



# Public Notice

U. S. Army Corps  
of Engineers  
Honolulu District

Public Notice No. POD-2005-606      Dated: December 29, 2005  
Reply to: U.S. Army Corps of Engineers      Respond By: January 28, 2006  
Guam Regulatory Branch  
PSC 455, Box 188  
FPO AP 96540-1088

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## APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

1. APPLICANT: Guam Department of Public Works

APPLICANT'S AGENT: Sea Engineering, Inc.

2. APPLICABLE STATUTORY AUTHORITIES: Section 10, River and Harbor Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

3. LOCATION OF PROPOSED ACTIVITY: Talofofu Bay, Inarajan, Guam.

4. DESCRIPTION OF PROPOSED ACTIVITY: The applicant proposes to construct a shore protection project along Talofofu Bay in order to protect Route 4. The project would extend 650 linear feet from the south abutment of the Route 4 Bridge to the existing Gayloup Point groin and a maximum of thirty feet from the mean higher high water (MHHW) line for a total area of approximately 19,500 square feet. A total of 4,465 cubic yards of stone fill would be placed below the MHHW line and 1,400 cubic yards of near shore material would be excavated from the beach area in order to construct the project. All excavated material would be disposed of at an upland location with no runoff allowed back into the waters of the United States.

All work would conform to the attached drawings (3 sheets) entitled "Talofofu Route 4 Shore Protection".

5. IMPACTS OF THE PROPOSED ACTION ON THE ENVIRONMENT: The project and its anticipated impacts are described in the "Draft Environmental Assessment Talofofu Route 4 Shore Protection Talofofu Bay, Guam" dated July 2005. According to that report the project is not expected to have any impact on the Essential Fish Habitat zone around Guam. There are no seagrass beds or live coral colonies in or near the project area due to the normally turbid water conditions in the area. There may be a temporary suspension of sediments during the excavation and construction phases of the project. Due to the normally high sediment levels in the project area, this increase should have no impact.

6. IMPACTS ON CULTURAL RESOURCES: The latest National Register of Historic Places was consulted. The wreck of the Aratama Maru is in Talofofu Bay; however, this project should not affect that site. A copy of this notice was sent to the Guam Historic Preservation Office and the U.S. National Park Service for their review and comment in conformance with Section 106, National Historic Preservation Act.

7. IMPACTS ON ENDANGERED SPECIES: The latest list of threatened and endangered species was consulted. The Green Sea Turtles (*Chelonia mydas*) and Hawksbill sea turtles (*Eretmochelys imbricata*) have been observed occasionally off shore from the project area. The project should not affect these species. The Common Moorhen (*Gallinula chloropus guami*) is found in a mitigation site located upriver of the project site and the Mariana gray Swiftlet (*Aerodramus vanikorensis bartschi*) is found further upstream of the project site, this project should not affect either species of bird. A copy of this notice was

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sent to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for their review and comment in conformance with Section 7 of the Endangered Species Act.

8. OTHER GOVERNMENT AUTHORIZATIONS: The applicant is required to obtain the following certifications prior to the issuance of the Department of the Army Permit:

a. Federal Coastal Zone Consistency Determination from the Government of Guam, Bureau of Planning, Coastal Zone Management Office. The applicant's CZM consistency determination and accompanying data and information are available for public review at the Guam Bureau of Planning, Coastal Zone Management Office. Comments on the consistency statement should be submitted in writing to the Guam Bureau of Planning no later than 30 days from the date of this notice.

b. Section 401 Water Quality Certification from the Guam Environmental Protection Agency.

The Department of the Army permit does not obviate the need for the applicant to obtain other Federal, State or local authorizations required by Federal, State or local laws.

9. EVALUATION FACTORS: 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 the protection and the 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 evaluation will apply the guidelines promulgated by the Administrator, U. S. Environmental Protection Agency, under authority of Section 404(b)(1) of the Clean Water Act.

10. COMMENTS AND INQUIRIES: The 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 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. 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 proposed activity. Interested parties may submit in writing any comments that they may have on the proposed activity. Comments should be submitted to this District no later than 30 days from the date of this notice. Written inquiries and comments should be mailed to the address indicated in the letterhead and should make reference to this public notice number.

