



US Army Corps  
of Engineers  
Honolulu District

# Public Notice of Application for Permit

Guam Regulatory Field Office (1145b)  
PSC 455, Box 188  
FPO AP 96540-1088

PUBLIC NOTICE DATE: May 10, 2007

EXPIRATION DATE: June 9, 2007

PERMIT FILE NUMBER: POH-2007-82

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 plan.

APPLICANT: Guam Waterworks Authority

LOCATION: Northern District Sewage Treatment Plant, Tanguisson, Dededo, Guam:  
Lat 13 degrees 33'08.734 North  
Long 144 degrees 48'26.653 East

WORK: To construct a new ocean outfall serving the existing Northern District Sewage Treatment Facility, Dededo, Guam. The new outfall would consist of a 34" diameter High Density Polyethylene pipe 1,960 linear feet in length with a 400-foot long multiport diffuser along the -140 foot mllw contour. The diffuser would be anchored with 36 two-piece concrete pedestal weights seated on the bottom substrate. An additional stabilization measure may be implemented that would secure the diffuser system to the sea floor with marine earth anchors. The existing outfall would be abandoned in place once the new outfall is placed into service. The effluent and all impacts associated with the effluent will be addressed by the USEPA as part of their N.P.D.E.S. permit for the effluent which is currently being processed by USEPA. The preferred alternative for construction of the outfall is to use Horizontal Directional Drilling. That would involve drilling a 42" diameter bore hole with the 34" outfall pipe then inserted into this hole. The project may release up to 139,400 gallons of non-toxic drilling fluid into the marine environment at a depth of -140 feet mllw. The drilling fluid would consist of 96% fresh water and 4% bentonite clay. This discharge of clay is subject to regulation under Section 404 of the Clean Water Act. In addition it is anticipated that approximately 600 cubic yards of cuttings and 122,000 gallons of used drilling fluid would be disposed of at an upland location approved by the Guam Environmental Protection Agency.

PURPOSE: The purpose of the project is to replace the existing outfall which has been determined to be non-compliant by USEPA. The new outfall would allow the applicant to comply with the Stipulated Order agreed to in Federal Civil Case 02-00035 and to bring the Treatment Plant into regulatory compliance.

## ADDITIONAL INFORMATION:

IMPACTS OF THE PROPOSED ACTION ON THE ENVIRONMENT: The construction project is not expected to have any impact on the Essential Fish Habitat zone around Guam. There will be a release of drilling fluid which would consist of a mixture of non-toxic bentonite clay and water at the point where the drill breaks through the surface of the sea floor. This material should be quickly dispersed by currents. Any slow moving or non-mobile organisms that are at the break through point or under the locations where the concrete anchors would be placed would likely be killed. There may be a localized suspension of fine sediments as a result of the concrete pedestal placement and drilling of the anchor bolts into the bottom. These sediments should quickly be dispersed. Sea turtles and marine mammals may be found in the area. These animals should be able to avoid the construction related activities and not be affected by the construction of the outfall.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Guam Environmental Protection Agency.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Guam Coastal Zone Management Program. A permit will not be issued until the Government of Guam Bureau of Statistics and Plans has concurred with the applicant's certification.

CULTURAL RESOURCES: The latest published version of the National Register of Historic Places (NRHP) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There is an unevaluated property in the vicinity of the worksite. It has been designated a disturbed Latte Period site comprising the NCS Beach area and is listed on the Guam Historic Preservation inventory (MaGTa-3, GHPO Site # 66-01-0003). While it is not listed on the National Register, it may be eligible for inclusion. 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. Because the property has been determined to lie within the project area, a determination of eligibility and, if needed, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Consultation of the National Register of Historic Places constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with SHPO. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the endangered Hawksbill Sea Turtle (*Eretmochelys imbricata*), and the threatened Green Sea Turtle (*Chelonia mydas*) which are occasionally seen in the vicinity of the project area. Any permit would be conditioned to require in water stoppage of work should sea turtles (or marine mammals) be seen in the vicinity of the project. Preliminarily, the described activity will not affect threatened or endangered species, or their designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. 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 the National Marine Fisheries Service (NMFS). We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

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

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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.

Comments on the described work, with the reference number, should 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 Mr. Francis M. Dayton at (671) 339-2108 if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). The Corps’ public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

( ) Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). 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.

