or affiliation (e.g. employee, contractor, etc.) would be fully briefed on the BMPs and the requirement to adhere to them for the duration of their involvement in the project

- The contractor would designate a competent observer to survey the areas adjacent to the proposed action for green sea turtles, hawksbill sea turtles, and scalloped hammerhead sharks prior to the start of work each day and prior to resumption of work following any break of more than 30 minutes when work is above or in the water when there is a potential to directly impact any one of these species

- If a green sea turtle, hawksbill sea turtle, or a scalloped hammerhead shark is discovered within 50 yards of the proposed work activities with the potential to impact or disturb the species, work would be halted and would only resume after the animal(s) have voluntarily departed the area

- Special attention would be given to verify that no green sea turtles, hawksbill sea turtles, or scalloped hammerhead sharks are in areas where equipment or materials are expected to contact the substrate before that equipment may enter the water.

- All equipment and material would be clean of soil and invasive species before entering the water.

- All objects that are to be placed in the water (such as riprap and an excavator bucket), would be lowered to the bottom in a controlled manner. This could include the use of cranes, winches, or other equipment that affect positive control over the rate of decent to minimize turbidity potential.

- No marine vessels, boats, mooring lines or marker buoys would be utilized during the implementation of the proposed project.

- Deployment sites where rock would be discharged would be devoid of live corals, seagrass beds, or other significant resources.

- Work would be performed during daylight hours to avoid disorienting nesting sea turtles due to nighttime construction lighting. If work is required after daylight working hours, sea-turtle-friendly lighting would be used to reduce the brightness of the emitted light.

- Appropriate materials to contain and clean potential spills would be stored at the work site and be readily available. All project-related materials and equipment placed in the water would be free of pollutants.

- The contractor would perform daily pre-work equipment inspections for cleanliness and leaks. Heavy equipment operations would be postponed or halted should a leak be detected, and would not proceed until the leak is repaired and equipment cleaned.

- Off-site fueling sites would be used to the maximum extent practical. Should fueling of project-related vehicles or equipment need to occur on-site a designated fueling area would be established at least 50 feet from any body of water (shoreline, streams, drainage, etc.). Project personnel would be trained on proper fueling and fuel spill cleanup procedures.

- Stockpile, staging, and material storage areas would be kept at least 50 feet from the any body of water (shoreline, streams, drainage, etc.).

- The contractor would take appropriate precautions in advance of predicted typhoon events to prevent material losses during surge or flood events, such as relocating materials and equipment to be at least 50 feet from the shoreline.

- Hazardous materials and petroleum products would be transported, used, and stored on-site in a manner to prevent contamination of soils and water.

- Spill kits including absorbent pads and other materials would be readily available on-site.

- Turbidity and siltation from project-related work would be minimized and contained through the appropriate use of erosion-control practices and effective silt containment devices (e.g., silt fencing), and the curtailment of work during adverse weather and tidal/flow conditions. Turbidity curtains would not be used in this area due to the strong wave action.

- An Environmental Protection Plan, Erosion Control Plan, Storm Water Pollution Prevention Plan, Litter-Control Plan, Hazard Analysis and Critical Control Point Plan, and project-specific plans would be prepared, approved by appropriate regulatory agencies, and implemented.

- Solid and sanitary waste disposal procedures and facilities would be implemented.

- Erosion-control device(s) would be employed at the job site to prevent debris and soil from entering the water. Device(s) would be secured and able to withstand heavy rains and winds.

- Construction debris would be removed immediately and not stored at the job site. Debris would include excavated soil, cement material, piping, and asphalt.

- Any material or debris removed from the aquatic environment would be disposed of at upland sites in accordance with applicable laws and regulations.

- Absorbent pads would be readily available at the job site during heavy equipment operations, and equipment would be inspected for leaks prior to use.

- Work would be conducted below the mean high water line during the dry season and low tides when feasible.

- Contractor personnel would be prohibited from attempting to feed, touch, ride, or otherwise intentionally interact with any ESA-listed marine species.

- Concrete would not be allowed to fall into the water.

- No excavation or discharge of fill material would be allowed to occur in the shoreline or streams during mass-coral spawning times, which occurs during the days before full moon in late spring/early summer.