Further information may be obtained from the Guam Regulatory Branch, U.S. Army Corps of Engineers, PSC 455, Box 188, FPO AP 96540-1088 or by telephone (671) 339-2108, by fax at (671) 339-2306 or by e-mail at:

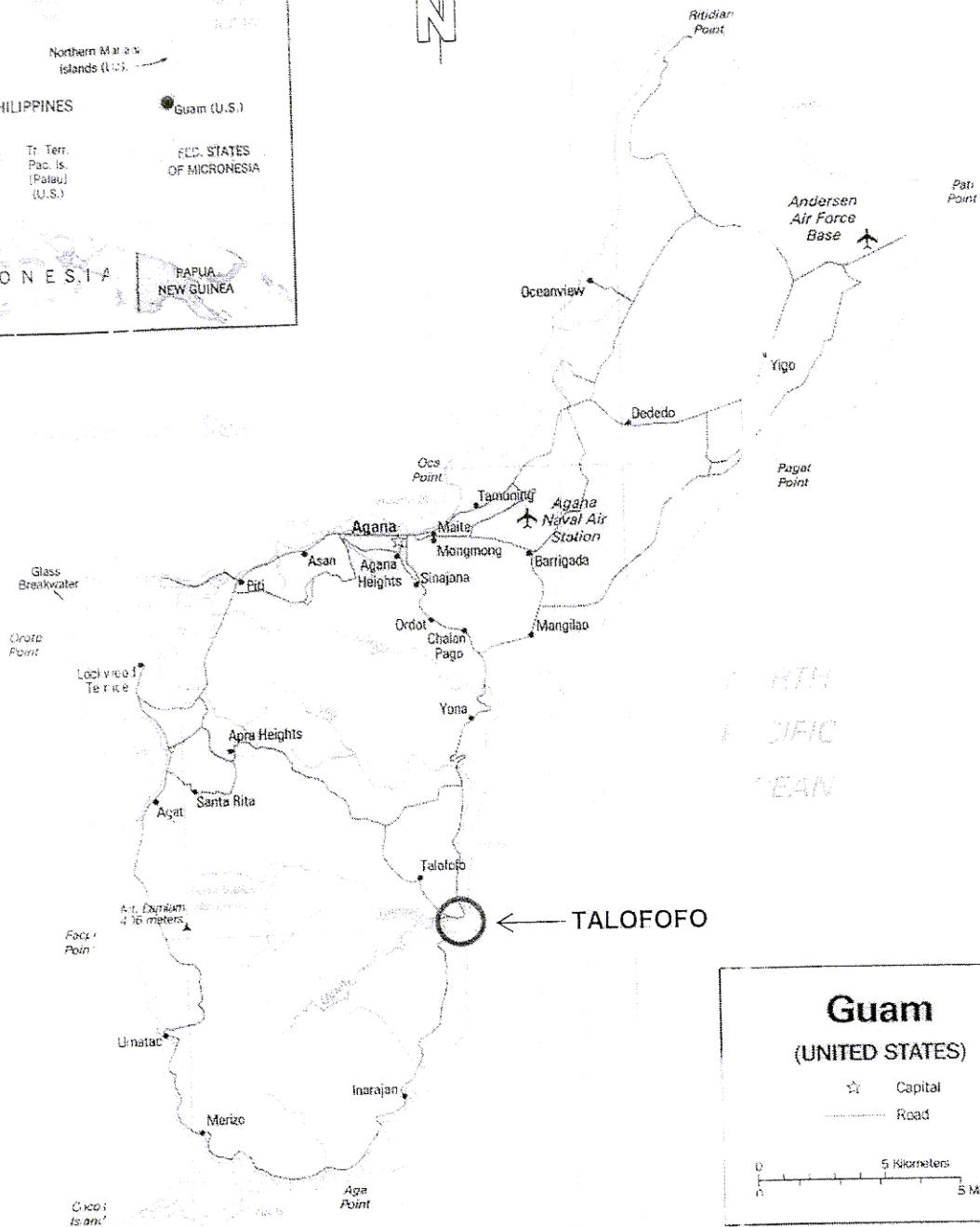
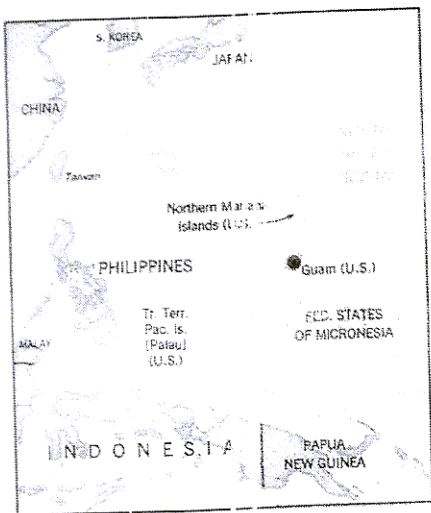
Francis.M.Dayton@usace.army.mil

It is Corps of Engineers policy that any objections will be forwarded to the applicant for resolution or rebuttal before a final decision is made on the application. If the objecting party so requests, all personal information will be deleted from the forwarded letter or the objections will be paraphrased in summary form.