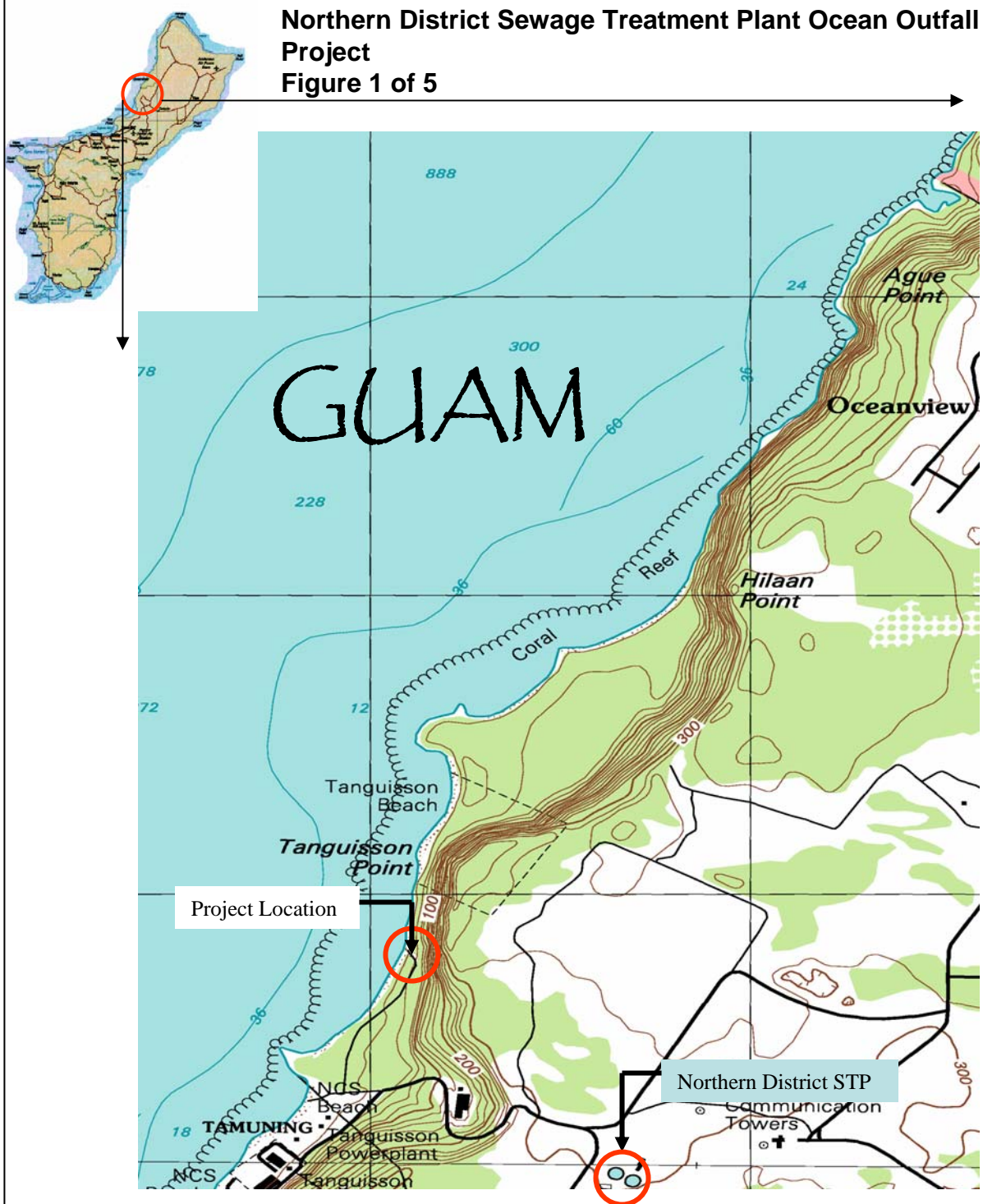
Plans are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments

# Northern District Sewage Treatment Plant Ocean Outfall Project

## Figure 1 of 5

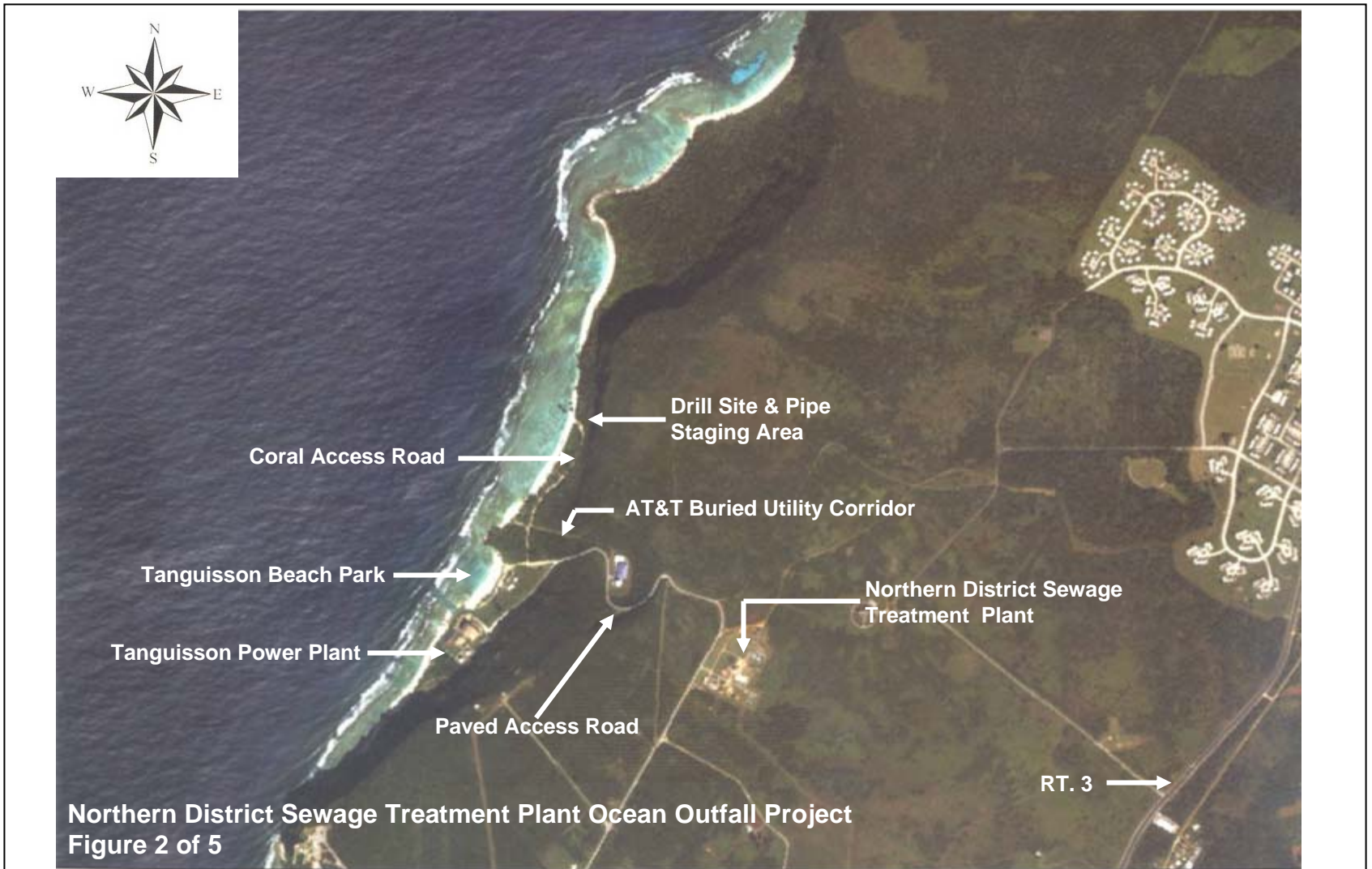


**Northern District STP – Outfall location and vicinity map**  
*modified from the USGFS Topographic map of Guam*

**ARC** Environmental Services

Date  