Compensation. The applicant did not propose any compensatory mitigation measures for the unavoidable adverse impacts to waters of the U.S. According to the applicant's mitigation statement, compensatory mitigation is not warranted since the construction of the armor rock revetment would create new habitat for marine organisms to colonize and utilize. The revetment would be constructed at a 2:1 slope (flatter than the existing rock revetment) with armor rock riprap (no concrete fill) with some of the riprap placed below the MHHW. The submerged riprap would provide crevices and interstitial areas for fish to hide and forage. In addition, the armor rock riprap would provide a substrate for corals to colonize.

According to the applicant, past projects of similar design and magnitude and with similar environmental conditions show that biological resources tend to return and recover after construction. For example, following construction of the shore stabilization project along Route 1 in the Village of Aua (POH-2011-00103) sea cucumbers have re-colonized the impacted areas near the toe of the revetment.

In addition, the proposed project is expected to protect the shore from further erosion which would reduce the sediment volume entering the nearshore marine waters. Since this project would replace an existing riprapped structure and would not add a new hardened structure to the shoreline, littoral drift and erosion of adjacent beaches is not anticipated.

WATER QUALITY CERTIFICATION: A final DA permit decision for the proposed work would not be issued until an individual water quality certification, or waiver thereof, as required under Section 401 of the Clean Water Act (Public Law 95-217) has been

issued by the American Samoa Environmental Protection Agency (ASEPA). Based on information contained in the DA permit application, the applicant submitted a Section 401 water quality certification application to the ASEPA on January 19, 2016 and individual 401 water quality certification was issued by the ASEPA on June 7, 2016.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1456(c)(3)), requires the lead federal action agency to certify that the described activity affecting land or water uses in the coastal zone complies with the State or Territory's Coastal Zone Management (CZM) Program. In coordination with FHWA, the applicant submitted its Land Use Permit application and consistency determination on January 19, 2016 to the American Samoa Government, Department of Commerce (ASG, DOC). On March 18, 2016 the ASG, DOC issued its federal consistency concurrence (No. 16-3985-L).

CULTURAL RESOURCES: Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, the FHWA determined that no historic properties would be affected by the proposed undertaking and that the work would have no adverse effect on any archeological or historic properties listed, or eligible for listing, on the National Register. A coordination and finding of effect letter was sent from the FHWA to the American Samoa Historic Preservation Officer (ASHPO) on October 15, 2015. The ASHPO provided concurrence in a letter dated November 12, 2015.

This public notice is being coordinated with the ASHPO and other consulting parties. Any comments ASHPO or other consulting parties may have concerning unknown archeological or historic properties, including properties of traditional religious or cultural importance, and that may be affected by the proposed undertaking, will be considered in our public interest review determination, EA, and final permit decision.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act (ESA) of 1973, as amended, requires federal agencies to consult with NOAA Fisheries and/or U.S. Fish and Wildlife Service (USFWS) on all federal actions that may affect species listed (or proposed for listing) as threatened or endangered or that may destroy or adversely modify their designated critical habitat. The FHWA, as the lead federal action agency, identified three federally-listed marine species, six coral species, and five upland species that are known to occur or have the potential to occur within the proposed project action area. These species include: Hawaiian green sea turtle (*Chelonia mydas*), Hawksbill sea turtle (Eretmochelys imbricate), scalloped hammerhead shark (*Sphyrna lewini*), *Acropora globiceps*, *Acropora jacquelineae*, *Acropora retusa*, *Acropora speciose*, *Euphyllia paradivisa*, *Isopora crateriformis*, the Pacific sheath-tailed bat (*Emballonura semicaudata semicaudata*), friendly ground dove (*Gallicolumba stairi*), two snails (*Eua zebrine* and *Ostodes strigatus*), and Mao (*Gymnomyza samoensis*). In a letter dated October 15, 2015, the FHWA determined the proposed project "may affect, but is not likely to adversely affect" the three marine species and on December 4, 2015, the NOAA Fisheries-Protected Resources Division (NMFS-PRD) concurred with FHWA's determination. For the six coral species and five upland

species, the FHWA determined the project would have no effect on these species and as a result, no further action is required.