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11. REQUEST FOR PUBLIC HEARING: Within 30 days from the date of this notice, any person may request, in writing, that the U.S. Army Corps of Engineers, Honolulu District, hold a public hearing to consider this Department of the Army permit application. Requests for public hearings shall state clearly and concisely, the reasons and rationale for wanting to hold a public hearing.

Encl  
Drawings (3 sheets)



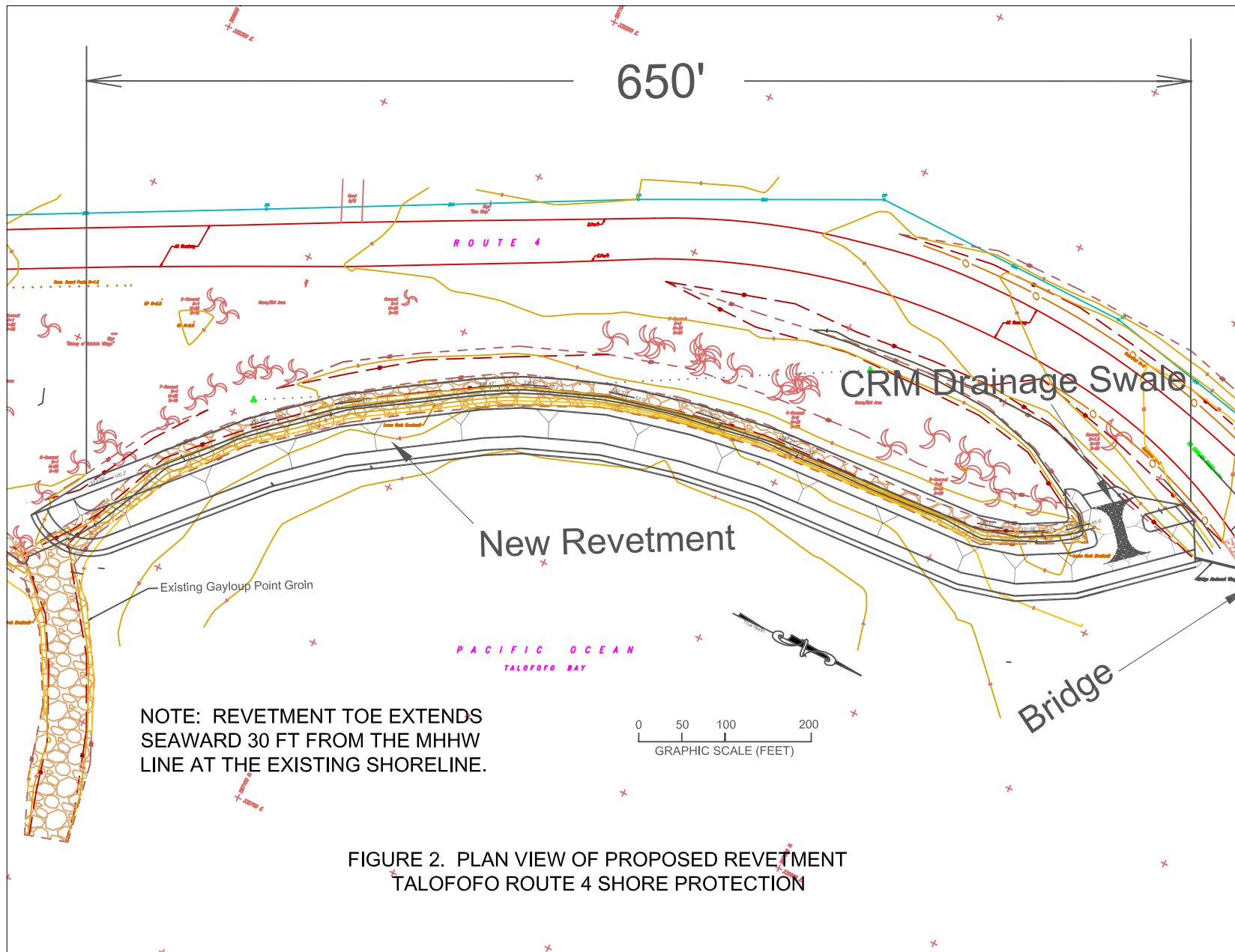
PACIFIC OCEAN

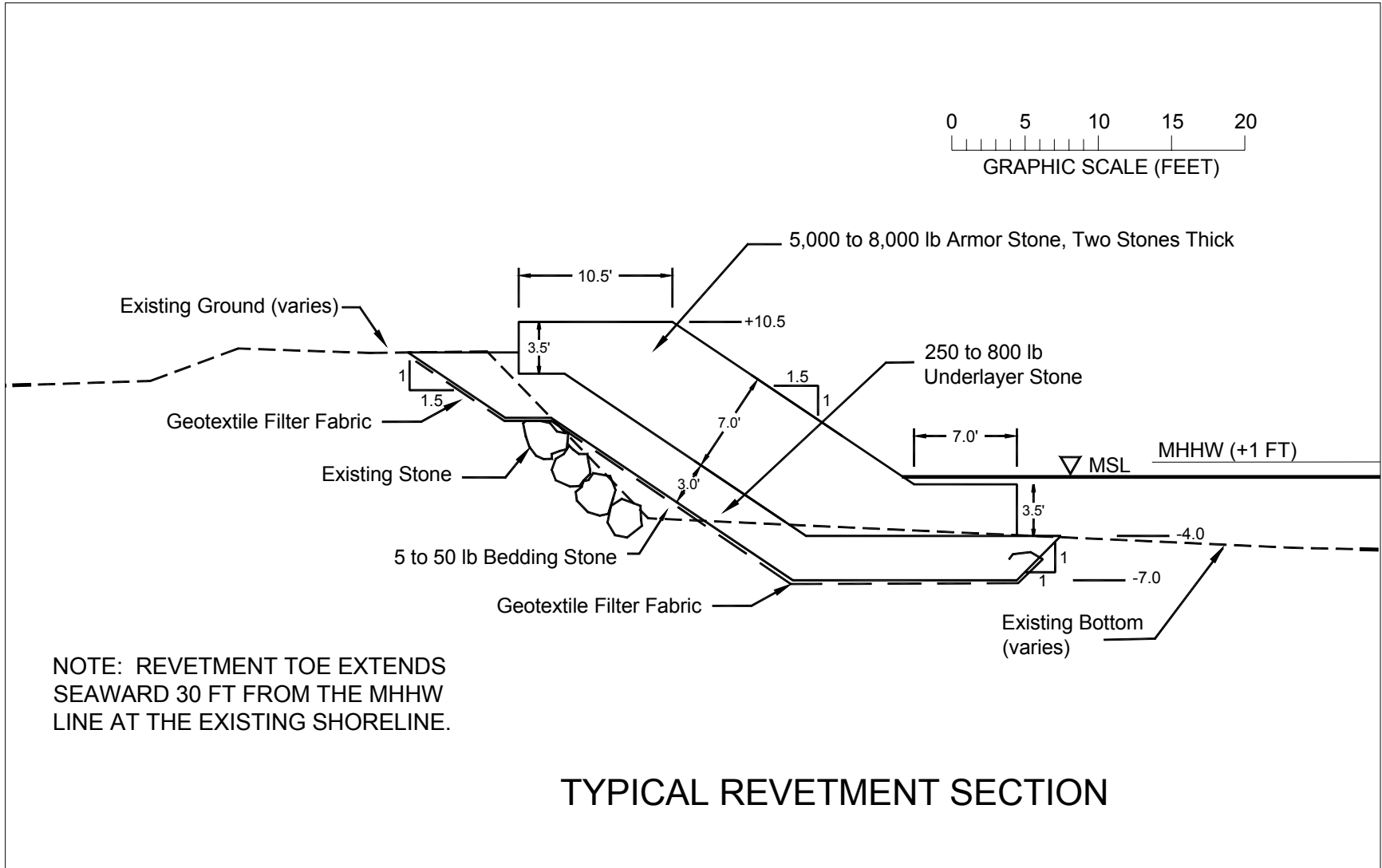
**Guam**  
(UNITED STATES)

- ☆ Capital
- Road

0 5 Kilometers 5 Miles

FIGURE 1. PROJECT LOCATION  
TALOFOFO ROUTE 4 SHORE PROTECTION





**FIGURE 3. TYPICAL REVETMENT SECTION  
TALOFOFO ROUTE 4 SHORE PROTECTION**