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# Public Notice

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**U.S. Army Corps  
of Engineers**  
Honolulu District

Public Notice No.  
POH-2006-330

Date:  
**October 26, 2006**

Reply to:  
Regulatory Branch (CEPOH-EC-R)  
U.S. Army Engineer District, Honolulu  
Building 230  
Fort Shafter, Hawaii 96858-5440

Respond by:  
**November 25, 2006**

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**POH-2006-330**

**APPLICATION OF DEPARTMENT OF THE ARMY PERMIT  
FOR MALALOA WHARF IMPROVEMENTS,  
PAGO PAGO HARBOR, TUTUILA, AMERICAN SAMOA**

1. **APPLICANT:** Department of Marine and Wildlife Resources (DMWR), P.O. Box 3730, Pago Pago, American Samoa 96799
2. **AGENT:** None
3. **APPLICABLE STATUTORY AUTHORITY:** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344)
4. **LOCATION OF PROPOSED ACTIVITY:** The project site is located within Pago Pago Harbor at Malaloa, Tutuila, American Samoa (Sheet 1-5).
5. **PURPOSE AND DESCRIPTION OF PROJECT:**

The purpose of the project is to repair and increase the size of the aging and damaged Malaloa Wharf (Sheet 2-5) in order to improve facilities for fishing vessels and yachts, encourage urban (business) activity in the area, and attract tourists and port users. The present width of the wharf, which ranges from from 25 to 30 feet, would be increased to 40 to 50 feet by the proposed project. The increase in size would allow for vehicle access and operations.

The planned improvements to the existing Malaloa Wharf would follow the design shown in the attached drawings (Sheets 3-5, 4-5, 5-5). The existing wharf has concrete walls on the landward side and a rock revetment on the seaward (harbor) side. After placing a silt curtain around the work area, the contractor would install approximately 300 linear feet of sheet piles seaward of the rock revetment, then temporarily drain the enclosed area and excavate soft substrate materials. The excavated materials would be disposed of at the Futiga landfill. Approximately 30 to 40 cubic yards of concrete would be poured in place to construct lateral anchors within the excavated area, which would then be backfilled with approximately 6,000 CY of aggregate (blue

rock) obtained from the Tafuna Airport quarry. Additional concrete (approximately 20 to 30 cubic yards) would be poured in place to construct new concrete edge beams for the wharf. The total area of fill in waters of the United States would be approximately 8,400 SF (0.19 acre).

The applicant has considered other design options, such as a concrete pile and deck structure, but has determined that such a concrete wharf would be very expensive and that construction would take longer.

#### **6. IMPACTS OF PROPOSED ACTIVITIES IF AUTHORIZED:**

The marine bottom substrate at the project site consists of silt, sand and rock. Construction activities have the potential to cause a temporary increase in turbidity in inshore waters, but this potential impact is expected to be minimized by the applicant's planned use of silt curtains during the project to mitigate effects on the aquatic environment. The marine biological community of the project area (which is devoid of living corals) would be disrupted by construction activities, but intertidal and subtidal portions of the completed structure may provide new habitat for marine organisms. Project construction may cause temporary, localized increases in dust and noise.

Repair of cracked concrete walls would prevent future soil erosion from this source. The project is not expected to have any significant long-term adverse impacts. The project would improve the structure and increase the size of the existing wharf, but would not increase the number of wharves in the harbor. The number of such projects is naturally limited by available shoreline and cumulative effects are not considered to be significant.

#### **7. IMPACT ON HISTORIC PROPERTIES:**

The latest on-line version of the National Register of Historic Places (NRHP) does not list any historic buildings or other historic properties within or in the immediate vicinity of the area of potential effect (APE) for the project, which consists of the existing Malaloa wharf and approximately 0.2 acres of adjacent marine area. Based on the location of the work, it appears that there would be "no historic properties affected" by the proposed undertaking. This notice has been sent to the American Samoa Historic Preservation Office (ASHPO). Any comments ASHPO may have concerning archaeological or historic resources that may be lost or destroyed by work under the project will be considered before a final decision is made on the permit application.

#### **8. IMPACT ON ENDANGERED SPECIES:**

Federally protected green and hawksbill sea turtles are known to be present in waters around the island of Tutuila. However, the project site is not considered to be good sea turtle habitat. The DA permit, if issued, would include a special condition to require that, if an individual of any federally protected species enters the work area, construction activities must cease until the animal leaves the work area.

Based on the location and nature of the proposed work, and with incorporation of the above special condition, the project would not be likely to affect sea turtles or other species listed as

threatened or endangered under the Endangered Species Act.

This notice has been sent to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service in accordance with Section 7 of the Endangered Species Act. Any comments they have on endangered or threatened species, or their critical habitat, will be considered before a final decision is made on the permit.

**9. IMPACT ON ESSENTIAL FISH HABITAT:**

The proposed modification of the authorized project is not expected to adversely affect any Essential Fish Habitat (EFH) identified pursuant to the Magnuson-Stevens Fishery and Management Act (MSFCMA). This notice has been sent to the National Marine Fisheries Service pursuant to coordination requirements of the MSFCMA. Any conservation recommendations they make concerning EFH will be considered before a final decision is made on the permit.

**10. OTHER GOVERNMENT AUTHORIZATIONS/CERTIFICATIONS:**

The project received American Samoa Coastal Management Program federal consistency certification issued by the Department of Commerce on June 8, 2006. Before a DA permit can be issued, the applicant must first obtain a Section 401 Water Quality Certification issued by the American Samoa Environmental Protection Agency.

**11. EVALUATION FACTORS:**

The decision whether to issue the requested 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 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 these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic values, 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.

**12. COMMENTS AND INQUIRIES:**

Interested parties may submit in writing any comments that they have on the proposed permit. Comments should be forwarded so as to reach this District no later than the response date indicated on the first page of this notice. Mailed comments should cite this notice and should be sent to: Regulatory Branch (CEPOH-EC-R/P. Galloway); U.S. Army Engineer District, Honolulu; Building 230; Fort Shafter, Hawaii 96858-5440. Alternatively, comments may be transmitted via e-mail to [CEPOH-EC-R@usace.army.mil](mailto:CEPOH-EC-R@usace.army.mil) or faxed to (808) 438-4060. If needed, further information may be obtained from Peter Galloway via telephone at (808) 438-8416. This notice is also available at the Honolulu District web site ([www.poh.usace.army.mil](http://www.poh.usace.army.mil)).

### **13. REQUEST FOR PUBLIC HEARING:**

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the proposed permit. Requests for public hearing shall specifically state the reasons for holding a public hearing.

#### **Attachments:**

**Sheet 1-5. Location and vicinity maps**

**Sheet 2-5. Existing site plan (existing wharf)**

**Sheet 3-5. Layout plan (proposed project)**

**Sheet 4-5. Layout plan (proposed project)**

**Sheet 5-5. Details and construction notes (includes typical section)**