May 2007

Figure No.  
1 of 5



**Northern District STP – Site location and vicinity map on aerial photograph**

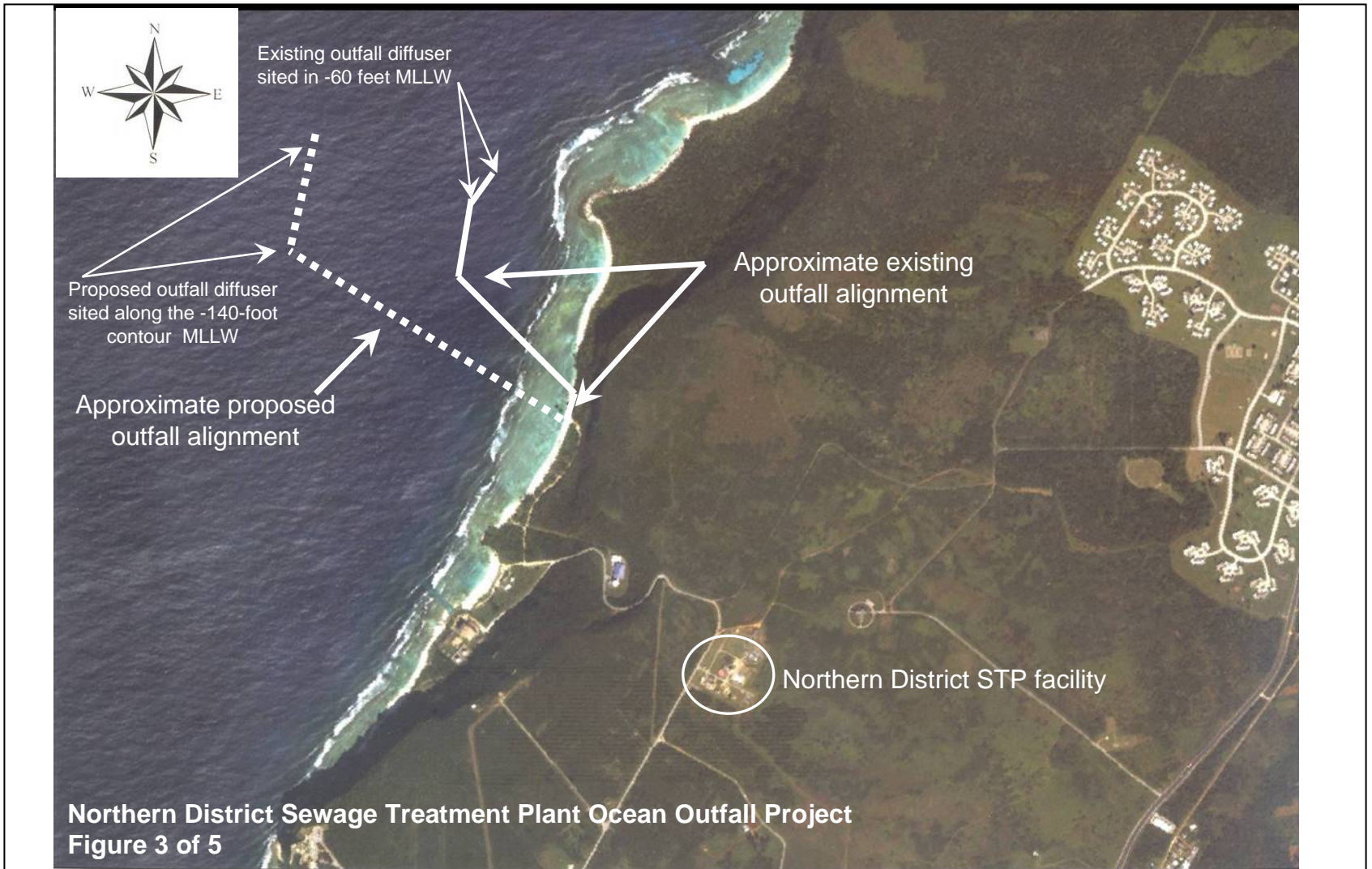
*modified from Guam Coastal Atlas (prepared by David Burdick, DOI/NOAA, Project No. CRI-GU-00 November 2005*