Common Name	Scientific Name	Potential Presence/Absence within the ESA Action Area and FHWA's Determination of Effect
Coral (no common name)	*Acropora globiceps*	Not present; No Effect
Coral (no common name)	*Acropora jacquelineae*	Not present; No Effect
Coral (no common name)	*Acropora retusa*	Not present; No Effect
Coral (no common name)	*Acropora speciosa*	Not present; No Effect
Coral (no common name)	*Euphyllia paradivisa*	Not present; No Effect
Coral (no common name)	*Isopora crateriformis*	Not present; No Effect
Hawaiian green sea turtle	*Chelonia mydas*	Potentially Present; NLAA
Hawksbill sea turtle	*Eretmochelys Imbricate*	Potentially Present; NLAA
Scalloped hammerhead shark	*Sphyrna lewini*	Potentially Present; NLAA
Pacific sheath-tailed bat	*Emballonura semicaudata semicaudata*	Not Present; No Effect
Friendly ground-dove	*Gallicolumba stairi*	Not Present; No Effect
Tutuila tree snail	*Eua zebrina*	Not Likely Present; No Effect
Snail (no common name)	*Ostodes strigatus*	Not Likely Present; No Effect
Mao	*Gymnomyza samoensis*	Not Present; No Effect

NLAA = May Affect, but Not Likely to Adversely Affect. Requires informal consultation with USFWS and/or NOAA Fisheries and letter of concurrence.
No Effect = No further consultation with USFWS and/or NOAA Fisheries required.

As part of the DA permit application review and evaluation process, the Corps will consider FHWA's determinations of effect on these listed species with respect to the Corps' federal action and will incorporate by reference into our DA permit decision any agreed upon BMPs or other measures necessary to avoid and/or minimize adverse effects to federally-listed species.

ESSENTIAL FISH HABITAT: The proposed work was evaluated by the FHWA for potential direct, indirect and cumulative effects to Essential Fish Habitat (EFH) pursuant to Section 305(b)(2) of the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 USC 1801 *et seq.* and associated federal regulations found at 50 CFR Part 600, Subpart K. Within the Pacific Islands Region, EFH is designated for all federally managed species, referred to as Management Unit Species (MUS). These MUSs include bottomfish, seamount groundfish, pelagics, precious corals, coral reef ecosystems, and crustaceans.

The FHWA determined the applicant's proposed action may adversely affect EFH and accordingly, prepared an EFH Assessment to initiate consultation with NOAA Fisheries-Habitat Conservation Division (NMFS-HCD). The EFH Assessment was submitted to NMFS-HCD on November 16, 2015 and on December 16, 2015 the NMFS-HCD made a determination that the subject project would cause adverse effects to EFH. The NMFS-HCD provided eight EFH Conservation Recommendations (CRs) to

avoid, minimize, and offset the adverse impacts. As required by the MSFCMA, the FHWA responded to NMFS' EFH CRs in a letter dated January 7, 2016. In their letter, FHWA committed to implement and adhere to CR 2 and CR 7 bullet 2; and further indicated that CRs 1, 4, 5, and 6 were already addressed by the proposed project's BMPs so no additional action is necessary with respect to these four CRs. The FHWA also indicated that while the project BMPs address most of CR 7, it is not feasible for FHWA to commit to scheduling work outside of the rainy season. Lastly, CR 8 recommends modeling diverted water energy impacts on adjacent coastal areas, which FHWA indicated they would consider for future projects.

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 must state clearly and concisely, the reasons and rationale for holding a public hearing.

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 and Corps file number POH-2015-00249.

All e-mail comments should be sent to:

susan.a.meyer@usace.army.mil.