Date

May 2007

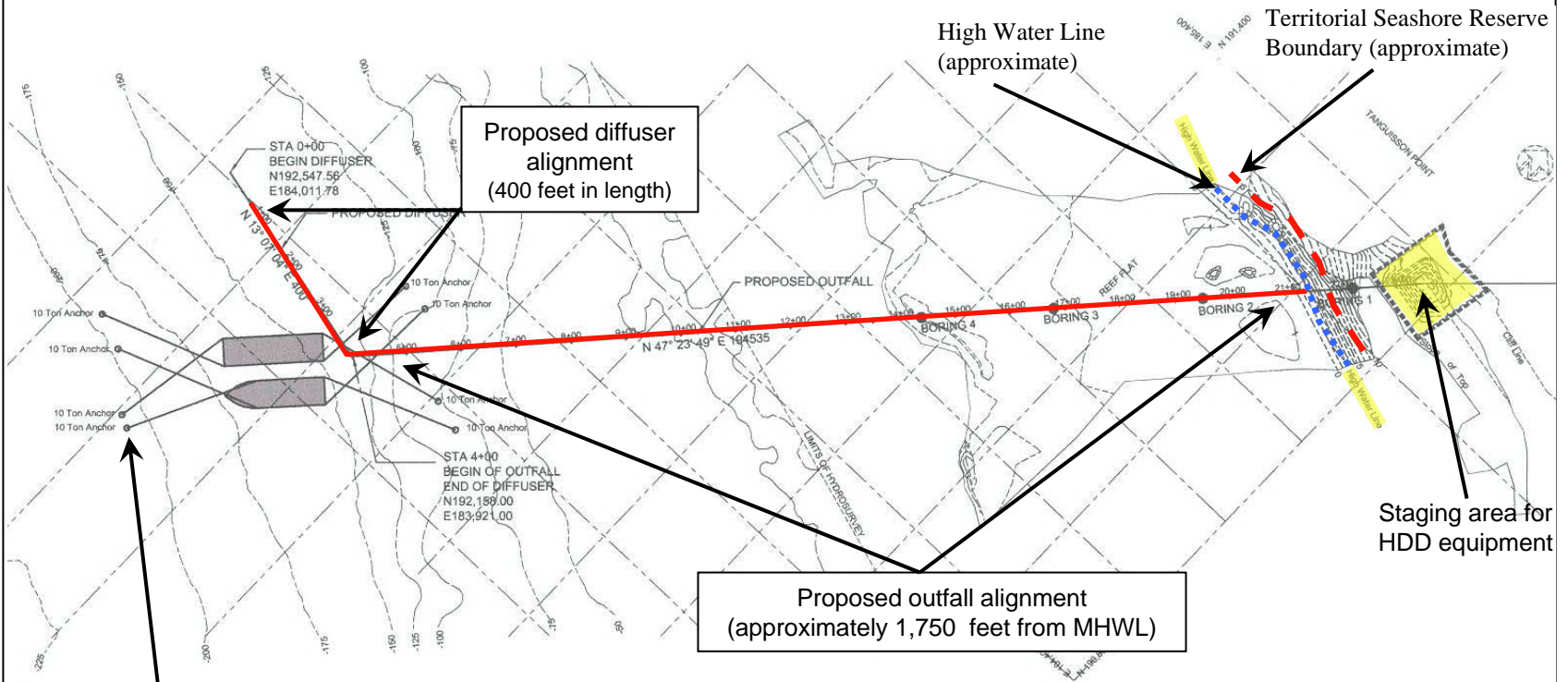
Figure No.

2 of 5



**Northern District STP – Proposed and existing outfall alignments (*approximate*)**  
*modified from Guam Coastal Atlas (prepared by David Burdick, DOI/NOAA, Project No. CRI-GU-00 November 2005)*

**Northern District Sewage Treatment Plant Ocean Outfall Project**  
**Figure 4 of 5**



10-ton anchors for vessel mooring

Proposed diffuser alignment (400 feet in length)

Proposed outfall alignment (approximately 1,750 feet from MHWL)

**KEY:**

- - - - - Territorial Seashore Reserve Boundary (approximate)
- - - - - High Water Line (approximate)