Conventional mail comments should be sent to:

U.S. Army Corps of Engineers
Honolulu District, Regulatory Office
Building 230 (Attn: CEPOH-RO)
Ft. Shafter, Hawaii 96858-5440

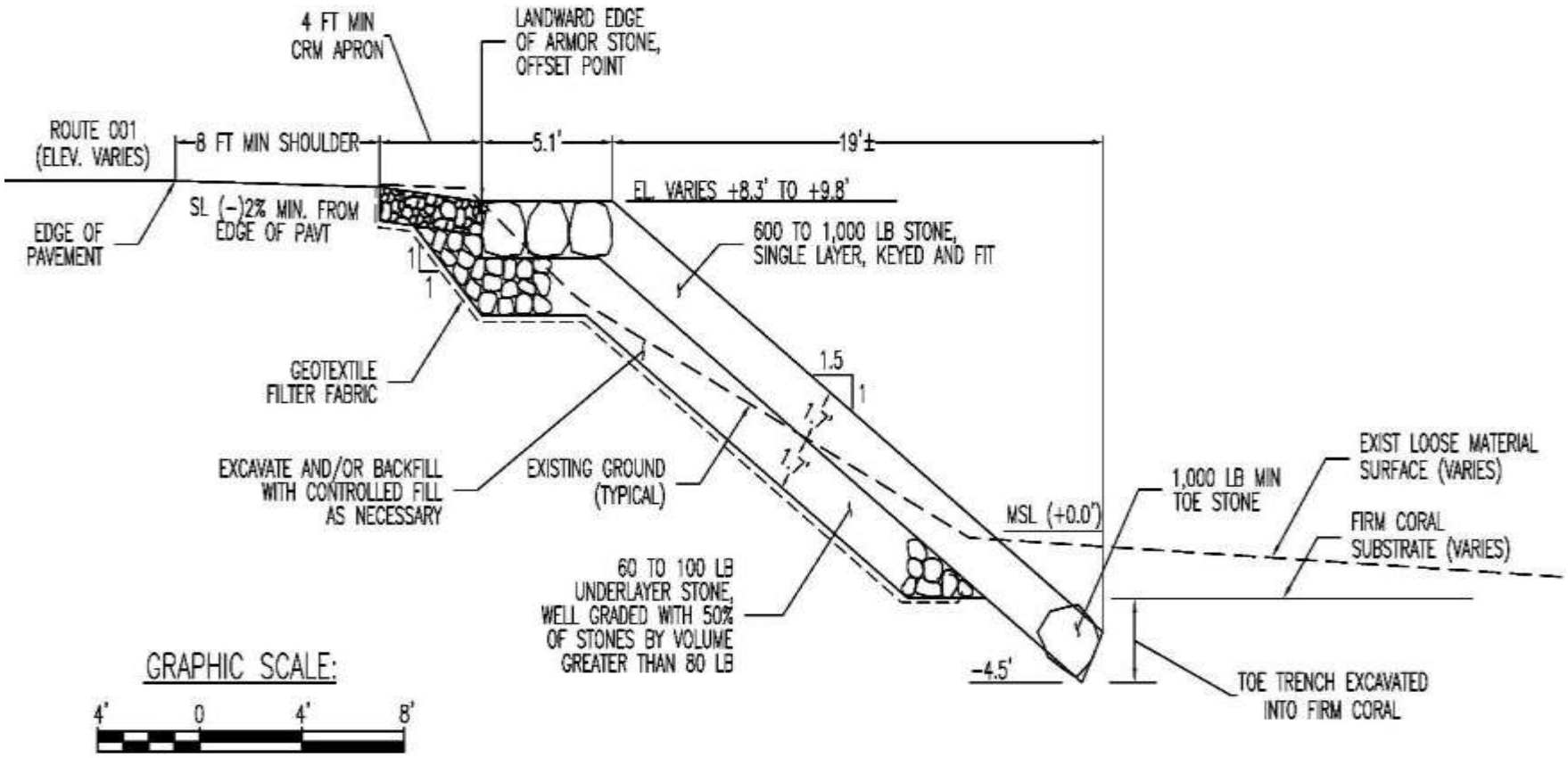
Both conventional mail and e-mail comments must reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Susan A. Meyer Gayagas at (808) 835-4599 if further information is desired concerning this notice.

This public notice is issued by the Chief, Regulatory Office.

Attachments

ATTACHMENT 1

Project Location Map
Route 1: Proposed Amorstone Revetment
Corps File No. POH-2015-00249
(Atuu to Laulii Shoreline Revetment Protection Project)



ATTACHMENT 2

Typical Cross-Section of
Route 1 Shoulder, Embankment, and Revetment
Corps File No. POH-2015-00249
(Atu'u to Laulii Shoreline Revetment Protection Project)