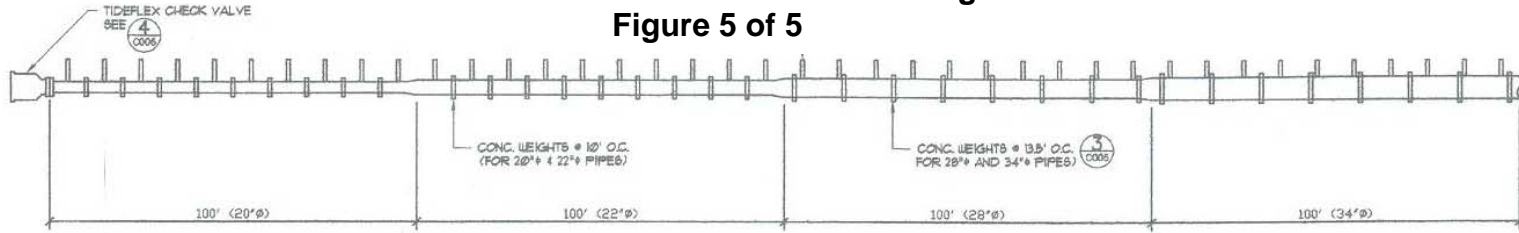
**Northern District STP – Proposed outfall layout plan showing relative positions of the High Water Line, Territorial Seashore Reserve Line and vessel mooring plan**

**ARC Environmental Services**

Date	May 2007
Figure No.	4 of 5

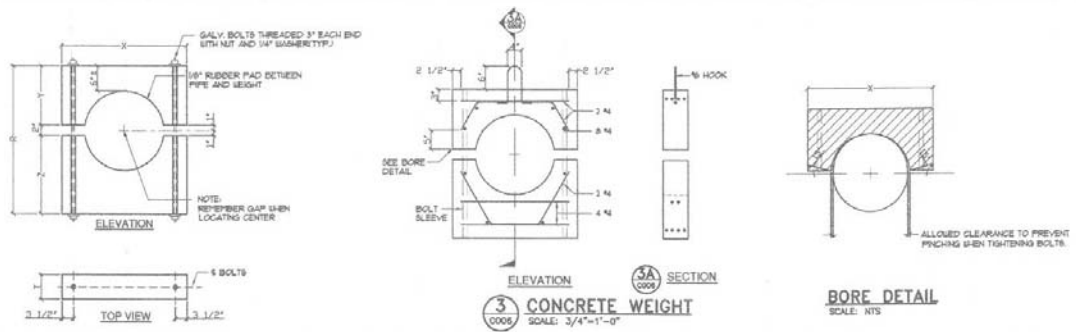


# Northern District Sewage Treatment Plant Ocean Outfall Project Figure 5 of 5



**1** PROFILE - DIFFUSER  
C006 SCALE: HOR. 1"=20' VERT. 1"=10'

NOMINAL PIPE SIZE	MEAN OUTSIDE DIAMETER INCHES	SPACING OF WEIGHTS TO OFFSET % AIR/FEET			APPROX. WEIGHT OF CONCRETE BLOCK (POUNDS)		APPROXIMATE BLOCK DIMENSIONS (INCHES)						BOLTS DIMENSIONS (INCHES)	
		10%	15%	20%	IN AIR	IN WATER	"D"	"X"	"Y"	"Z"	"R"	"T"	DIA	LENGTH
20, 22, 428 IPS	20, 22, 428	20	13.5	10	900	520	28.5"	44"	19.5"	26.5"	48	7.5	1	54
34 IPS	34	20	13.5	10	1,430	830	36"	52"	23"	30.5"	55.5"	9.375"	1	61.5"
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



REVISION	DATE	BY	DESCRIPTION	APPROVED
PROJECT NO.	GUAM WATERWORKS AUTHORITY GOVERNMENT OF GUAM			
CONTRACT NO.	TUMON INFRASTRUCTURE AND BEAUTIFICATION NORTHERN DISTRICT SEWER OUTFALL EXTENSION			
DESIGNED BY	DETAIL PROFILE OF DIFFUSER PIPE & CONCRETE WEIGHT DETAILS			
DRAWN BY	SCALE: AS SHOWN			
CHECKED BY	RECOMMENDED BY:			
DATE	DATE			
CHIEF OF ENGINEERING	DRAWING NO.			
ASSOCIATES, INC.	DRAWING NUMBER			
EDWARD K. HOOK	C007			

**Northern District STP: Engineering details of diffuser**  
*modified from engineering drawing C007; GMP Associates, Inc.*

**ARC** Environmental Services

Date  
May 2007

Figure No.  
5 of 5